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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

DEIS RECEIPT/COMPLETENESS

Date: April 4, 2024
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
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
Court Reporter
845-541-4163
michelleconero@hotmail.com

1 B r i t a i n W o o d s

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. The Planning
4 Board would like to welcome you to
5 their meeting of April 4, 2024. This
6 evening we have four agenda items and
7 two Board business items.

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

10 MR. DOMINICK: Present.

11 MS. DeLUCA: Present.

12 MR. MENNERICH: Present.

13 CHAIRMAN EWASUTYN: Present.

14 MR. BROWNE: Present.

15 MR. WARD: Present.

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

18 MS. CONERO: Michelle Conero,
19 Stenographer.

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

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

24 CHAIRMAN EWASUTYN: At this point
25 we'll turn the meeting over to Pat Hines

1 B r i t a i n W o o d s

2 with MH&E.

3 MR. HINES: Please rise for the
4 Pledge.

5 (Pledge of Allegiance.)

6 MR. HINES: Please turn your phones
7 on silent or on vibrate.

8 CHAIRMAN EWASUTYN: The first item
9 of business this evening is Britain
10 Woods. It's for a DEIS. We received it
11 and we're going to be discussing the
12 factors involving that.

13 The project is located on 442
14 Little Britain Road and 207. It's in an
15 R-3 Zoning District. It's being
16 represented by Engineering & Surveying
17 Properties.

18 MR. WINGLOVITZ: Good evening.
19 Ross Winglovitz with Engineering &
20 Surveying Properties here on behalf of
21 the applicant, Farrell Builders.

22 As you mentioned, John, we had
23 submitted responses to our initial
24 submission of the draft environmental
25 impact statement. It was an initial

1 B r i t a i n W o o d s

2 public hearing as well in connection with
3 the project when it's deemed to be
4 acceptable for public comment and review.

5 The second draft entitles the Board
6 to a thirty-day period for review for
7 that purpose. We would acknowledge
8 receipt of the document tonight.
9 Technically the thirty days runs from
10 tonight.

11 We were also discussing schedules
12 and different components of this.
13 Including myself, I'm not going to be at
14 the first meeting in May, which would be
15 May 2nd. I would like to ask the
16 applicant if he would consent to having
17 this on the agenda for May 16th for the
18 purpose of providing comments and/or
19 acceptance of the document at that time?

20 MR. WINGLOVITZ: We have no problem
21 with that request.

22 CHAIRMAN EWASUTYN: Pat Hines with
23 with MH&E, comments?

24 MR. HINES: Our comments are just
25 regarding completeness. At the work

1 B r i t a i n W o o d s

2 traffic then would be routed through the
3 main entrance.

4 There will be a left-turn lane
5 that's proposed as part of the DOT
6 improvements.

7 Those were the primary changes to
8 the plan.

9 CHAIRMAN EWASUTYN: Jim Campbell,
10 Code Compliance?

11 MR. CAMPBELL: No comments at this
12 time.

13 CHAIRMAN EWASUTYN: Board Members.
14 John Ward?

15 MR. WARD: No comments.

16 MR. BROWNE: Nothing more.

17 MR. MENNERICH: Nothing.

18 MS. DeLUCA: I'm fine.

19 MR. DOMINICK: Not at this time.

20 CHAIRMAN EWASUTYN: Can I have a
21 motion to acknowledge receipt of the
22 revised DEIS and to set it for the agenda
23 of the 16th of May?

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

25 MR. WARD: Second.

1 B r i t a i n W o o d s

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

6 MR. WARD: Aye.

7 MR. BROWNE: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MR. MENNERICH: Aye.

10 MS. DeLUCA: Aye.

11 MR. DOMINICK: Aye.

12 MR. WINGLOVITZ: If it's appropriate,
13 we would like to ask to have a workshop
14 with the consultants so that we can go
15 through some of the minutia and bring
16 this to completion for that 16th meeting.

17 CHAIRMAN EWASUTYN: Pat, when is
18 the next consultants' work session?

19 MR. HINES: It's scheduled for
20 Tuesday, the 23rd. There are five
21 Tuesdays in this month, so it could be
22 the 30th as well. We normally book this
23 room for the fourth Tuesday.

24 CHAIRMAN EWASUTYN: So you're
25 suggesting we poll the Board Members to

1 B r i t a i n W o o d s

2 see if they would authorize a consultants'
3 work session for the 30th of May?

4 MR. HINES: I think that will give
5 the consultants more time and still give
6 you two weeks.

7 MR. CORDISCO: My apologies. The
8 only caveat is that I will be away during
9 that period.

10 CHAIRMAN EWASUTYN: On the 30th
11 also?

12 MR. CORDISCO: Yes.

13 MR. HINES: The 23rd works. We can
14 do that as well.

15 MR. CORDISCO: The 23rd would work
16 for me.

17 MR. HINES: We have this room
18 booked already.

19 CHAIRMAN EWASUTYN: It makes it a
20 lot easier.

21 MR. HINES: So the 23rd.

22 CHAIRMAN EWASUTYN: Okay. Can I
23 have a motion from the Board to set
24 Britain Woods for a consultants' work
25 session for the 23rd of April?

1 B r i t a i n W o o d s

2 MR. MENNERICH: So moved.

3 MS. DeLUCA: Second.

4 CHAIRMAN EWASUTYN: I have a motion
5 by Ken Mennerich. I have a second by
6 Stephanie DeLuca. Can I have a roll call
7 vote starting with John Ward.

8 MR. WARD: Aye.

9 MR. BROWNE: Aye.

10 CHAIRMAN EWASUTYN: Aye.

11 MR. MENNERICH: Aye.

12 MS. DeLUCA: Aye.

13 MR. DOMINICK: Aye.

14 MR. WINGLOVITZ: Thank you very
15 much for your time.

16

17 (Time noted: 7:08 p.m.)

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1 B r i t a i n W o o d s

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

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5

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

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

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

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 17th day of April 2024.

17

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19

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Michelle Conero

21

MICHELLE CONERO

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

----- X
In the Matter of

QUICKCHEK
(2024-01)

2 Lakeside Road
Section 86; Block 1; Lot 39.3
IB Zone

----- X

SITE PLAN

Date: April 4, 2024
Time: 7:08 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ZACHARY CHAPLIN
& AMANDA LaROSA

----- X

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

1 Q u i c k c h e k

2 CHAIRMAN EWASUTYN: Our second item
3 of business this evening is Quickchek.
4 It's located on 2 Lakeside Drive. It's
5 project number 24-01. It's a site plan
6 located on 2 Lakeside Road in an IB Zone.
7 It's being represented by Stonefield
8 Engineering & Design. I believe Zachary
9 Chaplin is the representative.

10 MR. CHAPLIN: That's me. Good
11 evening. On behalf of the applicant, my
12 name is Zach Chaplin, civil engineer for
13 the project.

14 We were here not too long ago
15 presenting the Quickchek development.
16 The site is located on the corner of 17K
17 and Lakeside Road. I got a lot of
18 feedback last time. We really appreciate
19 the comments.

20 Some of the highlights that I
21 remember are site circulation, the amount
22 of truck traffic that might be expected,
23 curb cut locations and things of that
24 nature.

25 We went back to the drawing board.

1 q u i c k c h e k

2 The first thing we did was remove the
3 truck fueling completely from the
4 development. That's no longer part of
5 the project.

6 More importantly, there's no
7 intention to have tractor trailers on the
8 site. In fact, while it's not called out
9 on the plan, we'll provide signage that
10 says no tractor trailers for the project.

11 We've also reoriented the site,
12 changed the layout a bit. The site is
13 kind of facing the corner where
14 previously it was more parallel to 17K.
15 What that allowed us to do is a couple of
16 things. One, it increased the buffer on
17 17K. The last time we were here, I
18 believe we had a pinch point, almost like
19 6 feet to the property line. Now we have
20 at least 23 feet. I know the requirement,
21 I believe it's 45 feet. Not to mention,
22 there's still a lot of landscaping
23 beyond our property line to the curb
24 line. That's been enhanced since the
25 last time we were here.

1 Q u i c k c h e k

2 The second thing is the overall
3 circulation and the curb cut locations.
4 We've added an ingress only curb cut on
5 the west side of the project. What
6 that allows us to do is, if there are
7 larger vehicles for deliveries, trucks
8 for the fueling, they can kind of have
9 their own access path around the
10 perimeter of the property. What that
11 allows us to do is separate some of
12 that truck traffic with passenger
13 vehicle traffic. We still have that
14 curb cut in the middle that would be
15 used by most customers. They can also
16 use that ingress driveway.

17 Lastly, the curb cut all the way
18 to the east, that would be a left-turn
19 egress only driveway. We would want
20 any vehicle at that point to simply
21 head back to 17K. Again, that is part
22 of that. If there are larger vehicles
23 or delivery trucks, they would use that
24 curb cut.

25 There are some oversized parking

1 Q u i c k c h e k

2 spots. You might ask is that intended
3 for tractor trailers. It's not. It's
4 really meant for RVs, school buses,
5 camper-type vehicles. That's a place
6 for those types of oversized vehicles
7 to park, not tractor trailers.

8 In addition to that, we did
9 prepare a preliminary grading and
10 drainage plan. What you'll see is that
11 generally the site is designed to be
12 pretty flat, especially where most of
13 the customer activity is going to
14 happen. It's mostly 1.5 to 2 percent
15 in that immediate entrance area. The
16 site is pretty steep. We go gradually
17 down to about 5 percent towards the
18 east. What you'll see is that we're
19 filling the site for the most part. I
20 know that was a request last time.

21 In terms of some preliminary
22 drainage, we really haven't gone too
23 deep into the design. We are proposing
24 two bio-retention basins. We know the
25 hotspot. Anything within the fuel area

1 Q u i c k c h e k

2 would get collected and ultimately go
3 to an underground detention basin and
4 discharge to the wetlands in the rear.
5 We would likely seek a permit for that
6 stormwater discharge pipe in the back
7 from the DEC just to allow that
8 disturbance.

9 I know a question came up about
10 the charging spaces in one of the
11 recent review letters. Quickchek would
12 likely put in two EV spaces as part of
13 this development. We'll be sure to
14 include that on our next plan
15 submission.

16 There was also a question about
17 utilities. I did put a call in to the
18 Water and Sewer Department. I spoke
19 with Mary. There is a 12-inch water
20 main on Lakeside Road that we should be
21 able to tie into for our development.
22 Supposedly there's a spur for the sewer
23 on 17K that we might be able to tie
24 into. I'm going to work with that
25 department a little more to hopefully

1 q u i c k c h e k

2 find out that location. That would be
3 good news, because we wouldn't need to
4 disturb 17K. That would obviously be a
5 direct connection for us.

6 Lastly, and maybe most importantly,
7 we did prepare a very detailed traffic
8 impact study. I do have Amanda LaRosa
9 with me tonight who helped prepare that
10 study. I don't think the Board's
11 consultant has had a chance to provide
12 comments on that yet. In addition, we
13 submitted to DOT and they have not
14 commented on it yet. I'm happy to have
15 her give a brief overview, if you'd
16 like, or answer any questions you have
17 on the study, or we can wait until we
18 receive some of those comments from
19 your consultants.

20 Beyond that, I'm happy to answer
21 any questions about these changes.

22 CHAIRMAN EWASUTYN: I think what
23 we'll do is come back to -- since Amanda
24 is here, Amanda can give us an update on
25 the submittal of your traffic study.

1 q u i c k c h e k

2 MS. LaROSA: Good evening. For the
3 record, my name is Amanda LaRosa with
4 Stonefield Engineering & Design. The
5 office is at 584 Broadway, Suite 310,
6 New York, New York.

7 Following our January appearance
8 before this Board, we have prepared a
9 traffic impact study that was submitted
10 to this Board as well as the DOT.
11 Based on some early coordination with
12 the DOT, they had identified four study
13 locations that were included, four
14 intersections along 17K, which were
15 Lakeside Road, the westbound and
16 eastbound ramps of the interstate, and
17 then Governor Drive. Based on feedback
18 from this Board, we did add an
19 additional two study locations to the
20 study that were further northwest along
21 17K. We studied the intersection of
22 Rock Cut Road. The Board had some
23 comments about traffic along Lakeside
24 Road, so we studied the intersection of
25 Lakeside and Patton Road as part of

1 q u i c k c h e k

2 that.

3 This Board had also requested
4 that we include an assessment of
5 traffic volumes associated with some
6 other planned developments in the area
7 that have either been recently approved
8 or currently going through entitlement.
9 Those three developments included the
10 Matrix Distribution Center, Sunbelt
11 Rental and the warehouse at 36 Racquet
12 Road. We did obtain TISs for those
13 three developments from your consultant,
14 Creighton, Manning, and the DOT.

15 Additionally, we conducted some
16 cueing observations right here on
17 Lakeside Road leading up to the traffic
18 signal. We used that data to calibrate
19 our models and confirm that the site
20 driveway, the main driveway here, would
21 not be blocked by the expected queues.
22 Our level of service analysis did
23 indicate that some minor signal timing
24 modifications associated with the
25 development would be appropriate at the

1 q u i c k c h e k

2 intersection of Lakeside Road and 17K,
3 so our study includes minor adjustments
4 to that signal timing which is
5 currently under review by both your
6 consultant and the DOT.

7 With that, I would take any
8 questions that the Board may have, or
9 if you prefer to reserve your questions
10 for after Creighton, Manning has
11 completed their review, I will be in
12 attendance at future meetings.

13 CHAIRMAN EWASUTYN: Why don't we
14 take the opportunity to speak to yourself
15 and Zach, the Board Members, with any
16 questions or comments they have. We'll
17 start with John Ward.

18 MR. WARD: With the traffic study,
19 I thought it should be extended to 747
20 because you have Amazon right there.

21 Along 17K down to 300, you forgot
22 one project, a warehouse next to Kia.
23 That's another project that's a lot of
24 square footage and traffic with trucks
25 going out to 84 west.

1 q u i c k c h e k

2 With your entrance going in on the
3 top, your first entrance right there, I
4 think it should be an entrance only, not
5 an exit.

6 MR. CHAPLIN: It is.

7 MR. WARD: Okay. An exit only on
8 the bottom?

9 MR. CHAPLIN: Correct.

10 MR. WARD: Okay. You have 16 pumps
11 total for cars?

12 MR. CHAPLIN: Correct.

13 MR. WARD: With your parking and
14 everything else, that's a lot of traffic
15 just going in and out. That should be
16 involved with your traffic study, too.

17 With your truck parking, you're
18 saying it's not tractor trailer trucks
19 and all. How are you going to regulate
20 that for motor homes or whatever will be
21 in there? Are you going to have a time
22 limit on it? If it's diesel, are you
23 going to stop them from idling at night?
24 If a camper is there, is he going to
25 spend the night? That's what can happen.

1 Q u i c k c h e k

2 MR. CHAPLIN: The operator would
3 make sure that nobody is staying
4 overnight. We actually have the operator
5 here with us.

6 MR. WARD: What I'm asking you is,
7 there should be signage so if it has to
8 be enforced, at least the Town can
9 enforce it, or somebody can enforce it.

10 MR. CHAPLIN: Yup.

11 MR. WARD: On Lakeside Road you
12 have parking along the -- follow Lakeside
13 Road. Right where you are there. Do you
14 see your parking along there? Right
15 there.

16 MR. CHAPLIN: Here?

17 MR. WARD: Yes. You're supposed to
18 put a buffer and possibly a stonewall,
19 this way it's set with that.

20 MR. CHAPLIN: We would have
21 landscaping to screen that.

22 MR. WARD: I'm asking for a
23 stonewall, too.

24 MR. CHAPLIN: Got it.

25 MR. WARD: Down where you're saying

1 Q u i c k c h e k

2 there's truck parking, I recommend
3 putting a guardrail where the wetland is
4 because that's an elevation straight
5 down.

6 MR. CHAPLIN: Yeah. We would
7 propose a guardrail there.

8 MR. WARD: Okay. Thank you.

9 MR. CHAPLIN: Thank you.

10 CHAIRMAN EWASUTYN: Cliff Browne?

11 MR. BROWNE: I think John covered
12 everything I had. Thank you.

13 CHAIRMAN EWASUTYN: No comment.

14 MR. MENNERICH: I have no comments
15 now.

16 MS. DeLUCA: No comments either.

17 MR. DOMINICK: Zach, Quickchek is
18 known for gasoline and also the
19 convenience store, a lot of grab and go,
20 the sandwiches, which are a huge part of
21 the market. I'm glad to see you're
22 adding EV charging stations. I would
23 like to see it be a level 3 charging
24 station. Level 2 is not going to cut it.
25 Level 2 would get us to Middletown.

1 q u i c k c h e k

2 You're in a prime location with 84 right
3 there. You want people to come to your
4 store because you have three other gas
5 stations within 1,000 feet. If you want
6 them to come to your store, that would be
7 a draw as well to help. I think a level
8 3 is better.

9 MR. CHAPLIN: Okay. We'll look
10 into that.

11 MR. DOMINICK: That's it.

12 CHAIRMAN EWASUTYN: Jim Campbell,
13 Code Compliance?

14 MR. CAMPBELL: At the last meeting
15 there was a discussion of putting a
16 hydrant on the site. I didn't see that
17 on the plan. Is that proposed or --

18 MR. CHAPLIN: We just haven't fully
19 engineered it yet. I think we're just
20 looking for some positive feedback
21 tonight and then we would be sure to put
22 that in and show the utilities and
23 everything else on the plans.

24 MR. CAMPBELL: In addition to
25 McGoey, Hauser & Edsall's review, you

1 Q u i c k c h e k

2 need one additional variance for being
3 within 1,000 feet of the intersection.
4 That would be 185-28-G.

5 That's all I've got for now.

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

8 MR. HINES: Our first comment just
9 notes that the high-volume truck fueling
10 island has been removed.

11 The next comment discusses the
12 required buffer from 17K from the City of
13 Newburgh line to the Town of Montgomery.
14 As the applicant's representative
15 mentioned, because it's within 350 feet
16 of Lakeside Road, a 45-foot buffer is
17 required where a 23.1 is provided.
18 They'll need a variance for that.

19 There will also be a need for a
20 variance for the two freestanding signs
21 that are proposed. Only one is allowed.

22 There will need to be a variance
23 for the size of those signs. 75 square
24 feet is allowed and 120 is requested.

25 While I'm on variances, I'm going

1 q u i c k c h e k

2 to go to my number 11. The landscaping
3 within the parking area does not comply
4 with Section, I think it's 195-1D(9) (a),
5 where 5 percent of the internal parking
6 must be landscaped. I think zero percent
7 is currently proposed. That variance
8 will be required.

9 The highway superintendent's
10 comments on those three access points
11 should be received. I believe we may
12 have some concern about having three that
13 close.

14 We noted that your parking spots
15 are depicted as 20 by 10. 9 by 18 is the
16 Town Code. We really don't take
17 exception to them being bigger. It may
18 be a corporate thing. They do need to be
19 double striped per the detail.

20 You and I had a discussion
21 regarding the stormwater hotspots. That
22 will be included in the SWPPP.

23 EV charging stations we discussed.

24 A City of Newburgh flow acceptance
25 letter will be required. During the

1 q u i c k c h e k

2 process we'll work with you on that.

3 The sanitary sewer in front of the
4 site on 17K is a pressure sewer --
5 low-pressure sewer system. You will need
6 to pump into that.

7 MR. CHAPLIN: I'm working with the
8 department on that. They made it seem
9 like we may not need to because of the
10 spur. It sounds like we may still need
11 to.

12 MR. HINES: I'd be surprised at
13 that. It's a pressure sewer there. The
14 spur may be capped right now. If you're
15 working with the Sewer Department, keep
16 going with that. It is a pressure sewer
17 there.

18 The building will be required to be
19 sprinklered, so your water system needs
20 to be sized adequately for that.

21 I did note that we received
22 comments from the jurisdictional fire
23 chief today. I believe those were
24 provided to you. The Board will be
25 looking for those to be addressed.

1 q u i c k c h e k

2 We have not done lead agency yet.
3 We will hold off on that until you return
4 from your variances.

5 CHAIRMAN EWASUTYN: Did you get a
6 copy from the Coldenham Fire Department?

7 MR. CHAPLIN: I have the fire
8 department, but I don't think we received
9 the highway superintendent.

10 MR. HINES: We're awaiting his
11 comments.

12 CHAIRMAN EWASUTYN: I was in the
13 office. I don't have a copy with me.
14 Does anyone have a copy of that?

15 MR. HINES: He has the fire
16 department. He doesn't have Mark Hall's.

17 CHAIRMAN EWASUTYN: Fine. Thank
18 you.

19 Dominic Cordisco with Drake Loeb.

20 MR. CORDISCO: At this point the
21 Board would be in a position to authorize
22 me to prepare the referral letter to the
23 Zoning Board of Appeals.

24 CHAIRMAN EWASUTYN: Okay. Do we
25 want to mention the variances that we're

1 q u i c k c h e k

2 referring to the Zoning Board of Appeals?

3 MR. CORDISCO: They are as outlined
4 by Mr. Hines.

5 CHAIRMAN EWASUTYN: All right.
6 Would someone make a motion to have
7 Dominic Cordisco prepare a referral
8 letter to the Zoning Board of Appeals
9 based upon the outline from Pat Hines
10 with MH&E?

11 MR. HINES: With the one added by
12 Jim Campbell.

13 CHAIRMAN EWASUTYN: And the one
14 added by Jim Campbell for the spotting of
15 a gas station within, what is it, 1,000
16 feet?

17 MR. CORDISCO: Correct.

18 MR. DOMINICK: So moved.

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

22 MS. DeLUCA: Second.

23 CHAIRMAN EWASUTYN: A second by
24 Stephanie DeLuca. Can I have a roll call
25 vote starting with John Ward.

1 q u i c k c h e k

2 MR. WARD: Aye.

3 MR. BROWNE: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. MENNERICH: Aye.

6 MS. DeLUCA: Aye.

7 MR. DOMINICK: Aye.

8 CHAIRMAN EWASUTYN: Motion carried.

9 Anything else?

10 MR. CHAPLIN: No. Thank you for
11 that referral. We'll go to the Zoning
12 Board.

13 In that time I think it makes sense
14 for us to further develop the plans.

15 Thank you.

16

17 (Time noted: 7:25 p.m.)

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1 q u i c k c h e k

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

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5

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

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

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

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 17th day of April 2024.

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Michelle Conero

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MICHELLE CONERO

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

----- X
In the Matter of

MOREAU LOT LINE CHANGE
(2024-04)

50 & 54 Old South Plank Road
Section 52; Block 1; Lots 12 & 13
R-1 Zone

----- X

LOT LINE CHANGE

Date: April 4, 2024
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
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
Court Reporter
845-541-4163
michelleconero@hotmail.com

1 Moreau Lot Line Change

2 CHAIRMAN EWASUTYN: The third item
3 of business this evening is the Moreau
4 Lot Line Change. It's a lot line change.
5 The project is located on 50 and 54 Old
6 South Plank Road in an R-1 Zoning
7 District. It's being represented by
8 Jonathan Millen.

9 MR. MILLEN: Good evening.
10 Jonathan Millen representing Steven
11 Moreau for this lot line revision.

12 We went to the Zoning Board of
13 Appeals and they granted our request for
14 the variances. We're prepared to discuss
15 the Board's comments regarding this
16 project.

17 CHAIRMAN EWASUTYN: Jim Campbell,
18 do you have anything to add?

19 MR. CAMPBELL: I have nothing to
20 add.

21 CHAIRMAN EWASUTYN: Pat Hines?

22 MR. HINES: We noted that the
23 project was before the Zoning Board of
24 Appeals on March 28th. We received a
25 copy of a note from Siobhan regarding the

1 Moreau Lot Line Change

2 fact that the variances were approved.
3 That's done.

4 No City of Newburgh flow acceptance
5 letter is required as it's an existing
6 lot.

7 I just noted that the sanitary
8 sewer in front of there, the last one is
9 a force main in that area, so you'll need
10 a pump station when you connect.

11 Otherwise it's a lot line change,
12 so SEQRA is required. I'll defer to
13 Dominic on that.

14 We have no further comments.

15 CHAIRMAN EWASUTYN: Comments from
16 Board Members?

17 MR. DOMINICK: Nothing.

18 MS. DeLUCA: Nothing.

19 MR. MENNERICH: No comments.

20 MR. BROWNE: Nothing.

21 MR. WARD: Nothing.

22 CHAIRMAN EWASUTYN: Dominic Cordisco
23 with Drake Loeb, can you give us the
24 conditions for approval for the lot
25 line change for Moreau?

1 Moreau Lot Line Change

2 MR. CORDISCO: The conditions will
3 include compliance with the terms of the
4 Zoning Board of Appeals' decision. We
5 understand that the approval has been
6 granted, but we haven't seen the decision
7 yet, so it will be incorporated by
8 reference in the Planning Board's
9 approval, as well as the payment of fees.
10 There are no other special conditions
11 associated with this.

12 CHAIRMAN EWASUTYN: Having heard
13 the conditions of approval for the Moreau
14 Lot Line Change presented by Dominic
15 Cordisco, Planning Board Attorney, would
16 someone move for that motion?

17 MR. WARD: So moved.

18 MR. BROWNE: Second.

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

23 MR. DOMINICK: Aye.

24 MS. DeLUCA: Aye.

25 MR. MENNERICH: Aye.

1 M o r e a u L o t L i n e C h a n g e

2 CHAIRMAN EWASUTYN: Aye.

3 MR. BROWNE: Aye.

4 MR. WARD: Aye.

5 MR. MILLEN: Thank you very much.

6 I appreciate the Board's time.

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

8

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

10

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

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

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

20 IN WITNESS WHEREOF, I have hereunto set
21 my hand this 17th day of April 2024.

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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

TESLA EV CHARGING STATION - NEWBURGH MALL
(2024-07)

1410 Union Avenue
Section 60; Block 3; Lot 41.21
IB Zone

----- X

SITE PLAN

Date: April 4, 2024
Time: 7:30 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: BEN TORTORICI

----- X

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

1 Tesla EV Charging Station - Newburgh Mall

2 CHAIRMAN EWASUTYN: The fourth and
3 final agenda item is Tesla for its EV
4 charging station located at the Newburgh
5 Mall. It's located at 1410 Union Avenue.
6 It's in an IB Zoning District. It's
7 being represented by Dewberry Engineering.

8 MR. TORTORICI: Good evening.
9 Thank you very much.

10 I'm here to discuss the sixteen
11 level 3 chargers and the sixteen L-2
12 chargers at the Newburgh Mall with the
13 utility connection on Union Avenue.

14 Just a little bit about the
15 project. Tesla's objective is to
16 transition the world to sustainable
17 energy. Newburgh especially, by your
18 logo, the Crossroads of the Northeast, is
19 a very important location for us. We
20 think it's just harmony between the Town
21 and for us to be able to give people
22 access to all of New York State.
23 Newburgh especially is a very important
24 location.

25 I'm here to answer any questions

1 Tesla EV Charging Station - Newburgh Mall

2 you guys have about the level 2s or the
3 level 3s. I'm Ben Tortorici, the design
4 manager at Tesla.

5 CHAIRMAN EWASUTYN: Do you have a
6 business card?

7 MR. TORTORICI: I do not, but I can
8 send you my contact information.

9 CHAIRMAN EWASUTYN: Questions from
10 Board Members?

11 MR. BROWNE: On sheet C-1 you have
12 three circles which are labeled
13 connectivity radius. What is that?

14 MR. TORTORICI: So we like to have
15 the ability to note any charges going
16 out. I'm not sure if you're familiar
17 with other EV manufacturer's chargers. A
18 lot of times some of our competitors have
19 a lot of downed chargers. We very much
20 pride ourselves on having a 99 percent up
21 rate. Part of that is the connectivity.
22 It's the telemetry to let us know if
23 something is down so we can send one of
24 our techs out to be able to fix the
25 charger, whether it's a single charger or

1 T e s l a E V C h a r g i n g S t a t i o n - N e w b u r g h M a l l

2 multiple chargers, so people aren't
3 waiting weeks or days for a repair.

4 MR. BROWNE: That's a system where
5 you have an automatic alert to your
6 company?

7 MR. TORTORICI: Yes.

8 MR. BROWNE: It's kind of
9 interesting the way you depict them on
10 the diagram. It looks like there's some
11 sort of a signal generation thing around
12 that.

13 MR. TORTORICI: I think it's more
14 of just to show coverage of how far that
15 particular telemetry goes. You might
16 have it on a single point, but you also
17 need to stretch the furthest charger.
18 It's just the communication.

19 MR. BROWNE: One other thing with
20 that. My understanding, what I've heard
21 anyway, is that Tesla has the dedicated
22 proprietary chargers, but that Tesla, the
23 company, in the future is going to
24 general?

25 MR. TORTORICI: Correct. So

1 Tesla EV Charging Station - Newburgh Mall

2 Tesla's proprietary charger is the North
3 American charging standard. What's
4 happened is pretty much every single OEM
5 falls under the charging standards. All
6 the OEM designed cars will have that same
7 exact charge port in 2025. For the
8 retroactive vehicles, such as a Ford,
9 they actually have an adapter that's
10 designed that are sent to each one of
11 those customers so that they can use
12 these existing chargers. It's a little
13 bit of a transition period now, but in
14 2025 the port will be on the actual
15 vehicle versus an adapter.

16 MR. BROWNE: I had another kind of,
17 I don't know, question or observation or
18 whatever. The location that you've
19 chosen, it seems like there's nothing
20 else there except McDonald's, because the
21 mall is almost empty. What's going in
22 there now is not the type of use that
23 would be, my opinion anyway, conducive to
24 doing that.

25 The other point is Crossroads,

1 T e s l a E V C h a r g i n g S t a t i o n - N e w b u r g h M a l l

2 you're pulling people off the highways to
3 use the facility. What are they going to
4 do when they're sitting there for an hour
5 to two hours?

6 MR. TORTORICI: Yes. I hear you.
7 It's a fair question. Actually, what we
8 try to do is actually scout out the sites
9 ourselves. There's a product developer,
10 who is the initial person, and I'm the
11 secondary person. One of the advantages
12 that you guys have there is access to
13 bathrooms that are adjacent. You guys
14 have a coffee shop in the mall as well.
15 There are a number of restaurants in
16 there. You know, again, we can get into
17 this.

18 I know there's a question about
19 level 3 and level 2. People have a
20 tendency to spend maybe twenty minutes on
21 a level 3, so they'll grab a bite to eat,
22 a cup of coffee is perfect, or head to
23 McDonald's to grab a quick bite. With
24 the level 3s especially, you can get in
25 and out pretty quickly.

1 Tesla EV Charging Station - Newburgh Mall

2 Your point about coming off the
3 highway, people might be passing through,
4 people might want to hop on the highway.
5 Having the vicinity next to the highway
6 is helpful. That's another thing we look
7 out for. It's also a little bit of an
8 art and a science to where is the need
9 for these chargers. Again, that
10 particular spot is perfect really.

11 MR. BROWNE: I was just curious
12 with that.

13 MR. TORTORICI: McDonald's also is
14 twenty-four hours, which is a big deal.
15 Again, access to bathrooms. We want
16 people to have the ability to either use
17 the bathroom or just have somewhere that
18 feels safe. Having McDonald's there is
19 helpful.

20 MR. BROWNE: Thank you.

21 MR. TORTORICI: Thank you.

22 MR. WARD: Will you have the
23 appropriate lighting for the area?

24 MR. TORTORICI: Yes. So there are
25 two existing light fixtures there now.

1 Tesla EV Charging Station - Newburgh Mall

2 Those will remain in place. We're
3 actually adding three more that will --
4 we really pushed having lighting there.
5 It's, again, a safety thing. The more
6 lights you have there, the more safe you
7 feel. There's one on the corner of -- in
8 the middle of where all of our chargers
9 are and then there's two more on the
10 ends. It's kind of like just having
11 adequate lighting that covers everything.

12 MR. WARD: You mentioned twenty-four
13 hours. That's a big difference.

14 MR. TORTORICI: Correct.

15 MR. WARD: You mentioned sixteen
16 level 2 and sixteen level 1, but you're
17 mentioning level 3 somewhere along the
18 line.

19 MR. TORTORICI: Sixteen level 3s
20 and sixteen level 2s. We can touch on it
21 again, but the level 3 is obviously the
22 faster one that gets you in and out in,
23 I'd say, probably twenty minutes. The
24 level 2s are longer. So again, this is
25 just an example, but if someone wanted to

1 Tesla EV Charging Station - Newburgh Mall

2 bring their EV and go to the casino,
3 that's a longer dwell situation. They
4 might spend two or three hours there. If
5 they say I don't need the super charger,
6 I'll just use the level 2.

7 MR. WARD: That's level 1?

8 MR. TORTORICI: Level 1 is the one
9 you stick straight into the wall. It
10 takes a very, very long time.

11 MR. WARD: Thank you.

12 MR. TORTORICI: No problem.

13 MR. DOMINICK: Just going off what
14 John was saying about lighting, I was
15 going to ask that. What other
16 improvements are you going to do to the
17 Newburgh Mall area?

18 MR. TORTORICI: One thing we
19 noticed is the striping. The stalls are
20 short. We're going to expand those and
21 make sure they comply with Town Code. We
22 have the super chargers sit on a
23 preassembled unit. We'll level out that
24 area that it sits on and kind of just
25 make it cleaner, make it look nicer.

1 Tesla EV Charging Station - Newburgh Mall

2 Whatever we're putting in is going to
3 look better than what it was before.
4 That's kind of our objective.

5 MR. DOMINICK: Any address to
6 landscape in that area?

7 MR. TORTORICI: Well again,
8 anything that we take out, we'll put back
9 in. If there's something that requires
10 -- you guys would like to have bushes in
11 front of it that block what you're
12 seeing, we can do that, too. If it's not
13 required, we obviously won't do it. If
14 it is, we will.

15 MR. DOMINICK: Do you know what is
16 the ratio of level 2s to level 3s at the
17 Cosimo site?

18 MR. TORTORICI: I do not.

19 MR. DOMINICK: That's it.

20 CHAIRMAN EWASUTYN: Stephanie?

21 MS. DeLUCA: Nothing.

22 CHAIRMAN EWASUTYN: Ken?

23 MR. MENNERICH: I'm just curious,
24 is one transformer from Central Hudson
25 feeding all of these or are there two

1 T e s l a E V C h a r g i n g S t a t i o n - N e w b u r g h M a l l

2 different transformers?

3 MR. TORTORICI: It's a single
4 transformer. We've had lengthy
5 discussions with Central Hudson. We have
6 to procure the transformers. We've sized
7 it for the entire -- actually, a little
8 bit oversized, too, for the equipment
9 that's there.

10 MR. MENNERICH: If you had all type
11 3 charging stations, the power requirement
12 would be a lot higher than splitting it
13 this way?

14 MR. TORTORICI: For this particular
15 location, yes. The sixteen that we
16 have in there, it's about -- I'm trying
17 to think of the ratio. The ratio is
18 about 4 to like 1 on how many level 3s
19 to level 2s you need for like kilovolts
20 kicking in.

21 MR. MENNERICH: The cost of the
22 electricity that you would charge the
23 people for connecting there, how much
24 more would they have to pay for the
25 quick charge versus the other charge?

1 Tesla EV Charging Station - Newburgh Mall

2 MR. TORTORICI: I think when it
3 comes to like the rate, the rate we
4 don't really take much of a cut. For
5 us, it's the experience that we care
6 about. We want people to be able to
7 charge without having to worry too much
8 about that. We kind of pass on
9 whatever Central Hudson's cost is. It
10 might be a cent markup. There's not
11 much of a markup. The level 2 and
12 level 3 is passed on to the customer.
13 It's a marginal cut that we see. It's
14 more for upkeep.

15 MR. MENNERICH: Do you know what
16 the kilowatt hour draw is for each of the
17 stations, the two different?

18 MR. TORTORICI: The maximum that
19 you would see is around 250 per plug.
20 Again, it depends on the battery state of
21 charge as well as like how far along you
22 are in the battery curve. It's all
23 software.

24 MR. MENNERICH: Thank you.

25 MR. TORTORICI: Of course. Thank

1 Tesla EV Charging Station - Newburgh Mall

2 you.

3 CHAIRMAN EWASUTYN: Does the owner
4 of the mall receive a bonus by locating
5 it on his property or is it --

6 MR. TORTORICI: There's a lease
7 agreement. Me myself as the design
8 manager, I'm not privy to that
9 information.

10 CHAIRMAN EWASUTYN: Okay. Any
11 additional questions?

12 (No response.)

13 CHAIRMAN EWASUTYN: Pat Hines?

14 MR. HINES: There's a need to
15 circulate the adjoiners' notice. We have
16 a process in the Town Code that requires
17 that. I will generate that notice and
18 provide the mailing list. I'll discuss
19 with you, or whoever you want me to, to
20 get those out to you.

21 This is an amended site plan. It
22 needs to go to County Planning for a 239
23 referral. The plans are in adequate
24 shape now that we can do that.

25 I wanted to applicant to fill us in

1 T e s l a E V C h a r g i n g S t a t i o n - N e w b u r g h M a l l

2 on the difference between a level 2 and a
3 level 3. It's a learning curve for us.
4 You've done that.

5 MR. TORTORICI: Perfect. I can go
6 through it again.

7 MR. HINES: No.

8 MR. TORTORICI: Thank you.

9 MR. HINES: We noted that there's
10 one additional light pole proposed.

11 MR. TORTORICI: Three.

12 MR. HINES: There are a couple
13 there now.

14 MR. TORTORICI: There's two on the
15 end of those islands. We're putting one
16 more on that same green space and then
17 there's two on the field.

18 MR. HINES: I just noted for the
19 Board, there are a couple of above-grade
20 utility poles that are to be provided
21 north of McDonald's prior to going
22 underground.

23 I think those two procedural
24 matters are the only issues we have.

25 CHAIRMAN EWASUTYN: I think for the

1 Tesla EV Charging Station - Newburgh Mall

2 next meeting when you return, we have to
3 follow the procedure. I think the County
4 has thirty days to respond. We can't
5 take any action until those thirty days
6 have come and gone.

7 Can you bring colored renderings of
8 what the EV charging stations will look
9 like?

10 MR. TORTORICI: Yes.

11 CHAIRMAN EWASUTYN: I would assume
12 maybe we do an ARB approval of that also,
13 just as a matter of record.

14 MR. DOMINICK: I would also like to
15 see if we can get some type of soft scape
16 around the transformer --

17 MR. TORTORICI: All right.

18 MR. DOMINICK: -- on the site so
19 it's not just a box sitting there.

20 MR. TORTORICI: Do you have any
21 particular recommendations for trees or
22 bushes that you're looking to see?

23 MR. DOMINICK: Green.

24 MR. TORTORICI: Okay. Some towns
25 are very specific.

1 Tesla EV Charging Station - Newburgh Mall

2 CHAIRMAN EWASUTYN: I think it
3 should be salt tolerant, because that's a
4 heavy salted area, and I think it should
5 be tolerant of stress conditions. It's
6 right near asphalt. The sun will
7 generate heat. Something that's hardy in
8 nature.

9 MR. TORTORICI: Okay. Perfect.
10 Thank you.

11 MR. DOMINICK: And a rendering of
12 that.

13 MR. TORTORICI: With the bushes.
14 Sure.

15 MR. DOMINICK: Thank you.

16 CHAIRMAN EWASUTYN: Can I have a
17 motion to refer the Tesla EV charging
18 station to the Orange County Planning
19 Department?

20 MR. WARD: So moved.

21 MR. DOMINICK: Second.

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

1 T e s l a E V C h a r g i n g S t a t i o n - N e w b u r g h M a l l

2 MR. DOMINICK: Aye.

3 MS. DeLUCA: Aye.

4 MR. MENNERICH: Aye.

5 CHAIRMAN EWASUTYN: Aye.

6 MR. BROWNE: Aye.

7 MR. WARD: Aye.

8 MR. TORTORICI: Thank you.

9

10 (Time noted: 7:45 p.m.)

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1 T e s l a E V C h a r g i n g S t a t i o n - N e w b u r g h M a l l

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

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

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

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

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 17th day of April 2024.

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Michelle Conero

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MICHELLE CONERO

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

- - - - - X
In the Matter of

VANTAGE CONSTRUCTION
(2023-03)

Kings Hill Road
Section 11; Block 1; Lot 66.21
R-1 Zone

Request for a Ninety-Day Extension
from April 4, 2024 until July 4, 2024

- - - - - X

BOARD BUSINESS

Date: April 4, 2024
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ANDREW BELL

- - - - - X

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

1 V a n t a g e C o n s t r u c t i o n

2 CHAIRMAN EWASUTYN: We have two
3 Board Business items this evening.

4 Pat Hines.

5 MR. HINES: The first Board
6 Business item, we have a request from
7 Vantage Construction, project 2023-3,
8 for a six-month extension.

9 I believe the project is very
10 close to getting its plans ready to
11 be stamped. We have done a sign-off
12 memo and we're waiting for the
13 applicant to present the plans.

14 Their approval is expiring, so
15 we would suggest that a six-month
16 extension be issued from today's date
17 until 4 October 2024.

18 CHAIRMAN EWASUTYN: Would someone
19 make a motion to grant the extension to
20 Vantage Construction as of today through
21 -- it's a ninety-day extension?

22 MR. HINES: I did six months. I'm
23 sorry. It can be ninety.

24 CHAIRMAN EWASUTYN: Are you looking
25 for ninety days or six months?

1 V a n t a g e C o n s t r u c t i o n

2 MR. BELL: Ninety days is fine. We
3 expect to have everything on Monday.

4 CHAIRMAN EWASUTYN: What would be
5 the date for ninety days? A ninety-day
6 extension to the 4th of July.

7 MR. WARD: So moved.

8 MR. MENNERICH: Second.

9 MR. BELL: Thank you for your
10 consideration.

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

15 MR. DOMINICK: Aye.

16 MS. DeLUCA: Aye.

17 MR. MENNERICH: Aye.

18 CHAIRMAN EWASUTYN: Aye.

19 MR. BROWNE: Aye.

20 MR. WARD: Aye.

21 (Time noted: 7:47 p.m.)

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1 V a n t a g e C o n s t r u c t i o n

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

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

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

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

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 17th day of April 2024.

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Michelle Conero

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MICHELLE CONERO

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

----- X
In the Matter of

APPOINTMENT OF DOUGLAS FISHMAN
AS THE TELECOMMUNICATIONS CONSULTANT TO THE
TOWN OF NEWBURGH

----- X

BOARD BUSINESS

Date: April 4, 2024
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

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1 A p p o i n t m e n t o f T e l e c o m m u n i c a t i o n s C o n s u l t a n t

2 CHAIRMAN EWASUTYN: At this point
3 we'll turn the meeting over to Dominic
4 Cordisco to speak to us as far as
5 appointing a telecommunications consultant.

6 MR. CORDISCO: I provided a proposal
7 from Douglas Fishman which is addressed
8 to the Town of Newburgh. The Town
9 of Newburgh has traditionally used HDR as
10 its telecommunications radiofrequency
11 consultant. They are continuing to do
12 some work for the Town, but they've
13 also indicated that they will not be
14 taking on new matters broadly
15 throughout their practice for
16 telecommunications projects. As a
17 result, the Town had sent out an RFP.
18 You had some responses to that.

19 I'm also working in another
20 municipality where they went through a
21 similar process recently. They
22 received a very competitive proposal
23 from Douglas Fishman which would
24 cover almost all of the areas that HDR
25 was providing with the exception of

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2 engineering analysis which can also
3 be done by your current Town engineer.
4 MHE is capable of providing those
5 services to the Town.

6 The proposal from Mr. Fishman
7 would provide that he could attend
8 meetings, he would provide RF analysis
9 as to whether or not new telecommunications
10 facilities were appropriate and required,
11 as well as safety issues associated with
12 those, and future compatibility with
13 the additional co-locations if required.

14 He is proposing to charge a rate
15 of \$225 per hour which is in line with other
16 consultants in terms of their fees and was,
17 quite frankly, significantly less than the
18 fees that were quoted to the Town as part of
19 the other RFPs that were received. He's
20 also not too far. He's in northern
21 New Jersey and could attend meetings
22 upon request.

23 CHAIRMAN EWASUTYN: Questions or
24 comments from Board Members?

25 MR. WARD: No.

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2 MR. BROWNE: Just a comment. I
3 looked over the documentation that was
4 forwarded to us. I was fairly impressed
5 with the information, the resume and the
6 sample report that was provided. Very
7 favorable.

8 CHAIRMAN EWASUTYN: Okay. Would
9 someone make for a motion for Dominic
10 Cordisco to contact our new or soon-to-be
11 telecommunications expert to let him know
12 that we're going to be assigning him to
13 the position, and also for Jim Campbell
14 and Dominic Cordisco to speak to Jerry
15 Canfield to see if he has any caveats
16 associated with this?

17 MR. WARD: So moved.

18 MS. DeLUCA: Second.

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

23 MR. DOMINICK: Aye.

24 MS. DeLUCA: Aye.

25 MR. MENNERICH: Aye.

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2 CHAIRMAN EWASUTYN: Aye.

3 MR. BROWNE: Aye.

4 MR. WARD: Aye.

5 CHAIRMAN EWASUTYN: Thank you.

6 Good meeting. Would someone make a
7 motion to adjourn the Planning Board
8 meeting of the 4th of April 2024?

9 MS. DeLUCA: So moved.

10 CHAIRMAN EWASUTYN: Motion by
11 Stephanie DeLuca.

12 MR. MENNERICH: Second.

13 CHAIRMAN EWASUTYN: Second by Ken
14 Mennerich. Roll call vote starting with
15 Dave Dominick.

16 MR. DOMINICK: Aye.

17 MS. DeLUCA: Aye.

18 MR. MENNERICH: Aye.

19 CHAIRMAN EWASUTYN: Aye.

20 MR. BROWNE: Aye.

21 MR. WARD: Aye.

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

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A p p o i n t m e n t o f T e l e c o m m u n i c a t i o n s C o n s u l t a n t

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 17th day of April 2024.

Michelle Conero

MICHELLE CONERO