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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 & ARB

Date: September 5, 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
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JUSTIN DATES

----- X

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

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. The Town of
4 Newburgh Planning Board would like to
5 welcome you to their meeting of
6 September 5, 2024. We have six items
7 on the agenda and two Board business
8 items.

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

11 MR. DOMINICK: Present.

12 MS. DeLUCA: Present.

13 MR. MENNERICH: Present.

14 CHAIRMAN EWASUTYN: Present.

15 MR. BROWNE: Present.

16 MS. CARVER: Present.

17 MR. WARD: Present.

18 MR. CORDISCO: Dominic Cordisco,
19 Planning Board Attorney.

20 MS. CONERO: Michelle Conero,
21 Stenographer.

22 MR. HINES: Pat Hines with MHE
23 Engineers.

24 MR. CAMPBELL: Jim Campbell, Town
25 of Newburgh Code Compliance.

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

5 CHAIRMAN EWASUTYN: At this time
6 I'll turn the meeting over to John Ward.

7 MR. WARD: Please stand to say the
8 Pledge.

9 (Pledge of Allegiance.)

10 MR. WARD: If you have a cellphone,
11 please turn it off or put it on vibrate.

12 CHAIRMAN EWASUTYN: The first item
13 on the agenda is Newburgh Self-Storage,
14 Planning Board project number 24-06.
15 It's here tonight for ARB approval. It's
16 in an IB Zone. It's being represented by
17 Justin Dates of Colliers Engineering.

18 MR. DATES: Good evening, Mr. Chairman.
19 Justin Dates, Colliers Engineering & Design.

20 Mr. Chairman and the Board, there
21 were a couple of site plan modifications
22 that we made in conjunction with some
23 feedback from the fire department prior
24 to last meeting -- post last meeting.
25 They requested that a Knox Box be

2 provided at each of the access gates.
3 Again, we have a gate to Route 52 on the
4 north and a gate right by the office
5 building on the Route 300 side. That's
6 been called out on the plan.

7 They also requested that -- there's
8 a fire hydrant on the north side, as
9 well, by the 52 access. That was outside
10 of our fence. Again, the facility is
11 fenced in. They requested that the fence
12 be modified so that the fire hydrant
13 could be inside of the fence for easier
14 access. We did make those two
15 modifications.

16 Also, based on feedback from the
17 Board at the last meeting, we did modify
18 the stonewalls up on Route 300. There
19 were sections that were just running
20 parallel to 300 here. We put a radius on
21 those and carried those a little bit more
22 into the site. We added some additional
23 landscaping. We added some more
24 hydrangeas behind the wall there. We
25 also planted out that center island that

2 separates the entrance and exit driveway
3 with perennials, deciduous flowering
4 shrubs and evergreen shrubs.

5 We listened to the Board's requests
6 and made those modifications to the plans.

7 Any questions?

8 CHAIRMAN EWASUTYN: Any questions
9 on the additions to the site plan that
10 was approved at the last meeting?

11 MR. WARD: Justin, --

12 MR. DATES: Yes, sir.

13 MR. WARD: -- you could show the
14 picture, but it looks great. Thank you
15 for doing that.

16 CHAIRMAN EWASUTYN: We'll get into
17 the ARB now.

18 MR. DATES: I believe the picture
19 -- we provided a rendering. We have the
20 material board. I'll take you through.

21 This shows most of the new
22 buildings, the materials and colors that
23 we would be using.

24 If you're looking from 300 into the
25 site, this is the office. The office

2 building itself is here.

3 We have on the bottom here this
4 masonry looking Wainscoting. I know
5 there's slate, gemstone which is this
6 here. On top of that we have the Hardie
7 board in the celestial blue. It's a
8 metal, a standing seam looking roof.
9 This is kind of a sample of that metal
10 roof.

11 This is all the new storage
12 buildings. This is going east into the
13 site here. The walls, the piers and
14 headers of those storage buildings is
15 this limestone color. The bottom here
16 will be that color. The doors are this
17 rustic red. That's what you're seeing
18 here.

19 The ones for the color match here,
20 that's for the existing building. These
21 are the elevations of the existing
22 building. This is if you're looking at
23 the northern elevations, there's an
24 addition. Again, this is all the new
25 metal building components that I just

2 described.

3 The building itself is getting
4 painted. That's the limestone type of
5 color. This was the paint match to that
6 limestone here. It looks like there are
7 two separate colors on here, but it's
8 really because the different textures of
9 the walls. One has kind of this net
10 pattern on it which is a smooth surface.
11 These bands here are the rough cut face
12 block. It would all be limestone. The
13 textures kind of make it look different
14 on those accent bands.

15 The doors would all match, again
16 that kind of rustic red color. They come
17 from a different manufacturer so we do
18 our best to align those within the color
19 palettes here.

20 CHAIRMAN EWASUTYN: Comments from
21 Board Members. John Ward.

22 MR. WARD: What I said before with
23 the landscaping and the stonewall and the
24 entrance, it follows what we were trying
25 to do on 300. Thank you very much.

2 MR. DATES: You're welcome. Thank
3 you.

4 MS. CARVER: I agree. It looks
5 nice.

6 MR. BROWNE: Good job. Thank you.

7 CHAIRMAN EWASUTYN: It's nice
8 looking.

9 MR. MENNERICH: Very nice.

10 MS. DeLUCA: Very nice. Country.

11 MR. DOMINICK: Good job. Thank you
12 for providing that rendering.

13 One question. On the 52 emergency
14 access, are you going to pave over that
15 and remove that six-foot curbing that's
16 in the middle that used to be where the
17 sign was for the theater?

18 MR. DATES: The 300 side you're
19 talking about?

20 MR. DOMINICK: The 52 side.

21 MR. DATES: Okay. Down at the very
22 end here?

23 MR. DOMINICK: Yes. Are you going
24 to pave that strip? That needs it.

25 MR. DATES: If it does. I haven't

2 been down there recently. Maybe it needs
3 a topcoat clean up. We can do that.

4 MR. DOMINICK: If you could put a
5 topcoat on that and dress that up. You
6 have a nice strip mall next to it. You
7 have another facility on the other side
8 that's nice.

9 Also, there's a six-foot island in
10 there. I'm guessing it's six-foot. That
11 used to be where the sign was for the
12 theater. That can probably get removed
13 if you're not going to use it.

14 MR. DATES: Okay. So the sign
15 package is still being developed. I know
16 they would want some type of presence of
17 a sign on the 52 side. As that advances,
18 we can respond to that for sure.

19 MR. DOMINICK: Thank you.

20 CHAIRMAN EWASUTYN: Jim Campbell,
21 Code Compliance.

22 MR. CAMPBELL: You just stated that
23 the sign package is still being
24 developed. The signs are part of ARB,
25 just so you know that.

2 MR. DATES: Understood.

3 MR. CAMPBELL: Part of where you
4 usually run into the problem is the
5 existing sign may not be conforming.
6 That may have to change. We would need
7 to know where that location is and the
8 height and stuff.

9 MR. DATES: Understood. The
10 applicant would like to separate the
11 review and approval for the signs from
12 the site plan and ARB that we just went
13 through on the buildings. They would be
14 back in with a full sign package and
15 identify any nonconformities or how to
16 comply to the zoning.

17 CHAIRMAN EWASUTYN: Are you
18 satisfied with that, Jim?

19 MR. CAMPBELL: That would be up to
20 the Board to decide if they want to
21 separate it out.

22 CHAIRMAN EWASUTYN: Ken Wersted
23 with Creighton, Manning.

24 MR. WERSTED: We don't have any
25 further comments.

2 CHAIRMAN EWASUTYN: Pat Hines with
3 MH&E.

4 MR. HINES: At work session one of
5 the Members discussed the railroad tie
6 retaining walls, the former ones. It did
7 show there was grading along there.
8 Those are proposed to be removed by the
9 regrading?

10 MR. DATES: That's correct.

11 MR. HINES: I just wanted to
12 confirm that.

13 MR. DATES: This stretch, there's
14 some along here that we would be looking
15 to remove. They're kind of in disrepair.
16 They're not safe.

17 MR. HINES: We just have general
18 items here. Coverage under the DEC's
19 construction stormwater permit will be
20 required. That coverage needs to be
21 obtained before stamping the plans, just
22 for tracking purposes.

23 There will need to be security and
24 inspection fees for the stormwater
25 management and landscaping.

2 Orange County Health Department
3 approval for water main extensions with
4 hydrants.

5 We did receive advisory comments
6 from the County dated 26 July. They were
7 all advisory in nature.

8 You did address the Orange Lake
9 Fire District's comments. We just don't
10 have any confirmation from them. I think
11 Jim coordinates with them to make sure
12 they're okay with those changes.

13 I just noted that architectural
14 review is required, which we're doing
15 now.

16 CHAIRMAN EWASUTYN: Dominic
17 Cordisco, the action before us this
18 evening is two parts, one for ARB
19 approval and to poll the Board Members if
20 they are willing to accept a later
21 submission of the signage package?

22 MR. CORDISCO: That's correct. The
23 Board had previously granted conditional
24 final site plan approval on this project
25 at the August 1st meeting.

2 CHAIRMAN EWASUTYN: As far as the
3 first action, is the Board in agreement
4 to waive the signage application for a
5 later date. Dave Dominick?

6 MR. DOMINICK: What's the reason
7 for the two-part submission?

8 MR. DATES: The final sign isn't
9 done. It's not prepared just yet. The
10 applicant would like to move forward with
11 getting to the Building Department and
12 recognize the resolution items.

13 MR. DOMINICK: Yes.

14 CHAIRMAN EWASUTYN: Stephanie DeLuca.

15 MS. DeLUCA: Yes.

16 MR. MENNERICH: Yes.

17 CHAIRMAN EWASUTYN: Yes.

18 MR. BROWNE: Yes.

19 MS. CARVER: Yes.

20 MR. WARD: Yes. It's going to be
21 in the resolution. Right?

22 CHAIRMAN EWASUTYN: Excuse me?

23 MR. CORDISCO: Yes. It will be
24 stated that the signage has to come back.
25 It's being deferred. It will require

2 further Board review.

3 MR. WARD: Yes.

4 CHAIRMAN EWASUTYN: While you're
5 speaking, Dominic Cordisco, Planning
6 Board Attorney, can you give us
7 conditions of approval for the Newburgh
8 Self-Storage as it relates to the ARB
9 presentation.

10 MR. CORDISCO: Yes. At this point
11 these plans have been revised since the
12 August 1st meeting. As a result, my
13 suggestion would be that the resolution
14 of approval will be a combined unified
15 resolution of approval that would include
16 both the site plan and ARB, that they be
17 based on this set of plans rather than
18 the set of plans that you were
19 considering at the August 1st meeting,
20 just to make it clear for bookkeeping
21 purposes.

22 As far as conditions of approval,
23 it's really just identifying the fact
24 that the signage package will have to be
25 submitted and reviewed by the Board at a

2 time when it's prepared. There are no
3 other special conditions in connection
4 with the ARB, other than the standard
5 condition which is that what's shown on
6 the renderings and the materials is what
7 actually has to be built, unless they
8 come back before the Board requesting
9 modification to that.

10 CHAIRMAN EWASUTYN: Jim Campbell,
11 Code Compliance, are you in agreement
12 with this?

13 MR. CAMPBELL: I agree.

14 CHAIRMAN EWASUTYN: All right.
15 Having heard from the Planning Board
16 Attorney, Dominic Cordisco, for the
17 amended unified site plan and ARB
18 approval and the conditions associated
19 with it, would someone move for a motion
20 then for approval.

21 MR. DOMINICK: So moved.

22 MR. BROWNE: Second.

23 CHAIRMAN EWASUTYN: I have a motion
24 by Dave Dominick. I have a second by
25 Cliff Browne. I'll ask for a roll call

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vote starting with John Ward.

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. DATES: Thank you very much.

(Time noted: 7:12 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 16th day of September 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

GARDNER RIDGE
(2002-29)

Gardnertown Road near Gidney Avenue
Section 75; Block 1; Lot 4.12
R-3 Zone

----- X

SITE PLAN & ARB

Date: September 5, 2024
Time: 7:13 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
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: THOMAS OLLEY,
BRIAN SINSABAUGH, DARREN DOCE and
MICHAEL AMENDOLA

----- X

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

2 CHAIRMAN EWASUTYN: Item number 2
3 on the agenda is Gardner Ridge, Planning
4 Board number 02-29. It's a site plan and
5 ARB. It's located on Gardnertown Road
6 near Gidney Avenue. It's in an R-3 Zone.
7 It's being represented by Engineering &
8 Land Planning, Thomas Olley.

9 MR. SINSABAUGH: Good evening,
10 Chairman, Members of the Board. My name
11 is Brian Sinsabaugh. I'm an attorney
12 with Zarin & Steinmetz on behalf of the
13 applicant, Gardner Ridge Associates, LLC.

14 CHAIRMAN EWASUTYN: Do you have a
15 business card?

16 MR. SINSABAUGH: I do.

17 Here with me I have Darren Doce,
18 Tom Olley who you just mentioned, as well
19 as Michael Amendola from Colliers
20 Engineering, our traffic engineer. We do
21 not have with us this evening,
22 unfortunately, our architect is not
23 available. He had a personal commitment.
24 For that reason, I know that for this
25 application, final site plan approval is

2 what we're requesting.

3 As far as ARB approval, we're
4 willing to accept questions, but we would
5 ask that possibly the ARB be a condition
6 of approval. No one here is an architect
7 to speak to any possible questions you
8 have, comments you have. I just want to
9 put that out there initially.

10 We received preliminary site plan
11 approval earlier this year in a
12 resolution that was filed with the Town
13 Clerk on January 24th.

14 Again, this evening we're requesting
15 final site plan approval with conditions.

16 We submitted, on August 19th, a
17 submission that included a letter from
18 our office, Aaron Steinmetz, as well
19 as a letter from Tom Olley, and also
20 our amended site plan set. In that
21 submission we detailed the conditions
22 of the preliminary approval that we
23 did meet, as well as referenced some
24 other items that we believe would be
25 proper for conditions of final approval.

2 Of those items that we did meet,
3 we have obtained Department of Health
4 approval for the water main extension.

5 We filed with the Army Corp of
6 Engineers along with a nationwide
7 permit. That was filed on June 19th.
8 We have yet to receive a response.
9 That forty-five day period has lapsed.

10 We did circulate the revised
11 road improvement plans to the Town's
12 highway superintendent who had no
13 issues with the proposed plans.

14 We also were before the Town
15 Board. They authorized modification
16 of the Town Code's density provisions.
17 That occurred on January 22nd.

18 Again, all other items are
19 primarily those related to fees and
20 other items that were even noted as
21 being prior to site plan, signature
22 or release of the building permit. I
23 believe those would be proper for
24 conditions of final site plan approval.

25 If you have any questions, we

2 can run through the items that we've
3 changed or just open it up for
4 your questions.

5 CHAIRMAN EWASUTYN: Why don't you
6 continue on with the changes that you're
7 discussing.

8 MR. SINSABAUGH: Okay.

9 MR. OLLEY: Thank you. Thomas
10 Olley, for the record.

11 As we went through the process with
12 the Health Department, we added a few
13 hydrants, relocated some hydrants. You
14 will recall that we also had agreed to
15 loop the hydrant -- the water main along
16 Gardnertown Road which we brought from
17 the emergency access back to the
18 entrance.

19 We've included an internal sidewalk
20 all the way down to the intersection with
21 Gardnertown Road.

22 We incorporated a gazebo for the
23 school bus shelter, since we did confirm
24 with the school district that they will
25 not bring the school buses in. We

2 incorporated all of that.

3 We've coordinated with Jim and the
4 fire district on the hydrant locations.

5 The landscape architect has been in
6 several different conversations with
7 Karen Arent regarding the details of the
8 landscaping. We believe that that has
9 all been wrapped up now. She did have a
10 couple of comments, to label some
11 landscaping near the clubhouse and one or
12 two other comments.

13 There were a couple things on the
14 erosion control that I'll just make sure
15 we're clear on with Karen. She had three
16 comments on the erosion control.

17 The layout of the site is pretty
18 much the same as you last saw. That does
19 include the EV charging stations
20 throughout the site. It covers all the
21 changes that were made. There were not a
22 lot of significant changes to the plan,
23 just adding a lot of detail.

24 CHAIRMAN EWASUTYN: Darren Doce, do
25 you have anything to say at this time?

2 MR. DOCE: No. That covers
3 everything I was going to say.

4 CHAIRMAN EWASUTYN: Ken Wersted,
5 Traffic Consultant with Creighton
6 Manning.

7 MR. WERSTED: We've reviewed the
8 plan over several years as we've come to
9 it. As Mr. Doce had explained earlier,
10 and Mr. Olley, the intersection approach
11 has changed. Originally they had planned
12 to take Creek Run Road and T it into
13 Gardnertown Road opposite this site
14 driveway. There is a plan sheet in the
15 Colliers' set of plans that shows a
16 detour for the temporary closure of Creek
17 Run Road. However, through discussions
18 with the highway superintendent, that's
19 been revised to keep the roadway in its
20 current configuration and make some
21 modifications to make it easier for
22 someone pulling out of Creek Run Road to
23 look in each direction, including the
24 sight distance improvements.

25 With that condition now part of the

2 plan, there's a sheet that can be, I
3 believe, discarded as part of the plans.

4 That was all of our comments.

5 CHAIRMAN EWASUTYN: Jim Campbell,
6 Code Compliance.

7 MR. CAMPBELL: Basically with the
8 addition of the bus shelter, that would
9 be an accessory structure within the
10 front yard. That would need a ZBA
11 variance.

12 Also, when you're designing that,
13 just keep in mind that has to be handicap
14 accessible.

15 Also, just keep in mind that the
16 signs are part of ARB. We would need
17 more information regarding the development
18 signage.

19 That's all I've got.

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

22 MR. HINES: The applicant provided
23 a narrative response to each of the
24 previous preliminary approval comments.
25 We noted those.

2 We also noted that no security for
3 water and sewer is required as part of
4 the approval. Those fees are collected
5 during the permit application process.

6 There will need to be security for
7 stormwater management as well as
8 inspection fees, security for landscaping
9 and inspection fees.

10 There is no water storage tank
11 provided. As was mentioned, the water
12 system has been looped through the site.

13 Coverage under the DEC's SPDES
14 permit is required prior to stamping the
15 plans.

16 We noted that the pre-construction
17 notification to the Army Corp of
18 Engineers timeframe has lapsed, so that's
19 a default nationwide permit at this
20 point.

21 The project is before you tonight
22 for architectural review. It's up to the
23 Board whether you're going to finish
24 that.

25 I did want to confirm the project

2 is in the sewer district, Tom?

3 MR. DOCE: No. The project has
4 outside user that was granted a number of
5 years ago.

6 MR. HINES: This is a 2002 project.

7 MR. DOCE: Right. Fees have to be
8 paid and the agreement has to be executed.

9 MR. HINES: Okay. I just wanted to
10 make that clear as a condition.

11 There is a fee regarding the tree
12 ordinance restoration fee that will be
13 required. That has been identified as
14 \$3,227.50 based on the calculations.

15 Specific compliance with the Town's
16 Senior Housing Code should be incorporated
17 into any resolution of final approval.
18 There are specific unit sizes and such in
19 that code.

20 We did note that there were changes
21 to the plan and the drainage at building 4
22 based on the public hearing comments.
23 Some of the residents there had concerns.
24 Mr. Olley's office has incorporated
25 changes to the plan to take the roof

2 drainage out to the front and provide
3 some catch basins in the vicinity of
4 building 4 as a result of those
5 comments.

6 We noted the gazebo.

7 We also noted that in response
8 to the Planning Board's and the
9 landscape architect's comments, that
10 a parcel delivery system box has been
11 incorporated into the plans as well.
12 I believe that's in the vicinity of the
13 clubhouse.

14 CHAIRMAN EWASUTYN: Comments from
15 Board Members. John Ward.

16 MR. WARD: No comments.

17 CHAIRMAN EWASUTYN: Lisa Carver.

18 MS. CARVER: No comment.

19 MR. BROWNE: I do. With the ARB,
20 I'm looking at -- I'll pass this on to
21 the appropriate person. What I'm looking
22 at, the front of building 4 and the front
23 of building 2 --

24 CHAIRMAN EWASUTYN: Do you have any
25 renderings that you could put up on the

2 board?

3 MR. BROWNE: I'm looking at the
4 front of building 4 and the front of
5 building 2. Those two specifically.
6 It's very obvious that if you look at the
7 garage door, the second and third in,
8 that garage area is being dumped on from
9 the roof area with all the snow -- all
10 the ice and snow. My thinking when I saw
11 that was, I believe the roof line,
12 hopefully, could be modified so you're
13 not dumping all that stuff in front of
14 those two garage doors. I was kind of
15 surprised that that was designed for this
16 area that way.

17 Other than that, I'm good.

18 CHAIRMAN EWASUTYN: No comment.

19 MR. MENNERICH: No questions.

20 MS. DeLUCA: Just for the record,
21 because I was just curious about the back
22 of the buildings, and I do believe it's
23 on the landscape architect's papers for
24 review, I'm just concerned about the
25 buffer that was supposed to be in the

2 back of the buildings. I know that the
3 neighboring --

4 MR. DOCE: Along Maurice Drive?

5 MS. DeLUCA: Yes. That's
6 established and --

7 MR. DOCE: That's been established.
8 All the landscaping has been reviewed by
9 Karen.

10 MS. DeLUCA: Okay.

11 MR. DOCE: I believe she was fine
12 with what was done.

13 MS. DeLUCA: Okay.

14 MR. OLLEY: If I may add, one of
15 the things we also included in that was
16 construction fencing along that buffer so
17 that we make sure that there are no
18 accidental intrusions into that 40-foot
19 area. Much of that vegetation can be
20 preserved. The landscape architect added
21 some supplemental plantings in areas
22 where it was a little bit thinner.

23 MS. DeLUCA: Thank you.

24 CHAIRMAN EWASUTYN: Dave Dominick.

25 MR. DOMINICK: Tom, just a quick,

2 curious question. If this site was open
3 today, what would the average price be
4 per unit?

5 MR. OLLEY: That's a question I
6 can't answer ,just because I don't know.

7 MR. DOMINICK: Thank you. Nothing
8 further.

9 CHAIRMAN EWASUTYN: Dominic Cordisco,
10 Planning Board Attorney.

11 MR. CORDISCO: The Board granted
12 preliminary approval to this project in
13 December, December 21, 2023. The
14 applicant is now looking for conditional
15 final approval. The Board should decide,
16 as a matter of course, as to whether or
17 not, without the architect here but with
18 the submission that you've had and been
19 able to review, and also the materials
20 being shown, whether or not you're
21 comfortable granting ARB approval at this
22 time or if you would like to defer that.

23 In any event, signage has not been
24 presented at this point. Signage would
25 need to be deferred until a later time

2 where the applicant would need to come
3 back before the Board for approval of ARB
4 for the signage.

5 CHAIRMAN EWASUTYN: If I understand
6 what Dominic Cordisco is saying, does the
7 Board want to act on ARB approval this
8 evening or would they like to do that at
9 a later date when the architect is
10 present. John Ward?

11 MR. WARD: We haven't seen the
12 interior.

13 CHAIRMAN EWASUTYN: Do you have
14 samples of the materials with you?

15 MR. DOCE: No. The architect was
16 going to bring that. I would assume we'd
17 defer that until we can make a proper
18 presentation.

19 CHAIRMAN EWASUTYN: Do you want to
20 resubmit at a later date?

21 MR. DOCE: For ARB.

22 CHAIRMAN EWASUTYN: And for signage?

23 MR. OLLEY: Signage also.

24 CHAIRMAN EWASUTYN: Signage would
25 be part of that. Okay. That answers

2 that question.

3 MR. CORDISCO: If I may, there's
4 certainly precedence for the Board to
5 consider granting conditional final
6 approval withholding, however, ARB
7 approval for both the architectural and
8 the signage until a later submission.

9 MR. CAMPBELL: It will have to be
10 referred to the ZBA as a condition.

11 MR. CORDISCO: If they want to
12 build a gazebo, they're going to need to
13 obtain Zoning Board of Appeals variances
14 prior to beginning construction for that.

15 CHAIRMAN EWASUTYN: Do you want to
16 speak on the conditions of approval?

17 MR. CORDISCO: Yes. We did have a
18 very detailed preliminary approval
19 resolution which counsel has commented on
20 as to what has been updated since that
21 time.

22 As Pat had noted, and I'll go
23 through his comments because they were
24 fairly extensive. Inspection fees will
25 be required for the water and sewer

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improvements during construction. There was also, obviously, security and inspection fees for stormwater management as well as for landscaping. We will remove the reference to the water storage tank and the individual fire protection system that was in the preliminary approval resolution. They have to obtain coverage under the DEC stormwater SPDES general permit prior to stamping of the plans. They have received the Army Corp of Engineers approval given the fact that the 45-day timeframe for the Army Corp to respond has lapsed. Architectural review is being deferred at this time. They also have confirmed that the parcel is actually outside the sewer district, so one of the conditions of the approval would be finalizing and executing an outside user agreement as well as paying the fees associated with that. The resolution will also detail that compliance has to be maintained with the Town's Senior Housing Code and the details in connection with

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that. For the gazebo/bus shelter, obviously that's been added since the December submission and approval. As a result, if the intention is to proceed with that gazebo, then it would require a variance for an accessory structure in the front yard. Lastly, there's a response to the landscape architect consultant for the Board and her ongoing review.

MR. HINES: The tree ordinance.

MR. CORDISCO: That was in the prior resolution as well. I was going to carry that one forward.

CHAIRMAN EWASUTYN: Any additional questions or comments from our consultants?

MR. HINES: I have none.

CHAIRMAN EWASUTYN: Ken Wersted with Creighton, Manning.

MR. WERSTED: Nothing additional.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance.

MR. CAMPBELL: Nothing additional.

CHAIRMAN EWASUTYN: Pat Hines with

2 MH&E.

3 MR. HINES: No additional.

4 CHAIRMAN EWASUTYN: Comments from
5 Board Members. Dave Dominick.

6 MR. DOMINICK: Nothing further.

7 MS. DeLUCA: No.

8 MR. MENNERICH: Nothing further.

9 MR. BROWNE: Nothing more.

10 MS. CARVER: No.

11 MR. WARD: No.

12 CHAIRMAN EWASUTYN: Having heard
13 the conditions of approval presented by
14 Planning Board Attorney Dominic Cordisco
15 for Gardner Ridge, project number 2002-29,
16 for the site plan, would someone move for
17 approval of that subject to the conditions.

18 MR. MENNERICH: So moved.

19 MR. BROWNE: Second.

20 CHAIRMAN EWASUTYN: I have a motion
21 by Ken Mennerich. I have a second by
22 Cliff Browne. Can I have a roll call
23 vote 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.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion carried.

MR. SINSABAUGH: Thank you very
much.

(Time noted: 7:32 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 16th day of September 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 COMMONS
(2023-24)

5430 & 5450 Route 9W
Section 9; Block 1; Lots 53.1 & 13
B Zone

----- X

SITE PLAN, ARB & LOT LINE CHANGE

Date: September 5, 2024
Time: 7:33 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
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

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

----- X

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

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CHAIRMAN EWASUTYN: The third item of business this evening is Newburgh Commons, Planning Board project number 23-24. It's a site plan, ARB and a lot line change. The project is located at 5430 and 5450 Route 9W. It's in a B Zone. It's being represented by JMC Planning Engineers.

MR. SCHUTZMAN: Good evening. My name is Stanley Schutzman. I'm a local attorney. We're here today on behalf of the applicant, 5450 Route 9W, LLC. With me today is Anthony Guccione and Umberto Baldinucci on behalf of JMC Engineering.

When we appeared at the last meeting on July 18th, it was a full presentation and a full discussion of this project. The public hearing was closed. The Planning Board help open its consideration of the conditional final approval resolution so that the Planning Board could receive information concerning a response to a second referral to the Orange County Planning

2 Department. We understand that the Orange
3 County Planning Department has now responded,
4 and so we're here tonight to seek
5 consideration for an approval resolution.

6 CHAIRMAN EWASUTYN: Thank you.

7 Ken Wersted with Creighton Manning,
8 Traffic Consultant.

9 MR. WERSTED: The applicant most
10 recently submitted a response to comments
11 pertaining to traffic materials. We
12 reviewed them, provided comments back.

13 The summation of them is that there
14 certainly is a lot of traffic on Route
15 9W. Traffic going in the northbound
16 direction during the p.m. peak hour is
17 expected to queue up from approximately
18 the Maurice Drive/Cortland Drive
19 intersection back to the main site
20 driveway for this project.

21 I did note some modeling
22 assumptions in the signal timings and
23 recommended that the applicant's engineer
24 review that with DOT just to confirm that
25 they have the correct signal times

2 relative to that.

3 The queue length that's anticipated
4 to come out of the site driveway into
5 what is the intersection with Overlook
6 Farms is anticipated to be an average of
7 about 50 feet. That's essentially two
8 car lengths. There could be some
9 potential that a third car gets in line
10 and does block some of the inbound
11 traffic coming off of Route 9W. We
12 suggested that there be some signing
13 changes to help mitigate that.

14 The other thing that we noted is
15 that the Planning Board -- I'm sorry, the
16 Town Board is anticipated to review a
17 resolution next week relative to asking
18 DOT to do a study of the corridor,
19 essentially Route 9W from I-84 all the
20 way up to Lattintown Road relative to the
21 year-long, decades-long congestion that
22 has gone on on Route 9W.

23 That's the extent of our comments.

24 CHAIRMAN EWASUTYN: Thank you.

25 Jim Campbell, Code Compliance.

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MR. CAMPBELL: Are you planning on doing ARB this evening?

MR. GUCCIONE: Anthony Guccione with JMC. Good evening.

We presented the smaller building last time we were at the public hearing. We showed the elevations and materials of that building.

This building, the larger building, they don't have a tenant. They're not really sure what it's going to look like, so we didn't have architectural for that. If the Board is willing, perhaps they could issue approval for this building with the conditional final on the site plan with the idea that the applicant would come back when they have architectural and a tenant for this. There's really no way to do that when they don't have a tenant signed up. It's kind of a catch 22.

MR. CAMPBELL: The reason I question that is I didn't personally see any sign information. Part of ARB is the

2 signage.

3 MR. GUCCIONE: The signage is not
4 developed yet. The tenants want to have
5 some input on what to do with signage.
6 We're hoping to do that as well. It's
7 really just the one building now and the
8 site plan.

9 MR. CAMPBELL: Are you proposing
10 any signage on the canopy?

11 MR. GUCCIONE: Not at this time.

12 MR. CAMPBELL: That would require a
13 variance if you did.

14 MR. GUCCIONE: The gas canopy.
15 Okay. Fair enough.

16 CHAIRMAN EWASUTYN: Pat Hines with
17 MH&E.

18 MR. HINES: We coordinated the
19 referral to Orange County. We had sent
20 the initial information and the notice of
21 intent for lead agency. The County came
22 back and requested a more detailed
23 submission, including the traffic study,
24 the stormwater management report and some
25 other reports. That was done. We

2 received advisory comments back.

3 We had similar comments from the
4 previous meeting regarding the
5 outstanding items. There's a flood study
6 being prepared by another consultant
7 working for the applicant, so a
8 floodplain development permit must be
9 received from the code enforcement
10 office.

11 DEC approval for the relocation of
12 the stream for a water quality
13 certification and Army Corp of Engineers
14 approval.

15 The Health Department and DEC must
16 approve -- the DEC for the SPDES permit
17 and the Health Department for the ability
18 to construct the septic system on the
19 site.

20 Health Department approval for the
21 water main extension with hydrants.

22 DOT approval for all access drives
23 and utility connections.

24 There is an issue that was noted
25 regarding sediment within an existing

2 culvert under 9W that needs to be
3 addressed.

4 A stormwater facilities maintenance
5 agreement is required.

6 Security and inspection fees for
7 stormwater facilities.

8 Security and inspection fees for
9 landscaping.

10 There was an issue regarding
11 grading in the vicinity of the gas main.
12 That needs to be coordinated with Central
13 Hudson and approval from Central Hudson
14 for any work in the vicinity of that gas
15 main. That's a rather large diameter,
16 high-pressure gas main.

17 Approval for the traffic control
18 signals at 9W and the project access
19 drive, which is DOT.

20 The construction stormwater SPDES
21 permit must be received prior to stamping
22 of the plans.

23 My office is completing the final
24 review of the stormwater pollution
25 prevention plan as well.

2 CHAIRMAN EWASUTYN: Before we go
3 into individual questions, would the
4 Board like to do an ARB approval for that
5 one single building or would the Board
6 propose that the applicant come back with
7 more information, more detail on the
8 other buildings to complete the ARB
9 approval? Dave Dominick.

10 MR. DOMINICK: We could do it
11 separately.

12 MS. DeLUCA: I agree.

13 MR. MENNERICH: I agree.

14 MR. BROWNE: The construction of
15 the larger building, how would you do
16 that and not do the ARB without knowing
17 how you're going to finish it?

18 MR. GUCCIONE: We would propose to
19 come back to your Board prior to starting
20 on that building. Once they have a
21 tenant, they know what the building is
22 going to look like, we can come back,
23 present that. Meanwhile they can get
24 going with some of the other work and the
25 gas station portion.

2 MR. BROWNE: You wouldn't start
3 that building?

4 MR. GUCCIONE: We wouldn't start
5 that building.

6 CHAIRMAN EWASUTYN: That would also
7 be true with the gas station then.

8 MR. CAMPBELL: They would have to
9 come back for the signage of the gas
10 station.

11 MR. GUCCIONE: The signage for the
12 entire site I think.

13 CHAIRMAN EWASUTYN: Excuse me?

14 MR. GUCCIONE: The signage for the
15 entire site I assume we would have to
16 come back for.

17 CHAIRMAN EWASUTYN: We won't need
18 any kind of color renderings as to what
19 the pumps look like. The overall visual
20 representation of the gas station.

21 MR. CAMPBELL: That would be up to
22 the Board if they want to see that.

23 CHAIRMAN EWASUTYN: Dave Dominick.

24 MR. DOMINICK: We need to see it.

25 CHAIRMAN EWASUTYN: Thank you.

2 MR. MENNERICH: I think that's been
3 our practice in the past.

4 CHAIRMAN EWASUTYN: Let the record
5 show that the Board is willing to -- can
6 you give me the square footage of the
7 building that the Board is willing to
8 move forward on ARB approval? Give me
9 some kind of language that we can
10 identify it in the resolution.

11 MR. GUCCIONE: Sure. It's 31 and
12 15. The convenience store is 3,100, the
13 restaurant is 1,500, so a 4,600 square
14 foot building.

15 CHAIRMAN EWASUTYN: So that would
16 be the restaurant and the convenience
17 store we would be granting ARB approval
18 for.

19 MR. HINES: The northerly one.

20 MR. GUCCIONE: The gas station.

21 MR. WARD: We didn't do ARB for
22 that.

23 CHAIRMAN EWASUTYN: I think we just
24 got done saying we don't want to grant
25 ARB approval on the canopy.

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MR. GUCCIONE: I showed the canopy.
We just didn't show any signage.

CHAIRMAN EWASUTYN: We have no idea
of the colors associated with all of
that.

MR. GUCCIONE: I have a rendering
of that.

CHAIRMAN EWASUTYN: Why don't you
come back with some kind of rendering as
it relates to the other building. We're
kind of piecemealing this.

MR. GUCCIONE: Okay. Fair enough.

CHAIRMAN EWASUTYN: Let's stay
consistent.

MR. GUCCIONE: Okay.

CHAIRMAN EWASUTYN: Dominic Cordisco,
Planning Board Attorney.

MR. CORDISCO: At your June meeting
you adopted a negative declaration
closing out the SEQRA process for this
project. At the July meeting you had
your public hearing.

As Pat had mentioned, the County
Planning Department requested a second

2 referral with additional studies.

3 I would recommend that you reaffirm
4 your negative declaration at this time,
5 because there's a slight trip up with the
6 County requesting additional information
7 after you had adopted your negative
8 declaration. As a result, I think to
9 clean that up, my recommendation would be
10 to reaffirm your June negative declaration
11 for this project.

12 CHAIRMAN EWASUTYN: Would someone
13 move for a motion then to reaffirm our
14 negative declaration which was granted in
15 June for Newburgh Commons.

16 MR. WARD: So moved.

17 MS. CARVER: Second.

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

22 MR. DOMINICK: Aye.

23 MS. DeLUCA: Aye.

24 MR. MENNERICH: Aye.

25 CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. CORDISCO: With the deferral of the ARB approval for the entire site, which would include signage as well, the Board is nevertheless in a position to consider granting conditional final approval.

The conditions would be the submission of a flood study and the obtaining of a floodplain development permit from the code enforcement officer. Outside agency approvals are required, including the New York State DEC and Army Corp of Engineers approvals for the relocation of the stream, approvals from the Department of Health and the DEC for the subsurface sanitary system, coverage under the DEC's general permit for stormwater, DOT approval of the access and utility improvements. There has to be a proposal to address the sedimentation under the culvert on Route 9W. The

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applicant also needs to enter into a stormwater facilities maintenance agreement with the Town, pay security and inspection fees for stormwater as well as for landscaping. The landscape architect's approval is also required. Any work that's impacting the Central Hudson gas line has to have approval from or acknowledgement from Central Hudson that that work may proceed. Status of the approval of the traffic control device at the proposed intersection should also be addressed.

MR. HINES: Health Department for water.

CHAIRMAN EWASUTYN: Is there also a lot line change approval that should go into this resolution?

MR. HINES: There is. There are two lots here that will be combined into one.

MR. CORDISCO: That would be a condition of approval as well, the consolidation of the two lots.

2 CHAIRMAN EWASUTYN: Any additions
3 from our consultants, corrections?

4 MR. HINES: I have no additional.
5 I just mentioned to Dominic the Health
6 Department approval for the water main
7 extension as well.

8 CHAIRMAN EWASUTYN: Jim Campbell.

9 MR. CAMPBELL: Nothing additional.

10 CHAIRMAN EWASUTYN: Ken Wersted.

11 MR. WERSTED: Nothing additional.

12 CHAIRMAN EWASUTYN: Having heard
13 the conditions of approval presented by
14 Planning Board Attorney Dominic Cordisco
15 for the Newburgh Commons, would someone
16 move for a motion to grant that subject
17 to the conditions.

18 MR. DOMINICK: I'll make a motion.

19 MS. DeLUCA: Second.

20 CHAIRMAN EWASUTYN: I have a motion
21 by Dave Dominick. I have a second by
22 Stephanie DeLuca. Can I have a roll call
23 vote 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.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion carried.

MR. SCHUTZMAN: Thank you.

MR. GUCCIONE: Thank you.

(Time noted: 7:48 p.m.)

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

I, MICHELLE CONERO, a 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 16th day of September 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

BRITAIN WOODS
(2022-17)

442 Little Britain Road
Section 97; Block 1; Lots 32.1, 32.2, 32.3 & 40.1
R-3 Zone

----- X

CONTINUED PUBLIC HEARING
DEIS, SITE PLAN & SPECIAL USE PERMIT

Date: September 5, 2024
Time: 7:48 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
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

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

2 CHAIRMAN EWASUTYN: The fourth item
3 of business this evening is a continuation
4 of the public hearing which was held
5 on the 1st of August for Britain Woods.
6 It's project number 22-17. It's here
7 before us for the DEIS, the site plan
8 and special use permit. It's located
9 on 442 Little Britain Road. It's in
10 an R-3 Zone. It's being represented
11 by Ross Winglovitz of Engineering &
12 Surveying.

13 Ross, we received these written
14 comments from the Goodwill Fire
15 District this evening.

16 MR. WINGLOVITZ: Thank you.

17 Good evening. For the record, Ross
18 Winglovitz, Engineering & Surveying
19 Properties.

20 As John indicated, we were here
21 before you last month regarding the
22 public hearing. We made a presentation.
23 There were some public comments. The
24 Board decided to hold the hearing open
25 until this evening.

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The primary comments centered around traffic safety, traffic volume, were the major ones.

We've actually already started the process of evaluating what we heard. We're obviously going to get more comments from your traffic consultant based on the input from the public and his review of the documents.

Primarily sight distance and concern about access is one. We've taken a look at this. We believe we can further improve the sight distance by relocating the driveway slightly and doing more grading and clearing looking to the east. As I noted before, there is a planned left-turn lane improvement at that intersection as part of the DOT's review. The DOT has already reviewed this three times.

Also, the DOT currently is asking us to incorporate into our model, and that will show up in the FEIS responses, the left-turn lane and right-turn lane

2 that they're currently planning here. I
3 don't believe it's been funded, but
4 they've asked us to evaluate that as part
5 of our project in our model going
6 forward. We've done that. It shows a
7 level of service B or better at all
8 turning movements. That will be
9 incorporated with the detailed responses
10 in the FEIS.

11 There were a few comments regarding
12 traffic volumes, the time of day. DTS
13 has evaluated that and looked at their
14 camera data. They actually take video of
15 their traffic counts. Nothing regarding
16 routing of truck traffic was seen or
17 vehicle traffic due to construction. In
18 fact, they did a comparison of their
19 counts to the counts that the DOT did at
20 the intersection of Little Britain Road
21 and 207, or Old Little Britain Road and
22 207, and they are very similar, within 7
23 percent. That data has been presented to
24 the State as well as to your consultants.
25 It seems to be consistent with what the

2 State has been getting as far as their
3 traffic counts in that area.

4 We've also requested an update to
5 crash data. Again, this will be
6 presented in the FEIS. The original
7 request was a seven-year lookback, and
8 that was from July of '22 back to July of
9 '15. We've requested more current data.
10 That data did capture a fatal crash. I
11 think one of the public talked about it.
12 There was a fatal crash near the site --
13 in front of the site, and that was due to
14 excessive speed. A head-on collision due
15 to excessive speed in wet conditions.
16 Somebody crossed the double yellow lines.
17 Somebody acting irresponsibly, we can't
18 control that.

19 I think that's it for my summary.
20 If there's any specific thing you'd like
21 me to address, I'd be glad to provide
22 some input. Other than that, I'm glad to
23 hear any more comments from the public.

24 CHAIRMAN EWASUTYN: We'll turn the
25 meeting over to Dominic Cordisco,

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Planning Board Attorney, before we turn it over to the public.

MR. CORDISCO: Thank you, Mr. Chairman. Besides that update from the applicant, there hasn't been any additional submission by the applicant at this point. The purpose of leaving the public hearing open was to provide the public with the opportunity to review the existing information that had been presented prior to the public hearing, which is the draft environmental impact statement.

It's important to note that this is not a question-and-answer period, it's an opportunity for the public to make their comments and concerns known. The Board had previously identified that this project has the potential for significant environmental impacts. That's why a draft environmental impact statement has been prepared. This is an important opportunity for the public to make their concerns known to the

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Board. However, the concerns are all being recorded by our stenographer. Everything that you say is being taken down and will need to be responded to in a document that's called a final environmental impact statement. All comments that are presented will have to be addressed and responded to in the final environmental impact statement which will be initially prepared by the applicant but ultimately has to meet the standards set and expectations set by the Board. The Board will consider that at a later time once that document is prepared.

That's really it in a nutshell.

The Board also will establish a period of time for the submission of written comments at the point where they close this public hearing. There will be, following tonight's meeting, or whenever they close the public hearing, an opportunity to submit comments in writing following tonight's meeting.

CHAIRMAN EWASUTYN: Comments from

2 Board Members. Raise your hand, give
3 your first name and the letter of your --
4 first letter of your last name.

5 MR. CORDISCO: Comments from the
6 public, John.

7 CHAIRMAN EWASUTYN: Yes, comments
8 from the public.

9 BEVERLY H: Can we speak?

10 CHAIRMAN EWASUTYN: Yes.

11 BEVERLY H: Okay. I want to
12 address this to Ken Wersted.

13 MR. CORDISCO: If you could provide
14 at least your first name and last
15 initial.

16 BEVERLY H: Beverly H. I was
17 wondering, what plans do you have for
18 traffic control at the intersection of
19 Old Little Britain Road and Little
20 Britain Road? Right now there is a stop
21 sign at the end of Old Little Britain
22 Road and it has failed over the years.
23 There are multiple accidents there. Have
24 you done any research on the accident
25 history or the frequency at the

2 intersection of Little Britain Road and
3 Old Little Britain Road? Over the years
4 the frequency has been increasing.

5 Also, I can speak from experience,
6 over the years my ex-husband, coming home
7 from New Windsor, making a right-hand
8 turn into the driveway. My driveway is
9 lined up right with Old Little Britain
10 Road. A car passing him on the right hit
11 him, knocked him right out of the
12 driveway and back into the road. A
13 couple years later, my stepdaughter, the
14 same thing, coming from New Windsor,
15 taking a right-hand turn into our
16 driveway, a car passed her on the right-
17 hand side, wiped out the whole side of
18 the car. Over the last couple years I
19 almost had the same thing happen to me
20 twice. Knowing what happened to my
21 husband and my stepdaughter, I'm very
22 cautious when I make a right-hand turn
23 into my driveway. I was able to pull
24 that steering wheel away. A pickup truck
25 just made it between that huge mulberry

2 tree and my vehicle without hitting me.
3 The second time was a motorcycle. Again
4 I pulled out of the way before he went.
5 He wasn't right behind me, both of these
6 vehicles. They were a couple vehicles
7 back. They not only tried to pass me,
8 but tried to pass a couple vehicles
9 behind me. I had to pull off. He almost
10 lost it because he realized what he had
11 did. As a matter of fact, there was an
12 accident last month.

13 VOICE: Two weeks ago. Two weeks
14 ago. I was talking to my neighbor in --

15 CHAIRMAN EWASUTYN: For the record,
16 can I please have your name?

17 AILDA G: Ailda G.

18 CHAIRMAN EWASUTYN: Can you spell
19 that for the stenographer?

20 AILDA G: A-I-L-D-A.

21 CHAIRMAN EWASUTYN: Thank you.

22 AILDA G: I was just standing on my
23 front lawn when, I don't know what
24 happened at the intersection, I just
25 heard screeching. The car mowed down my

2 bushes, two of my tall bushes that are
3 like seven feet tall right in front of my
4 yard. I live in the house over the
5 intersection. They just careened down
6 the driveway. We have heard multiple
7 accidents all the time, day and night.

8 CHAIRMAN EWASUTYN: Ross Winglovitz,
9 are you making note of this?

10 MR. WINGLOVITZ: Yes.

11 BEVERLY H: Also, too, maybe before
12 she moved in -- how long have you been
13 there? Twenty years?

14 AIDA D: Mm'hm'.

15 BEVERLY H: A car came through that
16 intersection, it was a thirty-three year
17 old guy, it was his car, he was letting
18 his fourteen year old girlfriend drive.
19 She went off the road, hit the corner of
20 my house, there's a crack in the
21 foundation, mowed down those hedges, went
22 into the basement, the front end of her
23 house that she bought years later. The
24 window was this wide. They hit out some
25 of the blocks. It's a bad intersection

2 and we don't need 500 plus more cars on
3 this intersection.

4 CHAIRMAN EWASUTYN: Thank you,
5 Beverly.

6 AILDA G: I believe there was a
7 fatality at one point. I do not know for
8 sure.

9 BEVERLY H: She died later in the
10 hospital. She was airlifted from St.
11 Luke's, went to Westchester and died
12 later.

13 I also had a woman pass out on my
14 lawn one time from an accident. I've
15 seen kids with teeth through their upper
16 lips. It's a bad intersection.

17 AILDA G: They need a stop sign.
18 That traffic is all the way down by the
19 Jehovah Witnesses and to the church. The
20 traffic coming into Old Little Britain
21 Road, the one that comes out to Home
22 Depot, that gets backed up, too.

23 For me to get out, I have to really
24 make sure that I take my time. I'm not
25 just going to rush into traffic.

2 I live to her right. She lives
3 right in front of the intersection. I
4 live right next door to her.

5 With this traffic, how long is it
6 going to take me to get out of my
7 driveway? A half an hour? An hour?
8 It's not fair to me that, you know, they
9 don't put a traffic light. Nobody wants
10 to stop, everybody wants to push you out
11 of the way. It's not fair. We see all
12 the accidents. We are there. We are
13 witness of this, you know, nobody caring
14 about the people that are -- you know,
15 like they don't have time or they're just
16 going to drive 55 miles-an-hour on that
17 road. It's not fair. Thank goodness
18 that none of the kids -- you know, my son
19 one time almost got run over by a car
20 because nobody stopped. The car just
21 drove right by. I'm always careful.
22 Like I told my daughter when she was
23 small, be careful when you're crossing
24 that road because it's really dangerous.
25 I told the neighbors, they have kids, you

2 just be careful when those kids are
3 crossing and you make sure that, you
4 know, the kids are safe when they cross
5 the road.

6 At one point they wanted to drop
7 off my kid at the intersection across the
8 street. I said there's no way. I went
9 to the board of education and complained.
10 I said there's no way I'm going to have
11 my son cross that intersection, putting
12 my son's life in danger, when he can get
13 dropped off in front of the house. It's
14 not about walking, it's how dangerous
15 this is. When it's snow or rain or
16 whatever, it's really dangerous, that
17 intersection.

18 CHAIRMAN EWASUTYN: Ross, do you
19 want to speak on that?

20 MR. WINGLOVITZ: I mean, all of
21 these intersections have been evaluated
22 in the DEIS. The accident history has
23 been provided. If there's anything that
24 was out of the norm, it's flagged and
25 we'll take a look at it. I'm sure Ken

2 will advise us if there's anything else
3 that needs to be added.

4 CHAIRMAN EWASUTYN: Ken Wersted
5 with Creighton Manning.

6 MR. WERSTED: As the Board's
7 Attorney had advised reflecting it's not
8 a back and forth, but I will tell you
9 specifically, and I think it's germane to
10 everyone in the audience, that DOT is
11 looking at that specific intersection.
12 They have a study underway right now. It
13 is in a process of determining what
14 should be the improvements at that
15 intersection. We don't know what that
16 outcome is, but it is in the process of
17 that. That was started by the Town
18 probably five, six years ago to be
19 initiated. We're finally getting to that
20 point of them coming to some type of
21 decision.

22 AILDA G: Wasn't a traffic light
23 approved and they said there wasn't
24 enough money in the budget or something?

25 BEVERLY H: What I heard was we

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signed a petition in the neighborhood to have a traffic light put there. Because the accident happened on 207, it was supposed to be a State road, the State did not have money in the budget to put the traffic light there. That's what we were told.

MR. WERSTED: That may have been true at that time. A petition isn't necessarily going to result in getting what you're asking for, but it raises the awareness that there is not just one person's concern but a community's concern around that intersection. That has been heard and DOT is investigating that. They're looking at what options are best, most appropriate for that location. I don't know if there is funding for it. The indications have been that there is funding to study and construct something there. We're still waiting for DOT to conclude their process.

CATHERINE G: Catherine G. I also wanted to speak on this. Also the water

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department near us, they have had line breaks where their lines will break and water will flood our whole entire backyard. My neighbors' backyards become a literal lake. I don't know if they've looked into that or if they've seen that has been an issue before. It's happened numerous times over the years where, again, their water line, whatever, it will break and all of their water will come gushing into our backyards. If that can't uphold for two, three houses near us, and they need water to go to that apartment complex, how do you think that's going to end up for us as well? How many times are we going to have a line break until they decide, well, okay, this is something that we need to look into for the future, because that's not sustainable? We don't know what's going to happen with that either. I think I saw somewhere that they had to have -- they have to have water going to their complexes. I don't know if that's going

2 to be from the water department that's
3 right next to our houses, but that's also
4 another concern of ours. Okay, well,
5 what are they going to do or educate us
6 on, okay, is that going to be an issue
7 for us again in the future of like will
8 we worry about having our backyards
9 completely washed out again.

10 I know your fence has had damage
11 from that as well. That's another
12 concern of ours.

13 MR. WINGLOVITZ: That would be the
14 City water line and we're connected to
15 the Town water system.

16 CATHERINE G: Okay.

17 CHAIRMAN EWASUTYN: Additional
18 questions or comments from the public?

19 BILL FETTER: Bill Fetter, Rockwood
20 Drive. Given the nature of the soils in
21 the area, I just ask that sufficient
22 detention be considered prior to
23 discharging into the adjacent streams.

24 Thank you.

25 CHAIRMAN EWASUTYN: What is the

2 adjacent stream?

3 MR. FETTER: The Quassaick I
4 believe. Directly into the Quassaick
5 Creek. It's the clay content of the
6 soils that is -- it's sustained in the
7 water. It doesn't settle out very
8 quickly in the detention pond which would
9 lead to putting clay into the streams and
10 impacting wildlife.

11 Harrison Pond is pretty well
12 populated with wildlife, which is just
13 downstream of there, and elsewhere.

14 CHAIRMAN EWASUTYN: Additional
15 questions or comments?

16 VANESSA N: Vanessa N. As a
17 resident, I can also attest to the high
18 traffic in that area and the high risk at
19 the intersection of Little Britain and
20 Old Little Britain Road. The increased
21 traffic impact, is it possible to
22 mitigate it with an egress on the north
23 side of the property leading up to
24 Broadway, to not impact Little Britain
25 Road so harshly with traffic?

2 We do need housing. We do need
3 affordable housing stock. If it's
4 something that's going to really disrupt
5 the residents that you are speaking to at
6 that intersection, then the risk for the
7 drivers in the area needs to be accounted
8 for.

9 CHAIRMAN EWASUTYN: Additional
10 comments? The gentleman here.

11 MARK S: Mark S. A couple things.
12 Just a clarification, Mr. Chairman. At
13 the beginning you mentioned this was an
14 R-3 Zone or is it an R-6?

15 CHAIRMAN EWASUTYN: Ross Winglovitz.

16 MR. WINGLOVITZ: R-3.

17 MARK S: An R-3 Zone means three
18 properties per acre? I just want to get
19 clarification.

20 CHAIRMAN EWASUTYN: Pat Hines.

21 MR. HINES: No. Multi-family in
22 the R-3 Zone permits six units per acre.
23 There's the possibility, when you go to a
24 senior complex, to go to nine with Town
25 Board approval.

2 MARK S: Okay. Thank you for that
3 clarification.

4 A couple other things. I didn't see
5 it in the traffic study, but I didn't go
6 through it completely. The recent
7 project that was completed, the Cafe
8 Spice facility up in New Windsor, it's
9 not Newburgh, the apartment project, was
10 that included in the traffic study?
11 There's another project recently
12 completed and sold.

13 In the parking lot of the Rider
14 office there, they're reconfiguring the
15 sewer pump there. I want to make sure
16 that's accounted for in the traffic
17 count. That will be coming out to that
18 highway and that intersection.

19 MR. WINGLOVITZ: What was the
20 address of that facility?

21 MARK S: Right next to Cafe Spice,
22 the old Newburgh Superior Packing
23 location.

24 UNIDENTIFIED SPEAKER: Stonegate.

25 CHAIRMAN EWASUTYN: There's a

2 project of approximately 102 or 103
3 units. It was built out and I believe
4 sold to the Jehovah Witnesses. It was
5 just recently completed this fall.

6 MR. WINGLOVITZ: I think that came
7 up at the scoping session. It was
8 included, but I'll check.

9 MARK S: I want to make sure. I
10 didn't see it in there.

11 You mentioned the State reviewed
12 this. Have they approved it? Do you
13 have final approval from the State DOT?

14 MR. WINGLOVITZ: It's still in the
15 review process.

16 MARK S: I see on the design right
17 there, are there interior walking paths
18 for the residents or will they be walking
19 out on the highway to get their exercise?

20 MR. WINGLOVITZ: So there are
21 interior sidewalks throughout the project.

22 MARK S: Sidewalks, not walking
23 paths?

24 MR. WINGLOVITZ: Correct.

25 MR. HINES: The plan did show

2 extensive walking paths.

3 MR. WINGLOVITZ: A lot of them were
4 on steep slopes. We haven't finalized
5 that. We think we want to pull them off
6 of the steeper slopes. The architect has
7 several coming up to steep slopes. We're
8 looking at connecting the sidewalks to a
9 path system but not on the steep slopes.
10 That was part of the concern we had.

11 MARK S: I don't know if you want
12 to consider that. There will be a lot of
13 people there looking for things to do and
14 creating problems there.

15 Again, the sewer line, it was
16 brought up at the last meeting, who is
17 going to control that? Is it going to be
18 retained by the developers?

19 MR. WINGLOVITZ: It will be
20 retained by the developers unless the
21 Town -- it will be built by us, owned by
22 the developer. He'll be responsible to
23 maintain it. We'll offer it to the Town,
24 if at such time they want to take it,
25 whether it's now or six years from now.

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That would be their decision. If there are other people that want to connect into that line beyond this project, that would be a Town decision.

MARK S: If they retain ownership, there could be a price to connect to the sewer line?

MR. WINGLOVITZ: That's a private sewer corporation.

MARK S: In other areas they did that and it was quite expensive to tie in.

The last thing, again to the Board, thank you very much for your work on this. A lot of due diligence.

That line of sight is still a concern to me. They're talking about a left-hand turning lane, but that's not going to be the problem. It's the traffic coming out of the City as you go from the 30 to 45. That's where the line of sight is challenged. That's where I think the concern is going to be. It's for the safety of all the passengers

2 there.

3 CHAIRMAN EWASUTYN: Thank you.

4 MARK S: The intersection,
5 everything they said is true. Every
6 weekend you hear the horns going off, the
7 traffic and the accidents. I believe
8 it's your yard that usually ends up with
9 the vehicles in front. Again, that's the
10 State. I know they're working on that.
11 The prospect of having a light sent
12 shivers up my spine because I'll never
13 get out of my driveway.

14 Thank you very much for your time
15 and your consideration.

16 CHAIRMAN EWASUTYN: Any additional
17 comments from the public?

18 MATT GALLAGHER: Matt Gallagher,
19 409 Little Britain Road. I recently
20 entered a Zoning Board application and
21 was told because I live on Route 207,
22 there needed to be a time period in which
23 Orange County could weigh in on what I
24 was asking for. I was wondering if
25 Orange County is also required to weigh

2 in on this site, if they have and if
3 there are any concerns that the public
4 would have visibility to from them.

5 CHAIRMAN EWASUTYN: Pat Hines.

6 MR. HINES: It's subject to Orange
7 County Planning review as well throughout
8 the whole process. They are included in
9 the DEIS submission. There will be, at
10 some point in the process, a 239 review,
11 which is what you're referring to, for
12 having a project on a State highway.

13 MATT GALLAGHER: For the documents
14 that get shared online for these
15 meetings, when I click through I don't
16 see in any of those resources where that
17 criteria is. Would that be added at a
18 later point in the process?

19 MR. CORDISCO: If I may. It will
20 be included as an appendix to the final
21 environmental impact statement. All
22 written received comments will be.

23 MATT GALLAGHER: Thank you.

24 One point of correction on the
25 traffic. The fatality that occurred that

2 you got the more updated information on,
3 it wasn't wet conditions, it was dry and
4 sunny that day. The excessive speeds are
5 something that we all wish we could
6 control or change. I encourage the Board
7 and the applicant to consider the
8 excessive speed in that corridor. That
9 is your design condition. Nobody here
10 can make any decision that changes that.
11 We would like to go through and plan for
12 45 miles-per-hour. It's never going to
13 be true.

14 A couple other points we want to
15 make sure get addressed eventually
16 regarding the force main. For subsequent
17 hearings, if the Board would find
18 appropriate to look at properties not
19 just within 500 feet of the main site but
20 properties within 500 feet of the force
21 main. That would probably, in my
22 estimation, be appropriate for
23 consideration for future public hearing
24 notifications because those people are
25 going to have their front yards impacted.

2 The comment was just made that
3 there's some gray area over who would own
4 the force main. I also think it would be
5 appropriate for the environmental impact
6 to have it clear when there's an
7 interruption of service due to any
8 possible failure of the force main, what
9 is the instruction going to be for the
10 residents. I believe it was stated that
11 the retention onsite is less than a day's
12 worth of waste. If there's a break in
13 the main and one of our neighbors has
14 their front yard that needs to get torn
15 up to deal with seeping sewage. At the
16 same time, within twenty-four hours, if
17 that main has to be depressurized, how
18 does that play into the site's retention
19 and guarantee of no runoff or pollution
20 to other areas since we're on the
21 watershed?

22 Also, it would be of interest to us
23 to see, because this force main wasn't
24 allowed to be co-trenched with the water
25 main and therefore has to cross over on

2 the south side of 207, how does the
3 crossing happen, over or under the City
4 water main? I think it would be of
5 interest to the City residents as well as
6 the Town residents that we know how those
7 pipes cross and at what depth they cross,
8 is one or both below the frost line or
9 above the frost line. I'm very
10 interested in how that's going to be
11 accomplished in accordance with code
12 requirements.

13 For blasting, you talked about
14 opening up the sight distance a little
15 more, taking away a little more to get
16 some of that left-turn view out. It
17 sounds more and more like there is going
18 to be blasting that occurs. It would be
19 good for those of us that are directly
20 adjacent to know how the liability is
21 handled during that. It was addressed
22 last time that there would be sensors
23 placed and the person who does the
24 blasting is insured. We don't know if we
25 might end up in a litigation situation

2 that goes far beyond the three or five
3 years it takes them to build the site.
4 We don't know if the burden is on them to
5 settle any damage before they continue to
6 build. A forecast in terms of what our
7 exposure would be to that would be
8 appreciated, because I think that's part
9 of the environmental impact.

10 Then lastly, when we consider -- if
11 you drop a pin kind of right where
12 Central Hudson is, we consider about that
13 half mile radius that's been affected by
14 Unity warehouse, Jehovah's Witnesses
15 expansion across from the Baptist church,
16 the new Stonegate apartment further down
17 in New Windsor. If this project is also
18 approved, you're looking at old or second
19 growth forest disruption of about 150
20 acres which is about 30 to 40 percent of
21 that small half mile radius area. This
22 area is really being substantially
23 disrupted in terms of tree canopy.

24 Thank you.

25 CHAIRMAN EWASUTYN: Any additional

2 questions or comments from the public?

3 What I'm trying to do, Beverly, is
4 allow everyone who hasn't had the
5 opportunity to speak, to speak first and
6 then do another round. So now Beverly,
7 there hasn't been any hands raised, so
8 please speak.

9 BEVERLY H: Sir, I just want to
10 clarify. Catherine was saying that the
11 filter plant next door is the City filter
12 plant. Is that correct?

13 MR. WINGLOVITZ: Correct.

14 BEVERLY H: It's the City filter
15 plant that is going to supply the water
16 to Britain Woods. Correct?

17 MR. WINGLOVITZ: Incorrect.

18 BEVERLY H: Who is supplying the
19 water?

20 MR. WINGLOVITZ: The Town water
21 system.

22 BEVERLY H: Where is the Town water
23 located?

24 MR. WINGLOVITZ: Right on 207, 400
25 feet from the site. There was a new

2 hydrant just put in there not that long
3 ago.

4 BEVERLY H: Okay.

5 CHAIRMAN EWASUTYN: I'll turn it
6 over to the Planning Board Members now --
7 excuse me. The gentleman in the back.

8 JOHN CONNER: John Conner, Goodwill
9 Fire District. We have a concern, as
10 we've mentioned in our write-up, of
11 internal space on the roads.

12 During the winter we have
13 significant snowfall. Have you addressed
14 where the snow is going to go?

15 MR. WINGLOVITZ: There's a
16 significant area for snow throughout the
17 site. If it needs to be hauled away, it
18 will be hauled away.

19 The roads have been designed in
20 accordance with the Fire Code. We comply
21 with the 26 feet throughout. The fire
22 hydrants are throughout. There are
23 places for staging for aerial apparatus.

24 We can certainly come up with a
25 snow removal plan if that's something

2 that this Board thinks is necessary.

3 JOHN CONNER: 26 feet is the
4 minimum required to setup an aerial
5 ladder. That's all we'll have? We can't
6 get past it? Is that what you're saying?

7 MR. WINGLOVITZ: Pardon?

8 JOHN CONNER: 26 feet is also the
9 setup width for an aerial. Is that going
10 to be the only width we have on those
11 roads if we have to set one?

12 MR. WINGLOVITZ: The reason it's 26
13 feet is so you don't block it. An
14 aerial apparatus is 14 feet with the legs
15 out. The reason it went to 26 feet is
16 just for that reason, so when you are
17 setup and you are staged to be able to
18 fight a fire, you can get a vehicle back
19 there.

20 JOHN CONNER: That's true, but you
21 can't park underneath a swinging --

22 MR. WINGLOVITZ: You can't park two
23 of them side by side.

24 JOHN CONNER: That was just one.

25 The other just came up. Would it

2 make sense to incorporate the entire
3 corridor, 207 and Old Little Britain
4 Road, into one study for traffic? One
5 thing that seems to be missing is on the
6 weekends the 500 or 800 cars that the
7 Jehovah's Witnesses bring in that crowd
8 the roads at the same intersections.

9 Also, I mentioned in my write-up,
10 there are a couple planned construction
11 sites, I believe on Unity, a hotel and a
12 warehouse. Wouldn't it make sense to
13 incorporate all of them into one traffic
14 study?

15 MR. WINGLOVITZ: For our purposes,
16 and what Ken was referring to, is that
17 the State was doing a study specifically
18 at 207 and Old Little Britain Road.
19 They're studying that intersection. We
20 were required to study, I forgot, eight
21 or nine intersections in their entirety,
22 do traffic counts at each one of those
23 and analyze those as far as accidents,
24 traffic and safety.

25 JOHN CONNER: I understand that.

2 If we continue to do one piece here, one
3 piece here, one piece here and we haven't
4 solved the problem going forward, I think
5 that would be critical.

6 MR. WERSTED: It is routine to
7 include other projects that have been
8 proposed or approved but not yet
9 constructed. The traffic study for this
10 project would take into account things
11 that are nearby but haven't been built
12 yet, meaning the traffic from them is
13 included in the traffic counts. It
14 doesn't exist yet but they know, they are
15 aware of how much is going to be
16 generated, which direction it's going to
17 go. This includes those items within it.

18 Similarly, although DOT is only
19 looking at that intersection, they are
20 also taking into account those other
21 developments. They don't want to look
22 and say here's how much traffic is here
23 today and ignore like Stonegate is just
24 going to open in a few months or Unity
25 warehouse is going to come online,

2 et cetera. Traffic engineering
3 studies take a look back and say what
4 is going on in the area that we need
5 to include as part of it, including
6 the subject parcel.

7 JOHN CONNER: Okay. What I'm
8 saying is why not solve the problem
9 first, come up with a solution before
10 we expand to that project, that
11 project, that project. Why not fix
12 the problem first and project for the
13 future. That's all I'm saying.

14 CHAIRMAN EWASUTYN: If there are no
15 further questions or comments, I'll turn
16 it over to Planning Board Members. John
17 Ward.

18 MR. WARD: With the traffic circle
19 and the two buildings there, if you did a
20 flip flop and moved the entrance instead
21 straight down -- over to your right -- my
22 right. Right in that area. A little
23 over. Right in that area. That might
24 solve the both ways looking with the
25 speed.

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MR. WINGLOVITZ: What happens is you start to lose the vertical. You get off the hill and you get too far down below and you can't see this way. You can go a long way -- you can go pretty far this way and still maintain very good sight distance to the right. When I say very good sight distance, that includes the clearing. There's a lot of vegetation this site has that creeps out into the edge of the roadway. That will have to be cleared back. We are inside a little bit of a curve looking to the west. Looking to the east it's a little more of a curve but it has a vertical component. We looked at relocating this 50 to 100 feet in that direction. We don't lose sight distance to the west and we do gain sight distance to the east in doing that. There will be some clearing, obviously, through here. This telephone pole we're going to be relocating anyway because we have a left-turn lane improvement. That will all have to be

2 out of the way.

3 MR. WARD: If you could balance it
4 out to work it that way.

5 MR. WINGLOVITZ: We have to find
6 the sweet spot.

7 CHAIRMAN EWASUTYN: Lisa Carver.

8 MS. CARVER: Nothing further.

9 CHAIRMAN EWASUTYN: Cliff Browne.

10 MR. BROWNE: Nothing more at this
11 point. There will be a lot more later.

12 CHAIRMAN EWASUTYN: Ken Mennerich.

13 MR. MENNERICH: Nothing at this
14 time.

15 CHAIRMAN EWASUTYN: Stephanie DeLuca.

16 MS. DeLUCA: Nothing further.

17 CHAIRMAN EWASUTYN: Dave Dominick.

18 MR. DOMINICK: Ross, what you just
19 explained is what you eluded to in your
20 opening presentation, that it's possible
21 to shift the entrance --

22 MR. WINGLOVITZ: Yes.

23 MR. DOMINICK: -- to gain better
24 sight? Okay. I'll be interested to see
25 what you come up with.

2 CHAIRMAN EWASUTYN: Ken Wersted,
3 Traffic Consultant with Creighton
4 Manning.

5 MR. WERSTED: Thank you. Where we
6 are in the process is that the applicant
7 has provided us with the necessary
8 studies and taken into account the public
9 comment. We are going through our own
10 technical review. We're looking at the
11 assumptions used and the findings, the
12 results, comparing them to traffic
13 engineering standards and developing our
14 own comments. Ross and the applicant
15 will then take all of those comments,
16 including the public's, and put them into
17 essentially a response document that
18 we'll go through. If there's anything
19 that needs to be further addressed,
20 analysis, moving the driveway, confirming
21 the accidents included in here,
22 confirming whether there are any traffic
23 restrictions that were at the time of the
24 counts, whether there was any supplemental
25 analysis, that's all included as part of

2 that. We're looking to finish up our
3 comments and submit those to the Board
4 and have the applicant start addressing
5 those.

6 There have been written comments
7 relative to traffic.

8 The County has looked at this.

9 I don't believe we've seen anything
10 from the DOT. I might be wrong.

11 The fire department has submitted
12 comments.

13 All of that information, including
14 comments on traffic from the City of
15 Newburgh, will be incorporated into the
16 FEIS.

17 CHAIRMAN EWASUTYN: Jim Campbell,
18 Code Compliance.

19 MR. CAMPBELL: No comment.

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

22 MR. HINES: I would be repeating
23 most of what Ken said.

24 We've broken up, within my office,
25 between the various expertise the

2 documents and they are under review.
3 We'll be providing technical comments on
4 the stormwater. We have our inhouse
5 biologist taking a look at the impacts to
6 the flora and fauna and such, water and
7 sewer.

8 The comments from the public at the
9 last two meetings are helpful. They
10 helped us target some specific areas to
11 review for commenting which will have to
12 be addressed in the FEIS.

13 Again, my office's review is
14 continuing. We will provide a written
15 report to the Board for the applicant to
16 address in the FEIS.

17 CHAIRMAN EWASUTYN: Dominic Cordisco
18 with Drake, Loeb, Planning Board Attorney.

19 MR. CORDISCO: As I mentioned at
20 the outset, this is a continuation of the
21 public hearing that was held over from
22 August 1st. If the Board is inclined, it
23 would be appropriate for you to consider
24 closing the public hearing at this time.
25 In doing so, you also have to notify the

2 public that the opportunity for the
3 submission of written comments is a
4 period of ten days.

5 CHAIRMAN EWASUTYN: Can I have a
6 motion to close the public hearing on
7 Britain Woods.

8 MR. MENNERICH: So moved.

9 MR. BROWNE: Second.

10 CHAIRMAN EWASUTYN: I have a motion
11 by Ken Mennerich. I have a second by
12 Cliff Browne. Can I have a roll call
13 vote starting with John Ward.

14 MR. WARD: Aye.

15 MS. CARVER: Aye.

16 MR. BROWNE: Aye.

17 CHAIRMAN EWASUTYN: Aye.

18 MR. MENNERICH: Aye.

19 MS. DeLUCA: Aye.

20 MR. DOMINICK: Aye.

21 CHAIRMAN EWASUTYN: Let the record
22 show that the public has a ten-day
23 written period for any additional
24 comments.

25 MR. HINES: That falls on a Sunday.

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I don't know if you want to go to the 16th.

CHAIRMAN EWASUTYN: Okay. We'll do eleven days. The date of that would be?

MR. HINES: September 16th.

CHAIRMAN EWASUTYN: The Board has until September 16th to hand or e-mail any additional comments.

MR. HINES: The public.

CHAIRMAN EWASUTYN: Excuse me?

MR. HINES: The public has.

CHAIRMAN EWASUTYN: The public. Excuse me. The public on the DEIS.

MR. HINES: When we originally noticed this, we did identify a ten-day comment period after closing. We didn't specify that date. The environmental notice and the public notices also did.

MR. CORDISCO: Yes.

CHAIRMAN EWASUTYN: Thank you.

(Time noted: 8:27 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 16th day of September 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

CATSKILL VETERINARY SERVICES
(2024-26)

North of the I-84 Westbound Exit
Section 82; Block 1; Lot 34
B Zone

----- X

SITE PLAN & CHANGE OF USE

Date: September 5, 2024
Time: 8:28 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
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

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

2 CHAIRMAN EWASUTYN: The fifth item
3 of business is the Catskill Veterinary
4 Services. It's project number 24-26.
5 It's an initial appearance for a site
6 plan and a change of use. It's located
7 north of I-84 westbound near the
8 intersection of 9W and New York State 32.
9 It's in a B Zone. It's again being
10 represented by Ross Winglovitz of
11 Engineering & Surveying Properties.

12 MR. WINGLOVITZ: Good evening.
13 Ross Winglovitz, Engineering & Surveying
14 Properties here on behalf of Catskill
15 Veterinary Services, PLLC. In the
16 audience is the owner, John Lease. This
17 is John's building across from the diner.
18 Everybody knows where it is. 32, 9W.

19 What John is looking to do is
20 replace a tenant that is moving or has
21 moved already, the bank. They'll be
22 vacating that space. John has a
23 veterinary service that is looking to
24 occupy that space.

25 We've provided a floor plan which

2 is required by the code. Since it is
3 veterinary offices, it does require
4 Planning Board approval for a change of
5 use. We made the necessary applications,
6 received Pat's comments.

7 We'll be glad to answer any
8 questions you have.

9 CHAIRMAN EWASUTYN: Comments from
10 Board Members. Dave Dominick.

11 MR. DOMINICK: Ross, you have an
12 operating room and a recovery room for
13 the patient. Is there any overnight
14 boarding for that patient?

15 MR. WINGLOVITZ: Only if there's an
16 emergency with the animal and they need
17 to stay, they'll be sedated.

18 MR. DOMINICK: Do you have a kennel
19 area?

20 DR. D'ABBRACCIO: We will --

21 CHAIRMAN EWASUTYN: Hold it. Hold
22 it. Let's make it simple. Do you want
23 to make it simple? Why don't you speak
24 on behalf of what you're proposing there.
25 It's always best to hear directly from

2 the applicant. Are you part of the --

3 MR. D'ABBRACCIO: We are the
4 owners.

5 CHAIRMAN EWASUTYN: Would someone
6 please stand, give your name and your
7 address and give us a presentation. You
8 can all come up, that way there's no
9 second guessing.

10 MR. D'ABBRACCIO: My name is
11 Dr. Joseph D'Abbraccio. I'm one of
12 the owners of Catskill Veterinary --

13 CHAIRMAN EWASUTYN: Do you have
14 a business card? Give it to the
15 Stenographer if you'd like. It's a
16 short name.

17 DR. D'ABBRACCIO: So we are
18 looking to put in a primary care
19 facility here. There is a surgical
20 room with a recovery ward. That's
21 mostly for outpatient procedures. We
22 do not intend to keep patients
23 overnight there.

24 We have another location -- we
25 have two other locations, one in

2 Orange County and another one in
3 Sullivan County. Sullivan County is
4 the twenty-four hour practice. If
5 there was someone that came in on an
6 emergency, they would be transported
7 with our ambulance to the main
8 location in Sullivan County.

9 CHAIRMAN EWASUTYN: What is the
10 operation's days of the week?

11 MR. D'ABBRACCIO: At this time
12 we're proposing a seven-day week opening
13 for urgent care services. It will be
14 primary care plus urgent care. It will
15 be a function within the township.
16 Proposed hours would be from 8 a.m. to
17 8 p.m. Monday through Sunday.

18 CHAIRMAN EWASUTYN: Appointments
19 are needed or just walk in?

20 DR. D'ABBRACCIO: The majority of
21 them are appointments. We provide urgent
22 care services. Unless it's a true
23 emergency, it's done as a consultation
24 window for urgent care. Appointments
25 themselves are scheduled.

2 CHAIRMAN EWASUTYN: Dave Dominick.

3 MR. DOMINICK: Thank you for
4 answering that. I appreciate it.

5 MS. DeLUCA: Nothing.

6 MR. MENNERICH: Nothing.

7 MR. BROWNE: Are you considered a
8 hospital as the guys down there in New
9 Windsor?

10 DR. D'ABBRACCIO: A hospital?

11 MS. CARVER: Like the VCA one.

12 DR. D'ABBRACCIO: A hospital in
13 terms of providing full spectrum
14 veterinary care. We can provide full
15 spectrum veterinary care, if that's what
16 you're asking.

17 MR. BROWNE: Basically competition
18 with Flannery?

19 DR. D'ABBRACCIO: I would say yes,
20 potentially competition with Flannery.

21 MR. BROWNE: Thank you.

22 DR. D'ABBRACCIO: Privately owned
23 competition.

24 MS. CARVER: No further questions.

25 MR. WARD: Is the hospital itself

1
2 on 300, too, competition?

3 I was going to ask one question and
4 I got thrown off on that one. That's it.

5 CHAIRMAN EWASUTYN: Collect your
6 thoughts.

7 Jim Campbell, Code Compliance.

8 MR. CAMPBELL: In all of your
9 documentation I see that you touch base
10 on Section 185-45, the veterinary office
11 section.

12 The only issue that I foresee is
13 with the front freestanding sign. When
14 that goes to make a change, changing just
15 the face of one square is changing the
16 sign. That would need to conform.
17 Looking at it, I don't know how accurate
18 your survey is, it's over the property
19 line.

20 MR. WINGLOVITZ: Here in front?

21 MR. CAMPBELL: Yes.

22 MR. WINGLOVITZ: It's an aerial
23 photo. The key is making sure it's not
24 over the property.

25 MR. CAMPBELL: It's got to be a

2 certain distance from the property. Back
3 when the sign was installed, it might
4 have met the code, but the code changed
5 like four years ago. It went from a half
6 a page of text to like forty pages of
7 text. If you make that change, it has to
8 conform to today's code. Most signs have
9 to either go for a variance or relocate,
10 adjust the height or whatever.

11 MR. WINGLOVITZ: For your
12 consideration and his. It's going to
13 obviously be a consideration for John.

14 DR. D'ABBRACCIO: Can I just add
15 some other insight to our business? It
16 might be helpful since we're new to this
17 community.

18 Catskill was founded in 2012 by
19 providing a house call service. I've
20 been providing house call services in the
21 Hudson Valley since 2012, including the
22 Town of Newburgh and throughout Orange
23 County and Dutchess County. We used to
24 work only out of a truck. We still offer
25 ambulatory services and house call

2 services for animals seeking animal care
3 in the home. In 2017 we opened a brick
4 and mortar facility in Rock Hill, New
5 York. This past November we opened our
6 second location in the Town of Wallkill,
7 in Middletown.

8 It's a privately-owned practice
9 with two partners, myself and my
10 co-owner, Dr. Daniella Carbone. That's
11 the nature of our practice. We're all
12 throughout Sullivan, Orange, Ulster and
13 Dutchess Counties.

14 CHAIRMAN EWASUTYN: Thank you.

15 Pat Hines with MH&E.

16 MR. HINES: Our first comment just
17 identifies the change of use. It's 3,167
18 square feet of an existing structure.

19 The project is exempt from County
20 Planning as a change of use.

21 We note there are no physical
22 changes to the property currently
23 proposed.

24 This project complies with all the
25 underlying bulk requirements, which is

2 unusual when we see changes of use. This
3 meets all the bulk requirements.

4 It's a Type 2 action under SEQRA,
5 so no SEQRA is required.

6 The Board has the option to have or
7 waive a public hearing on this change of
8 use.

9 We do have to do adjoiners' notices
10 as part of the process. That would be
11 the minimum the Board would require at
12 this point.

13 You could discuss whether or not a
14 public hearing would be in order.

15 That's where we're at.

16 CHAIRMAN EWASUTYN: Can you explain
17 the adjoiners' notice and who is
18 responsible, what the steps are?

19 MR. HINES: The Town has a
20 requirement that within ten days of this
21 meeting, all property owners within 500
22 feet of a proposed project be notified
23 that there is an action before the Board.
24 The project can't proceed forward until
25 that notice has been out and that ten-day

2 time period has lapsed. I would
3 coordinate with Ross's office, we do this
4 very often, to make that notice, provide
5 a mailing list. Ross's office would then
6 coordinate with personnel at Town Hall to
7 physically mail those notices. They're
8 first-class stamped because the Town does
9 the mailing.

10 CHAIRMAN EWASUTYN: Thank you.

11 MR. WARD: I remembered. What are
12 your hours?

13 DR. D'ABBRACCIO: 8 a.m. to 8 p.m.
14 Monday through Sunday.

15 MR. WARD: Do you do rescues? Like
16 if a bird gets hit on the road, do you
17 bring them in?

18 DR. D'ABBRACCIO: Yeah, I treat
19 wildlife for folks. Particularly like
20 whether they get cared for or they get
21 transported to a rehabilitator. We
22 provide those services to the townships.

23 MR. WARD: Do you cover all
24 animals?

25 DR. D'ABBRACCIO: Do I cover all

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animals?

MR. WARD: Yes.

DR. D'ABBRACCIO: Our practice does treat all species, like I mentioned. The majority of the practice will treat small pocket pets or birds. At this facility we treat typically dogs and cats plus any wildlife. People bring in lizards and things. Nothing else super exotic.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: The question I have for the Planning Board is it's discretionary under site plan approval, does the Board want to hold a public hearing on the Catskill Veterinary Services or do they want to waive it, starting with Dave Dominick.

MR. DOMINICK: Given it's an existing structure with a change of use from a bank to a veterinarian service, I think that's going to produce less traffic than a bank would if the bank was there, there's no need for a public hearing.

2 CHAIRMAN EWASUTYN: Thank you.
3 Stephanie DeLuca.

4 MS. DeLUCA: No, I don't think it's
5 necessary. Yes to waive it.

6 MR. MENNERICH: Waive it.

7 CHAIRMAN EWASUTYN: I move to waive
8 the public hearing.

9 Cliff Browne.

10 MR. BROWNE: Waive the public
11 hearing.

12 MS. CARVER: Waive the public
13 hearing.

14 MR. WARD: Waive the public
15 hearing.

16 CHAIRMAN EWASUTYN: Let the record
17 show that the Planning Board waived the
18 public hearing on Catskill Veterinarian
19 Services.

20 At this point we'll turn the
21 meeting -- we can't actually approve the
22 project until --

23 MR. HINES: That's part of the
24 process. This is a very streamlined
25 project. It doesn't envision that ten

1
2 days, but it is required.

3 CHAIRMAN EWASUTYN: I'll still ask
4 Dominic Cordisco, Planning Board
5 Attorney, to speak.

6 MR. CORDISCO: Once the notice is
7 sent out, there is a mandatory ten-day
8 comment period, a consideration period
9 for the public that receives that notice
10 to advise the Board of any concerns that
11 they have. The matter could be scheduled
12 for the next available meeting following
13 the sending out of those notices for
14 consideration.

15 MR. WINGLOVITZ: We would respectfully
16 request the first meeting in October. That
17 would give us the time to send them and
18 to have them prior to that meeting.

19 CHAIRMAN EWASUTYN: That would be
20 October 3rd.

21 All right. Would someone move for
22 a motion to reschedule Catskill
23 Veterinary Services for the meeting of
24 the 3rd of October.

25 MR. WARD: So moved.

2 MR. DOMINICK: Second.

3 CHAIRMAN EWASUTYN: I have a motion
4 by John Ward. I have a second by Dave
5 Dominick. Can I have a roll call vote,
6 please.

7 MR. DOMINICK: Aye.

8 MS. DeLUCA: Aye.

9 MR. MENNERICH: Aye.

10 CHAIRMAN EWASUTYN: Aye.

11 MR. BROWNE: Aye.

12 MS. CARVER: Aye.

13 MR. WARD: Aye.

14 MR. BROWNE: A comment. Would you
15 be able to get the signage issue cleared
16 up?

17 MR. WINGLOVITZ: We'll certainly
18 have some input for you. I don't know if
19 we'll have it cleared up, but we'll have
20 an answer.

21 Thank you.

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23 (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 16th day of September 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

FOREST RIDGE - LOT 47
(2024-24)

County Road 23
Section 125; Block 1; Lot 47
R-1 Zone

----- X

PUBLIC HEARING
TWO-FAMILY SITE PLAN & ARB

Date: September 5, 2024
Time: 8:40 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
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

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

2 CHAIRMAN EWASUTYN: The sixth
3 item of business this evening is
4 Forest Ridge - Lot 47, project number
5 24-24. It's a public hearing on a
6 two-family site plan and ARB.

7 Ken Mennerich will read the
8 notice of hearing.

9 MR. MENNERICH: "Notice of hearing,
10 Town of Newburgh Planning Board. Please
11 take notice that the Planning Board of
12 the Town of Newburgh, Orange County, New
13 York will hold a public hearing pursuant
14 to Section 274-A of the New York State
15 Town Law and Chapter 185-57 Section K of
16 the Town of Newburgh Code on the
17 application of Forest Ridge - lot 47,
18 two-family, project 24-24. The project
19 proposes a two-family residential
20 structure on a lot previously approved as
21 a single-family lot. The project
22 contains adequate area for the two-family
23 use in the R-1 Zoning District. The
24 project is located on County Route 23/
25 Rock Cut Road, approximately 300 feet

2 north of Copper Rock Road. The project
3 is proposed on a 9.7 plus or minus acre
4 parcel of property. The duplex structure
5 is proposed as a four-bedroom total, two
6 two-bedroom units. The project is
7 designated on Town Tax Maps as Section
8 125; Block 1; Lot 47. The project is
9 subject to Town Code 185-48.2, Two-Family
10 Dwellings. The public hearing will be
11 held on the 5th day of September 2024 at
12 the Town Hall Meeting Room, 1496 Route
13 300, Newburgh, New York at 7 p.m. or as
14 soon thereafter, at which time all
15 interested persons will be given an
16 opportunity to be heard. By order of the
17 Town of Newburgh Planning Board. John P.
18 Ewasutyn, Chairman, Planning Board Town
19 of Newburgh. Dated 19 August 2024."

20 MR. WINGLOVITZ: Good evening. For
21 the record again, Ross Winglovitz,
22 Engineering & Surveying Properties. I'm
23 here on behalf of Mid-Hudson Processing.

24 As Ken indicated, the application
25 is in the R-1 Zoning District which

2 permits two-family based on the acreage
3 of over 100,00 square feet. The lot is
4 9.7 acres. It is lot 47 of the Forest
5 Ridge Subdivision. Most of those have
6 been built out currently. There are a
7 few remaining lots.

8 The notice says 250 to 300 feet
9 north of Copper Rock Road. That is
10 correct. That's to this corner of the
11 property with a stormwater pond here.
12 The house itself -- it is probably 1,250
13 feet north of the intersection to the
14 proposed residence. That is the location
15 that was approved on the subdivision plan
16 for a single-family home.

17 The owner is currently proposing,
18 as permitted under code, a two-family
19 residence at that location with the same
20 number of bedrooms, two two-bedroom
21 units, a total of four bedrooms.

22 CHAIRMAN EWASUTYN: Is there anyone
23 in the audience tonight that has any
24 questions or comments on the proposal
25 that was presented by Engineering &

2 Surveying Properties?

3 (No response.)

4 CHAIRMAN EWASUTYN: Let the record
5 show that there was no public input on
6 the project.

7 Jim Campbell, Code Compliance.

8 MR. CAMPBELL: Nothing additional.

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

11 MR. HINES: Again, the project is
12 here for a public hearing on the two-
13 family. It is controlled by your Two-
14 Family Code.

15 It's noted that there is no
16 increase in the bedroom count. The
17 original approval and septic design on
18 this lot was for a four-bedroom
19 residence. It continues to be that, only
20 it's going to be a two-family. The
21 bedroom count remains the same, which
22 means that the septic system originally
23 approved by the County is still valid.

24 Since it was last before the Board,
25 the structure has been reoriented. The

2 previous plans showed a 50-foot front
3 yard where a 60-foot front yard setback
4 is required. They've shown the 60-foot
5 setback. They kind of rotated the
6 structure so that the "front of the
7 house" now faces the roadway. Before it
8 was one of the sides. I think it may
9 look better that way as well, but it's 10
10 feet further back.

11 It's here for ARB as well. Two-
12 families require ARB. They have to look
13 like a single-family home. This
14 structure has one entrance door on the
15 front facing Rock Cut Road. The second
16 unit, the entrance door is on the side
17 parallel -- perpendicular, actually, to
18 Rock Cut Road.

19 They have submitted a copy of the
20 original subdivision, the Mountain Lake
21 Subdivision, with the Health Department
22 approval.

23 It's a 2008 stamped plan from the
24 Planning Board.

25 As Ross said, the majority of this

2 project has been built out. This was a
3 lot that was kind of separate from the
4 Mountain Lake, or Copper Rock Subdivision
5 as it eventually became known as. It has
6 direct frontage on Rock Cut Road.

7 It's a very large parcel. A large
8 portion of that is Federally-regulated
9 wetlands. That's why it's a 9-acre
10 parcel.

11 The building envelop or the area to
12 be built is smaller than that. It's
13 probably about an acre in size of
14 buildable area outside the wetlands. The
15 lot has the required lot area for a two-
16 family home.

17 CHAIRMAN EWASUTYN: Ross, do you
18 have any renderings, color renderings?

19 MR. WINGLOVITZ: I do not have
20 color. I do have just the elevation that
21 the client provided. It's vinyl siding.
22 The color -- they did not provide the
23 color. The elevations he's provided.

24 CHAIRMAN EWASUTYN: I didn't check
25 your submittal. Did you complete the ARB

2 form?

3 MR. WINGLOVITZ: I believe we did
4 when we submitted.

5 CHAIRMAN EWASUTYN: I skipped over
6 that one. I'm sorry. I know I did
7 Newburgh Self-Storage. I know I did
8 Gardner Ridge.

9 Jim Campbell, that will be part of
10 the approval.

11 MR. HINES: The form is in the
12 file, John.

13 CHAIRMAN EWASUTYN: We do have it?

14 MR. HINES: We do have the
15 architectural form.

16 CHAIRMAN EWASUTYN: I did miss
17 going through the file on this one.

18 MR. HINES: It identifies the
19 exterior color as Flagstone.

20 CHAIRMAN EWASUTYN: Jim Campbell,
21 is that satisfactory?

22 MR. CAMPBELL: I'm guessing it's
23 just a gray.

24 MR. HINES: A black roof.

25 MR. WINGLOVITZ: Kind of like your

2 shirt.

3 CHAIRMAN EWASUTYN: Comments from
4 Board Members. John Ward.

5 MR. WARD: No comments.

6 CHAIRMAN EWASUTYN: Lisa Carver.

7 MS. CARVER: No comment.

8 MR. BROWNE: I have nothing.

9 CHAIRMAN EWASUTYN: No comment.

10 MR. MENNERICH: No questions.

11 MS. DeLUCA: Nothing.

12 MR. DOMINICK: Nothing further.

13 CHAIRMAN EWASUTYN: Having not
14 received any comments from the public,
15 would someone move for a motion to close
16 the public hearing on Forest Ridge - Lot
17 47, a two-family site plan and ARB.

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

19 CHAIRMAN EWASUTYN: I have a motion
20 by Dave Dominick. Do I have a second?

21 MS. CARVER: Second.

22 CHAIRMAN EWASUTYN: Second by Lisa
23 Carver. Can I have a roll call vote
24 starting with John Ward.

25 MR. WARD: Aye.

2 MS. CARVER: Aye.

3 MR. BROWNE: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. MENNERICH: Aye.

6 MS. DeLUCA: Aye.

7 MR. DOMINICK: Aye.

8 CHAIRMAN EWASUTYN: Dominic

9 Cordisco, conditions of approval for
10 Forest Ridge.

11 MR. CORDISCO: The standard
12 conditions.

13 CHAIRMAN EWASUTYN: ARB also is
14 part of it.

15 MR. CORDISCO: Yes. Obviously the
16 construction has to be in conformance
17 with the ARB approval. If there are any
18 changes to the plan, they would have to
19 return to the Board.

20 MR. HINES: The project does have
21 approval from the County DPW for the
22 driveway already.

23 MR. WINGLOVITZ: Correct.

24 CHAIRMAN EWASUTYN: Will there be
25 some fill put in? There is a slight drop

2 along the road there.

3 MR. WINGLOVITZ: I mean, it's kind
4 of set so that the front of the building
5 is right about -- it's a half a foot
6 above grade. The driveway is dropping
7 down. We'll be excavating the front
8 portion and filling the back portion.

9 MR. HINES: There's about four feet
10 of fill to the rear of the structure.

11 MR. WINGLOVITZ: That will mostly
12 come out of the foundation.

13 CHAIRMAN EWASUTYN: Having heard
14 from Planning Board Attorney Dominic
15 Cordisco for conditions of approval for
16 the site plan and ARB, would someone move
17 for that motion.

18 MR. WARD: So moved.

19 MR. MENNERICH: Second.

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

24 MR. DOMINICK: Aye.

25 MS. DeLUCA: Aye.

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MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. WINGLOVITZ: Thank you.

(Time noted: 8:50 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 16th day of September 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 PARK ASSOCIATES
(2017-03)

NYS Route 747 Boulevard
Section 89; Block 1; Lots 80.2 & 80.1
IB Zone

Attendance at the Consultants' Work Session
on September 24, 2024

- - - - - X

BOARD BUSINESS

Date: September 5, 2024
Time: 8:50 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
STEPHANIE DeLUCA
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

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CHAIRMAN EWASUTYN: We have two items of business this evening. Pat Hines will bring up the first item.

MR. HINES: At the August 1st meeting the Board authorized Newburgh Park Associates, the proposed convenience store with a gas station at 747 and the exit ramp, they requested that that be rescheduled for the September work session. They didn't come in August. They are requesting to come on the 24th of September at 1:00. That would be our next work session.

CHAIRMAN EWASUTYN: Is the Board in favor of that?

MR. DOMINICK: Yes.

MS. DeLUCA: Yes.

MR. MENNERICH: Yes.

CHAIRMAN EWASUTYN: Yes.

MR. BROWNE: Yes.

MS. CARVER: Yes.

MR. WARD: Yes.

(Time noted: 8:51 p.m.)

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Michelle Conero

MICHELLE CONERO

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

- - - - - X
In the Matter of

LANDS OF ZAZON
(2004-29)

Request for a Six-Month Extension of
Conditional Final Approval
From September 5, 2025 Until March 5, 2025

- - - - - X

BOARD BUSINESS

Date: September 5, 2024
Time: 8:51 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
STEPHANIE DeLUCA
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: Ken Mennerich
3 will read the extension letter.

4 MR. MENNERICH: It's dated August 13,
5 2024 to Mr. John Ewasutyn, Chairman,
6 Town of Newburgh Planning Board.

7 CHAIRMAN EWASUTYN: Can we just
8 mention the dates?

9 MR. MENNERICH: "Let this letter
10 serve as a request for a six-month
11 extension of conditional final approval
12 for the above-referenced project." This
13 would be from April 6, 2023 --

14 CHAIRMAN EWASUTYN: Would it be
15 from March 7, 2024?

16 MR. MENNERICH: March 7th. Right.

17 CHAIRMAN EWASUTYN: They were
18 granted an extension on March 7, 2024.
19 We are at September 5, 2024. They're
20 asking for a six-month extension. Is
21 that how it reads?

22 MR. MENNERICH: Right.

23 CHAIRMAN EWASUTYN: What's the date
24 that we carry that forward?

25 MR. HINES: March 5, 2025.

2 CHAIRMAN EWASUTYN: From March 5th?

3 MR. HINES: From tonight. 180 days
4 would be March 5th, according to my
5 assistant.

6 CHAIRMAN EWASUTYN: 2025?

7 MR. HINES: Yes.

8 CHAIRMAN EWASUTYN: Would someone
9 move for a motion to grant the extension
10 to the 5th of March 2025.

11 MR. WARD: So moved.

12 MS. DeLUCA: Second.

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

17 MR. DOMINICK: Aye.

18 MS. DeLUCA: Aye.

19 MR. MENNERICH: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. BROWNE: Aye.

22 MS. CARVER: Aye.

23 MR. WARD: Aye.

24 CHAIRMAN EWASUTYN: Would someone
25 make a motion to close the meeting of the

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5th of September 2024.

MS. CARVER: So moved.

MS. DeLUCA: Second.

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

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 8:55 p.m.)

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Michelle Conero

MICHELLE CONERO