

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

----- X
In the Matter of

VERIZON WIRELESS
(2022-18)

Pressler Road
Section 4; Block 2; Lot 43
AR Zone

----- X

CELL TOWER

Date: November 17, 2022
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: SCOTT OLSON

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 VERIZON WIRELESS

2 CHAIRMAN EWASUTYN: Good
3 evening, ladies and gentlemen. The
4 Town of Newburgh Planning Board would
5 like to welcome you to the meeting of
6 the 17th of November 2022. This
7 evening we have seven agenda items
8 and one Board business item.

9 At this time I'll turn the
10 meeting over to all of us to have a
11 roll call vote.

12 MR. GALLI: Present.

13 MS. DeLUCA: Present.

14 MR. MENNERICH: Present.

15 CHAIRMAN EWASUTYN: Present.

16 MR. BROWNE: Present.

17 MR. DOMINICK: Present.

18 MR. WARD: Present.

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

21 MS. CONERO: Michelle Conero,
22 Stenographer.

23 MR. HINES: Pat Hines with MHE
24 Engineering.

25 MR. CAMPBELL: Jim Campbell,

1 VERIZON WIRELESS

2 Town of Newburgh Code Compliance.

3 MR. MUSSO: Mike Musso with HDR.

4 CHAIRMAN EWASUTYN: At this
5 time we'll turn the meeting over to
6 Stephanie DeLuca.

7 (Pledge of Allegiance.)

8 MS. DeLUCA: I would just ask
9 if you would silence your cellphones.

10 CHAIRMAN EWASUTYN: The first
11 item on the agenda is Verizon
12 Wireless. It's located on Pressler
13 Road in an AR Zone. It's for a cell
14 tower. It's being represented by
15 Tectonic Engineering.

16 MR. OLSON: Scott Olson from
17 Young, Sommer on behalf of Verizon
18 Wireless. Good evening.

19 So we didn't have a balloon
20 test. I guess that's why I'm here
21 tonight.

22 CHAIRMAN EWASUTYN: I guess
23 Mike Musso, who is our Telecommunications
24 Consultant for the Town, wants to speak
25 on that. Mike.

1 VERIZON WIRELESS

2 MR. MUSSO: We had a balloon
3 test noticed and scheduled for
4 November 5th, I believe. The
5 Planning Board meeting before that,
6 which I guess was the 3rd of
7 November, we had canceled the balloon
8 test based on wind conditions and
9 wind forecasting. We've been working
10 with the applicant's visual resource
11 consultant, Tectonic.

12 The normal way to go about a
13 balloon test is you look at the
14 weather forecasts which are generally
15 available about 24 to 36 hours
16 before. It's not just a clear sunny
17 day but also the wind forecast is
18 most important. Any forecast of
19 winds greater than 8 miles-an-hour
20 could delay the balloon test.

21 I understand there was a
22 posting on the website, which I think
23 was the first this Board is doing for
24 a balloon test, which I think is a
25 great thing. The notice was in the

1 VERIZON WIRELESS

2 paper seven to fourteen days in
3 advance per the code. We did call it
4 off, but then I understand at the
5 November 3rd meeting there was
6 concern, and I think a good concern,
7 by the Board about the public not
8 being fully aware of cancellations,
9 vis-à-vis the website wouldn't be
10 able to be updated on a Sunday, for
11 instance. We ended up calling it off
12 for Monday, or would have, because of
13 windy conditions.

14 Anyway, going back I think to
15 your last meeting which we weren't
16 at, I think the idea was to be as
17 transparent as possible, to do the
18 noticing correctly and maybe
19 establish a more set body of dates to
20 try it again. The leaves are
21 certainly down, by the way,
22 obviously, since November 5th, with
23 all the wind and the cooler weather
24 that we've had.

25 So that's where we stand. The

1 VERIZON WIRELESS

2 balloon test obviously is a code
3 requirement. It's a key part of this
4 application to best assess potential
5 visual impacts.

6 The applicant, aside from the
7 visuals, has many sets of information
8 to respond to. They need a radio-
9 frequency, health and safety, we need
10 an RF emissions report. That's
11 something that we always ask for and
12 is in the code.

13 So the first thing I think, or
14 early thing to do is get the balloon
15 test done when it's appropriate that
16 this Board wants it to be done and
17 when the conditions are right weather
18 wise. That leads to a full visual
19 resource evaluation report that will
20 talk to visibility. A brightly
21 colored balloon allows the consultant
22 for the applicant to best assess
23 that, and then also develop photo
24 simulations, before and after views,
25 of the property, vantage points

1 VERIZON WIRELESS

2 looking towards the proposed 120 foot
3 monopole without the monopole and
4 then with the monopole. So I think
5 that's going to be a key report as
6 part of this application that this
7 Board will review.

8 I guess tonight we're here just
9 to talk about the balloon test
10 process and how best to pull it off.

11 CHAIRMAN EWASUTYN: Dominic
12 Cordisco, having heard from Mike
13 Musso and talking about maybe setting
14 up a block of dates, can you give us
15 a sense of direction how we should go
16 with this?

17 MR. CORDISCO: Yes. One of the
18 difficulties that we discussed at the
19 November 3rd meeting was the public
20 notice itself said that the balloon
21 test was going to take place on
22 Saturday, November 5th, but it might
23 be postponed due to weather. That's
24 exactly what happened. There wasn't
25 really a mechanism built in to the

1 VERIZON WIRELESS

2 notice that said it would take place
3 either on the following day or some
4 other day and direct people to a
5 place where they could find out
6 information. So if you recall, the
7 cancellation -- the e-mail that
8 indicated that the test was being
9 cancelled came actually during your
10 work session. I read it out loud to
11 the Board. The difficulty there was
12 it was being cancelled for Saturday,
13 November 5th, because of the wind
14 which was forecast for that day, and
15 it was being looked at what possible
16 day afterwards that it could take
17 place. It was then scheduled for
18 Monday, which would have been the
19 7th, and then on the 7th, however, it
20 was cancelled for that day and it was
21 looked at for possibly Wednesday, the
22 9th. The difficulty with that is is
23 that unless you were following this
24 really closely, or if you were either
25 a Board Member that was receiving

1 VERIZON WIRELESS

2 these e-mails you would know about
3 it, but if you were the general
4 public that perhaps saw the notice
5 when it was published or received the
6 notice in the newspaper, there wasn't
7 any clear information as to when the
8 balloon test was going to take place.

9 My suggestion would be that if
10 the applicant and the Board can agree
11 on a particular day for the balloon
12 test to take place, that we also
13 include in the notice a direction
14 that if the weather is such that the
15 balloon test can't happen, that
16 people look to the Town's website for
17 notice that would then provide an
18 updated date, that way it's driving
19 everyone to one point of information.
20 Some people weren't going to receive
21 those cancellation notices at all.

22 CHAIRMAN EWASUTYN: Scott, also
23 do you have some thoughts on this?

24 MR. OLSON: We can -- yes, I
25 do. We can do that. We can schedule

1 VERIZON WIRELESS

2 it for a Saturday, which is the
3 preference of the Board. I don't
4 even know if it's in the code.

5 MR. MUSSO: It is.

6 MR. OLSON: I've seen so many
7 codes recently. We can schedule for
8 the Saturday. Again, we always try
9 to be proactive, look ahead,
10 especially on Saturdays, as I
11 mentioned to Dominic a few days ago.
12 No one is here at Town Hall so it's
13 difficult. That's why if we see a
14 bad weather forecast, we try to let
15 the towns know as soon as possible.
16 In this case it was done on the
17 Thursday. We're happy to schedule it
18 for a Saturday. I think there was a
19 mention -- go ahead.

20 MR. CORDISCO: That's the next
21 point. Just to be clear, when it was
22 cancelled on Thursday for the
23 Saturday balloon test and it was
24 rescheduled for Monday, Pat worked
25 with the town clerk and they did put

1 VERIZON WIRELESS

2 a notice up on the Town's website.
3 The difficulty is that over the
4 weekend it was then cancelled for
5 that Monday and there was no one to
6 be able to update that. People that
7 might have been expecting that to
8 occur on Monday wouldn't even have
9 had the Town website benefit at that
10 time.

11 MR. OLSON: Sure.

12 MR. MUSSO: Maybe a Tuesday
13 would be a second day, Saturday as
14 the primary, --

15 MR. CORDISCO: Maybe not a
16 Monday.

17 MR. MUSSO: -- so people are
18 back --

19 CHAIRMAN EWASUTYN: That's
20 smart.

21 MR. MUSSO: -- at the Town level.

22 MR. OLSON: That's fine. When
23 I went back to look at the weather,
24 the past weather, it looks like the
25 5th in the morning was nice, there

1 VERIZON WIRELESS

2 was no wind. The problem was there
3 was 12 mile-per-hour wind and 10
4 mile-per-hour the rest of the day.
5 When our people see that, we just say
6 it's not worth it because the balloon
7 is going to be going all over the
8 place. We can certainly do that on a
9 Saturday. If it's not going to be a
10 Saturday, then the next Tuesday.
11 Obviously we'll talk to Mike and
12 Tectonic, and we can work together,
13 and you can communicate with the Town
14 how you see fit. That's fine.

15 MR. MUSSO: The Town person
16 that manages the website, you know,
17 would change things and at least
18 people have a heads up.

19 MR. OLSON: Sure. We always
20 try to give as much advance notice as
21 possible, because no one likes to be
22 told an hour beforehand it's not
23 going to happen and everybody is out
24 there.

25 I think I heard after

1 VERIZON WIRELESS

2 Thanksgiving. We have to do notices
3 anyway I'm assuming.

4 MR. MUSSO: The seven and
5 fourteen day.

6 MR. OLSON: So we can try to
7 shoot for the -- I think it was the
8 3rd, a Saturday. The first Saturday
9 in December, the 3rd.

10 MR. GALLI: Yes, it's December
11 3rd.

12 MR. OLSON: If the Board --
13 well, where are we now?

14 MR. CORDISCO: You won't make
15 the fourteen days. It would have to
16 be December 10th. That would be the
17 next available Saturday.

18 MR. MUSSO: Thanksgiving is --
19 fourteen days before that it's
20 Thanksgiving weekend, so it's just
21 the logistics of the paper.

22 MR. OLSON: We have the paper
23 information. It doesn't get done
24 exactly seven or fourteen days
25 because it's a weekly paper. We do

1 VERIZON WIRELESS

2 the best we can. So the 10th, and if
3 it's not the 10th we would do the --
4 what was it?

5 MR. CORDISCO: The following
6 Tuesday. The notice should say to
7 confirm the next available date would
8 be posted on the Town's website.

9 MR. OLSON: We can do that.
10 I'll revise the notice and send it to
11 you for your review?

12 MR. CORDISCO: We'll turn it
13 right around.

14 MR. OLSON: Sure.

15 CHAIRMAN EWASUTYN: Can someone
16 please give us the exact language of
17 what we're discussing this evening so
18 we'll make that part of the record?

19 MR. CORDISCO: This would be a
20 motion to authorize the balloon test
21 to occur on December 10th or such
22 other date as weather requires with a
23 revised notice that would be
24 republished and resent in connection
25 with this proposed Verizon tower.

1 VERIZON WIRELESS

2 CHAIRMAN EWASUTYN: Does
3 everyone understand this?

4 MR. GALLI: Yes.

5 MS. DeLUCA: Yes.

6 MR. MENNERICH: Yes.

7 MR. BROWNE: Yes.

8 MR. DOMINICK: Yes.

9 MR. WARD: Yes.

10 CHAIRMAN EWASUTYN: Would
11 someone make a motion then based upon
12 the advice of our Counsel, Dominic
13 Cordisco?

14 MR. WARD: So moved.

15 MR. DOMINICK: Second.

16 CHAIRMAN EWASUTYN: I have a
17 motion by John Ward. I have a second
18 by Dave Dominick. May I please have
19 a roll call vote.

20 MR. GALLI: Aye.

21 MS. DeLUCA: Aye.

22 MR. MENNERICH: Aye.

23 CHAIRMAN EWASUTYN: Aye.

24 MR. BROWNE: Aye.

25 MR. DOMINICK: Aye.

1 VERIZON WIRELESS

2 MR. WARD: Aye.

3 CHAIRMAN EWASUTYN: Thank you
4 for your time.

5 MR. OLSON: Thank you. I
6 apologize for the inconvenience.

7 CHAIRMAN EWASUTYN: Have a
8 happy Thanksgiving, Scott.

9 MR. OLSON: You also.

10

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

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

VERIZON WIRELESS

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December 2022.

Michelle Conero

MICHELLE CONERO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

- - - - - X
In the Matter of

LANDS OF RIVERA
(2022-24)

38 Rosaline Lane
Section 111; Block 2; Lots 20 & 21
R-1 Zone

- - - - - X

TWO-LOT SUBDIVISION

Date: November 17, 2022
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DARREN DOCE

- - - - - X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 LANDS OF RIVERA

2 CHAIRMAN EWASUTYN: Our second
3 item of business is the Lands of
4 Rivera. It's located on 38 Rosaline
5 Lane in an R-1 Zone. It's an initial
6 appearance for a two-lot subdivision
7 and it's being represented by Darren
8 Doce of Vincent J. Doce Associates.

9 MR. DOCE: Good evening. I'm
10 Darren Doce. I'm representing Mr.
11 Rivera. He owns two adjoining tax
12 parcels on Rosaline Lane. They're
13 both 2.5 acres in size.

14 His existing dwelling is on the
15 large parcel. We're proposing a lot
16 line change with the front parcel,
17 increasing the size of the rear tax
18 parcel, and then proposing a two-lot
19 subdivision of that parcel for two
20 building sites for his children.

21 The access will be over a
22 common drive off of Rosaline Lane.

23 Each new lot will have an
24 individual well and a septic system.

25 I can answer any questions now

1 LANDS OF RIVERA

2 that the Board may have.

3 CHAIRMAN EWASUTYN: We'll start
4 with our consultants. We'll start with
5 Jim Campbell with Code Compliance.

6 MR. CAMPBELL: Due to the
7 length of the driveway, you have to
8 address Section 511 of the Residential
9 Code. I do have a copy here that you
10 can take regarding emergency vehicle
11 access. The requirements are for a
12 turnaround once you go over 500 feet.

13 MR. DOCE: Okay.

14 CHAIRMAN EWASUTYN: Do you have
15 a copy of that to give him now for
16 convenience?

17 MR. CAMPBELL: Yes.

18 MR. DOCE: Thank you.

19 CHAIRMAN EWASUTYN: Anything
20 else in addition, Jim?

21 MR. CAMPBELL: No. No additional.

22 CHAIRMAN EWASUTYN: Pat Hines
23 with McGoey, Hauser & Edsall.

24 MR. HINES: The project
25 proposes three lots on a common

1 LANDS OF RIVERA

2 driveway. That will need approval
3 from the Town Board per the code.
4 That will be your next step.

5 We're suggesting notes be added
6 to the plans that the house sites be
7 staked out prior to issuance of the
8 building permit because they're shown
9 touching the minimum setbacks in a
10 couple of locations.

11 A copy of the private road
12 access and maintenance agreement for
13 Rosaline Lane should be submitted to
14 make sure it makes provisions for
15 additional subdivisions and/or
16 doesn't prohibit additional
17 subdivisions. That should be
18 submitted to Dominic's office.

19 We'll work with you to send the
20 adjoiners' notices out.

21 CHAIRMAN EWASUTYN: Comments
22 from Board Members. Frank Galli?

23 MR. GALLI: No additional.

24 MS. DeLUCA: None.

25 MR. MENNERICH: I was just

1 LANDS OF RIVERA

2 curious where the lot line change is.

3 MR. DOCE: There's a wall here.

4 Approximately it's 2, 2.5 acre lots.

5 We're taking that, sliding it

6 forward, creating this lot, and then

7 it's going to be cut in half.

8 MR. MENNERICH: Okay.

9 MR. HINES: It could also be
10 considered a lot consolidation and
11 then a three-lot subdivision.

12 MR. MENNERICH: All right.

13 CHAIRMAN EWASUTYN: Cliff Browne?

14 MR. BROWNE: Nothing more.

15 CHAIRMAN EWASUTYN: Dave Dominick?

16 MR. DOMINICK: Nothing further.

17 CHAIRMAN EWASUTYN: John Ward?

18 MR. WARD: Nothing. Thank you.

19 CHAIRMAN EWASUTYN: Dominic Cordisco?

20 MR. CORDISCO: Just as Pat

21 noted, this requires a referral to

22 the Town Board in connection with the

23 proposed three lots on a common

24 driveway.

25 My only question, maybe this is

1 LANDS OF RIVERA

2 best directed at Pat, is the question
3 of the timing of that referral as to
4 whether or not this should be
5 something that can wait until the
6 completion of the SEQRA process or it
7 should be referred at this point to
8 the Town Board?

9 MR. HINES: We typically refer
10 it now because if it gets a no, we'll
11 be moving forward for nothing.

12 CHAIRMAN EWASUTYN: So would
13 someone make a motion to refer the
14 Lands of Rivera, a two-lot
15 subdivision, to the Town Board for
16 approval for three lots on a common
17 driveway?

18 MR. MENNERICH: So moved.

19 MS. DeLUCA: Second.

20 CHAIRMAN EWASUTYN: I have a
21 second by Ken Mennerich -- excuse me.
22 I have a motion by Ken Mennerich. I
23 have a second by Stephanie DeLuca.
24 May I please have a roll call vote.

25 MR. GALLI: Aye.

1 LANDS OF RIVERA

2 MS. DeLUCA: Aye.

3 MR. MENNERICH: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. BROWNE: Aye.

6 MR. DOMINICK: Aye.

7 MR. WARD: Aye.

8 MR. HINES: If we hold off on
9 any lead agency circulation, too,
10 they can do it on their own.

11 MR. CORDISCO: Correct.

12 MR. DOCE: Thank you.

13

14 (Time noted: 7:15 p.m.)

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LANDS OF RIVERA

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December 2022.

Michelle Conero

MICHELLE CONERO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

THE ENCLAVE
(2022-25)

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

----- X

MULTI-FAMILY SITE PLAN

Date: November 17, 2022
Time: 7:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 THE ENCLAVE

2 CHAIRMAN EWASUTYN: Next is The
3 Enclave, a multi-family site plan
4 located on Route 300 and Gardnertown
5 Road in an R-3 Zone.

6 Ken Mennerich would like to
7 read an e-mail that we received.

8 MR. MENNERICH: The e-mail came
9 from Ross Winglovitz to John
10 Ewasutyn, Town of Newburgh Planning
11 Board. "John, as per our discussion,
12 Nick believes that it is important
13 that he be at the meeting for the
14 initial presentation. Unfortunately
15 a conflict has arisen that requires
16 Nick's attention on Thursday night,
17 the 17th, and he will not be
18 available to attend. We respectfully
19 request that the Board table this
20 matter to the December 1st agenda.
21 Thank you and the Board for your
22 consideration in accommodating our
23 request." It's signed by Ross.

24 CHAIRMAN EWASUTYN: Ross, for
25 the record, Nick is? Who is Nick?

1 THE ENCLAVE

2 MR. WINGLOVITZ: Nick is the
3 president of Diversified, the
4 applicant. Nick thought it was
5 important that he be here for,
6 especially the initial meeting,
7 presenting the project. He has
8 several projects in the Town, so he
9 felt his presence was needed. He
10 could not make it tonight, so he's
11 asking that we table it until the
12 1st, if that's possible.

13 CHAIRMAN EWASUTYN: Okay.
14 Would someone make a motion to table
15 the third item on the agenda, The
16 Enclave, and schedule it for the
17 meeting of December 1st.

18 MR. WARD: So moved.

19 MR. MENNERICH: Second.

20 CHAIRMAN EWASUTYN: Motion by
21 John Ward. Second by Ken Mennerich.
22 Roll call vote starting with Frank
23 Galli.

24 MR. GALLI: Aye.

25 MS. DeLUCA: Aye.

1 THE ENCLAVE

2 MR. MENNERICH: Aye.

3 CHAIRMAN EWASUTYN: Aye.

4 MR. BROWNE: Aye.

5 MR. DOMINICK: Aye.

6 MR. WARD: Aye.

7 MR. WINGLOVITZ: Thank you.

8

9 (Time noted: 7:17 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE ENCLAVE

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December 2022.

Michelle Conero

MICHELLE CONERO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

----- X
In the Matter of

CHADWICK WOODS
(2019-02)

174 Route 300
Section 14; Block 1; Lot 51
RR Zone

----- X

FIVE-LOT SUBDIVISION

Date: November 17, 2022
Time: 7:17 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 CHADWICK WOODS

2 CHAIRMAN EWASUTYN: The fourth
3 item on this evening's agenda is
4 Chadwick Woods, a five-lot
5 subdivision located on Route 300 in
6 an RR Zone. Again it's being
7 represented by Ross Winglovitz of
8 Engineering & Surveying Properties.

9 MR. WINGLOVITZ: Good evening.
10 Ross Winglovitz, Engineering &
11 Surveying Properties. I'm here with Mike
12 Mahar representing the ownership.

13 This is a project that we have
14 taken over with Mike. We were here
15 this summer regarding the application
16 because it had been some time since
17 it had been before the Board.

18 There was initially a private
19 road into the project, a water main
20 extension, and four of the five lots
21 having access from that private road
22 and then one from 300. After looking
23 at the project, what we've proposed
24 here is an amendment to the plans.
25 It's still five lots. We would have

1 CHADWICK WOODS

2 three lots off a common driveway on
3 the western side of the property with
4 one access point and then two lots
5 off a common driveway where the
6 original private road was proposed
7 off another access point. The three
8 lots here would need to go to the
9 Town Board for approval.

10 We're also proposing that the
11 two lots in front would still be
12 serviced by water services to the
13 Town main. The three lots in the
14 rear, because of the distance from
15 the road and the fact that we're
16 going to be in front of the Town
17 Board, we were going to also ask them
18 for relief from the requirement to
19 connect to the public water system
20 due to our proximity being far from
21 the existing main.

22 Other than that, the layout is
23 the same. We took the private road
24 and split it into a common drive for
25 the western three lots and a common

1 CHADWICK WOODS

2 drive serving these two lots.

3 We do have Pat's comments.

4 We'd be glad to discuss anything the
5 Board would like.

6 CHAIRMAN EWASUTYN: Let's have
7 a discussion. Pat Hines, Jim
8 Campbell, gentlemen.

9 MR. HINES: So the project, I
10 guess, has come full circle. The
11 project started out with this layout.

12 MR. WINGLOVITZ: Did it?

13 MR. HINES: Yes. We're now back
14 proposing it again. The issue is
15 when it was proposed as such with the
16 water access, Mr. Canfield was
17 sitting where Jim is now and he
18 brought up a building code section
19 that says if Town water is available,
20 or municipal water is available, you
21 must connect. That's what
22 precipitated the private road, the
23 water main extension, and brought the
24 project to where it was. I know Jim
25 has the code section.

1 CHADWICK WOODS

2 MR. CAMPBELL: So it's actually
3 in the Residential Code and not a
4 Town Code. It will be Code 2602.1
5 which you want to refer to.

6 MR. WINGLOVITZ: So that's the
7 New York State Building Residential
8 Code, and there's a reference to --

9 MR. CAMPBELL: Yup.

10 MR. CORDISCO: I was able to
11 pull it up as well. Surprise,
12 surprise. We were talking earlier
13 how I could not review building codes
14 online. Google apparently now has
15 it.

16 MR. HINES: You can't print it.

17 CHAIRMAN EWASUTYN: Do you want
18 to read it?

19 MR. CORDISCO: This is the
20 section that Jim just referenced.
21 "The water distribution system of any
22 building or premises where plumbing
23 fixtures are installed shall be
24 connected to a public water supply."

25 MR. WINGLOVITZ: Okay. Are

1 CHADWICK WOODS

2 there any exemptions or --

3 MR. CORDISCO: It says, "Where
4 a public water supply system is not
5 available or connection to the supply
6 is not feasible, an individual water
7 supply shall be provided."

8 MR. WINGLOVITZ: I think that's
9 what we'd be looking to explore, is
10 the feasibility of connecting it to
11 the proximity of these lots. We
12 understand that it's not entirely
13 within this Board's discretion. I
14 think in the past when I've had to do
15 this, we've had to go to the Town
16 Board because it's usually something
17 that's in the Town's water code
18 requiring connection. We've had to
19 ask for relief from the Town Board.
20 Since we're going to be in front of
21 them for the common driveway, we're
22 going to approach them about both
23 issues simultaneously. We certainly
24 could attempt to do it. It's a long,
25 private -- a long service. I know

1 CHADWICK WOODS

2 that's been a concern in the past.
3 We think this makes sense in this
4 specific project because of the long
5 linear shape of the lot. I will take
6 a look at that code -- that section
7 and certainly review it. I'm not
8 familiar with it. This is the first
9 time I've heard that.

10 MR. HINES: I think it was
11 added in 2020.

12 MR. WINGLOVITZ: Just 2020.

13 MR. CORDISCO: This property is
14 entirely within the water district?

15 MR. WINGLOVITZ: Yes.

16 CHAIRMAN EWASUTYN: Dominic, we
17 have to refer him to the Town Board
18 for three lots on a private driveway
19 and the subject of having Town water
20 available to all the lots. Ross
21 wants to discuss that with the Town
22 Board, if they do have the
23 jurisdiction or not to override the
24 Building Code.

25 MR. CORDISCO: Mr. Chairman,

1 CHADWICK WOODS

2 that's an excellent way of putting
3 it. I would hate to assume in a
4 referral that it's something that the
5 Town Board would have the
6 jurisdiction over. I think certainly
7 the applicants can explore that with
8 the Town Board, but I would not want
9 to assume what the Town Board's
10 jurisdiction is over the New York
11 State Plumbing Residential Code.

12 MR. WINGLOVITZ: Yeah. My
13 suggestion was really in reference to
14 the Town's water regulations which
15 required connection. It's kind of
16 two issues. We'll have to deal with
17 each one of them. I can't get one
18 without the other. I need them both.
19 Understood.

20 CHAIRMAN EWASUTYN: So the
21 language that will be part of the
22 minutes referring this to the Town
23 Board for, again, three lots on a
24 common driveway and the addition of
25 the language, can you help us with

1 CHADWICK WOODS

2 that?

3 MR. CORDISCO: In connection
4 with the water, it's making a request
5 to the Town Board to allow for
6 individual wells for the property
7 that's within the water district.

8 CHAIRMAN EWASUTYN: Is everyone
9 clear on that?

10 MR. GALLI: Yes.

11 MS. DeLUCA: Yes.

12 MR. MENNERICH: Yes.

13 MR. BROWNE: Yes.

14 MR. DOMINICK: Yes.

15 MR. WARD: Yes.

16 CHAIRMAN EWASUTYN: Would
17 someone then make a motion, based
18 upon the advice of Attorney Dominic
19 Cordisco, to move it forward to the
20 Town Board.

21 MR. DOMINICK: So moved.

22 MR. WARD: Second.

23 CHAIRMAN EWASUTYN: I have a
24 motion by Dave Dominick. I have a
25 second by John Ward. Any discussion

1 CHADWICK WOODS

2 of the motion?

3 (No response.)

4 CHAIRMAN EWASUTYN: Can I have
5 a roll call vote starting with Frank
6 Galli.

7 MR. GALLI: Aye.

8 MS. DeLUCA: Aye.

9 MR. MENNERICH: Aye.

10 CHAIRMAN EWASUTYN: Aye.

11 MR. BROWNE: Aye.

12 MR. DOMINICK: Aye.

13 MR. WARD: Aye.

14 MR. GALLI: John, does this
15 have to go to DOT for the driveways
16 since there are two of them so close?

17 MR. WINGLOVITZ: Yes. There's
18 very good sight distance in that
19 location. I know there's been a site
20 visit with the DOT at the property.
21 We definitely need DOT approval.

22 Thank you very much.

23

24 (Time noted: 7:23 p.m.)

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHADWICK WOODS

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December 2022.

Michelle Conero

MICHELLE CONERO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

MOREAU SUBDIVISION
(2022-26)

381 Lakeside Road
Section 33; Block 1; Lot 15
R-1 Zone

----- X

TWO-LOT SUBDIVISION

Date: November 17, 2022
Time: 7:23 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 MOREAU SUBDIVISION

2 CHAIRMAN EWASUTYN: The fifth
3 item of business this evening is the
4 Moreau Subdivision. It's an initial
5 appearance for a two-lot subdivision
6 in an R-1 Zone. It's located on
7 Lakeside Road. It's being
8 represented by Jonathan Millen.

9 MR. MILLEN: So we have a two-
10 lot subdivision that we're proposing
11 on Lakeside Road.

12 Right now the key issue is
13 we're aware of a number of existing
14 nonconforming issues with the area
15 requirements. We are asking for a
16 referral to the Zoning Board so that
17 we can address those before we continue
18 with the subdivision aspects.

19 CHAIRMAN EWASUTYN: Questions
20 from Board Members. Frank Galli?

21 MR. GALLI: Not at this time.

22 CHAIRMAN EWASUTYN: Stephanie DeLuca?

23 MS. DeLUCA: No.

24 CHAIRMAN EWASUTYN: Ken Mennerich?

25 MR. MENNERICH: Not at this time.

1 MOREAU SUBDIVISION

2 MR. BROWNE: No.

3 MR. DOMINICK: No.

4 MR. WARD: Not at this time.

5 CHAIRMAN EWASUTYN: Jim Campbell?

6 MR. CAMPBELL: Just one additional
7 possible -- one additional variance
8 for impervious surface on lot 1.

9 MR. MILLEN: We didn't note that?

10 MR. HINES: I didn't note it.
11 You did.

12 CHAIRMAN EWASUTYN: Pat Hines.

13 MR. HINES: The project does
14 require a referral to the Zoning
15 Board of Appeals. I've listed the
16 variances in my number 3, and I've
17 added the one Jim brought up. Lot 1,
18 a minimum lot area of 40,000 square
19 feet is required where 32,298 is
20 provided; one side yard, 30 foot is
21 required where 18 is provided; both
22 side yards, 80 feet required where 53
23 feet is provided; minimum lot width,
24 150 feet is required where 135 is
25 provided; and then impervious

1 MOREAU SUBDIVISION

2 surface, 20 percent max where 31
3 percent is proposed.

4 Then for lot 2, similar, the
5 minimum lot area is 40,000 square
6 feet required, 22,654 is provided;
7 minimum lot width, 150 feet required
8 where 114 is provided.

9 I have some technical comments
10 after that regarding the water and
11 sewer. The sewer in front of that
12 facility is a pressure sewer, so
13 there will need to be a pump station
14 for the new lot. I have some
15 comments on the layout of the water
16 and the sewer in the future.

17 MR. MILLEN: Of course keep in
18 mind that it is an existing
19 nonconforming lot, so all the issues
20 with the existing lot were there
21 prior to us proceeding.

22 MR. HINES: Correct. The Town
23 Zoning Board identifies that all the
24 preexisting nonconforming protections
25 are lost.

1 MOREAU SUBDIVISION

2 MR. MILLEN: Absolutely. I
3 understand. I'm just saying we're
4 not creating anything new in terms of
5 issues with it.

6 MR. HINES: A couple of them
7 you are. Lot size.

8 MR. MILLEN: With respect to
9 the existing building I mean.

10 MR. HINES: Yes.

11 CHAIRMAN EWASUTYN: Dominic
12 Cordisco, you'll be preparing a
13 referral letter to the Zoning Board
14 of Appeals?

15 MR. CORDISCO: If that's the
16 Board's pleasure, I'd be happy to.

17 CHAIRMAN EWASUTYN: Based upon
18 the bulk schedule and the need for
19 the variances that were stated by Pat
20 Hines of McGoey, Hauser & Edsall, and
21 the additional comment from Jim
22 Campbell from Code Compliance, adding
23 that in the body of the referral
24 letter to the Zoning Board of
25 Appeals, would the Board move for the

1 MOREAU SUBDIVISION

2 motion that Dominic Cordisco prepare
3 that?

4 MR. GALLI: So moved.

5 MS. DeLUCA: Second.

6 CHAIRMAN EWASUTYN: I have a
7 motion by Dominic Cordisco. I have a
8 second by Stephanie DeLuca. May I
9 please have a roll call vote.

10 MR. GALLI: I made the motion,
11 John. Not Dominic.

12 CHAIRMAN EWASUTYN: I'm sorry.
13 Frank Galli and Stephanie seconded.
14 Can I have a motion to approve that.

15 MR. GALLI: Aye.

16 MS. DeLUCA: Aye.

17 MR. MENNERICH: Aye.

18 CHAIRMAN EWASUTYN: Aye.

19 MR. BROWNE: Aye.

20 MR. DOMINICK: Aye.

21 MR. WARD: Aye.

22 MR. MILLEN: Thank you. I
23 appreciate the Board's time.

24 MR. HINES: Jonathan, I'll work
25 with you on the adjoiners' notices as

1 MOREAU SUBDIVISION

2 well.

3 MR. MILLEN: I'm sorry?

4 MR. HINES: I'll work with you
5 on the adjoiners' notices as well
6 that are required.

7 MR. MILLEN: Thank you very
8 much. I appreciate that.

9

10 (Time noted: 7:30 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MOREAU SUBDIVISION

2

3

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

4

5

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

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

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

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 1st day of December 2022.

18

19

20

21

Michelle Conero

22

MICHELLE CONERO

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

- - - - - X
In the Matter of

BIG SHINE WAREHOUSE
(2022-05)

300 Corporate Boulevard
Section 95; Block 1; Lot 65
IB Zone

- - - - - X

WAREHOUSE EXPANSION

Date: November 17, 2022
Time: 7:30 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVES: RYAN FELLEENZER,
JOSEPH BRUNNING & EDWARD RODRIGUEZ

- - - - - X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 BIG SHINE WAREHOUSE

2 CHAIRMAN EWASUTYN: The sixth
3 item of business this evening is Big
4 Shine Warehouse expansion. It's
5 located on 3 Corporate Boulevard in
6 an IB Zone. It's being represented
7 by Fellenzer Engineering.

8 MR. FELLEZZER: Good evening,
9 Mr. Chairman, Members of the Board.
10 Thank you. My name is Ryan Fellenzer
11 with Fellenzer Engineering
12 representing Big Shine Energy, 300
13 Corporate Boulevard, like you mentioned.

14 We are proposing an approximate
15 10,000 square foot addition to their
16 current building. They have an
17 office and warehouse for lighting
18 equipment. It will be lighting
19 equipment and accessories. They are
20 looking to expand their warehouse as
21 business is doing well for them. We
22 are proposing an addition on the back
23 end of the building. It will also
24 just be warehouse space.

25 I'd like to introduce Mr. Joe

1 BIG SHINE WAREHOUSE

2 Brunning who is going to run you
3 through the technical jargon of our
4 project.

5 MR. BRUNNING: After the last
6 meeting I received follow-up comments
7 from Pat Hines. I'll run through them
8 real quick.

9 Our parking lot striping detail
10 has been updated to meet current code
11 standards for the double striped.

12 We had submitted to County
13 Planning for the GML application back
14 on October 7th, so the thirty days
15 has lapsed since then.

16 In regards to the endangered
17 bird species in the area, we
18 contacted a DEC representative and
19 they gave us their recommended
20 mitigation. That only applies to
21 land disturbance of 25 acres or more,
22 so we are well under that. No
23 mitigation would be needed for that.

24 For Karen Arent's comments for
25 landscaping, we have adjusted the

1 BIG SHINE WAREHOUSE

2 grading plan to save as many trees as
3 possible in the back and sides of the
4 property for the building addition.
5 Along the sides of the building and
6 along the sides of the parking lot we
7 have added more trees to match the
8 existing buffer that is currently
9 there to shield the building and
10 parking lot from the adjacent roads.

11 Those were the comments that we
12 had from the last meeting.

13 CHAIRMAN EWASUTYN: Jim Campbell
14 with Code Compliance has reviewed the
15 new site plan and has a comment to
16 make. Jim.

17 MR. CAMPBELL: In reviewing this
18 I noticed in the back that you're
19 adding a canopy --

20 MR. BRUNNING: Yes.

21 MR. CAMPBELL: -- and outdoor
22 storage. That canopy will be in the
23 rear yard setback. I saw you had it
24 on the last revision. I didn't see
25 it on this revision. It's really not

1 BIG SHINE WAREHOUSE

2 clear on that plan that's what you're
3 doing. I just happened to catch that
4 note.

5 MR. FELLEZZER: So I believe
6 there's a stipulation in the code
7 that allows a certain overage if it's
8 an overhang, if I'm not mistaken. I
9 think that's why we did that.

10 MR. BRUNNING: If it's within,
11 I believe, half the distance of the
12 setback, I believe.

13 MR. CAMPBELL: I can double
14 check that.

15 MR. FELLEZZER: If you could,
16 please. Thank you.

17 CHAIRMAN EWASUTYN: Pat Hines
18 with McGoey, Hauser & Edsall.

19 MR. HINES: The applicant's
20 representatives touched on each of
21 our comments. They've addressed our
22 previous comments as well as Karen's
23 comments regarding the tree ordinance
24 by protecting those existing trees
25 and adding those six additional

1 BIG SHINE WAREHOUSE

2 trees.

3 There will be a need for a
4 stormwater and landscaping security
5 for the project.

6 We did note that the applicant
7 has identified the additional square
8 footage of the building is going to
9 be dry with no additional fixtures,
10 so there's no need for an additional
11 City of Newburgh flow acceptance
12 letter.

13 We did send it to the County on
14 7 October. That has timed out.

15 We have no additional comments.

16 We would recommend a negative
17 declaration, but I think we need to
18 clarify that canopy situation as well.

19 MR. FELLENER: I'm just looking
20 and trying to pull up the code here.

21 MR. CAMPBELL: Do you have a
22 rendering of what this thing is going
23 to look like?

24 MR. BRUNNING: We have a
25 rendering that just shows the views.

1 BIG SHINE WAREHOUSE

2 MR. CORDISCO: I think I found
3 it. It's 185-18 C under yard
4 requirements. It says, "An
5 overhanging roof that does not
6 project into the required yard over
7 10 percent of the setback distance."

8 MR. BRUNNING: This would be
9 the overhang.

10 CHAIRMAN EWASUTYN: What's the
11 total number we're looking at? 10
12 percent of?

13 MR. CORDISCO: It's 10 percent
14 of what the required setback would be.

15 MR. HINES: 10 percent of 60.

16 CHAIRMAN EWASUTYN: 6 feet.

17 How far is it projecting?

18 MR. CAMPBELL: 10.

19 CHAIRMAN EWASUTYN: 10 feet.

20 MR. HINES: So it has awning or
21 removable canopy allows 10 feet into
22 the required yard. I don't know if
23 this is removable.

24 CHAIRMAN EWASUTYN: If it's
25 what, Pat?

1 BIG SHINE WAREHOUSE

2 MR. HINES: So B, what we're
3 talking about is overhanging roof
4 that does not project into the
5 required yard setback 10 feet -- 10
6 percent. C says awning or removable
7 canopy that does not project over 10
8 feet into the required yard area. I
9 believe the required yard area is a
10 60 foot rear yard setback, which
11 would mean a 6-foot canopy would be
12 permitted. If it's a removable
13 awning, then it would be 10 feet
14 permitted.

15 MR. FELLENER: We're proposing
16 a fixed awning. What we want to do
17 is adjust that size or remove it all
18 together. We'll discuss that with
19 our team here. We're not seeking a
20 variance on that.

21 MR. CORDISCO: The distinction
22 to make at this time is if the Board
23 would want to complete the SEQRA
24 process or wait until they got their
25 variances.

1 BIG SHINE WAREHOUSE

2 MR. HINES: Or a compliant plan.

3 MR. CORDISCO: Correct.

4 CHAIRMAN EWASUTYN: Can I make
5 a suggestion?

6 MR. FELLEZZER: Sure.

7 CHAIRMAN EWASUTYN: I think
8 it's the one you're hoping for.
9 We'll postpone final decision on this
10 until the meeting of December 1st, at
11 which time you'll have a clear
12 understanding as to the direction
13 you're going in, rather than kind of
14 go back and forth with something that
15 you need some time to make a decision
16 on, for the benefit of everyone.

17 I'll poll the Board Members at
18 this time to see if they want to hold
19 a public hearing on the Big Shine
20 Warehouse. Frank Galli?

21 MR. GALLI: Due to the nature
22 of the project and where it's
23 located, the building, it's all
24 commercial, a lot of it is
25 warehousing and trucking, I don't

1 BIG SHINE WAREHOUSE

2 feel that we need to hold a public
3 hearing for it.

4 CHAIRMAN EWASUTYN: Thank you.
5 Stephanie DeLuca?

6 MS. DeLUCA: I as well.

7 MR. MENNERICH: Neither do I.

8 CHAIRMAN EWASUTYN: Neither do I.

9 MR. BROWNE: The same.

10 MR. DOMINICK: Nor do I.

11 MR. WARD: No.

12 CHAIRMAN EWASUTYN: Let the
13 record show that the Planning Board
14 waived the public hearing on the Big
15 Shine Warehouse.

16 MR. FELLEZZER: Thank you very
17 much.

18 CHAIRMAN EWASUTYN: We'll wait
19 until the 1st then.

20 MR. RODRIGUEZ: Unless the
21 Board -- we will take this awning
22 off. This particular awning we'll
23 take completely off. Would the Board
24 consider making a vote if we do that
25 tonight?

1 BIG SHINE WAREHOUSE

2 CHAIRMAN EWASUTYN: Advice from
3 Dominic Cordisco and Pat Hines?

4 MR. CORDISCO: There would be
5 two actions for the Board to
6 consider. One would be the adoption
7 of a negative declaration based on
8 the plans submitted as amended by the
9 removal of the awning -- overhang,
10 rather.

11 MR. HINES: Canopy.

12 MR. CORDISCO: And secondly,
13 one would be for conditional approval
14 given the fact that the Board has
15 waived the public hearing.

16 CHAIRMAN EWASUTYN: Discussion
17 from Board Members?

18 MR. GALLI: No additional.

19 CHAIRMAN EWASUTYN: Would
20 someone make a motion to declare a
21 negative declaration subject to the
22 applicant removing the proposed
23 canopy that's shown on the site plan
24 currently.

25 MR. GALLI: So moved.

1 BIG SHINE WAREHOUSE

2 MR. MENNERICH: Second.

3 CHAIRMAN EWASUTYN: I have a
4 motion by Frank Galli. I have a
5 second by Ken Mennerich. Any questions?

6 MR. DOMINICK: Yes. Sir, what
7 was your name, just for the record,
8 that said you would remove the
9 canopy?

10 MR. RODRIGUEZ: Edward Rodriguez.

11 MR. WARD: John?

12 CHAIRMAN EWASUTYN: John Ward?

13 MR. WARD: Just know when this
14 is approved, if there's a canopy
15 three months later --

16 MR. FELLEZZER: Absolutely.

17 CHAIRMAN EWASUTYN: We have a
18 motion by Frank Galli. We have a
19 second by Ken Mennerich. We had
20 discussion from Dave Dominick. We
21 had discussion from John Ward. Can
22 we then now move for that motion to
23 declare a negative declaration
24 subject to the removal of the canopy.

25 MR. GALLI: So moved.

1 BIG SHINE WAREHOUSE

2 MS. DeLUCA: Second.

3 CHAIRMAN EWASUTYN: Roll call
4 vote.

5 MR. GALLI: Aye.

6 MS. DeLUCA: Aye.

7 MR. MENNERICH: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MR. BROWNE: Aye.

10 MR. DOMINICK: Aye.

11 MR. WARD: Aye.

12 CHAIRMAN EWASUTYN: There has
13 to be a sense of order to a meeting.

14 Next I'll have Dominic Cordisco
15 present that to us as far as a final
16 resolution for the Unity Place
17 Warehouse.

18 MR. CORDISCO: This would
19 actually be Big Shine.

20 CHAIRMAN EWASUTYN: Big Shine.

21 MR. CORDISCO: Although I'm
22 sure others in the audience might not
23 correct you so quickly (chuckling).

24 MR. CAPPELLO: I was hoping I
25 could go home early.

1 BIG SHINE WAREHOUSE

2 CHAIRMAN EWASUTYN: Dominic,
3 back to Big Shine. My error.

4 MR. CORDISCO: This would be
5 for conditional approval. I would
6 defer to Pat Hines' comments. The
7 stormwater and landscaping securities
8 would be required as a condition of
9 approval and modified plans to
10 address the comments tonight. That
11 would be the standard conditions.

12 CHAIRMAN EWASUTYN: Are we all
13 in agreement on that?

14 MR. GALLI: Yes.

15 MS. DeLUCA: Yes.

16 MR. MENNERICH: Yes.

17 CHAIRMAN EWASUTYN: Yes.

18 MR. BROWNE: Yes.

19 MR. DOMINICK: Yes.

20 MR. WARD: Yes.

21 CHAIRMAN EWASUTYN: Having
22 heard the conditions for final
23 approval for Big Shine Warehouse
24 located on Corporate Boulevard in an
25 IB Zone presented by Dominic

1 BIG SHINE WAREHOUSE

2 Cordisco, Planning Board Attorney,
3 would someone move for that motion.

4 MR. WARD: So moved.

5 MR. DOMINICK: Second.

6 CHAIRMAN EWASUTYN: I have a
7 motion by John Ward. I have a second
8 by Dave Dominick. Can I have a roll
9 call vote starting with Frank Galli.

10 MR. GALLI: Aye.

11 MS. DeLUCA: Aye.

12 MR. MENNERICH: Aye.

13 CHAIRMAN EWASUTYN: Aye.

14 MR. BROWNE: Aye.

15 MR. DOMINICK: Aye.

16 MR. WARD: Aye.

17 MR. FELLEZZER: Thank you very
18 much.

19 MR. CORDISCO: Just for the
20 record, Mr. Chairman, if I may. As
21 outlined in Pat's comments, we would
22 also note in the approval resolution
23 that the project has made changes to
24 comply with the Town's recently
25 adopted Tree Preservation Law. That

1 BIG SHINE WAREHOUSE

2 would be noted in the resolution as
3 well.

4 CHAIRMAN EWASUTYN: Very
5 important. Thank you.

6 MR. FELLENER: Thank you.

7 MR. BRUNNING: Thank you.

8

9 (Time noted: 7:42 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 BIG SHINE WAREHOUSE

2

3

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

4

5

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

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

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

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 1st day of December 2022.

18

19

20

21

Michelle Conero

22

MICHELLE CONERO

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

----- X
In the Matter of

UNITY PLACE WAREHOUSE
(2021-29)

Old Little Britain Road & Unity Way
Section 97; Block 2; Lots 14.1 & 19.12
IB Zone

----- X

SITE PLAN

Date: November 17, 2022
Time: 7:42 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVES: JOHN CAPPELLO,
MATTHEW TRAINOR, JASON ANDERSON & ELLIOTT SPITZER

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 UNITY PLACE WAREHOUSE

2 CHAIRMAN EWASUTYN: I have no
3 other opportunity but to make this
4 one correct because it's the last
5 one. The seventh item on the agenda
6 today is Unity Place Warehouse. It's
7 a site plan located on the northeast
8 corner of Old Little Britain Road and
9 Unity Way. It's in the IB Zone.
10 It's being represented by Brooker
11 Engineering.

12 MR. CAPPELLO: Good evening,
13 everyone. I'm John Cappello with
14 Jacobowitz & Gubits. I'm here
15 tonight with Matt Trainor from
16 Brooker Engineering; Jason Anderson,
17 the project architect from Anderson
18 Design Group; and Elliott Spitzer,
19 the project applicant representative.

20 This project has been before
21 the Board now for a few months.
22 We've been making tweaks and
23 revisions to the plan.

24 Since our last appearance here,
25 the major issue that we've addressed

1 UNITY PLACE WAREHOUSE

2 has been the stormwater plan which
3 has now been reviewed by Mr. Hines'
4 office. We have the comments back.
5 Revisions were made and resubmitted.
6 We believe we are ready to move on
7 that.

8 We did submit, at the request
9 of the City of Newburgh, to their
10 attorney and their engineering
11 consultants, the SWPPP and a letter
12 in response to their concerns
13 regarding any impact on the
14 Washington Lake watershed, which we
15 believe we demonstrated will not be
16 impacted. We wanted to wait until we
17 had your engineer's comments and were
18 satisfactory with them before we
19 submitted it.

20 Now we're hoping to move on and
21 move toward a public hearing.

22 Both Matt and Jason are here.
23 If the Board wants any further
24 explanation of the revisions or where
25 we are, we're happy to do that at the

1 UNITY PLACE WAREHOUSE

2 Board's request.

3 CHAIRMAN EWASUTYN: Let's open
4 the meeting to that since we have had
5 correspondence from the City.

6 Our determination, which I
7 believe we'll make tonight, to
8 declare a negative declaration would
9 be based upon the fact that, we'll
10 call it fact finding has been done on
11 this. McGoey, Hauser & Edsall, our
12 engineer who reviewed that, is going
13 to advise us accordingly. Let's talk
14 about the subject with both Matt and
15 Jason, whoever wants to speak.

16 MR. CAPPELLO: Matt, do you
17 want to present it and discuss the
18 changes?

19 MR. TRAINOR: To summarize
20 briefly, this is a 40-foot high
21 warehouse. The square footage is
22 154,700 square feet. There are 72
23 loading docks located in the back, 36
24 trailer parking spaces, 87 passenger
25 spaces.

1 UNITY PLACE WAREHOUSE

2 The last time we were before
3 the Board we made some minor layout
4 changes to the entranceways which are
5 located on Old Little Britain and
6 Unity Place up here. The Unity Place
7 entrance is ingress only. We
8 adjusted the alignment to better
9 correlate directly across from the
10 Jehovah Witness driveway. The Old
11 Little Britain entrance was widened
12 to better accommodate the right-turn
13 movement of the truck onto Old Little
14 Britain.

15 Since then we've kind of gone
16 back and forth with Pat's office to
17 knock out a couple SEQRA items and
18 miscellaneous outstanding items, such
19 as the pump station design.

20 We've updated the survey to
21 extinguish the easement located here
22 going across the property.

23 The traffic comments have been
24 resolved with Creighton, Manning and
25 State DOT.

1 UNITY PLACE WAREHOUSE

2 Lastly, we finalized the
3 stormwater pollution prevention plan.
4 We think it's at a point, the design,
5 a point suitable for a negative
6 declaration and consideration for a
7 public hearing to be scheduled.

8 CHAIRMAN EWASUTYN: We'll start
9 with Dominic Cordisco. Early on in
10 this process there was a question
11 about the easement. Are you
12 satisfied with that?

13 MR. CORDISCO: Yes, sir. The
14 applicant has resolved that issue.

15 CHAIRMAN EWASUTYN: Dominic,
16 would you cover for Ken Wersted this
17 evening, who isn't here, as far as his
18 comment in his review for traffic?

19 MR. CORDISCO: Yes. So Ken
20 prepared a review memo dated November
21 14th. It's fairly succinct. If it's
22 all right with the Board, I'd like to
23 read the entire thing. "Number one,
24 the applicant's engineer completed a
25 sensitivity analysis of the project

1 UNITY PLACE WAREHOUSE

2 assuming the building is occupied by
3 a generic tenant, light industrial.
4 This assessment assumed a higher trip
5 generation than a warehouse. In
6 addition, the analysis was updated to
7 reflect the proposed access
8 configuration, one way entering from
9 Unity Place and enter and exit on Old
10 Little Britain Road. Two, the
11 results indicate no significant
12 changes in intersection operations
13 during the morning peak hours. The
14 westbound Route 17K approach to Route
15 300 will increase in delay during the
16 p.m. peak hour. There are no other
17 significant impacts at the other
18 intersections. The southbound
19 approach of Unity Place will degrade
20 from level of service C to level of
21 service D, but this intersection can
22 be monitored for future signal
23 installation. We recommend an after
24 study once the project is complete
25 and operational. Three, New York

1 UNITY PLACE WAREHOUSE

2 State Department of Transportation
3 has requested truck turning templates
4 at the Route 17K, Unity Place and
5 Route 300, old Little Britain Road
6 intersection. The templates indicate
7 the need to increase the curb radius
8 on the corners. In addition, DOT is
9 requiring some signal detection
10 upgrades for video detection at the
11 Route 300, Old Little Britain Road
12 intersection. The applicant should
13 confirm if any other improvements are
14 necessary on State roads." The last
15 comment, "Old Little Britain Road
16 carries a three-ton weight limit
17 which is the approximate equivalent
18 of a medium duty pickup truck. The
19 applicant has requested consideration
20 for allowing Unity Place and Old
21 Little Britain Road between Route 300
22 and Unity Place to be designated as
23 access highways for tractor trailers,
24 which has subsequently been granted,
25 and access highway permits the use of

1 UNITY PLACE WAREHOUSE

2 a larger type tractor trailer and now
3 permits access to the site on Old
4 Little Britain Road from Route 300
5 and on Unity Place from Route 17K.
6 Old Little Britain Road from Unity
7 Place to Route 207 is not an access
8 highway. As such, it seems
9 appropriate to relocate the weight
10 restriction on Old Little Britain
11 Road from Route 300 to Unity Place
12 with permission from the town highway
13 superintendent. This should be part
14 of the work completed by the
15 applicant. Respectfully submitted,
16 Ken Wersted."

17 CHAIRMAN EWASUTYN: Okay.
18 We'll make that a note in this process.

19 Pat Hines with McGoey, Hauser &
20 Edsall, you've been reviewing the
21 SWPPP on this.

22 MR. HINES: Yes. My office has
23 been working with the applicant's
24 representative. We have accepted the
25 most recent submission of the

1 UNITY PLACE WAREHOUSE

2 stormwater pollution prevention plan.

3 We requested the applicant
4 address the City of Newburgh
5 comments, which they have addressed
6 those comments and submitted a
7 response back to the City along with
8 a copy of the Town of Newburgh
9 approved SWPPP.

10 There will need to be a
11 requirement in the future for
12 stormwater and landscaping.

13 ARB approval will be required.

14 Again, this office takes no
15 exception to the issuance of a
16 negative declaration based on the
17 review of the site plans as revised,
18 the stormwater pollution prevention
19 plan and the changes to the water and
20 sewer on the most recent plans.

21 Along with that, we would
22 recommend that the traffic comments
23 from Ken Wersted be identified as
24 mitigation measures for that negative
25 declaration.

1 UNITY PLACE WAREHOUSE

2 The project, if the neg dec is
3 accepted, would be scheduled for a
4 public hearing.

5 A City of Newburgh flow
6 acceptance letter is required. We
7 haven't sent that in yet because they
8 would have resent their letter
9 regarding the drainage. Now that
10 that's been addressed, we will submit
11 the flow acceptance letter to the
12 City as well, or request for that.

13 We discussed at work session
14 how the original Unity Place
15 subdivision provided for sewer to
16 this lot, however the force main that
17 was installed was larger than
18 required for this. The applicants
19 are installing a new force main and
20 not utilizing the existing one in
21 Unity Place. We're just suggesting
22 you take a look at that for some
23 force main clean-outs that we didn't
24 see on there for maintenance.

25 The pump station, is that going

1 UNITY PLACE WAREHOUSE

2 to be connected to a generator? It
3 doesn't have the --

4 MR. TRAINOR: As of right now
5 we're not showing a generator. Our
6 goal right now is to provide the 24-
7 hour storage and also provide a note
8 should the generator end up being
9 provided on site.

10 MR. HINES: You need either
11 one. That's fine.

12 We have some other minor
13 technical comments.

14 The highway superintendent
15 weighing in on the revised access is
16 also required.

17 We believe that the project is
18 ready for a negative declaration and
19 would recommend that.

20 CHAIRMAN EWASUTYN: Jim
21 Campbell with Code Compliance?

22 MR. CAMPBELL: No additional
23 comments.

24 CHAIRMAN EWASUTYN: Would
25 someone make a motion to declare a

1 UNITY PLACE WAREHOUSE

2 negative declaration.

3 MS. DeLUCA: John.

4 CHAIRMAN EWASUTYN: Do you have
5 a comment?

6 MS. DeLUCA: I'm sorry.

7 CHAIRMAN EWASUTYN: Sorry for
8 what?

9 MS. DeLUCA: Interrupting.

10 CHAIRMAN EWASUTYN: It's part
11 of the meeting. Thank you.

12 MS. DeLUCA: I was just
13 wondering, just to clarify one of the
14 last statements that Dominic had made
15 in regard to the weight restriction
16 on the road. Could you please read
17 that again for me so I understand it?

18 MR. CORDISCO: Yes. This is
19 Ken's language. It says, "It seems
20 appropriate to relocate the weight
21 restriction on Old Little Britain
22 Road from Route 300 to Unity Place
23 with permission from the town highway
24 superintendent. This should be part
25 of the work completed by the

1 UNITY PLACE WAREHOUSE

2 applicant." This is for the signage
3 I believe. It's a weight limit.

4 MS. DeLUCA: Okay.

5 CHAIRMAN EWASUTYN: Any
6 additional questions from Board
7 Members?

8 (No response.)

9 CHAIRMAN EWASUTYN: Okay.

10 MR. CORDISCO: Mr. Chairman, if
11 I may. If the Board is considering a
12 negative declaration, my suggestion
13 would be to include the recommendations
14 of Ken Wersted, the items that are
15 noted as traffic mitigation measures
16 for the negative declaration for this
17 project.

18 CHAIRMAN EWASUTYN: Which is
19 somewhat what Pat Hines had said, to
20 make it part of the --

21 MR. CORDISCO: That's correct.

22 CHAIRMAN EWASUTYN: Clearly
23 understood.

24 No further questions or
25 comments from Planning Board Members

1 UNITY PLACE WAREHOUSE

2 or Consultants?

3 (No response.)

4 CHAIRMAN EWASUTYN: Would
5 someone make a motion to declare a
6 negative declaration for the Unity
7 Place Warehouse subject to the
8 comments from our consultants.

9 MR. GALLI: So moved.

10 MR. MENNERICH: Second.

11 CHAIRMAN EWASUTYN: I have a
12 motion by Frank Galli. I have a
13 second by Ken Mennerich. May I
14 please have a roll call vote starting
15 with Frank Galli.

16 MR. GALLI: Aye.

17 MS. DeLUCA: I'm going to
18 abstain.

19 MR. MENNERICH: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. BROWNE: Aye.

22 MR. DOMINICK: Aye.

23 MR. WARD: Aye.

24 CHAIRMAN EWASUTYN: Motion
25 carried.

1 UNITY PLACE WAREHOUSE

2 We'll set this for a public
3 hearing for the 5th of January.

4 MR. CAPPELLO: Okay.

5 CHAIRMAN EWASUTYN: We're
6 having a public scoping session on
7 the 15th. I don't think we'll have
8 enough time to juggle it effectively.

9 MR. CAPPELLO: This will give
10 us time to get the hearing notices
11 all straightened out.

12 CHAIRMAN EWASUTYN: We'll make
13 that also part of the record. Would
14 someone make the motion to schedule
15 the Unity Place Warehouse for the
16 meeting of January 5, 2023.

17 MR. DOMINICK: So moved.

18 MR. WARD: Second.

19 CHAIRMAN EWASUTYN: I have a
20 motion by Dave Dominick and a second
21 by John Ward. Can I have a roll call
22 vote starting with Frank Galli.

23 MR. GALLI: Aye.

24 MS. DeLUCA: Aye.

25 MR. MENNERICH: Aye.

1 UNITY PLACE WAREHOUSE

2 CHAIRMAN EWASUTYN: Aye.

3 MR. BROWNE: Aye.

4 MR. DOMINICK: Aye.

5 MR. WARD: Aye.

6 CHAIRMAN EWASUTYN: Motion

7 carried.

8 MR. CAPPELLO: Thank you all

9 very much.

10 Before I leave I wanted to
11 introduce you. In the back is
12 Alexander Main. He's a new attorney
13 with our office. He lives now in
14 Newburgh. I'm hoping within the next
15 several months he will be standing
16 here and I will be watching Thursday
17 night football. He may be coming to
18 the meetings.

19 Thanks a lot. Happy Thanksgiving.

20 MR. HINES: John, I'll work
21 with them on the public hearing
22 notice.

23

24 (Time noted: 7:56 p.m.)

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITY PLACE WAREHOUSE

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December 2022.

Michelle Conero

MICHELLE CONERO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

MILLER ENVIRONMENTAL
(2019-27)

Request for a Six-Month Extension from
September 16, 2022 until March 15, 2023

----- X

BOARD BUSINESS

Date: November 17, 2022
Time: 7:56 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 MILLER ENVIRONMENTAL

2 CHAIRMAN EWASUTYN: We only
3 have one item of Board Business. We
4 received an extension request. Ken
5 Mennerich will read that at this
6 time.

7 MR. MENNERICH: This is an
8 e-mail from Noel Russ to Planning
9 Board, Town of Newburgh. "Good
10 afternoon, John. Since the passing
11 of Charlie Brown we have been working
12 with folks in his office to complete
13 the planning process, and this has
14 taken considerable time. I am writing
15 to you to see if we can apply for an
16 extension, if one is needed, and to
17 find out if there's anything besides
18 the landscaping bond that is left for
19 us to complete. Thanks very much for
20 your time and understanding."

21 MR. HINES: I provided the
22 dates. It's a little late. We would
23 be approving an extension from
24 September 16th until March 15th,
25 which is your next meeting in March.

1 MILLER ENVIRONMENTAL

2 The project has been held up by the
3 change in the engineers.

4 Really the only last thing they
5 have to do is submission of the
6 landscape security estimates to
7 Karen, and then the approval of that
8 estimate by the Town Board.

9 With those circumstances, we
10 would recommend the extension kind of
11 retroactive.

12 CHAIRMAN EWASUTYN: Okay.
13 Having read the letter received from
14 Noel Russ, having heard from Pat
15 Hines with McGoey, Hauser & Edsall
16 suggesting that the Planning Board
17 grant an extension on the site plan
18 and lot line change, project number
19 19-27, from September 16, 2022
20 through March 15, 2023, would someone
21 make that motion for the extension.

22 MR. GALLI: So moved.

23 MR. HINES: I think the lot
24 line change was completed. I think
25 it's only the site plan that needs

1 M I L L E R E N V I R O N M E N T A L

2 extension.

3 CHAIRMAN EWASUTYN: I'll
4 correct that motion. Would someone
5 make a motion to approve the
6 extension for the site plan for
7 project number 2019-27 from September 16,
8 2022 to March 15, 2023.

9 MR. GALLI: So moved.

10 MR. MENNERICH: Second.

11 CHAIRMAN EWASUTYN: Motion by
12 Frank Galli. Second by Ken Mennerich.
13 May I please have a roll call vote
14 starting with Frank Galli.

15 MR. GALLI: Aye.

16 MS. DeLUCA: Aye.

17 MR. MENNERICH: Aye.

18 CHAIRMAN EWASUTYN: Aye.

19 MR. BROWNE: Aye.

20 MR. DOMINICK: Aye.

21 MR. WARD: Aye.

22 CHAIRMAN EWASUTYN: Would
23 someone make a motion to close the
24 Planning Board meeting of the 17th of
25 November.

1 M I L L E R E N V I R O N M E N T A L

2 MR. GALLI: So moved.

3 MS. DeLUCA: Second.

4 CHAIRMAN EWASUTYN: Frank
5 Galli, Stephanie DeLuca. May I have
6 that motion carried by a vote.

7 MR. GALLI: Aye.

8 MS. DeLUCA: Aye.

9 MR. MENNERICH: Aye.

10 CHAIRMAN EWASUTYN: Aye.

11 MR. BROWNE: Aye.

12 MR. DOMINICK: Aye.

13 MR. WARD: Aye.

14

15 (Time noted: 8:01 p.m.)

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

M I L L E R E N V I R O N M E N T A L

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December 2022.

Michelle Conero

MICHELLE CONERO