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

- - - - - X

In the Matter of

SUNSHINE FORD EV CHARGING STATIONS  
(2023-18)

40 Route 17K  
Section 99; Block 47; Lot 23.22  
IB Zone

- - - - - X

SITE PLAN

Date: June 20, 2024  
Time: 7:00 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: CHRISTIAN SPENZIERO

- - - - - X

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

2 CHAIRMAN EWASUTYN: Good evening,  
3 ladies and gentlemen. The Planning  
4 Board would like to welcome you to  
5 the meeting of the 20th of June 2024.  
6 This evening we have eleven agenda  
7 items and one Board business item.

8 We'll start the meeting off with  
9 a roll call vote.

10 MR. DOMINICK: Present.

11 MR. MENNERICH: Present.

12 CHAIRMAN EWASUTYN: Present.

13 MR. BROWNE: Present.

14 MS. CARVER: Present.

15 MR. WARD: Present.

16 MR. CORDISCO: Dominic Cordisco,  
17 Planning Board Attorney.

18 MS. CONERO: Michelle Conero,  
19 Stenographer.

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

22 MR. CAMPBELL: Jim Campbell, Town  
23 of Newburgh Code Compliance.

24 CHAIRMAN EWASUTYN: At this point  
25 in the meeting now, we'll turn it over

2 to Dave Dominick.

3 MR. DOMINICK: Please stand for  
4 the Pledge of Allegiance.

5 (Pledge of Allegiance.)

6 MR. DOMINICK: Please silence your  
7 cellphones or put them on vibrate. Thank  
8 you.

9 CHAIRMAN EWASUTYN: Our first item  
10 this evening is Sunshine Ford EV charging,  
11 project number 23-18. It's a site plan  
12 located on Route 17K in an IB Zone. It's  
13 being represented by ChargeSmart EV.

14 MR. SPENZIERO: How are you?

15 CHAIRMAN EWASUTYN: Very good, thank  
16 you.

17 MR. SPENZIERO: I'm here tonight  
18 for site plan approval for Sunshine Ford  
19 for the EV charging stations. We were here  
20 last week presenting the site plans. It had  
21 to go to County review. They had thirty  
22 days to respond. We received your letter.  
23 We're here to discuss next steps and  
24 remaining actions

25 CHAIRMAN EWASUTYN: Pat Hines with

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MH&E.

MR. HINES: The project was submitted to Orange County Planning on May 6th. I don't believe we have a response, so it's been timed out.

CHAIRMAN EWASUTYN: We did get a response.

MR. HINES: That would have been a Local determination?

CHAIRMAN EWASUTYN: Yes.

MR. HINES: The Planning Board should discuss whether they want to have a public hearing for the minor site plan change.

We would recommend a negative declaration for the Unlisted action before the Board.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance.

MR. CAMPBELL: Nothing additional.

CHAIRMAN EWASUTYN: Having heard from Pat Hines with MH&E, would someone move for a motion to declare a negative declaration for Sunshine Ford EV charging.

2 MR. WARD: So moved.

3 MR. BROWNE: Second.

4 CHAIRMAN EWASUTYN: I have a motion  
5 by John Ward. I have a second by Cliff  
6 Browne. Can I please have a roll call  
7 vote starting with John Ward.

8 MR. WARD: Aye.

9 MS. CARVER: Aye.

10 MR. BROWNE: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12 MR. MENNERICH: Aye.

13 MR. DOMINICK: Aye.

14 CHAIRMAN EWASUTYN: It's discretionary  
15 for site plans that the Planning Board can  
16 waive the public hearing. I'll poll the  
17 Board Members to see if they want to have  
18 a public hearing, starting with Dave  
19 Dominick.

20 MR. DOMINICK: Waive the public  
21 hearing.

22 MR. MENNERICH: Waive the public  
23 hearing.

24 CHAIRMAN EWASUTYN: The same.

25 MR. BROWNE: Waive the hearing.

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MS. CARVER: Waive the hearing.

MR. WARD: Waive it.

CHAIRMAN EWASUTYN: Let the record show that the Planning Board waived the public hearing on Sunshine Ford EV charging stations.

At this time we'll turn the meeting over to Dominic Cordisco, Planning Board Attorney.

MR. CORDISCO: Thank you, Mr. Chairman. At this point I would recommend conditional final approval for this project. The conditions are the standard conditions regarding payment of fees and the fact that construction can only correspond to the plans. If any further expansion is proposed in the future, they would have to return to the Board seeking your amended approval.

CHAIRMAN EWASUTYN: Having heard from Dominic Cordisco, Planning Board Attorney, would someone move for the motion to grant conditional final approval for Sunshine Ford EV charging.

MR. DOMINICK: I'll make the motion.

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MR. WARD: Second.

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

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you.

(Time noted: 7:07 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 1st day of July 2024.

*Michelle Conero*  
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MICHELLE CONERO



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

----- X  
In the Matter of

RAM HOTELS  
(2016-21)

Unity Place  
Section 97; Block 2; Lot 37  
IB Zone

----- X

SITE PLAN RE-APPROVAL

Date: June 20, 2024  
Time: 7:08 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: RYAN SMITHEM

----- X

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

2 CHAIRMAN EWASUTYN: The second item  
3 of business this evening is RAM Hotels,  
4 project number 16-21. It's a site plan  
5 for re-approval located on Unity Place in  
6 an IB Zone. It's being represented by?

7 MR. SMITHEM: Ryan Smithem with  
8 Mercurio-Norton-Tarolli-Marshall,  
9 engineer for the applicant.

10 As was described, this is a  
11 previously approved five-story hotel  
12 with 112 rooms located on the  
13 southwesterly side of Unity Place. The  
14 project site is 6.5 acres in size.

15 The approval lapsed as there was  
16 some litigation drawing out the  
17 project. The applicant is seeking  
18 re-approval and building permits.  
19 They recently received re-approval  
20 of their variances, which had also  
21 lapsed. This is the final step.

22 CHAIRMAN EWASUTYN: Jim Campbell,  
23 Code Compliance.

24 MR. CAMPBELL: Nothing additional.

25 CHAIRMAN EWASUTYN: Pat Hines with

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MH&E.

MR. HINES: As was stated, the project is before the Board for re-approval of a 112-unit hotel.

The project last received conditional final approval on October 4, 2018. I provided the Board Members with copies of all the previous resolutions. The project had quite a history with the Board.

The Planning Board served as lead agency for the project review.

No substantive changes to the site are proposed.

We're recommending that the negative declaration would remain valid and could be reaffirmed.

The stormwater pollution prevention plan has been submitted. No changes to the plan have been proposed. We had previously signed off on that.

A stormwater facilities maintenance agreement would be required.

The status of the Army Corp of Engineers approval should be addressed.



2 that you approved back in 2018.

3 I think there are procedural  
4 matters here, but, again, nothing on  
5 the plan has changed.

6 MR. SMITHEM: One comment on Orange  
7 County Planning. I don't believe  
8 that this is located within 500 feet.  
9 I don't think we had it last time. I  
10 scaled it off because I saw your  
11 comment. 17K is 700 feet away from  
12 the end of the property line and it's  
13 800 feet to Route 300. I looked at  
14 the ZBA minutes as well from the  
15 recently approved. I guess they had  
16 sent it to the County previously and  
17 did not this time because they had  
18 mistakenly sent it the first time.

19 MR. HINES: I think we sent it  
20 originally, too. If it doesn't need it,  
21 that's fine.

22 MR. SMITHEM: If there's another  
23 trigger that I'm unaware of --

24 MR. HINES: There is not. I had  
25 the State highway as a trigger.

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

4 MR. CORDISCO: Yes. Since this is  
5 a new application for something that was  
6 previously approved, it still has to go  
7 through the other procedural requirements.  
8 The adjoiners' notices have to be sent out,  
9 as Pat had already mentioned.

10 As far as lead agency is concerned,  
11 Pat's recommendation is that the Board  
12 ultimately will consider reaffirming  
13 your prior negative declaration for  
14 this project. Since the agencies  
15 haven't changed since the project was  
16 previously approved, it is my  
17 recommendation that you do not need  
18 to recirculate for lead agency.

19 CHAIRMAN EWASUTYN: So the only  
20 action before us tonight is, within the  
21 next few days, your office will work with  
22 Pat Hines as far as the adjoiners'  
23 notice.

24 Dominic, should we act this evening  
25 on reaffirming the negative declaration

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or should we wait until they reappear?

MR. CORDISCO: You could, especially since it's been established now that it doesn't need to be referred to County Planning. You don't have to wait that minimum of thirty days before taking any action. You could consider reaffirming the negative declaration.

You could also decide whether or not you want to hold a public hearing on this project.

CHAIRMAN EWASUTYN: Thank you.

So let's start off polling the Board Members to see if they want to have a public hearing on RAM Hotels, project number 16-21, starting with John Ward.

MR. WARD: Waive it.

MS. CARVER: Waive it.

MR. BROWNE: No public hearing.

CHAIRMAN EWASUTYN: No public hearing.

MR. MENNERICH: Waive it.

MR. DOMINICK: Waive the public hearing.

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CHAIRMAN EWASUTYN: Let the record show that the Planning Board Members waived the public hearing on RAM Hotels.

Would someone make a motion to reaffirm the negative declaration for RAM Hotels.

MR. MENNERICH: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich and I have a second by Cliff Browne to reaffirm the negative declaration. Can I have a roll call vote starting with John Ward.

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. SMITHEM: Thank you all very much.

(Time noted: 7:15 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 1st day of July 2024.

*Michelle Conero*  
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MICHELLE CONERO

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

TOWN CENTER PLAZA - FRONT FACADE  
(2024-11)

59 North Plank Road  
Section 76; Block 4; Lot 3  
B Zone

----- X

ARB - NEW FACADE

Date: June 20, 2024  
Time: 7:15 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: MICHAEL BERTA

----- X

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

2                    CHAIRMAN EWASUTYN:    Our third  
3                    item of business this evening is  
4                    Newburgh Center Plaza - front facade,  
5                    project 24-11.    It's an ARB approval  
6                    for the new facade located on North  
7                    Plank Road in the B Zone.    It's being  
8                    represented by Michael Berta, architect.

9                    MR. BERTA:    Good evening.    The Town  
10                    Center is looking to update their facade.  
11                    At the last month's meeting we took some  
12                    of your comments.    What we had done is --  
13                    you had some concerns about traffic flow.  
14                    What we did is, as you're coming in the  
15                    main entrance here, we added a  
16                    directional sign so anybody coming in  
17                    knows which way, left or right.    If they  
18                    want to go to the coffee shop, they know  
19                    which way to go.

20                    As you get up to this intersection,  
21                    we added a stop sign at all four  
22                    intersections.    You basically get into a  
23                    four-way stop.

24                    As you're coming into the plaza,  
25                    the main plaza, we're adding striped

2 islands and we're putting in crosswalk  
3 signs, this way it helps the people a  
4 little bit so they see the people  
5 crossing.

6 The other thing we did is we  
7 lowered the tower.

8 CHAIRMAN EWASUTYN: Any improvements  
9 in the rear of the building?

10 MR. BERTA: No, sir.

11 The other thing, I apologize, not  
12 the building itself. What we're doing is  
13 we're getting rid of the trailers and  
14 we're adding a dumpster enclosure over  
15 here. Right now the dumpsters, as you  
16 mentioned, are a free-for-all. We're  
17 adding an enclosure that's large enough  
18 to include all the dumpsters.

19 CHAIRMAN EWASUTYN: Comments from  
20 Board Members. John Ward?

21 MR. WARD: Thank you for the  
22 traffic signs, especially the stop sign.

23 MR. BERTA: You're welcome.

24 CHAIRMAN EWASUTYN: Lisa Carver.

25 MS. CARVER: Nothing.

2                    MR. BROWNE:    No comment.

3                    CHAIRMAN EWASUTYN:    No comment.

4                    MR. MENNERICH:    No questions.

5                    MR. DOMINICK:    Thank you for  
6                    addressing the traffic issue.

7                    On your front elevation photo, if  
8                    you can go to that, you've got green  
9                    shrubberies of some type all across 32  
10                    there, parallel.    Is that going to be  
11                    there?    Are you changing what's there  
12                    now?    What's there now is a steel  
13                    guardrail.

14                    MR. BERTA:    They're going to be  
15                    doing a little bit of landscaping, yes.  
16                    The guardrail is going to stay.    This is  
17                    the artist's rendering.    We sent him a  
18                    street view picture.

19                    MR. DOMINICK:    Make it look pretty.

20                    MR. BERTA:    Yeah.    They're going to  
21                    be updating the landscaping as part of  
22                    this because it is pretty minimal.

23                    MR. DOMINICK:    The guardrail is  
24                    going to stay?

25                    MR. BERTA:    The guardrail needs to

2            stay because of the slope. It's not so  
3            bad here, but as you get over to this  
4            end, it gets pretty steep.

5            MR. DOMINICK: Thank you.

6            CHAIRMAN EWASUTYN: Jim Campbell,  
7            Code Compliance.

8            MR. CAMPBELL: What are you  
9            proposing with all the signage? That  
10           would be part of ARB.

11           MR. BERTA: The signage will be the  
12           normal stop signs.

13           MR. CAMPBELL: No, no. The building  
14           business signs.

15           MR. BERTA: Most of the signs are  
16           already there. This would be the only  
17           sign that will be new. All the other  
18           signs stay. They're going to be taken  
19           off and put back up.

20           MR. CAMPBELL: Do we have the size  
21           of the signs?

22           MR. BERTA: Off the top of my head,  
23           I don't remember. I'm sorry.

24           MR. CAMPBELL: If you can get that  
25           information.

2 MR. BERTA: Absolutely. I'll get  
3 it over to you by Monday.

4 CHAIRMAN EWASUTYN: Anything else,  
5 Jim?

6 MR. CAMPBELL: No.

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

9 MR. HINES: The adjoiners' notices  
10 were provided and circulated.

11 I believe the project, for ARB and  
12 the minor maintenance of the parking lot,  
13 is a Type 2 action.

14 The Board should determine whether  
15 they wish to hold a public hearing.

16 We just noted that the height of  
17 the clock tower was reduced to be compliant.

18 CHAIRMAN EWASUTYN: I'll poll the  
19 Board Members to see if they'd like to  
20 have a public hearing for Newburgh Center  
21 Plaza - front facade, project number  
22 24-11, starting with Dave Dominick.

23 MR. DOMINICK: Waive the public  
24 hearing.

25 MR. MENNERICH: Waive the public

2 hearing.

3 CHAIRMAN EWASUTYN: Waive the  
4 public hearing.

5 MR. BROWNE: Waive it.

6 MS. CARVER: Waive it.

7 MR. WARD: Waive the public  
8 hearing.

9 CHAIRMAN EWASUTYN: Let the record  
10 show the Planning Board waived the public  
11 hearing on the Town Center Plaza - front  
12 facade.

13 At this point we'll turn to Dominic  
14 Cordisco, Planning Board Attorney.

15 MR. CORDISCO: There are no special  
16 conditions associated with this.

17 If the Board is satisfied with the  
18 plans to date, you could consider  
19 granting ARB approval at this time.

20 CHAIRMAN EWASUTYN: Jim Campbell,  
21 Code Compliance, assuming the Planning  
22 Board is going to grant ARB approval for  
23 the new facade, the language as far as  
24 signage?

25 MR. CAMPBELL: If you're fine with



2            the ARB as far as the colors and  
3            everything and the signage, we can verify  
4            the sizes when they go to install.

5            CHAIRMAN EWASUTYN: Is everyone  
6            satisfied with that?

7            MR. DOMINICK: Yes.

8            MR. MENNERICH: Yes.

9            CHAIRMAN EWASUTYN: Yes.

10          MR. BROWNE: Yes.

11          MS. CARVER: Yes.

12          MR. WARD: Yes.

13          CHAIRMAN EWASUTYN: Would someone  
14          move for a motion to grant ARB approval  
15          for the new facade at the Town Center  
16          Plaza.

17          MR. DOMINICK: I'll make the  
18          motion.

19          MS. CARVER: Second.

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

24          MR. WARD: Aye.

25          MS. CARVER: Aye.

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MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you.

MR. BERTA: Thank you very much. I  
appreciate it.

(Time noted: 7:20 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 1st day of July 2024.

*Michelle Conero*  
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MICHELLE CONERO

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

217 SOUTH PLANK ROAD - CANNABIS DISPENSARY  
(2024-13)

217 South Plank Road  
Section 61; Block 1; Lots 18 & 19  
B Zone

----- X

SITE PLAN

Date: June 20, 2024  
Time: 7:20 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JOSEPH MINUTA

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

2 CHAIRMAN EWASUTYN: The fourth item  
3 of business this evening is 217 South  
4 Plank Road. It's a cannabis dispensary,  
5 an initial appearance for a site plan.  
6 It's located on 217 South Plank Road.  
7 It's being represented by?

8 MR. MINUTA: Minuta Architecture,  
9 Joseph Minuta.

10 CHAIRMAN EWASUTYN: Thank you.

11 MR. MINUTA: Good evening, Chairman,  
12 Members of the Board. Nice to see you  
13 all again.

14 We're here tonight for a -- I'll  
15 try to keep it simple. We have an  
16 existing site plan that was previously  
17 approved. We don't have any changes to  
18 the site plan itself.

19 We did read the cannabis law. We  
20 will be in compliance with all the  
21 provisions of that.

22 With regard to the dumpster, there  
23 is already a lockable dumpster onsite.  
24 That dumpster is going to be relocated to  
25 the rear of the property, behind the

2 fence. That takes care of some of the  
3 security and the concerns I've seen from  
4 other applications that I've read through.

5 The other item that we have for this  
6 is really not a change to the site but a  
7 change to the building. Around the  
8 building, L-1, you're going to see some  
9 green areas around the building. That  
10 determines the illumination around the  
11 building itself to provide better  
12 clarity for people to see. That's  
13 really all there is.

14 There's existing Central Hudson  
15 lights that are used for this property.  
16 That's what we see here in the orange  
17 spots. They provide a greater portion  
18 of light over the property.

19 We have a retail place going to  
20 a retail place.

21 The applicant has already received  
22 the New York State cannabis dispensary  
23 license for this location. It's really  
24 just an interior fit-out.

25 If there's anything else the Board

2 would like to know or hear, I'm very  
3 happy to entertain that and answer  
4 any questions.

5 CHAIRMAN EWASUTYN: Dominic Cordisco,  
6 Planning Board Attorney, this still  
7 requires a special use permit?

8 MR. CORDISCO: It does pursuant to  
9 the Town code.

10 CHAIRMAN EWASUTYN: Pat Hines with  
11 MH&E.

12 MR. HINES: Our first comment is  
13 exactly that, that it's a special use  
14 permit based on the cannabis code.

15 We have a comment regarding the  
16 need for a lot consolidation. When this  
17 was before the Board previously for the  
18 retail uses and the landscape, there was  
19 no evidence on the plans of the two lots  
20 that are involved here. I believe a lot  
21 consolidation should be processed through  
22 during this as well to clean that  
23 situation up, otherwise there will be  
24 bulk issues with that other lot line  
25 internal to the site.

2 The landscaping business is going  
3 to remain as it is on the site?

4 MR. MINUTA: Technically there's no  
5 business according to in 2004. I read  
6 the minutes from there. What we have is  
7 the original plan, which I'm going to  
8 just show you as a reference. There are  
9 simply locations in the back behind the  
10 fenced area that show locations for a  
11 backhoe, a skid steer, a pickup, dustless  
12 surface. There's a lot of technical data  
13 that went along with that. It's the same  
14 exact thing. They're simply storing the  
15 items there. There's no business  
16 operating there, such as an office or  
17 things of that nature. It is what it is,  
18 and that's been there since 2004 when it  
19 was approved. The area that we're  
20 discussing is the former Audio  
21 Expressions -- audio sales center here,  
22 which was last Hollywood Sounds. At this  
23 location and in the back area, both being  
24 1,800 square feet, a total of 3,600  
25 square feet, that's the space that's



2 being fit up.

3 That is the extent of the project.

4 MR. HINES: I just wanted to  
5 confirm, because there was no indication  
6 on the plan of those approved uses  
7 remaining. I think maybe a note on the  
8 plan so when you file this, the code  
9 office knows those uses are going to  
10 continue as well.

11 MR. MINUTA: I'll be happy to note  
12 that on the plan. Our intent was not to  
13 create a new site plan because it's a  
14 special use, but to utilize the existing  
15 and amend it to just show you the items  
16 we're doing here for this.

17 MR. HINES: I think we're doing  
18 special use and site plan at the same  
19 time.

20 MR. MINUTA: Help me out here.  
21 There's no change to the site plan.

22 MR. HINES: I just wanted to  
23 indicate it because we're going to file  
24 that at the Building Department and  
25 there's no indication on this most recent

2 map of the landscape approvals previously  
3 granted. I want to make sure that someone  
4 doesn't open this plan up and say there  
5 was no approval for the landscaping  
6 business. Showing the extent of that  
7 use, the approved plan, on this one as  
8 well will be helpful.

9 MR. MINUTA: Okay. Will do. Thank  
10 you.

11 We have no objection -- take no  
12 exception to the lot line consolidation.  
13 I'm very happy with my surveyor. He  
14 found a lot of things.

15 MR. HINES: The signage should be  
16 provided for architectural review.

17 Provisions of the cannabis code,  
18 they typically require those noted on the  
19 map, no outdoor speakers, no visible  
20 cannabis-related symbols on the front.  
21 That kind of thing. If those could be  
22 added.

23 This is your first appearance, so  
24 adjoining's notices must be sent out.  
25 I'll coordinate that with your office to

2 complete that.

3 It is a special use on a State  
4 highway, so a County Planning referral is  
5 required.

6 A public hearing also is required.

7 We're suggesting the Board may wish  
8 to declare itself lead agency because we  
9 will coordinate this with DOT. There's  
10 probably no change to the access, but it  
11 is their highway.

12 MR. MINUTA: Thank you.

13 CHAIRMAN EWASUTYN: Jim Campbell,  
14 Code Compliance.

15 MR. CAMPBELL: On the plans you  
16 show or make mention of the size of the  
17 building sign. That will work.

18 What I'm unsure of is your free-  
19 standing sign. That is no longer  
20 compliant. You're going to make a change  
21 to it?

22 MR. MINUTA: The Hollywood Sounds  
23 sign that's there, that will simply be  
24 changed out.

25 MR. CAMPBELL: That is considered

2 changing it. The ZBA has determined  
3 that.

4 I'm unsure of the size, if it's --  
5 you're allowed 60 square foot per side  
6 and a max size of 14 feet. I'm unsure if  
7 it's in the correct location. It may  
8 need a variance.

9 MR. MINUTA: I will certainly look  
10 into it. Thank you very much. It's my  
11 understanding that the existing sign  
12 there was approved and had permits for  
13 it, so it kind of stretched beyond that  
14 existing box sign that's there to simply  
15 change the graphics.

16 MR. CAMPBELL: Since that sign was  
17 initially approved, the sign code has  
18 changed drastically. It says if you're  
19 going to change the size, you're going to  
20 comply.

21 MR. MINUTA: Thank you so much for  
22 that information.

23 CHAIRMAN EWASUTYN: So the action  
24 before us tonight is to circulate the  
25 adjoiners' notice, we'll send this to the

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Orange County Planning Department, we'll  
declare ourselves lead agency?

MR. CORDISCO: Yes.

CHAIRMAN EWASUTYN: Can I have  
someone move for that motion.

MR. MENNERICH: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion  
by Ken Mennerich. I have a second by  
John Ward. Can I have a roll call vote  
starting with John Ward.

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. MINUTA: Thank you.

(Time noted: 7:25 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 1st day of July 2024.

*Michelle Conero*  
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MICHELLE CONERO

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

NEWBURGH COMMONS  
(2023-24)

5430 & 5450 Route 9W  
Section 9; Block 1; Lots 53.1 & 13  
R-3/B Zone

----- X

SITE PLAN

Date: June 20, 2024  
Time: 7:25 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ANTHONY GUCCIONE,  
UMBERTO BALDINUCCI & STANLEY SCHUTZMAN

----- X

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

2 CHAIRMAN EWASUTYN: The fifth  
3 item of business this evening is  
4 Newburgh Commons. It's a site plan  
5 located on Route 9W. In an R-3/B  
6 Zoning District. It's being represented  
7 by JMC Planning & Engineering.

8 MR. GUCCIONE: Good evening,  
9 Chairman, Members of the Board. My name  
10 is Anthony Guccione with JMC. I'm here  
11 tonight for the Newburgh Commons on  
12 behalf of the applicant, 5450 Route 9W,  
13 LLC.

14 We were before your Board last  
15 month when we presented the site plan to  
16 your Board.

17 As we noted before, we appeared  
18 before the Zoning Board of Appeals in  
19 February and March. The variances were  
20 granted for the project.

21 With this last submission, we  
22 submitted a traffic impact study as well  
23 as a stormwater pollution prevention plan  
24 for the project, as well as some responses  
25 to comments from the Board's consultants.



2 We are respectfully requesting  
3 site plan and lot consolidation  
4 approval for the project.

5 If the Board deems appropriate,  
6 we respectfully request a SEQRA  
7 determination and the scheduling of a  
8 public hearing, if that would be  
9 required for the project.

10 I'd be happy to give a brief  
11 overview of the project, we did it  
12 last month, or I can just answer  
13 questions. As the Board sees fit.

14 CHAIRMAN EWASUTYN: Anthony, we  
15 have a new Board Member. I'd appreciate  
16 it if you would revisit the site and  
17 educate us all.

18 MR. GUCCIONE: Sure. So the  
19 property is located on the east side of  
20 Route 9W between Oak Street and Cortland  
21 Drive. Oak Street is here to the south.  
22 Cortland Drive is here. It's directly  
23 across the street from Overlook Farms  
24 which is here, the project that was  
25 previously approved by your Board.

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Overall the property is about 3.7 acres in size. You can see it's outlined in red here on the plan. It's comprised of two lots currently. The applicant is proposing to consolidate those two lots.

The property lies in the B, Business, District where the proposed uses are permitted.

As I mentioned, we were before the Zoning Board. They granted a rear yard setback variance for the proposed buildings here and here and they granted a front yard setback for the gas canopy that's here on this side and on that side.

The project proposes an 11,550 square foot building right here, centrally located on the property. It also proposes a 4,600 square foot building at the north end of the property. That would be a 3,100 square foot convenience store and a 1,500 square foot restaurant.

Six gasoline pumps are proposed

2 here at the north end of the site under  
3 this canopy.

4 Access to the site is proposed to  
5 be two driveways. One will connect to  
6 Route 9W. The southernmost driveway  
7 would align with the Overlook Farms  
8 driveway.

9 We're hopeful that the New York  
10 State Department of Transportation will  
11 grant the right to install a traffic  
12 signal there. We did submit this week to  
13 New York State Department of Transportation  
14 and did copy your Board and Mr. Hines on  
15 that.

16 The northern most driveway is a  
17 right in/right out only here at this  
18 location, also connecting to 9W.

19 We've added substantial landscaping  
20 to the site. We added deciduous trees,  
21 evergreen trees, shrubs, perennials,  
22 ground covers and grasses. We did  
23 respond to comments received from the  
24 Board's Landscape Consultant.

25 In terms of parking, there are

2 122 parking spaces required and 128  
3 parking spaces provided. We comply  
4 with the parking requirement.

5 Two loading spaces are required  
6 and provided, so that's in compliance.

7 There is a watercourse at the  
8 south end of the property. We are  
9 proposing to relocate a portion of  
10 that watercourse. After the project,  
11 more of that watercourse will be day  
12 lighted under existing conditions.  
13 That is an environmental benefit to  
14 the property.

15 Stormwater will be collected and  
16 recharged in two subsurface stormwater  
17 management areas.

18 There's a proposed subsurface  
19 sewage treatment system or septic system  
20 which will treat the sewage for the  
21 project.

22 I'd be happy to answer any questions.

23 CHAIRMAN EWASUTYN: Comments from  
24 Board Members. Dave Dominick.

25 MR. DOMINICK: Nothing further.

2 CHAIRMAN EWASUTYN: Ken Mennerich.

3 MR. MENNERICH: Nothing at this  
4 time.

5 CHAIRMAN EWASUTYN: Cliff Browne.

6 MR. BROWNE: Thank you for going  
7 over everything.

8 MS. CARVER: Thank you.

9 MR. WARD: Thank you.

10 MR. GUCCIONE: You're welcome.

11 CHAIRMAN EWASUTYN: Jim Campbell,  
12 Code Compliance.

13 MR. CAMPBELL: The last time you  
14 were here we discussed about possibly  
15 relocating the hydrant.

16 MR. GUCCIONE: We looked at that.  
17 The hydrant you're talking about is right  
18 in front of the restaurant. We'd like  
19 the opportunity to meet with your office  
20 and discuss some constraints and figure  
21 out what the best solution for that is.  
22 Perhaps along the front of the curb line  
23 in this location may make sense. The  
24 issue is having it between the gas canopy  
25 and the building. If that makes sense,

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we'd like to get together and discuss the best location.

MR. CAMPBELL: E-mail me and I can set something up.

CHAIRMAN EWASUTYN: Pat Hines with MH&E.

MR. HINES: We circulated the notice of intent for lead agency on May 22nd. Fortunately for the applicant, May has thirty-one days. That thirty-day time period at close of business today would have been completed. The regulations start at the date of mailing and give you thirty days from there. I believe the thirty-day timeframe has passed.

We did receive the stormwater pollution prevention plan. It is under review. We are conceptually okay with the plan as it has been presented. It does use underground storage for the water quantity and quality control. We will be finishing up that technical review as the project moves forward.

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The project is completing a flood study for impacts in the floodplain and installation of the culvert, so we'll be looking to get copies of that. As well, they'll work through the DEC and Army Corp for approvals for that work.

The septic system design must be submitted to County Health and DEC for a SPDES permit.

Health Department approval for the water main extension with hydrants is also required.

DOT approval for the access drives and utility connections are required.

The project kind of depends on the installation of a traffic signal for the project across the street.

MR. GUCCIONE: The DOT said they didn't approve it for just that project. They said when the other project came across the street, if it did, they would reconsider. We put that into the traffic study showing the additional driveway. We've spoken with them and it seems like

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it has a chance. It works with or without.

MR. HINES: Okay. We'll defer to Ken Wersted's office on that.

We just spoke about the fire hydrant.

The existing culvert under 9W is identified as having two feet of sediment located within it, which is probably impacting the capacity of that culvert. We're requesting you coordinate with DOT and your client regarding cleaning of that during this process. We had a project recently before us on 9W that the DOT required the applicant to clean their culvert. It was a surprise to us as well. They did require that. That needs to be addressed for capacity issues. If you're moving that water through your project and it hits that, it could be an issue. We have that just as a maintenance or a clean-up item.

A stormwater facilities maintenance agreement will be required.



2                   Securities for the stormwater,  
3                   landscaping.

4                   The valving for the water line  
5                   needs to be designed per the Newburgh  
6                   standards.

7                   There is a large-diameter, high-  
8                   pressure gas main along the project  
9                   frontage. You're proposing to grade over  
10                  that per your plans. That's going to  
11                  need to go to Central Hudson for review.

12                  MR. GUCCIONE: We've spoken to them  
13                  about it. That was what led to the  
14                  current design. We will not be allowed  
15                  to relocate that culvert and the sidewalk  
16                  that goes along there. We'll continue to  
17                  coordinate with them.

18                  MR. HINES: Just copy the Board on  
19                  that as well.

20                  You did address the pork chop, the  
21                  right in/right out. You brought the  
22                  sidewalk/crosswalk around it rather than  
23                  through it.

24                  That's the extent of our comments.

25                  We believe that the traffic study

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and stormwater studies have been advanced enough that the Board could consider a negative declaration, if it so desired.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney.

MR. CORDISCO: Yes, that would be appropriate as far as the next steps for this action now that the lead agency circulation timeframe has been concluded.

The Board should also consider whether or not it's appropriate to schedule a public hearing.

CHAIRMAN EWASUTYN: I'm looking for a motion to declare a negative declaration for Newburgh Commons, project number 23-24, for the site plan located on Route 9W. Would someone move for that motion.

MS. CARVER: So moved.

MR. DOMINICK: Second.

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

MR. WARD: Aye.

2 MS. CARVER: Aye.

3 MR. BROWNE: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. MENNERICH: Aye.

6 MR. DOMINICK: Aye.

7 CHAIRMAN EWASUTYN: Would someone  
8 make a motion to set Newburgh Commons,  
9 project number 23-24, for a public  
10 hearing for the 18th of July 2024.

11 MR. DOMINICK: So moved.

12 MR. MENNERICH: Second.

13 CHAIRMAN EWASUTYN: I have a motion  
14 by Dave Dominick. I have a second by Ken  
15 Mennerich. Can I have a roll call vote  
16 starting with John Ward.

17 MR. WARD: Aye.

18 MS. CARVER: Aye.

19 MR. BROWNE: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. MENNERICH: Aye.

22 MR. DOMINICK: Aye.

23 MR. GUCCIONE: Thank you.

24 CHAIRMAN EWASUTYN: Also, for the  
25 public hearing, just so we have some ARB

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renderings for the public as to what we're considering to approve.

MR. GUCCIONE: We have some preliminary renderings for the convenience store. We don't have anything for the larger retail building because we have no idea who the tenant is going to be until we get further into the approval process. Should we bring what we have to get started?

CHAIRMAN EWASUTYN: I think all that you have would have value. If it's not complete, we'll take that into the decisionmaking on the project.

MR. GUCCIONE: Great. Thank you.

(Time noted: 7:35 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 1st day of July 2024.

*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 SELF-STORAGE  
(2024-06)  
  
1420 Route 300  
Section 60; Block 3; Lot 22.222  
IB Zone

----- X

SITE PLAN

Date: June 20, 2024  
Time: 7:35 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JUSTIN DATES  
and DANIEL WHITNEY

----- X

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

2 CHAIRMAN EWASUTYN: Our sixth item  
3 of business this evening is Newburgh  
4 Self-Storage, project number 24-06. It's  
5 a site plan located on Route 300 in an IB  
6 Zone. It's being represented by Colliers  
7 Engineering, Justin Dates.

8 MR. DATES: Good evening, Mr. Chairman,  
9 Members of the Board. Justin Dates with  
10 Colliers Engineering & Design.

11 I'll go over a few items that have  
12 occurred since our last appearance in  
13 front of the Board. We did make an  
14 application to the ZBA for the proposed  
15 height variance. Basically the existing  
16 structure is going to be used for  
17 storage. The maximum height is 28 feet.  
18 Per the Zoning Code, the Town's maximum  
19 height for a storage building is 15 feet.  
20 We pursued that variance with the ZBA and  
21 it was granted to us at their May 23rd  
22 meeting.

23 Since the last meeting we also put  
24 together our preliminary site plan  
25 package and SWPPP which was provided to

2 the Board in this recent submission.

3 We've detailed out the grading, the  
4 drainage, utilities.

5 We provided a landscape and  
6 lighting plan for the project.

7 Just a couple of items from the  
8 original sketch plan. We did do some  
9 reconfiguration to the buildings, the  
10 proposed storage buildings onsite. There  
11 were eleven in that sketch plan that the  
12 Board saw. We're down to eight new  
13 storage buildings now. There was a minor  
14 reduction in the square footage.

15 On the western side of the site, we  
16 kind of had a horseshoe shape or cluster  
17 of storage buildings which we've reduced  
18 just to this one building H now.

19 The office is connected to the  
20 front, on the west side of that storage  
21 facility.

22 We have a proposed fenced-in  
23 facility with a slide gate proposed at  
24 the access point on 52. We have a  
25 vertical gate proposed for the 300



2 access.

3 Eight parking spaces are proposed  
4 where four are required.

5 Through the SWPPP we were able to  
6 meet the redevelopment reduction in  
7 impervious coverage thresholds that the  
8 DEC has. The stormwater designed as such  
9 connects up to the low point here on the  
10 eastern side of the site. No additional  
11 basins, bio-retention area or stormwater  
12 management is required based on meeting  
13 that.

14 We're here tonight to have the  
15 Board declare its intent for lead agency.

16 We would like to get the referral  
17 to Orange County Planning.

18 Then, if the Board is okay, just  
19 discuss the future potential of a public  
20 hearing or possibly waiving that.

21 CHAIRMAN EWASUTYN: I'll turn to  
22 the Board Members. Dave Dominick,  
23 discussion.

24 MR. DOMINICK: In general or --

25 CHAIRMAN EWASUTYN: However you

2 want to talk.

3 MR. DOMINICK: Justin, in your  
4 initial appearance you and I discussed  
5 about the perimeter, the landscape and  
6 fencing and all that. You talked maybe  
7 about regrading or something to that  
8 effect. Could you just walk me through  
9 that again? I walked your site actually  
10 on Monday. That perimeter, especially  
11 behind the Verizon building, it's just  
12 falling apart.

13 MR. DATES: We did discuss the  
14 existing condition of these walls here.  
15 What we've done is we've pulled in where  
16 our proposed curb line is or edge of  
17 pavement is. That's been pulled in in  
18 both of those cases from what is there  
19 presently. We've increased the amount of  
20 real estate that we have there to be able  
21 to move those walls and grade it out.

22 MR. DOMINICK: When you grade it  
23 out, what will be there? Grass?

24 MR. DATES: Yes. So in this area  
25 behind building H here, that's all

2 parking lot right now. That's all  
3 getting ripped up and it's all getting  
4 vegetated. That will be the stabilization  
5 of that area. Similar to the far east side,  
6 there's that very rear parking lot that  
7 hasn't been used in sometime, as you can  
8 see. All of that pavement is getting  
9 removed in this area and will be  
10 re-vegetated.

11 As for interior to the site, looking  
12 at the grading plan, we really focused on  
13 mimicking all the existing grades as best  
14 as we could so that the buildings actually  
15 step with the contour changes or the  
16 elevation changes of the site, and that  
17 there would be minimal actual cuts and  
18 major fills throughout the site. We're  
19 going to try to match finished pavement  
20 elevation as best we can.

21 MR. DOMINICK: One other slight  
22 question. Building H and the reduction  
23 in size and so forth of the other  
24 buildings, there's no outside storage?

25 MR. DATES: That's correct.

2 MR. DOMINICK: RVs and that kind of  
3 stuff?

4 MR. DATES: That's correct. The  
5 code does not allow that either. We will  
6 comply with that.

7 MR. DOMINICK: Thank you.

8 CHAIRMAN EWASUTYN: Ken Mennerich.

9 MR. MENNERICH: The two gates that  
10 you have, the one on 52 and the one on  
11 Route 300, how are customers getting the  
12 gates to open or how do people visiting  
13 the site get in?

14 MR. DATES: They will have, on  
15 either side, a keypad entry to get in.

16 MR. WHITNEY: It's all keypad  
17 access. When you rent a unit, you get  
18 assigned a code. We'll have keypads so  
19 we know who is coming in and who is going  
20 out.

21 CHAIRMAN EWASUTYN: For the record,  
22 can I have your name?

23 MR. WHITNEY: Daniel Whitney with  
24 Whitney Development.

25 MR. MENNERICH: If somebody doesn't

2 have a unit yet and they're interested,  
3 how do they get into the inside?

4 MR. WHITNEY: The office up front  
5 has the parking spaces outside of the  
6 gate. The purpose is that the only  
7 people that should be able to access the  
8 site where there would be storage units  
9 are people renting the storage units.

10 MR. MENNERICH: Thank you.

11 MR. DATES: The front gate here is  
12 facing the office. If you're going west  
13 towards 300, the parking and main access  
14 to that portion of the site is outside of  
15 the gate.

16 MR. MENNERICH: Thanks.

17 CHAIRMAN EWASUTYN: At the next  
18 meeting can you bring us some ARB  
19 renderings of what the buildings will  
20 look like?

21 MR. DATES: Yes. The project  
22 architect is working on those. That will  
23 be part of our next submission to the  
24 Board.

25 MR. BROWNE: What's the fencing

2 that's going to keep everybody out?

3 MR. DATES: It's a six-foot chain-  
4 link fence.

5 MR. BROWNE: Six foot?

6 MR. DATES: Yes.

7 MR. BROWNE: Thank you.

8 CHAIRMAN EWASUTYN: That's black  
9 vinyl coated?

10 MR. DATES: Galvanized.

11 MR. WHITNEY: Where we have fencing  
12 facing the street, we want to do  
13 something nice, more ornamental. The  
14 gates kind of come in that more  
15 ornamental metal. Anywhere it's not seen  
16 from the street, we'll keep it chain-link  
17 style. Anywhere it's visible, we'll make  
18 it ornamental.

19 CHAIRMAN EWASUTYN: Lisa Carver.

20 MS. CARVER: Nothing.

21 CHAIRMAN EWASUTYN: John Ward.

22 MR. WARD: With your entrances on  
23 Route 300 and down on Route 52, I'm  
24 asking you to dress it up a little bit,  
25 especially 300, with a stonewall on both

2 sides. It's small, but at the same time  
3 make it look nice. Across the street you  
4 have stonewalls in front of everything.  
5 We're trying to coordinate it as we go.  
6 It's an entrance, it's sales appeal for  
7 you.

8 MR. DATES: We're actually one step  
9 ahead of you. It's on the landscape  
10 plan. I've been before this Board too  
11 many times.

12 MR. WARD: You know where I'm  
13 going.

14 MR. DATES: On the landscape plan  
15 we did propose -- we do have a section on  
16 either side just off of the pavement  
17 edge. There's grading here on the south  
18 side. It ends there. We have stonewalls,  
19 we have a couple different perennials  
20 and some flowering shrubs, evergreen  
21 shrubs to accent that as well.

22 MR. WARD: Maybe 52, do something  
23 down there.

24 MR. WHITNEY: That isn't technically  
25 our property. It's an access easement.

2 I don't think we can. I'd love to.

3 MR. WARD: See what you can do.

4 CHAIRMAN EWASUTYN: Jim Campbell,  
5 Code Compliance.

6 MR. CAMPBELL: Just to let you  
7 know, I did make copies of the plans and  
8 the comments. I distributed them to the  
9 fire department for any additional  
10 comments.

11 MR. DATES: In this submission we  
12 did provide the responses to the e-mail.  
13 We're hoping to further that conversation  
14 with them.

15 MR. CAMPBELL: That's why I copied  
16 them.

17 MR. DATES: Thank you.

18 MR. CAMPBELL: Make sure you  
19 address their concerns.

20 CHAIRMAN EWASUTYN: Pat Hines with  
21 MH&E.

22 MR. HINES: The project did receive  
23 the variances from the ZBA for the  
24 building height.

25 Now that it is back from ZBA, I



2 believe the Board should declare its  
3 intent for lead agency. We did not do  
4 that so the ZBA could make their  
5 determinations without a coordinated  
6 review.

7 DOT will be an involved agency as  
8 both access points are on State highways.

9 We have the comment regarding  
10 submission of the plans to the  
11 jurisdictional fire department.

12 We do concur that the project  
13 complies with the redevelopment  
14 standards. The impervious surfaces on  
15 the site are reduced by 1.25 acres.

16 The northerly most structure, the  
17 smallest of the self-storage along 52,  
18 that's still touching on the building  
19 envelop. We're requesting a note that  
20 says that that building will be staked in  
21 the field prior to construction. Your  
22 response was that you redesigned the  
23 front, but that building still is on  
24 the --

25 MR. DATES: It is one foot off. We

2 can add that note.

3 MR. HINES: One foot off. Do you  
4 know how many one foot offs we have  
5 before the ZBA. Just to have that staked  
6 out in the field. I concur it shows on  
7 the plans compliant. I just want to make  
8 sure it's built that way.

9 The self-storage center zoning has  
10 items A through G. We typically request  
11 those be noted on the plan regarding each  
12 of those.

13 The project does have to go to  
14 County Planning as an amended site plan,  
15 change of use.

16 Information pertaining to the  
17 easement was submitted to Dominic's  
18 office. He can address that.

19 We have a technical comment on the  
20 sprinkler potable water line.

21 The additional hydrants that are  
22 provided on the site need Health  
23 Department approval for water main  
24 extension with hydrants.

25 You did drive me a little crazy

2 because you changed the project name on  
3 your title block somewhere in between the  
4 first appearance, which was Newburgh  
5 Self-Storage, and the next one says  
6 Budget Store & Locked Self-Storage. That  
7 kind of confused me a little.

8 MR. DATES: Sorry about that.

9 MR. HINES: At the work session  
10 they noted I had the wrong plan up.

11 That's all we have.

12 CHAIRMAN EWASUTYN: Dominic Cordisco,  
13 Planning Board Attorney.

14 MR. CORDISCO: I did review the  
15 easement that's been referenced by Mr.  
16 Hines. It clearly shows that the site  
17 has access out to Route 52, so there  
18 are no issues there.

19 CHAIRMAN EWASUTYN: The motion  
20 before us this evening is to declare our  
21 intent for lead agency and circulate to  
22 the Orange County Planning Department?

23 MR. CORDISCO: That would be correct,  
24 sir.

25 CHAIRMAN EWASUTYN: Would someone

2 make for that motion.

3 MR. MENNERICH: So moved.

4 MS. CARVER: Second.

5 CHAIRMAN EWASUTYN: I have a motion  
6 by Ken Mennerich. I have a second by  
7 Lisa Carver. Can I have a roll call vote  
8 starting with John Ward.

9 MR. WARD: Aye.

10 MS. CARVER: Aye.

11 MR. BROWNE: Aye.

12 CHAIRMAN EWASUTYN: Aye.

13 MR. MENNERICH: Aye.

14 MR. DOMINICK: Aye.

15 CHAIRMAN EWASUTYN: I think we'll  
16 wait, Justin, if that's all right with  
17 you, until when you return and we are  
18 actually lead agency to discuss whether  
19 the Planning Board does or doesn't want  
20 to have a public hearing.

21 MR. DATES: Okay.

22 CHAIRMAN EWASUTYN: Anything else?

23 MR. DATES: That's it. Thank you  
24 very much.

25 (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 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 1st day of July 2024.

*Michelle Conero*  
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MICHELLE CONERO

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

AVION VENTURES - WAREHOUSE  
(2024-16)  
  
Pomarico Drive  
Section 86; Block 1; Lot 37.222  
IB Zone

----- X

SITE PLAN

Date: June 20, 2024  
Time: 7:50 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JUSTIN DATES

----- X

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

2 CHAIRMAN EWASUTYN: The seventh  
3 item of business this evening is Avion  
4 Ventures - Warehouse, project number  
5 24-16. It's an initial appearance for a  
6 site plan located on Pomarico Drive in an  
7 IB Zone. It's being represented by  
8 Justin Dates of Colliers Engineering.

9 MR. DATES: Good evening, Mr.  
10 Chairman and the Board. Justin Dates,  
11 Colliers Engineering & Design.

12 We provided the sketch site plan  
13 application for the Avion Ventures,  
14 Pomarico Drive warehouse project.

15 To orient everyone to the plan,  
16 north is to your right, Pomarico Drive  
17 would be to the left which goes out to  
18 17K. Pomarico Drive is a private road.  
19 This lot is at the very end of that  
20 private road. The parcel itself is about  
21 12 acres in size. It's currently vacant.

22 It does have on the western side,  
23 and it kind of encroaches to the eastern  
24 side here, a portion of the New York  
25 State DEC MB-21 freshwater wetlands. The

2 line or boundary you see on the plan  
3 right now was established by the  
4 project's wetlands ecologist. We will be  
5 pursuing validation confirmation of the  
6 boundary with the DEC as part of the  
7 project moving forward.

8 The project is within the Town's  
9 IB, Interchange Business, Zoning District.  
10 The proposed warehouse use is a use  
11 subject to site plan approval by the  
12 Planning Board.

13 It is also within the Town's  
14 consolidated water district and crossroads  
15 sewer district.

16 The applicant is looking to develop  
17 the site with a spec warehouse. They do  
18 not have a tenant identified at this  
19 time. It is proposed at 62,500 square  
20 feet.

21 We have 39 parking spaces on the  
22 southern side of the building, so  
23 generally in the vicinity of where  
24 the office would typically be laid out.

25 On the northern side we have the



2 loading dock areas. There are eight  
3 proposed loading docks on the  
4 northern side.

5 As I mentioned, Pomarico Drive  
6 would be the access to this facility.  
7 Right now Pomarico Drive meets up  
8 with 17K. There's about a 30-foot  
9 entrance at that point. As you go  
10 north and you get towards the project  
11 site, it greatly reduces to plus or  
12 minus 14 feet. There will be the  
13 need for improvements or widening of  
14 Pomarico Drive to meet the needs of  
15 this particular facility.

16 From a water and sewer standpoint,  
17 there is water that comes just adjacent  
18 to our southern boundary. We would  
19 look to have a further investigation  
20 with the tie-in to the water that's  
21 there. We just need to confirm the  
22 sizes.

23 There will be the need for  
24 potable water and fire suppression  
25 for the building.

2 Sewer, right now it appears we  
3 would need to have a pump station on  
4 the site to fire down to 17K and the  
5 existing sanitary line there, which I  
6 believe is also a force main at that  
7 point.

8 From a zoning standpoint we do  
9 meet all the bulk requirements for a  
10 warehouse use in the IB Zoning District  
11 with exception of the building height.  
12 The maximum building height in the  
13 zone is 40 feet. The applicant is  
14 looking to have a maximum of 55 feet  
15 on this facility.

16 Again, it is a spec building.  
17 They're looking to develop a facility  
18 that will be open to the widest range  
19 of the market that's available, more  
20 potential tenant base. That is one  
21 of the driving forces to make this  
22 the most marketable that it can be  
23 based upon maximizing clear heights  
24 and whatnot inside the building for  
25 the facility.

2 We did take an initial look at  
3 trip generation and traffic from this  
4 project. It does look like it will  
5 warrant the need for an eastbound  
6 left-turn lane on 17K to get into  
7 Pomarico. There would also be phasing  
8 and timing improvements that would  
9 need to be conducted at some of the  
10 other adjacent lights to mitigate for  
11 the additional traffic from the project.

12 That's all I have. If there are  
13 any questions, I'm happy to answer them.

14 CHAIRMAN EWASUTYN: John Ward.

15 MR. WARD: You said 30 feet for the  
16 entrance. Does that include the diner's  
17 parking lot?

18 MR. DATES: No. I was looking just  
19 at basically curb line to curb line of  
20 Pomarico Drive. It's roughly around 30  
21 feet.

22 MR. WARD: Basically the intersection  
23 there is a nightmare already. You're  
24 talking tractor trailer trucks. Are you  
25 going to improve the whole road, make it

2 wider all the way down and add blacktop?

3 MR. DATES: You're talking about  
4 Pomarico Drive itself?

5 MR. WARD: Yes.

6 MR. DATES: Yes. We have to do  
7 that, yes. Yup. That would be part of  
8 the improvements for this project.

9 MR. WARD: At the same time, you  
10 don't know what tenant it is. With the  
11 volume going out there, it calls for a  
12 traffic study there, one.

13 Two, how is a tractor trailer truck  
14 going to make a left even going out to  
15 84? The traffic backs up all the way on  
16 both sides.

17 MR. DATES: Yes. Those are details  
18 that we would have in our traffic report.  
19 The timing and phasing and things of that  
20 nature will be more detailed in that, how  
21 we mitigate the additional trips, and  
22 specifically the trucks in this case,  
23 onto 17K.

24 MR. WARD: That's it for now.  
25 Thank you.

2 MS. CARVER: Nothing.

3 MR. BROWNE: I'm just curious.

4 With the 55-foot height -- how can I say  
5 this? The market for warehousing, is  
6 that becoming a standard thing, or where  
7 did you come up with the 55 feet? Just  
8 curiosity.

9 MR. DATES: So in a lot of the  
10 projects that we're working on, we're  
11 finding that to be kind of the sweet spot  
12 from a height standpoint for a couple  
13 different reasons. It has to do with, as  
14 I mentioned, maximizing the clear height,  
15 so how high the racking can be interior  
16 to the site and how high the product can  
17 be on top of the racking. There are also  
18 additional separations that need to be  
19 taken into account for your roof girders,  
20 the pitch of the roof. It's very mild,  
21 but it can be 40 feet on this end and the  
22 general pitch to the center is higher.  
23 There are also separations with the fire  
24 suppression system. There are other  
25 things above the actual product itself

2 that continue to drive up the height of  
3 this building. 55 is kind of the sweet  
4 spot that we've seen.

5 MR. HINES: That is the new  
6 standard in the warehouse industry  
7 because of the rack storage.

8 MR. BROWNE: Thank you.

9 CHAIRMAN EWASUTYN: What if or will  
10 there be any impact on the residents that  
11 currently live on Pomarico Drive?

12 MR. DATES: Well, there is the  
13 additional traffic, which they will see,  
14 over the vacant parcel at this point.

15 Parking. We did leave some area up  
16 front on the southern end here, adjacent  
17 to our stormwater, where we can do  
18 screening of the parking. We'll look to  
19 introduce evergreens to soften the facade  
20 of the building from that adjacent  
21 residence. We'll look to do similar  
22 along the eastern boundary, try to  
23 preserve as much of the existing  
24 vegetation that we can there and  
25 supplement with evergreen screening as

2 well.

3 CHAIRMAN EWASUTYN: So the actual  
4 roadway traffic in front of those homes,  
5 what would the roadway traffic be like?  
6 The tractor trailers would or could be  
7 coming in twenty-four hours a day  
8 possibly?

9 MR. DATES: That could be the case,  
10 yes. If you look at the location map,  
11 those residences, they also fall within  
12 the IB Zoning District.

13 CHAIRMAN EWASUTYN: The operation  
14 in the back, the last house in the rear,  
15 is that an active repair business for  
16 cars?

17 MR. DATES: I'm not sure. There  
18 are a lot of cars around in the area of  
19 that structure, but I couldn't answer  
20 definitively if it was or not.

21 CHAIRMAN EWASUTYN: I think many  
22 years ago there was a history of that use  
23 associated with this location as to  
24 whether or not that was an approved site  
25 plan for vehicles. At one time I think

2 there was talk about them servicing cars  
3 for the auction. Again, that's not  
4 directly involved with this, but I think  
5 it's an interesting point, that it's a  
6 continuation of a use that may or may not  
7 be permitted without site plan approval.

8 MR. MENNERICH: No questions.

9 CHAIRMAN EWASUTYN: Dave Dominick.

10 MR. DOMINICK: Justin, there will  
11 be some type of office within the  
12 structure, within the warehouse --

13 MR. DATES: Yes.

14 MR. DOMINICK: -- for operations?

15 MR. DATES: Yes. We did identify  
16 3,000 square feet, which is around five  
17 percent relatively. That's kind of the  
18 percentage we used to establish in this  
19 case without a particular tenant. That's  
20 how we identified it and kind of  
21 calculated the parking requirements for  
22 the project.

23 MR. DOMINICK: Twenty employees and  
24 thirty-nine parking spaces it looks like  
25 it says.



2 MR. DATES: Twenty-nine. Based on  
3 the calculation, twenty-nine are required  
4 and we provided thirty-nine.

5 MR. DOMINICK: As we go along,  
6 would you think about adding EV charging  
7 in the parking lot?

8 MR. DATES: Sure. I can take that  
9 back to the applicant.

10 MR. DOMINICK: Thank you.

11 MR. DATES: You're welcome.

12 CHAIRMAN EWASUTYN: Jim Campbell,  
13 Code Compliance.

14 MR. CAMPBELL: Pretty much we  
15 touched base on all of my topics in the  
16 narrative.

17 Just to quickly run through, the  
18 building will need to be sprinklered.

19 The building height, of course, as  
20 you mentioned.

21 A big one is the fire apparatus  
22 access road and aerial access. The plans  
23 were forwarded to the fire department.

24 MR. DATES: Great.

25 CHAIRMAN EWASUTYN: Pat Hines with

2 MH&E.

3 MR. HINES: Compliance with the  
4 Town's tree preservation ordinance will  
5 be required.

6 The project does propose the  
7 55-foot height that was discussed where a  
8 40-foot maximum is permitted. A referral  
9 to the ZBA would be required.

10 Jim Campbell just touched on the  
11 fire department and the fire suppression.

12 The EAF identifies a couple of  
13 environmental items, the Red Maple/  
14 Hardwood Swamp, the Indiana Bat. It  
15 identifies Federal wetlands. It was  
16 interesting that you have DEC wetlands  
17 labeled on there, but they didn't come up  
18 on the DEC's own form when it populated  
19 that.

20 MR. DATES: We did see a piece of  
21 that mapped wetland.

22 MR. HINES: It didn't show up on  
23 the form. Usually it does. Again,  
24 you've addressed it appropriately with  
25 the 100-foot buffer.

2 Adjoiners' notices must be  
3 submitted.

4 In the future we'll be looking for  
5 stormwater management compliance with the  
6 Town and DEC regulations.

7 We talked about the private roadway  
8 and compliance with access.

9 Connection to the sanitary sewer.  
10 You identified that you'll need to run  
11 that out to 17K, which is a force main in  
12 that area.

13 A City of Newburgh flow acceptance  
14 letter will be required in the future.

15 Adjoiners' notices must be sent out  
16 at this time. I don't know if I said  
17 that already. I think I have that twice.

18 That's where we're at with this. I  
19 would recommend that we do not circulate  
20 for lead agency so the ZBA can operate  
21 under an uncoordinated review at this  
22 point.

23 CHAIRMAN EWASUTYN: Dominic Cordisco,  
24 Planning Board Attorney.

25 MR. CORDISCO: Nothing further to

2 add.

3 CHAIRMAN EWASUTYN: Can we have the  
4 verbiage for a referral to the Zoning  
5 Board of Appeals. I believe it's a  
6 height variance.

7 MR. CORDISCO: That's correct.

8 CHAIRMAN EWASUTYN: Can I have a  
9 motion from the Planning Board to  
10 authorize Dominic Cordisco, Planning  
11 Board Attorney, to prepare a referral  
12 letter to the Zoning Board of Appeals for  
13 the height variance for the Avion  
14 Ventures warehouse on Pomarico Drive.

15 MR. DOMINICK: I'll make the motion.

16 MR. MENNERICH: Second.

17 CHAIRMAN EWASUTYN: I have a motion  
18 by Dave Dominick. I have a second by Ken  
19 Mennerich. Can I please have a roll call  
20 vote starting with John Ward.

21 MR. WARD: Aye.

22 MS. CARVER: Aye.

23 MR. BROWNE: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. MENNERICH: Aye.

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MR. DOMINICK: Aye.

MR. DATES: Thank you, everyone.

(Time noted: 8:05 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 1st day of July 2024.

*Michelle Conero*

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MICHELLE CONERO

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

NEWBURGH MALL - FACADE  
(2024-15)  
  
1401 Route 300  
Section 60; Block 3; Lot 41.21  
IB Zone

----- X

ARCHITECTURAL REVIEW

Date: June 20, 2024  
Time: 8:05 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ANDREW WOODRUM,  
ELLIOT SPITZER,

----- X

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

2 CHAIRMAN EWASUTYN: The eighth item  
3 of business this evening is the Newburgh  
4 Mall facade, project 24-15. It's an  
5 initial appearance for ARB. It's located  
6 on Route 300 in an IB Zone. It's being  
7 represented by ADG Architects.

8 MR. WOODRUM: Chairman, Board  
9 Members, good evening. My name is Andy  
10 Woodrum from Anderson Design Group. We  
11 are the architect of the Newburgh Mall.  
12 Tonight we'll be presenting facade  
13 improvements for an existing indoor mall,  
14 one-story structure, approximately  
15 400,000 square feet.

16 The existing footprint is to remain  
17 as is.

18 The proposed changes are to shift  
19 away from an indoor mall to a shopping  
20 center with larger retail spaces  
21 accessible from the exterior. These  
22 attract nationally recognized tenants,  
23 each with their own prototype and entry  
24 facade elements.

25 You can see here, to create a more

2 unified appearance and balance the  
3 massing and height of the new facades,  
4 we have these vertical accent elements.  
5 These allow some flexibility with  
6 potential tenants as well as creating  
7 a little human scale to link the  
8 facades.

9 The current building is 22 feet  
10 tall. The proposed facade would be  
11 between 30 and 35 feet.

12 The existing CMU facade will be  
13 painted a light gray color along with  
14 a darker accent within the aluminum  
15 elements. I have samples of those  
16 colors if you'd like to see those.

17 This is the general area in front  
18 of the proposed fitness center. We're  
19 going to make small improvements to  
20 that area as well, which I have the  
21 site plan as well if you'd like to  
22 see that.

23 There is no new impervious  
24 paving, so that will stay as is.  
25 That's it.



2 We currently have two tenants  
3 ready for permits.

4 Any questions?

5 CHAIRMAN EWASUTYN: Andy, you said  
6 you have additional material if we would  
7 like to see it. I think we would like to  
8 see it.

9 MR. WOODRUM: Okay. These are  
10 color samples. I do have boards for each  
11 of the sheets.

12 CHAIRMAN EWASUTYN: Let's open it  
13 for discussion. Dave Dominick.

14 MR. DOMINICK: First of all, I like  
15 what you've done, the concept and the  
16 color scheme. I think it gets rid of the  
17 '80s look and adds a more contemporary  
18 and upscale look to the mall. In fact, I  
19 was at the grand opening of the mall, so  
20 I have history.

21 You're not going to do anything  
22 with the paving at all, you said?

23 MR. WOODRUM: There are slight  
24 improvements to this entrance. Just  
25 moving the bus stop and some changes to

2 move an entrance, accentuate it. This  
3 was the mall main entrance. Now it's  
4 going to be one of the retailers.

5 MR. DOMINICK: I would like to see  
6 you reconsider that. I think the parking  
7 lot is horrendous, especially in the  
8 back. The main access road going from  
9 the mall to Meadow Hill Road, there's  
10 more patchwork than original asphalt. I  
11 think the entire complex, excluding what  
12 Resorts did, because they just upscaled  
13 their section, needs to be re-looked at,  
14 redone. If you're doing all of this, why  
15 not cross the finish line. You know what  
16 I'm saying?

17 MR. WOODRUM: Yes.

18 MR. SPITZER: Elliot Spitzer. Is  
19 it okay if I speak? I'm one of the  
20 owners of the Newburgh Mall.

21 We do obviously plan on -- we're  
22 not going to do all this facade work and  
23 bring in probably eight or nine national  
24 tenants and not redo the parking lot. We  
25 did the front and part of the back when

2 the casino opened. A lot of construction  
3 is going to probably take place during  
4 all this work and bringing all these  
5 tenants in. It's going to be redundant  
6 to do it upfront. That's more repair --  
7 I mean, it's fill in and do the whole  
8 parking lot. It's not part of the ARB I  
9 guess. It will be done.

10 MR. DOMINICK: I'm not suggesting  
11 do it now while construction is going on.  
12 I get that.

13 MR. SPITZER: We just didn't  
14 present it because it wasn't part of the  
15 facade concept.

16 MR. DOMINICK: Like I said, it's  
17 something to consider. You're doing all  
18 this, cross the finish line.

19 MR. SPITZER: Yes.

20 CHAIRMAN EWASUTYN: Jim Campbell,  
21 Code Compliance.

22 MR. CAMPBELL: That sign as proposed  
23 would need variances.

24 MR. WOODRUM: As proposed would  
25 need variances?

2 MR. CAMPBELL: Yes, that would need  
3 variances. You're allowed a max of 200  
4 square foot per side. I calculated what  
5 you've got there is 286.25 square feet.  
6 The max height is 13 feet. You are  
7 proposing 30.6.

8 The setback, which I'm not sure of  
9 from the road -- I mean from the property  
10 line, it's a minimum of 15 feet or the  
11 height of the sign. That should be  
12 looked at.

13 I didn't know if you were  
14 addressing anything with the vehicle  
15 directory signage.

16 MR. WOODRUM: I'm not sure.

17 MR. CAMPBELL: Also the building  
18 signage. I would suggest doing some sort  
19 of signage plan.

20 MR. WOODRUM: Well, you mean for  
21 the individual tenants or for --

22 MR. CAMPBELL: Part of ARB is the  
23 signage. Typically I don't think it's  
24 that big of an issue if it's a national  
25 tenant. The size of the sign is. That's

2 based on their square footage.

3 MR. WOODRUM: A lot of those contracts  
4 are being worked on. Everything will be  
5 according to code and everything.

6 MR. CAMPBELL: Also, the vehicle  
7 directory signage, a lot of that signage  
8 went in without a permit or any direction.

9 MR. WOODRUM: Okay. We can review  
10 that.

11 MR. CAMPBELL: It says Resorts and  
12 stuff like that.

13 MR. SPITZER: That was put in by  
14 Resorts. I'll have to talk to them about  
15 that. Do we need to come back and get a  
16 permit?

17 MR. CAMPBELL: I don't know if  
18 you're like re-branding, if it's going to  
19 start looking something like the Newburgh  
20 sign.

21 MR. SPITZER: We're going to go  
22 back and look at the code and make sure  
23 we bring something that is either within  
24 code or make that decision to go back.

25 MR. CAMPBELL: That sign as is

2 would need to be referred.

3 MR. SPITZER: I didn't realize  
4 that. We'll revisit that part of it.

5 Speaking of national tenants that  
6 are coming, there's one here after us.  
7 Planet Fitness is the other one. They're  
8 going next to the casino. There should  
9 be about four others in the next couple  
10 of months that should be presenting as  
11 well. We wanted to give you an overall,  
12 you know, concept of what we're doing.  
13 Obviously when each tenant is ready to  
14 start their renovation, we would present  
15 those.

16 MR. CAMPBELL: Okay. Like you  
17 mentioned, Harbor Freight is coming  
18 tonight. Their signage does comply with  
19 what's shown.

20 MR. SPITZER: Most of them should.

21 CHAIRMAN EWASUTYN: I'd like to  
22 make a suggestion. We've waited many,  
23 many years for the renovation, the  
24 revitalization of the Newburgh Mall.  
25 We're thankful that you purchased the

2 property and you're moving forward with  
3 something.

4 That being said, I would like to  
5 move for a motion for the Planning Board  
6 Members to set this up for a work session.  
7 We'll have the Building Department, we'll  
8 have the architects and we'll begin  
9 discussing a footprint or a design  
10 overall for the project. We're kind of  
11 talking in its entirety. At the same  
12 time, we're kind of piecemealing all of  
13 this together. The weight of what you're  
14 proposing eventually will lay on the  
15 shoulders of the Building Department.

16 MR. SPITZER: We actually had a  
17 previous workshop.

18 CHAIRMAN EWASUTYN: With the  
19 Building Department?

20 MR. SPITZER: I believe so.

21 MR. HINES: I think you appeared  
22 with some representatives of the Town  
23 Board.

24 MR. SPITZER: We had a workshop  
25 meeting regarding the facade.

2 MR. HINES: That was centered  
3 around, I think, the auto parts,  
4 O'Reilly.

5 MR. SPITZER: On the general  
6 concept. We sat with --

7 MR. HINES: I think what we're  
8 talking about now, and what we've done in  
9 the past for large facilities like this,  
10 would be to come up with an allowable  
11 sign chart and placing your national  
12 tenants in as they come. Each tenant is  
13 going to want to maximize their sign.  
14 The last guy is going to be the one that  
15 has no signage available. I think it  
16 would be helpful for you to know, and the  
17 Building Department, where everyone  
18 falls. As the gymnasium comes in and  
19 uses up a certain volume of that and  
20 Harbor Freight uses a certain volume of  
21 that, so everyone knows and can track it,  
22 that would be helpful.

23 MR. CAMPBELL: It doesn't count  
24 that way anymore. Basically it's the  
25 linear footage of each store, the



2 frontage. You come up with a plan and  
3 say okay, you're allowed to have this.

4 MR. SPITZER: I'm happy to sit down  
5 and coordinate that.

6 CHAIRMAN EWASUTYN: Cliff Browne  
7 would like to add to that.

8 MR. BROWNE: In general I like the  
9 concept that you're going to on this.  
10 However, my part is very much what John  
11 was saying. What I see is a mish-mosh, a  
12 piecemeal of a whole bunch of stuff. I  
13 don't see anything that I can get behind  
14 and say I like it, it's good. Each  
15 different storefront is different. I  
16 don't see anything that we can say in  
17 general is okay, go for it. I don't see  
18 that here. Again, I think work through,  
19 get something that we can look at, a  
20 finished product. You're going for each  
21 different store. Each different  
22 storefront is very, very different. The  
23 appearance is different. You're looking  
24 for an ARB type of thing. ARB is visual.  
25 That's what we look at is visual, how it

2 appeals to the general public, how it  
3 appeals to us. I don't see that here. I  
4 don't see something that we can get  
5 behind and say okay, that's really good.  
6 The concept, yes. The product, no. I  
7 don't see it.

8 MR. SPITZER: The catch 22 is that,  
9 first of all, national tenants each have  
10 their own signage.

11 MR. BROWNE: That's all well and  
12 good.

13 MR. SPITZER: That's what we're  
14 showing. Each store is basically --  
15 without revealing the name of the  
16 store --

17 MR. BROWNE: What you've already  
18 told us is there are more coming in in  
19 the next two or three months.

20 MR. SPITZER: Right. The problem  
21 is that until we sign a lease with them,  
22 we can't announce the name.

23 MR. BROWNE: ARB, visual, what am I  
24 looking at?

25 MR. SPITZER: The question is the

2 specific --

3 MR. BROWNE: I'm looking at  
4 something I really can't put my hands on.

5 MR. YANNONE: Can I speak to that  
6 for a second? I'm Ray Yannone, Storm  
7 King Building, the contractor working on  
8 the project. I'm working with Elliot on  
9 the project.

10 I think maybe the presentation,  
11 this is what we're asking for, this  
12 concept, this design in these colors.  
13 Each one of these stores -- like right  
14 now we're starting Planet Fitness.  
15 That's this sidewalk and change to the  
16 parking lot in front of that. Working  
17 with Elliot, working with the tenants,  
18 their engineers, the mall itself is going  
19 to be changed to this. Each one of these  
20 -- I can't say the names of some of the  
21 stores, but they're sending us extremely  
22 specific, this is our material, this is  
23 where you buy it, this is what has to be  
24 assembled, and then we have to fit it  
25 into the box that the Town allows for

2 height, dimensions, signage.

3 Right now we are working on Planet  
4 Fitness. We're building the walls  
5 inside. We've separated from the rest of  
6 the mall and, you know, we're going to  
7 be, and I believe they're going to be  
8 looking for their fit-out permits in the  
9 next few weeks or months.

10 Then we're going to be working on  
11 this area which is going to continue  
12 across the facade. We still have tenants  
13 in the center of the mall that are  
14 probably going to be there for a year or  
15 two. Even this will phase across the  
16 front.

17 The concept is this, this part of  
18 it. Each one of these storefronts,  
19 depending on the width and style -- I  
20 understand they'll have to be approved  
21 individually. Like Elliott said, it's  
22 like threading the needle. You're caught  
23 between a rock and a hard place. There's  
24 two tenants under construction, the third  
25 ready to start. I don't know how to

2 proceed with it, you know.

3 This is the general concept with  
4 each of the corporate stores getting  
5 their own storefronts.

6 MR. DOMINICK: What you're saying  
7 is each storefront is going to be unique  
8 to that tenant?

9 MR. YANNONE: The same as you see  
10 anywhere you drive throughout the  
11 country. The same colors, the same type  
12 of letters.

13 MR. REED: That's the Planet  
14 Fitness frontage.

15 Eric Reed for the Mall.

16 Each store will have that same  
17 configuration. You can see the arches  
18 are transforming across the whole facade.  
19 Each storefront will fit in between with  
20 the same decor throughout the frontage of  
21 the mall.

22 MR. DOMINICK: Your name, sir?

23 MR. REED: Eric Reed.

24 MR. YANNONE: From this arch to  
25 here is where we're currently working.

2 We currently hope to get our approvals  
3 and continue that work. While O'Reilly  
4 on the other side is doing their fit-out,  
5 we're going to come down in that  
6 direction towards this. Is that correct?

7 MR. SPITZER: Yes.

8 MR. MENNERICH: Can I ask a  
9 question? Could you put the bottom  
10 picture up there?

11 MR. YANNONE: This one?

12 MR. MENNERICH: Yes. I guess what  
13 I'm concerned about is the proportion of  
14 the building that is the sign, the red  
15 area, the blue and white. It seems out  
16 of proportion to the size of the building.

17 MR. YANNONE: I don't think these  
18 are any particular -- Flaming Grill is  
19 existing.

20 MR. SPITZER: That's Harbor Freight  
21 at the end, which they're here tonight.  
22 There's another store that's going in the  
23 middle. Actually, every store requires a  
24 certain amount of frontage and a certain  
25 amount of depth.

2 This is pretty much around every  
3 shopping center. They require their  
4 color and their scheme, whatever they put  
5 up. We have to work within the framework  
6 of what's existing. It's hard to first  
7 design a space and then put a tenant in  
8 there that has their own specifications.  
9 It's hard to be uniform. What we are  
10 suggesting is the uniformity --

11 MR. YANNONE: The background.

12 MR. SPITZER: The background in  
13 between the stores kind of gives extra  
14 height in between to kind of elevate the  
15 facade, and it matches with the  
16 storefronts.

17 MR. DOMINICK: I think what the  
18 Board is saying is that there's no  
19 uniformity and it's just hodgepodge.  
20 There's a red store, there's a blue store.

21 MR. YANNONE: This will be no  
22 different than every strip mall. If you  
23 go to Middletown --

24 MR. DOMINICK: That's exactly what  
25 I'm thinking about. The Orange Plaza, it

2 seems like it's all uniform. The only  
3 thing that changes is the signage.

4 MR. YANNONE: I don't agree. I  
5 think you'll see the same storefronts if  
6 you have a corporate store and they have  
7 their facade.

8 CHAIRMAN EWASUTYN: Keeping that in  
9 mind, what we're saying is they are going  
10 to be individual stores with their  
11 national identity as individual stores.

12 MR. YANNONE: Yes.

13 CHAIRMAN EWASUTYN: So we're not  
14 going to reinvent a national chain. We  
15 realized that many, many years ago, that  
16 the national chain has their identity.

17 I'd like to go back to how we can  
18 help the Building Department kind of be  
19 prepared for these individual stores.

20 One more time as far as a work  
21 session. Jim, Pat Hines, what might you  
22 suggest be discussed and looked at and  
23 when could that be scheduled for? We can  
24 talk about this -- with all due respect,  
25 we can talk about this back and forth and



2 back and forth.

3 MR. CAMPBELL: I would think if  
4 you're okay with the concept, that we  
5 just come up with some sort of -- say  
6 Harbor Freight's lineal footage. As long  
7 as it's a national chain and you're okay  
8 with the look of their sign, that's their  
9 signage. If we had a master plan, we  
10 would know how far each store can go as  
11 far as square footage of sign.

12 CHAIRMAN EWASUTYN: Our concern  
13 overall is the total square footage that  
14 would makeup the Newburgh Mall. Is that  
15 what I understand you to say?

16 MR. CAMPBELL: That each space  
17 would be allowed to have.

18 CHAIRMAN EWASUTYN: So it goes back  
19 to the Planning Board. Would the  
20 Planning Board move forward with setting  
21 this up for a consultants' work session  
22 with the understanding that they're going  
23 to be independent stores with their own  
24 colors, their own lettering, but when  
25 it's all added up at the end, it meets

2 the bulk schedule for that area?

3 MR. DOMINICK: Yes. I don't want  
4 to see progress stop. Yes.

5 CHAIRMAN EWASUTYN: Ken Mennerich.

6 MR. MENNERICH: Yes.

7 MR. BROWNE: Yes.

8 MS. CARVER: Yes.

9 MR. WARD: Yes.

10 CHAIRMAN EWASUTYN: When might be  
11 the next available --

12 MR. HINES: Our regularly scheduled  
13 technical work session is next Tuesday,  
14 the 25th.

15 CHAIRMAN EWASUTYN: There's a  
16 holiday coming up, July Fourth.

17 MR. HINES: July Fourth would be  
18 the next week.

19 CHAIRMAN EWASUTYN: So we have time  
20 for that?

21 MR. HINES: I don't know if the  
22 applicant can be ready.

23 MR. YANNONE: I think we are for  
24 Planet Fitness. We have our sidewalk  
25 layouts, we have the facade. Harbor

2 Freight is here tonight after us. Those  
3 are the two that are first up.

4 MR. HINES: I think it's more of a  
5 Building -- as long as the Planning Board  
6 is okay with the color scheme and the  
7 national chain, I think it's more of a  
8 Building Department issue between the  
9 applicant and the Building Department.  
10 There's not a lot we're going to change  
11 here. It's the simple length of the  
12 building.

13 MR. YANNONE: I'm concerned with  
14 what we're doing, sidewalks, curbing.  
15 We're doing things in front of Planet  
16 Fitness, removing things that aren't  
17 being used now, making the parking lot a  
18 little bit larger even for the sidewalks.  
19 I just want to make sure that we can  
20 continue construction.

21 MR. HINES: Some of that is outside  
22 the scope of ARB. That's an amended site  
23 plan.

24 CHAIRMAN EWASUTYN: They're totally  
25 different actions.

2 MR. YANNONE: Can we look at both  
3 of those at workshop so we can have a way  
4 forward? It seems like we're floundering  
5 with some of these.

6 CHAIRMAN EWASUTYN: I will leave  
7 that decision to Pat Hines and to Jim  
8 Campbell.

9 MR. HINES: I'm okay with scheduling  
10 it at a work session as long as you have  
11 the whole -- I think right now you're  
12 only addressing it in front of O'Reilly's,  
13 Harbor Freight and Planet Fitness.

14 MR. YANNONE: Yes. Those are  
15 actually in construction right now.

16 MR. HINES: A little bit ahead of  
17 ourselves.

18 I think we can use that time to  
19 catch up with what you're doing there. I  
20 think it may be beneficial to just  
21 determine that scope. I can inform the  
22 Board on what the scope of each of these  
23 are. If we want to incorporate signage,  
24 we can do that. That would be at 1:00 on  
25 the 25th.

2 CHAIRMAN EWASUTYN: Dominic Cordisco,  
3 Planning Board Attorney, do you have  
4 anything to add?

5 MR. CORDISCO: No, sir. I think  
6 it's been a very good discussion. You're  
7 trying to provide the applicant with some  
8 guidance and they are trying to come up  
9 with what they can. Even though it's a  
10 bit piecemeal, I think overall the  
11 Board's focus is on what the entire thing  
12 is going to look like, to the extent you  
13 can, recognizing that there are chains  
14 that are coming there. Of course that's  
15 overall, to your point earlier, a good  
16 thing, the revitalization of the Newburgh  
17 Mall.

18 CHAIRMAN EWASUTYN: Can I have a  
19 motion to set the Newburgh Mall facade  
20 change for a consultants' meeting at 1:00  
21 on the 25th of June.

22 MR. DOMINICK: So moved.

23 MR. BROWNE: Second.

24 CHAIRMAN EWASUTYN: I have a motion  
25 by Dave Dominick. I have a second by

2 Cliff Browne. Can I have a roll call  
3 vote starting with John Ward.

4 MR. WARD: Aye.

5 MS. CARVER: Aye.

6 MR. BROWNE: Aye.

7 CHAIRMAN EWASUTYN: Aye.

8 MR. MENNERICH: Aye.

9 MR. DOMINICK: Aye.

10 MR. WARD: John, can I say  
11 something?

12 CHAIRMAN EWASUTYN: What do you  
13 want to say?

14 MR. WARD: When you're talking --  
15 back to Dave with the parking lot. Here  
16 you've got future projects. You've got  
17 previous projects right now. You're  
18 doing all this construction. All the  
19 blacktop was under flood waters at one  
20 time. It's not good. You're talking  
21 about patching it. We're not talking  
22 about patching it. We're talking about  
23 doing it right. Keep that in mind when  
24 you do the work session and when these  
25 come in.

2 MR. REED: When we did Resorts  
3 World, we did, we milled the entire  
4 parking lot, leveled it and re-laid  
5 pavement. We're planning on doing the  
6 same thing to the rest of the mall after  
7 construction is finished. We don't want  
8 to dig up -- Central Hudson is going to  
9 dig gas lines.

10 MR. WARD: I'm saying the finished --

11 MR. REED: We'll be doing that as  
12 part of our plan, yes.

13 MR. WARD: Thank you.

14 CHAIRMAN EWASUTYN: So then the  
15 action before us this evening I presume  
16 is -- what is the action before us this  
17 evening? Are we granting ARB approval to  
18 the Newburgh Mall facade? I need guidance  
19 on this.

20 MR. CORDISCO: Mr. Chairman, I  
21 would suggest that you wait until after  
22 the work session, because there may be  
23 revised plans or a protocol as to how the  
24 project is going to move forward, both  
25 for the general facade and for the

2 individual stores and their facades.

3 CHAIRMAN EWASUTYN: In the meantime  
4 we agree that the work that Mr. Yannone  
5 is doing construction wise won't be  
6 affected by --

7 MR. YANNONE: We're inside right  
8 now.

9 CHAIRMAN EWASUTYN: We're in  
10 agreement we'll step forward on the 25th.  
11 Mr. Spitzer, are you okay with that?

12 MR. SPITZER: Perfect.

13 (Time adjourned: 8:30 p.m.)

14 (Time resumed: 8:41 p.m.)

15 CHAIRMAN EWASUTYN: Stepping back.  
16 Are we setting up the Newburgh Mall for  
17 the meeting of the 18th of July?

18 MR. CORDISCO: You could.

19 MR. HINES: I think that would be  
20 appropriate.

21 CHAIRMAN EWASUTYN: Can I have a  
22 motion to set the Newburgh Mall facade,  
23 project number 24-15, for the meeting of  
24 the 18th of July.

25 MS. CARVER: So moved.



2 CHAIRMAN EWASUTYN: I have a motion  
3 by Lisa Carver.

4 MR. BROWNE: Second.

5 CHAIRMAN EWASUTYN: I have a second  
6 by Cliff Browne. Can I have a roll call  
7 vote starting with Dave Dominick.

8 MR. DOMINICK: Aye.

9 MR. MENNERICH: Aye.

10 CHAIRMAN EWASUTYN: Aye.

11 MR. BROWNE: Aye.

12 MS. CARVER: Aye.

13 MR. WARD: Aye.

14 CHAIRMAN EWASUTYN: Thank you.

15 MR. SPITZER: Thank you.

16

17 (Time noted: 8:42 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 1st day of July 2024.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO

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

----- X  
In the Matter of

HARBOR FREIGHT  
(2024-17)

1399 Route 300  
Section 60; Block 3; Lot 41.21  
IB Zone

----- X

SITE PLAN, CHANGE OF USE, ARCHITECTURAL REVIEW

Date: June 20, 2024  
Time: 8:30 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: MATTHEW MILLON

----- X

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

2 CHAIRMAN EWASUTYN: The ninth item  
3 of business this evening is Harbor  
4 Freight. It's a site plan, change of  
5 use, ARB. It's located on Route 300.  
6 The project number is 24-17. It's in an  
7 IB Zone. It's being represented by ADA  
8 Architects.

9 MR. MILLON: Mr. Chairman, Board,  
10 thank you for your time. Matthew Millon,  
11 permit advisors. Sorry the architects  
12 are not here tonight. I'm representing  
13 Harbor Freight as the replacement.

14 The main items that we are here for  
15 tonight are the shopping cart corrals  
16 located in the parking lot and near the  
17 front entryway located on the site plan  
18 right here. The front entryway and the  
19 parking lot.

20 Additionally, we are here for ARB  
21 signage approval for the signage for the  
22 national brand of Harbor Freight tools  
23 throughout the country at all 1,500  
24 locations.

25 CHAIRMAN EWASUTYN: Stop for a

2 minute. Make yourself comfortable.  
3 Could someone help him put that up.  
4 Pretend you're at home. Seriously, make  
5 yourself comfortable.

6 MR. MILLON: Thank you. This is  
7 the final product for the Harbor Freight  
8 tools national branding. As you can see,  
9 this is the red that was in question just  
10 a few moments ago that was being called  
11 out on how it would look for final  
12 product. Here is the blue that is the  
13 national branding as well for Harbor  
14 Freight. As you can see, we do go into  
15 the proposed colors that our team are  
16 looking to propose for the remaining  
17 facade to match the mall as much as  
18 possible without making it back and  
19 forth, blue, red, green, purple, orange,  
20 et cetera.

21 We also have the accessibility  
22 updates to the parking lot and the ADA  
23 ramp to current ADA codes and standards.  
24 That was shown back on AS-1.0. That was  
25 the last remaining item. The ramp and

2 then the parking stalls are all ADA  
3 compliant as well.

4 Does the Board have any questions?

5 CHAIRMAN EWASUTYN: Dave Dominick,  
6 any questions?

7 MR. DOMINICK: Great presentation,  
8 Matthew. It's great to see life brought  
9 back into the mall. I'll applaud  
10 everyone here.

11 One housekeeping. On your approved  
12 vendor list it says City of Newburgh Fire  
13 Department. I believe it's the Orange  
14 Lake Fire District, not the City of  
15 Newburgh. If you can correct that.

16 That's all I have.

17 CHAIRMAN EWASUTYN: Ken Mennerich.

18 MR. MENNERICH: This is basically  
19 an amended site plan for these specific  
20 items. Right?

21 CHAIRMAN EWASUTYN: I'll look to  
22 Pat Hines.

23 MR. HINES: I believe that,  
24 although they're here for ARB, these  
25 exterior improvements to the parking lot

2 are amended site plan items. Minor as  
3 they may be, I think we should address  
4 them to check the boxes on this.

5 MR. MENNERICH: Normally in the  
6 past with something as minor as this, Pat  
7 would review it and just keep us informed.

8 CHAIRMAN EWASUTYN: As a field change?

9 MR. MENNERICH: Yes. Is that  
10 acceptable on this, Pat?

11 MR. HINES: It's certainly up to  
12 the Board. They are before you.

13 We do need to do adjoiners' notices  
14 on these. We typically do those on ARB.  
15 That will need to be done.

16 In the scheme of the whole mall  
17 here, it's a minor site plan change.  
18 There's a vestibule addition entrance,  
19 ADA improvements. I'll defer to the  
20 Board on the level of review that they  
21 want to do. Maybe Dominic has some input  
22 on this.

23 MR. CORDISCO: It's up to the Board.

24 CHAIRMAN EWASUTYN: Does everyone  
25 understand what's being discussed this

2 evening? We would no longer consider  
3 this to be an amended site plan, although  
4 we will send out the adjoiners' notice.

5 I assume we're sending out the  
6 adjoiners' notice for the applicant  
7 before us. We didn't mention that.

8 MR. HINES: It came to mind in the  
9 comment I have for this one because we  
10 have specific details. I think we should  
11 do it for the Newburgh Mall in total as  
12 well. We've had every other ARB do it.  
13 It's a simple process.

14 CHAIRMAN EWASUTYN: Jim Campbell,  
15 are you okay with working with Pat Hines  
16 as far as reviewing the minor field  
17 changes for the site plan for Harbor  
18 Freight?

19 MR. CAMPBELL: Yes. That's not an  
20 issue.

21 CHAIRMAN EWASUTYN: All right.

22 MR. HINES: That may set a course  
23 for the mall in general as they piecemeal  
24 the sidewalk improvements in front of  
25 each tenant, if that works for the Board.



2 CHAIRMAN EWASUTYN: I think Elliot  
3 prefers coming back all the time.

4 MR. HINES: We do like seeing him.  
5 I get to see him in other towns as well.

6 CHAIRMAN EWASUTYN: Dominic Cordisco,  
7 Planning Board Attorney, can you give us  
8 the verbiage for what we're discussing  
9 this evening as it relates to this.

10 MR. CORDISCO: Yes. What you're  
11 considering is whether or not to allow  
12 what are fairly de minimus exterior  
13 improvements to be referred to the Town  
14 Engineer and to the Building Department  
15 for review as field changes. That said,  
16 the Board still retains jurisdiction over  
17 the Architectural Review Board  
18 improvements regarding the facade. That  
19 still requires Board approval. It still  
20 requires adjoiners' notices be sent,  
21 which can certainly be coordinated with  
22 the prior action as well, and go forward  
23 as far as considering this particular  
24 application in connection with its  
25 proposed facade.

2 CHAIRMAN EWASUTYN: We can't act on  
3 this one before us until that time period  
4 where the adjoiners' notice goes out?

5 MR. CORDISCO: That's correct.

6 CHAIRMAN EWASUTYN: So having heard  
7 the verbiage associated with Harbor  
8 Freight, and for that matter also the  
9 Newburgh Mall facade, would someone move  
10 for a motion to consider this to be a  
11 field change subject to the overall  
12 review of Jim Campbell, Code Compliance,  
13 and Pat Hines with MH&E.

14 MR. MENNERICH: So moved.

15 MR. DOMINICK: Second.

16 CHAIRMAN EWASUTYN: I have a motion  
17 by Ken Mennerich. I have a second by  
18 Dave Dominick. I'll ask for a roll call  
19 vote starting with John Ward.

20 MR. WARD: Aye.

21 MS. CARVER: Aye.

22 MR. BROWNE: Aye.

23 CHAIRMAN EWASUTYN: Aye.

24 MR. MENNERICH: Aye.

25 MR. DOMINICK: Aye.

2 CHAIRMAN EWASUTYN: Matthew, you'll  
3 work with Pat Hines.

4 MR. MILLON: As soon as the GC is  
5 awarded, I'll give Pat and Jim the  
6 information. We'll arrange a pre-con  
7 meeting.

8 I did have one question on the  
9 facade approval. That was technically  
10 noted on our building permit for the  
11 release of the permit building. Will  
12 that still affect our building permit  
13 release or can our building permit be  
14 released with this approval and based  
15 upon the field inspections with Jim and  
16 Pat?

17 CHAIRMAN EWASUTYN: That's the  
18 Building Department.

19 MR. CAMPBELL: What was the motion?  
20 I think I missed something here. What  
21 was the last motion that you guys made  
22 and approved?

23 CHAIRMAN EWASUTYN: We will be  
24 circulating the adjoiners' notice, we  
25 can't act on it until we circulate, and

2 that the field changes -- the minor field  
3 changes will be met with your approval  
4 and Pat Hines' approval as far as being  
5 satisfied.

6 MR. CAMPBELL: So the minor change  
7 is or is not the facade?

8 MR. CORDISCO: Correct.

9 MR. CAMPBELL: We're just talking  
10 about the corrals and stuff like that?

11 MR. HINES: Corrals, ADA.

12 MR. CORDISCO: The facade is before  
13 the ARB for approval.

14 MR. CAMPBELL: I don't know, what  
15 was the holdup on the permit? What did  
16 he state?

17 MR. MILLON: Because we were  
18 showing our national branding for the  
19 signage. I think that is the main reason  
20 for the callout for the facade. Because  
21 Elliot also had additional work, I think  
22 there was maybe some confusion initially.

23 MR. CAMPBELL: I would say if you  
24 pulled the facade out of the permit, you  
25 could actually start the interior, if you

2 file it that way.

3 MR. MILLON: No signage at all  
4 then?

5 MR. CAMPBELL: If they do the ARB,  
6 the signage is fine.

7 MR. HINES: In our process we need  
8 to send out those adjoiners' notices  
9 within ten days of tonight's meeting.  
10 After that's completed, you'll be back  
11 before this Board for ARB, the exterior  
12 signage color changes. I think Mr.  
13 Campbell is saying that you can start  
14 your interior, similar to what's  
15 occurring --

16 MR. MILLON: Just to clarify, Jim.  
17 We do have some comments that we were  
18 waiting to address from the Building  
19 Department until we had this hearing  
20 tonight. We'll address those comments.

21 MR. CAMPBELL: You'll address  
22 whatever comments are unrelated to the  
23 facade. I don't know what those  
24 comments are. You're dealing with Mr.  
25 Mattina on that. You would need then to

2 file a secondary permit when the facade  
3 is approved.

4 MR. MILLON: Okay. And that would  
5 be specific --

6 MR. CAMPBELL: It would be the  
7 facade and the signage when the ARB is  
8 approved.

9 MR. MILLON: I do have a concern,  
10 because we are trying to get the store  
11 open as soon as possible. We generally  
12 keep an eight to ten-week construction  
13 schedule. Would that affect -- that  
14 would probably delay our signage  
15 installation, it sounds like, possibly.

16 MR. CAMPBELL: That I can't do  
17 anything about until you actually get ARB  
18 approval.

19 MR. MILLON: Just to clarify, the  
20 next ARB hearing would be July 18th. Is  
21 that correct?

22 CHAIRMAN EWASUTYN: If the Board so  
23 approves to set this up for the next  
24 meeting, which would be, yes, the 18th of  
25 July.

2 MR. MILLON: Okay. I will circle  
3 with you on Monday then.

4 CHAIRMAN EWASUTYN: It has nothing  
5 to do with me.

6 MR. MILLON: Okay.

7 CHAIRMAN EWASUTYN: Please don't  
8 misunderstand that. It's the Board.

9 I'll poll the Board Members now to  
10 see if they want to set this up for the  
11 meeting of the 18th of July. Would  
12 someone move for that motion.

13 MR. WARD: So moved.

14 MR. MENNERICH: Second.

15 CHAIRMAN EWASUTYN: I have a motion  
16 by John Ward. I have a second by Ken  
17 Mennerich. Can I have a roll call vote  
18 starting with John Ward.

19 MR. WARD: Aye.

20 MS. CARVER: Aye.

21 MR. BROWNE: Aye.

22 CHAIRMAN EWASUTYN: Aye.

23 MR. MENNERICH: Aye.

24 MR. DOMINICK: Aye.

25 (Time noted: 8:40 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 1st day of July 2024.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO



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

----- X  
In the Matter of

LANDS OF WEDDELL  
(2024-10)

Heritage Lane  
Section 89; Block 1; Lots 10.1, 10.2, 77.1 & 77.2  
R-1 Zone

----- X

LOT LINE REVISION

Date: June 20, 2024  
Time: 8:42 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

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

2                   CHAIRMAN EWASUTYN:   The tenth item  
3                   of business this evening is the Lands of  
4                   Weddell.  It's a lot line change.  It's  
5                   located in an R-1 Zone.  It's being  
6                   represented by Darren Doce.

7                   MR. DOCE:   This application involves  
8                   lot line revisions for four tax parcels  
9                   on Heritage Lane.

10                  At the last Planning Board meeting  
11                  we were referred to the ZBA.  One of the  
12                  lots is not conforming in area and front  
13                  yard.  We've since been to the ZBA.  We  
14                  received the variance.

15                  There are no other changes to the  
16                  plans, so we're back before the Planning  
17                  Board to move forward.

18                  CHAIRMAN EWASUTYN:   Pat Hines with  
19                  MH&E.

20                  MR. HINES:   The variances have been  
21                  received.

22                  Adjoiners' notices were circulated.  
23                  It's a Type 2 action.

24                  I believe there were some specific  
25                  conditions in the March 2016 approval

2            regarding right-of-ways and --

3            MR. DOCE:    Yeah.    The right-of-way  
4            is being reconfigured because the  
5            driveway didn't fall within the existing  
6            right-of-way.    That was where the  
7            agreement was drawn up by the attorney,  
8            Todd Kelson, and submitted to Dominic.  
9            He's reviewed it and signed off on it.

10           MR. HINES:    That was the major  
11           outstanding item previously.

12           MR. DCOCE:    That's why we didn't  
13           get this approved or filed.

14           MR. HINES:    Other than that, that  
15           was our only comment.    If that's been  
16           approved by Dominic, I think this could  
17           move forward as a lot line change approval.

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

20           MR. CORDISCO:    I agree.    There are  
21           no specific special conditions.

22           CHAIRMAN EWASUTYN:    If you could  
23           give us the verbiage for the approval of  
24           the lot line change.

25           MR. CORDISCO:    Yes.    This would be

2           for the Board to consider granting  
3           conditional lot line change approval.  
4           The standard conditions, such as payment  
5           of fees, addressing any outstanding  
6           comments and of course providing copies  
7           of the proof of filing once the map has  
8           been filed with the County, as well as  
9           the associated deeds going along with the  
10          lot line change as well.

11                 MR. HINES:   There was an access and  
12           maintenance agreement required, too.  
13           Right?

14                 MR. DOCE:   Yes.   For the new  
15           right-of-way.

16                 MR. CORDISCO:  That's the one I  
17           reviewed.

18                 MR. DOCE:   That will be filed.

19                 MR. CORDISCO:  Yes.

20                 CHAIRMAN EWASUTYN:  Having heard  
21           the conditions of approval presented by  
22           Planning Board Attorney Dominic Cordisco  
23           for the lands of Weddell, would someone  
24           move for a motion to grant that approval.

25                 MR. WARD:   So moved.

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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.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 8:48 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 1st day of July 2024.

*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

CIAFFONE LOT LINE CHANGE  
(2024-14)

2 Whisper Lane  
Section 47; Block 1; Lots 72.1, 72.2 & 72.3  
R-1 Zone

- - - - - X

LOT LINE REVISION

Date: June 20, 2024  
Time: 8:48 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN

- - - - - X

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

2 CHAIRMAN EWASUTYN: The last item  
3 is Ciaffone Lot Line Change, project  
4 24-14. It's an initial appearance for a  
5 lot line change being represented by  
6 Jonathan Millen.

7 MR. MILLEN: Good evening. We have  
8 three existing lots. The owners have  
9 decided they would like to create two  
10 lots out of the three existing lots.

11 The existing lots are this shape  
12 here. They cross over, as you see here,  
13 one, two, three lots. They are now being  
14 combined into two lots.

15 There are a number of area variances,  
16 lot coverage, side yards, minimum lot area,  
17 lot width. We would request to be  
18 referred to the Zoning Board for approval.

19 CHAIRMAN EWASUTYN: Jim Campbell,  
20 Code Compliance, any questions?

21 MR. CAMPBELL: A couple of things.  
22 For lot 1, I think your front yard  
23 setback should just be cleaned up. It  
24 should be 60 feet being on the State  
25 road, the table.



2 MR. MILLEN: The table. Okay.

3 MR. CAMPBELL: You comply, you just  
4 need to clean up the table.

5 MR. MILLEN: All right.

6 MR. CAMPBELL: Lot 2 would also  
7 require both side yards, a variance for  
8 the proposed 62.49 where the required is  
9 80.

10 MR. MILLEN: Okay.

11 MR. HINES: You have them on the  
12 bulk table. I missed it.

13 MR. MILLEN: Pardon me?

14 MR. HINES: You had it on your bulk  
15 table. I missed it on my list.

16 CHAIRMAN EWASUTYN: Okay. Can  
17 someone put this all together for a  
18 referral letter for Dominic Cordisco to  
19 prepare to the Zoning Board of Appeals.

20 MR. HINES: I have the required  
21 variances listed in my memo. Lot 1, the  
22 lot area, 38,545.7 is proposed where  
23 100,000 square feet is required. Side  
24 yard, 29 feet is proposed where 30 feet  
25 is required. Maximum lot surface

2 coverage, 23.77 is proposed where 20  
3 percent maximum is listed in the bulk  
4 requirements.

5 Lot 2, minimum lot area, 27,358.8  
6 is provided where 100,000 square feet is  
7 required. Side yard, 20.2 feet is  
8 provided where 30 feet is required. Lot  
9 width, 119 feet is proposed where 150  
10 feet is required.

11 Mr. Campbell mentioned both side  
12 yards, 62.49 is provided where 80 feet is  
13 required.

14 In addition, we'll have to circulate  
15 adjoiners' notices.

16 I also have a comment for the  
17 highway superintendent to evaluate the  
18 extra wide driveway width on the  
19 Gardnertown Road access.

20 CHAIRMAN EWASUTYN: A question. Do  
21 we circulate the adjoiners' notice now or  
22 do we wait to hear back from the Zoning  
23 Board of Appeals?

24 MR. HINES: I circulate them now.  
25 In that notice I note that they will also

2 be receiving information from the Zoning  
3 Board.

4 CHAIRMAN EWASUTYN: Having heard  
5 from Jim Campbell, Code Compliance, from  
6 Pat Hines from MH&E listing the necessary  
7 variances that will need to be approved  
8 by the Zoning Board of Appeals for the  
9 Ciaffone Lot Line Change, project number  
10 24-14, would someone move for a motion to  
11 authorize Dominic Cordisco, Planning  
12 Board Attorney, to prepare that referral  
13 letter to the Zoning Board of Appeals.

14 MR. MENNERICH: So moved.

15 MR. WARD: Second.

16 CHAIRMAN EWASUTYN: I have a motion  
17 by Ken Mennerich. I have a second by  
18 John Ward. Can I have a roll call vote  
19 starting with Dave Dominick.

20 MR. DOMINICK: Aye.

21 MR. MENNERICH: Aye.

22 CHAIRMAN EWASUTYN: Aye.

23 MR. BROWNE: Aye.

24 MS. CARVER: Aye.

25 MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Thank you.

(Time noted: 8:52 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 1st day of July 2024.

*Michelle Conero*

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MICHELLE CONERO

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

- - - - - X  
In the Matter of

NEWBURGH CHICKEN, LLC  
(2023-17)

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

- - - - - X

BOARD BUSINESS - DISCUSSION

Date: June 20, 2024  
Time: 8:52 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

- - - - - X

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

2 CHAIRMAN EWASUTYN: The last item  
3 of business we have is Newburgh Chicken,  
4 a public hearing discussion. Cliff  
5 Browne will introduce that to the Board  
6 Members.

7 MR. BROWNE: At the last meeting we  
8 talked about Newburgh Chicken and all the  
9 variances they got, the back and forth,  
10 and particularly the DOT not getting back  
11 to them yet with the approval or not  
12 approval of the driveway on the 300.

13 It's my understanding -- let me  
14 just read the note that I put out to you  
15 guys. "Following up on the Planning  
16 Board meeting of June 6th with respect to  
17 Newburgh Chicken, LLC, project 23-17, I  
18 offer the following: It is my  
19 understanding that New York State DOT is  
20 an involved agency. It is my  
21 understanding that a public hearing is  
22 not required but is an optional for this  
23 project. Because New York State DOT is  
24 an involved agency, the plans cannot be  
25 signed off and finalized until New York

2 State DOT does approve the plans.  
3 Because a public hearing is optional for  
4 this project, I propose we, the Newburgh  
5 Planning Board, discuss modifying our  
6 position with respect to requiring a  
7 public hearing for this project. The  
8 applicant has been to the ZBA several  
9 times where the public has had the  
10 opportunity to comment. By waiving the  
11 public hearing, the applicant can move  
12 the project forward, realizing that if  
13 New York State DOT does not approve their  
14 current plan, they must come back to the  
15 Planning Board for review of a modified  
16 plan." That's my understanding of the  
17 different things.

18 Basically my first question will  
19 probably be to Dominic. If we were to  
20 rescind the requirement for the public  
21 hearing, which I believe we passed, what  
22 does that mean technically from a legal  
23 standpoint?

24 MR. CORDISCO: A couple things.  
25 First of all, because of the size of the

1  
2 development, it doesn't meet the  
3 threshold to be an Unlisted action, which  
4 means that it's a Type 2 action. As a  
5 result, the Board doesn't have any SEQRA  
6 review associated with the project. This  
7 is a site plan amendment approval.

8 If the Board waives the public  
9 hearing, then it must grant conditional  
10 final approval within 62 days of waiving  
11 that public hearing.

12 The conditions would be namely site  
13 improvements as far as traffic is  
14 concerned and how it's relating to the  
15 DOT roadway system, which my  
16 understanding is that's an open issue.  
17 Mr. Hines had taken part in the  
18 conference call with the applicant and  
19 the DOT where it wasn't clear that the  
20 DOT was accepting the location of that  
21 entrance and exit on Route 300.

22 The reason for the recommendation  
23 at the last meeting in connection with  
24 Newburgh Chicken was that since the  
25 primary concern for this particular



2 project is the roadway improvements that  
3 it's going to be either required to make  
4 or it's proposing to make, the DOT really  
5 has a superposition in connection with  
6 this application.

7 To either waive the public hearing  
8 or hold the public hearing before the DOT  
9 has considered conceptual approval for  
10 the project might be premature. Of  
11 course the Board is free to do as you see  
12 fit. If you do waive the public hearing,  
13 you should be prepared to grant approval  
14 within 62 days.

15 The other outstanding item, of  
16 course, is that they have been in active  
17 discussions with the Town Board in  
18 connection with their fair share  
19 improvements to that intersection and  
20 potential redesign of that. That's an  
21 ongoing discussion that's occurring at  
22 the same time.

23 CHAIRMAN EWASUTYN: Discussion from  
24 Board Members. Comments?

25 MR. WARD: I'm not comfortable

2 waiving the public hearing because when  
3 62 days comes up, what's going to happen?  
4 They're able to do whatever with the  
5 traffic. There's no control over it.  
6 That's my opinion.

7 MS. CARVER: If it needs DOT  
8 approval, I think the DOT can really hold  
9 them up for a long time.

10 MR. BROWNE: That's been the  
11 ongoing question, basically DOT not  
12 getting back to them, holding them up and  
13 the back and forth, back and forth and a  
14 lot of stuff on that.

15 What Dominic is explaining, from a  
16 technical standpoint it seems that's the  
17 only recourse we have as a Board, to keep  
18 that in place to make things happen.

19 MS. CARVER: Right.

20 MR. BROWNE: Is that my understanding?

21 MR. CORDISCO: That's the gist of it.

22 CHAIRMAN EWASUTYN: Ken Mennerich,  
23 questions or comments?

24 MR. MENNERICH: I would be opposed  
25 to waiving the public hearing on it.

2 They've had ZBA public hearings on it,  
3 but a lot of times the public doesn't  
4 really get involved until it comes to the  
5 Planning Board public hearing.

6 CHAIRMAN EWASUTYN: Dave Dominick.

7 MR. DOMINICK: I like seeing  
8 progress and things moving forward and  
9 streamlining, similar to what we did  
10 tonight with the Newburgh Mall. As  
11 Dominic sheds light, this is one thing  
12 that shouldn't be rushed and we should  
13 wait to hear back from DOT. It is a bad  
14 intersection. People use the shoulder to  
15 make their own lane to turn right and go  
16 south on 300. I think DOT is going to  
17 weigh heavy on this and we need to hear  
18 their comments.

19 MS. CARVER: I agree.

20 CHAIRMAN EWASUTYN: Pat Hines with  
21 MH&E.

22 MR. HINES: Sitting here I can't  
23 tell you right now what DOT is going to  
24 require of that project and what the Town  
25 Board for this fair share contribution

2 will require, whether they're going to  
3 want the turn lane constructed at 52 and  
4 300 at this point, whether DOT wants that  
5 turning lane constructed as part of this  
6 project.

7 Fair share contributions are  
8 difficult. Until you get enough money in  
9 that pool, nothing happens. The money sits  
10 in those pools until there's enough. As  
11 costs escalate, the pool becomes smaller  
12 and smaller to complete the project.

13 Right now I don't know what  
14 improvements the DOT -- where the project  
15 is at. I think the Board should be more  
16 informed of the DOT's decision. It's not  
17 only the turning lane. DOT has not signed  
18 off on the full turn access out onto 300.  
19 They have questions, comments and concerns  
20 about traffic stacking beyond that, people  
21 pulling out and blocking that southbound --  
22 trying to make a left and blocking  
23 completely the southbound Route 300 while  
24 they're waiting in traffic for the traffic  
25 to queue going north on 300. Those are

2 the same questions I raised at the  
3 last meeting they were at.

4 CHAIRMAN EWASUTYN: Jim Campbell,  
5 Code Compliance.

6 MR. CAMPBELL: I have no comment.

7 CHAIRMAN EWASUTYN: Okay. Good  
8 discussion.

9 Would someone move for a motion to  
10 close the Planning Board meeting of the  
11 20th of June 2024.

12 MR. WARD: So moved.

13 MS. CARVER: Second.

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

18 MR. DOMINICK: Aye.

19 MR. MENNERICH: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. BROWNE: Aye.

22 MS. CARVER: Aye.

23 MR. WARD: Aye.

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25 (Time noted: 9:00 p.m.)

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MICHELLE CONERO