

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 MANN (Formerly Martin)
(2015-09)

East Road
Section 2; Block 2; Lot 22.1
RR Zone

- - - - - X

PUBLIC HEARING

Date: August 18, 2016
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
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: DARREN STRIDIRON

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. We'd like to welcome you to the Town of Newburgh Planning Board meeting of the 18th of August.

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

MR. GALLI: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

CHAIRMAN EWASUTYN: With us this evening tonight we have three representatives who help work with the Planning Board. We'll ask that they introduce themselves at this time.

MS. CONERO: Michelle Conero, Stenographer.

MR. CANFIELD: Jerry Canfield, Code Compliance Supervisor.

MR. HINES: Pat Hines with McGoey, Hauser & Edsall Consulting Engineers, the engineering and planners for the Planning Board.

CHAIRMAN EWASUTYN: At this time we'll call the meeting officially to order. I'll ask

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

Dave Dominick to say the Pledge.

(Pledge of Allegiance.)

CHAIRMAN EWASUTYN: There are five items on this evening's agenda. The first one is the Lands of Mann, formerly Martin. It's here this evening for a public hearing. It's located on East Road in an RR Zone. It's being represented by Heritage Land Surveying.

At this point Ken Mennerich will read the notice of hearing.

MR. MENNERICH: "Notice of hearing, Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to Section 276 of the Town Law on the application of Lands of Mann, formerly Martin, project 2015-09, for a two-lot subdivision. The subdivision is a proposed two-lot two-single family subdivision located on 37 East -- let me reread that. The subdivision is a proposed two-lot single-family subdivision located at 37 East Road. Access to the subdivision will be via East Road. No access from Tiffany Lane lane will be permitted. The

1 site is a 10.6 plus or minus acre parcel located
2 in the RR Zoning District. Premises is located
3 at 37 East Road. This site is designated on Town
4 tax maps as Section 2; Block 2; Lot 22.1. A
5 public hearing will be held on the 18th day of
6 August 2016 at the Town Hall Meeting Room, 1496
7 Route 300, Newburgh, New York at 7 p.m. at which
8 time all interested persons will be given an
9 opportunity to be heard. By order of the Town of
10 Newburgh Planning Board. John P. Ewasutyn,
11 Chairman, Planning Board Town of Newburgh. Dated
12 26 July 2016."

14 CHAIRMAN EWASUTYN: When the meeting
15 occurs tonight, Darren Stridiron represents the
16 applicant. He'll make a presentation and then
17 anyone here this evening who has any questions or
18 comments, would you please raise your hand and
19 give your name and address for the Stenographer.

20 Sir.

21 MR. ROSENGARDEN: Mark Rosengarden --

22 CHAIRMAN EWASUTYN: You're not
23 listening.

24 MR. ROSENGARDEN: Not now?

25 CHAIRMAN EWASUTYN: Not now. He'll

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

make the presentation first.

MR. ROSENGARDEN: Thank you.

MR. STRIDIRON: My name is Darren
Stridiron --

CHAIRMAN EWASUTYN: Do you want to turn
the easel for the public?

MR. STRIDIRON: Sure.

My name is Darren Stridiron, I'm a
private surveyor for the Mann family.

The project is located on 37 East Road.
It's an 11-acre property located on the north
side of the road. There's an existing dwelling
that's on the easterly portion of the property
that we received a zoning variance for a front
yard that was required for the proposed taking
along the north side of the road. The proposed
lot with the new house would be on the westerly
portion near Tiffany Lane. Access is only off of
East Road. The lot will be 2 acres. There will
be a septic in the front portion and a well in
the back portion of the property.

The comments from the last time, I did
go to the highway department a few times and
wasn't able to get a hold of the superintendent,

1 highway superintendent. What's the best way to
2 get a hold of him? That would be -- is there an
3 e-mail address? I've gone there a few times.
4

5 MR. HINES: Just a phone call. That
6 could be held off as a condition of approval if
7 it was decided.

8 MR. STRIDIRON: As far as the driveway
9 location, I will have a meeting with him at some
10 point to go over the location of the culvert and
11 the driveway. It is directly opposite the
12 existing driveway that is on the south side of
13 the road.

14 The property itself is fully wooded at
15 this time. There would be some clearing for the
16 proposed house and the septic, and a slight
17 portion for the well.

18 Some of the items from the previous
19 meetings that were addressed were the notes
20 regarding no -- during construction no parking of
21 any vehicles is permitted on any portion of
22 Tiffany Lane.

23 There shall be no access to the
24 proposed lot 1 from Tiffany Lane. The only
25 permitted access is off of East Road.

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

Those were the main concerns of the public at a meeting a few months ago.

CHAIRMAN EWASUTYN: The lady here.

MS. LONCE: Sara Lonce, 38 East Road, which is the property directly across. My concern -- I guess my biggest concern is the clearing, whether you're going to clear everything from the road or is the house going to be set back a little?

MR. STRIDIRON: The house is set back actually as far as it can be from the road, the front.

CHAIRMAN EWASUTYN: Why don't you come closer to the map.

MR. STRIDIRON: The front area of the property itself --

CHAIRMAN EWASUTYN: Darren, wait for her to come up.

MR. STRIDIRON: This portion will be cleared for the driveway. This area in the front won't be touched at all. Is this your house here?

MS. LONCE: Yes.

MR. STRIDIRON: You might be able to

1 see the house a little bit, the driveway. In the
2
3 wintertime you'll be able to see it because I
4 don't think there are any Spruce trees on that
5 property.

6 MS. LONCE: I was just worried about
7 clearing everything. My view now is beautiful
8 woods and it's going to turn into construction,
9 which is my second concern. If we're not parking
10 on Tiffany Lane, are we parking in my front yard?
11 How is that going to work?

12 MR. STRIDIRON: They're going to have
13 to have a spot on site for the people that run
14 the equipment to park. I mean most of the time
15 on these sites you'll have maybe one or two
16 pieces of equipment at a time. It's going to be
17 on the site. It's not going -- definitely not
18 going to be on East Road. It's not going to be
19 on Tiffany Lane. It's going to be on the
20 property itself.

21 MS. LONCE: How long do you expect
22 construction to take?

23 MR. STRIDIRON: Construction can take
24 between three and four months depending on the
25 time of year.

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

MS. LONCE: Thank you.

CHAIRMAN EWASUTYN: Do you have a buyer for that lot? Does the owner have a buyer for the lot?

MR. STRIDIRON: Yes. They're in contract with a buyer at this point. That's why they went from a three to a four-bedroom septic design.

CHAIRMAN EWASUTYN: The gentleman, your name?

MR. ROSENGARDEN: Mark Rosengarden. I'm on Shaker Court. My concern and the concern of our neighbors, taking a look at the last time and what this gentleman just talked about, no parking of equipment on Tiffany Lane, the residents of Shaker Court have similar concerns. I would like it entered that no equipment will be parked on Shaker Court as well. It is the next road adjoining the Mann property to the east side. It's a private road.

MR. STRIDIRON: That would be -- that's not even adjacent to the property. There's no way they would even park over there. Everything is --

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 MANN

10

MR. ROSENGARDEN: We just wanted to
make sure of that.

MR. STRIDIRON: Yeah. That's not even
a consideration.

MR. ROSENGARDEN: Okay. Thank you.

MR. STRIDIRON: The existing dwelling
is here. They would have to walk East Road.

MR. ROSENGARDEN: Understandable.

MR. STRIDIRON: It's hard enough to
walk --

MR. ROSENGARDEN: Right. That's quite
a slope. Okay. Thank you very much.

CHAIRMAN EWASUTYN: I'm sorry. I
didn't get your name.

MR. ROSENGARDEN: Mark Rosengarden.

CHAIRMAN EWASUTYN: Just for general
knowledge, the hours of operation for
construction? What are the hours?

MR. STRIDIRON: Normal Town hours.
What are they? 8 --

MR. CANFIELD: 7 to 8.

CHAIRMAN EWASUTYN: That's just
standard. That's permitted, just so you're --

MS. LONCE: 8:00 at night?

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

CHAIRMAN EWASUTYN: Would you like it
later?

MS. LONCE: No.

CHAIRMAN EWASUTYN: I apologize. I
think -- public hearings are informational. What
we're doing is putting information out for you.
If you're unfamiliar with the process and you
come in with -- which is normal -- a certain
amount of anxiety, there's things that you want
to understand and there are things you may not
even think about.

So to give you an idea of the permitted
hours of operation, I'll let Mr. Canfield speak
on that subject.

What days of the week and what's
allowed by code, Mr. Canfield?

MR. CANFIELD: Just to back up, if any
of the public has concerns with respect to the
construction and the clearing, the code
compliance department is the enforcing agency for
the rules and regulations, such as hours of
operation and parking of vehicles. The notes
that are on the plan with the parking
restrictions, as you heard, is a result of the

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

public hearing from the Zoning Board meeting.
Some of the other residents had concerns. So
that's why those notes are there. Because the
notes are on the plan, they make it enforceable
by our department. So any concerns you have, you
can call our department.

MS. LONCE: Thank you.

CHAIRMAN EWASUTYN: I guess what limits
it as far as the lateness would be the time of
year if they were to work until 8:00. The later
we get into the fall and winter months, by that
time you probably do need to shutdown shop --

MR. CANFIELD: It's dark by then.

CHAIRMAN EWASUTYN: -- by 4:00, 4:30.

MS. LONCE: Thank you.

MR. DOMINICK: Is that five days a
week?

MR. CANFIELD: Six days a week. No
Sundays, no holidays. Again, if the noise is
unbearable -- there's also a noise and
illumination ordinance in the Town. If the noise
is excessive you can contact our department. We
have sound monitoring equipment that we can check
decibel levels to see what you're actually

1 experiencing. It's only a single-family
2 dwelling. We don't expect all that much
3 activity. But there are regulations for it.
4

5 Additionally, we talked about the
6 highway department. Just for the Board's
7 benefit, prior to the issuance of a building
8 permit the applicant is required to get a highway
9 department sign off which would deal respectively
10 with the location of the pipe and the driveway.
11 So if for some reason you can't get in touch with
12 the superintendent prior to a building permit,
13 that must be done. Like Pat had indicated, it
14 can be a condition of approval as well.

15 CHAIRMAN EWASUTYN: Any additional
16 questions or comments from the public?

17 (No response.)

18 CHAIRMAN EWASUTYN: Pat Hines, who
19 reviewed the subdivision for us, who works for
20 the Planning Board and the Town, we'll introduce
21 him at this point. Pat Hines.

22 MR. HINES: We have comments from the
23 last meeting. The Zoning Board of Appeals'
24 variance has been issued, and those conditions
25 continue to be in effect.

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 project will have a gratuitous offer of dedication for the right-of-way along East Road. There are conditions of approval associated with that.

The highway department's sign off on the driveway is the only other outstanding comment, otherwise our previous comments have been addressed.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No. Just usually when they build a one-family house they'll probably cut in the driveway where it's going to be and usually park their equipment on the driveway and then work off the driveway to build the house. It's only one house so it's not like it's a whole subdivision where they're parking all over to try to find room. It's one house. They'll do the driveway and go in and start building the house.

MR. STRIDIIRON: The biggest noise you're going to have is the well.

MR. GALLI: The drilling.

MR. STRIDIIRON: Cutting the trees in the beginning. That would be the biggest noise.

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 MANN

15

The foundation usually takes a day or two to dig. So it's not -- it's not like you have equipment there every day moving. They move equipment in, they do what they have to do and then they move it out to another job. It's not four months of equipment moving around.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: As far as the cutting of the driveway, there's something called a tracking pad. What you do is you're exposing new earth. There's a certain size stone that is put in in the initial entryway of the driveway. The purpose of that, since they'll be exposing the earth in that area, is to keep mud or soil off the Town road. That's why it's called a tracking pad. It's supposed to minimize tracking onto the Town roads. That sometimes does happen or sometimes isn't done properly and it creates a minor hazard on the roads. So hopefully that will be done right.

Dave Dominick?

MR. DOMINICK: Just by their reaction, Sara and Mark are pretty content and satisfied

with the answers they heard tonight. I don't think I have anything further.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: No comments.

CHAIRMAN EWASUTYN: Before we close the public hearing, are there any further questions or comments?

(No response.)

CHAIRMAN EWASUTYN: Thank you. I'll move for a motion that we close the public hearing on the Lands of Mann, formerly Martin, located on East Road in an RR Zone.

MR. DOMINICK: I'll make a motion.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by Ken Mennerich. I'll ask for a roll call vote starting with Ken Mennerich -- Frank Galli. I apologize.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

1
2 Mike Donnelly, our Planning Board
3 Attorney, isn't here this evening. He has
4 prepared a resolution for final approval for the
5 lands of Mann and Martin. I'll bring that to Pat
6 Hines.

7 MR. HINES: Mike prepared the draft of
8 the resolution. The beginning of the resolution
9 has the standard boilerplate language for a Town
10 resolution, including identifying the plans, the
11 project history, the fact that you previously
12 issued a negative declaration on July 21st.

13 There is no referral to the County
14 required. It doesn't meet any of the distances
15 for that referral.

16 There are several specific conditions
17 which I'll read into the record. Condition
18 number one is the plans shall not be signed until
19 a receipt of a letter from the Planning Board
20 engineer certifying the plans having modified in
21 accordance with his memo of June 13, 2016.

22 Number two is all conditions attached
23 to the grant of the variance issued by the Town
24 of Newburgh Zoning Board of Appeals on 28 May
25 2016, a copy attached, are made part of this

approval. This approval is subject to the same as if those conditions were set forth here at length.

Number three, the approval is subject to review and approval of a driveway utilization by the Town of Newburgh highway superintendent in substantially the same location and configuration as shown on the plans. Should such an approval not be obtained, the applicant must return to the Planning Board for further review.

Number four is regarding an offer of dedication. Before signing of the final plat or plans, the applicant shall deliver appropriate offers of dedication, executed and acknowledged by the owner of the property, in a form suitable for filing in the Orange County Clerk's office and the Town of Newburgh clerk's office for lands shown on the plans to be offered. The offer shall include a metes and bounds description of the parcel. The document should be in a form suitable for recording by the town attorney.

There is a parkland finding. The Planning Board has determined based on the present, future and anticipated need for park and

recreational facilities in the Town, a suitable location for a parkland is not available on this site, therefore a fee in lieu of parklands will be required. The Town of Newburgh fee for parkland is \$2,000 per lot. This subdivision results in one new lot, therefore a parkland fee of \$2,000 shall be required. The fee should be paid to the Town in full before the plans are signed.

Those are the specific conditions in the resolution.

CHAIRMAN EWASUTYN: Mr. Canfield, code compliance, are you satisfied with the resolution?

MR. CANFIELD: Yes. I have nothing outstanding.

CHAIRMAN EWASUTYN: Any questions or comments from the Planning Board?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a motion to grant final subdivision approval for the lands of Mann on East Road subject to the conditions in the resolution which was prepared by the Planning Board Attorney, Mike Donnelly.

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

MR. MENNERICH: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by
Ken Mennerich and a second by Frank Galli. I'll
ask for a roll call vote starting with Frank
Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. Motion
carried.

I thank you for attending.

MR. STRIDIRON: Thank you very much.

(Time noted: 7:16 p.m.)

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

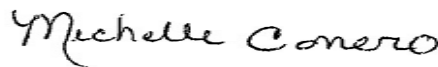
C E R T I F I C A T I O N

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 September 2016.



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

CUMBERLAND FARMS
(2016-05)

270 Route 17K
Section 86; Block 1; Lots 14 & 15
IB Zone

- - - - - X

RETURNING SITE PLAN

Date: August 18, 2016
Time: 7:16 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: RICHARD OLSEN
DAVID GILLESPIE

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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

CHAIRMAN EWASUTYN: The next item on this evening's agenda is Cumberland Farms. It's a returning site plan located on Route 17K in an IB Zone. Here tonight is both Richard Olsen, the attorney for the project, and Mr. Gillespie, the engineer with Bohler Engineering.

Gentlemen, thank you all for coming. We finally got it together.

MR. GILLESPIE: I would like to apologize to everybody for not -- for giving you this information at the last minute. I was rushing to get it. I didn't get it done in time to meet the ten-day submittal. I submitted it at the last minute just to try to get it to everybody. I wasn't thinking obviously nobody is going to have time enough to review this. I apologize. We'll make sure we follow that procedure in the future. I'll communicate better with the Board. If we can't get the information in time, I'll make sure that everybody is aware of that and we'll probably look at maybe, you know, postponing the meeting if need be.

We're here tonight just to update you.

I don't know if Mr. Hines had a chance, I'm sure he hasn't had a chance, to thoroughly review the information that we got him. We did respond to his comment letter. I believe the revised plan set addresses his comments.

Some of the things that we've included that were requested in the letter on the plan set were the stonewall details. We actually presented some pictures of that at the last meeting. The detailed plans of those walls have been submitted in the latest package.

We did an engineer's report that summarized the pump station, the grease trap sizing requirements. All those details are included in that report.

The pump station details have been included in the plan set.

There was a comment about the water service and valves to be separated, the domestic and fire, prior to entering the building. We've updated the utility plan with that type of detail. The separation to the drainage pipes, we've adjusted the water service to provide adequate separation.

I guess we're just here for the update
and to answer any questions that you might have.

1
2 CHAIRMAN EWASUTYN: It's beneficial
3 that you're here because what we realized too is
4 certain actions we can't take now, and I'll have
5 Pat Hines go through his review in general.
6 There are some matters that Pat Hines still likes
7 to have an answer for.

8 I think, Pat, are we in a position to
9 schedule a public hearing at this point?

10 MR. HINES: My first comment is the
11 lead agency circulation times won't lapse before
12 your next meeting. We received the plans the
13 last week of July and sent them out the first
14 week of August, so at the September 1st meeting
15 you wouldn't be able to declare your intent for
16 lead agency yet, or to become lead agency. You
17 do have a September 15th meeting which could
18 potentially have a public hearing scheduled if
19 you were willing to do that before declaring your
20 intent for lead agency. Normally you do a
21 negative dec prior to the scheduling of your
22 public hearing procedurally. That will be up to
23 the Board. Sometime between September 1st and
24 September 15th that time will have expired for
25 any of the agencies to weigh in. So that's a

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

procedural issue that's currently outstanding.

We provided separate stormwater management comments based on the report that was submitted at the July meeting which I believe you have, some technical comments that were attached to our latest memo.

MR. GILLESPIE: I did not receive the separate stormwater comments. I responded to the letter we received at the last meeting.

MR. HINES: Right. I generated new comments for this meeting. I will get you those. I know they were posted on the Town site. Normally we send them out, too. I will get you those.

I think an important aspect here is the coordination with the two highway agencies, the DOT and the County. That's a major issue there, to make sure that the County will allow those two access drives. It's kind of contrary to their policies and procedures.

MR. GALLI: I'll give him mine, Pat.

MR. GILLESPIE: Thank you.

MR. HINES: It doesn't meet their policies and procedures to allow those two access

1 drives in proximity to the intersection. I think
2 we need to know this site is going to function
3 this way and they are going to allow you two
4 entrances. I've seen cases where corner lots at
5 the County and State highways, each of the
6 agencies point to the other and say since you
7 have access to the other agency's roadway,
8 eliminate the one on our roadway. Hopefully that
9 won't happen for you. It's been our comment
10 recurring. Maybe a meeting with those agencies
11 would be in order to make sure that your project
12 moves forward. Just a note that any
13 correspondence from those agencies -- to and from
14 those agencies should be submitted to the
15 Planning Board to complete it's records. If you
16 are corresponding with them, to follow up with
17 the Planning Board to have a complete record.

18 You did have the signage chart, which
19 we saw on the plan sheets, which meets the code.

20 The detailed design of the pump
21 station, I know I received it. I did read your
22 cover letter so I know there is the pump station
23 report there. The only question I have is the
24 plan shows a six-inch force main --
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

MR. GILLESPIE: I think I -- are you sure that I didn't -- I'm pretty sure I did that.

MR. HINES: July 25th. I didn't look at the plans you sent yesterday.

MR. GILLESPIE: Those have been updated. Two-inch pressure --

MR. HINES: That would make more sense. The other issue I have, and I know you commented on, I still have a concern that your stormwater management facility discharges to that closed pipe drainage system which traverses a couple of private properties, the State highway and discharges to the residential subdivision in the rear. Operation and ownership of that still in my mind is an issue because if something happens there, if one of those pipes collapses, if anything -- someone clogs that up, changes anything there, your system then will not function. You don't have an alternative. It will overflow, back up and basically flood your site.

MR. GILLESPIE: Well we did -- if you look at the updated drainage plan, we did put an overflow for the system. That's one thing that

1 we added. So, you know, again I mean I looked at
2 this in detail since that last meeting. I looked
3 at the watershed maps. I walked as much of this
4 as I could. I've been out here. One of the
5 things that I determined is, you know, obviously
6 this is an established drainage path for multiple
7 lands. It's taking on water from a lot of land.
8 This is taking on water from a lot of land.
9 Cumberland is a very small piece of the puzzle as
10 far as this established drainage channel that's
11 probably been here for a very long time. The
12 flows go there today. We're going to reduce it.
13 I mean we're going to improve the situation
14 dramatically. If you look at the flow rates, the
15 reduction we're getting for each of the storms is
16 significant, the runoff reduction. So I mean
17 it's not like we're doing nothing. I mean we're
18 doing above and beyond what DEC is requiring us
19 to do to protect the channels, downstream
20 channels.
21

22 MR. HINES: I don't have an issue with
23 your stormwater management. I have an issue
24 should -- right now I don't know who owns that,
25 who has access to it if something occurred.

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

MR. GILLESPIE: I would -- it seems -- you know, this were put in to get additional truck parking for that property. If you look at, you know, where it is and what's happening in the back of the site, that would seem to be -- you know, that's why that pipe was put in for that drainage channel. I can't --

MR. HINES: It looks like it comes around, turns back into 17K and discharges into some residential properties.

MR. GILLESPIE: This is under some parking. Yes, it does. It crosses right over here in a large culvert.

MR. HINES: I'm aware of some neighborhood concerns regarding that. At the public hearing you're going to hear from the neighbors in the adjoining subdivision that pipe is an issue.

MR. GILLESPIE: The one crossing 17K?

MR. HINES: That this all is tied into.

MR. GILLESPIE: Again, I'll speak to what we're doing to -- as our part of this very large watershed, we're doing everything possible on our site to improve what we're discharging

1 into this established drainage channel. I mean
2 we don't have control over downstream properties
3 and, you know, nor -- nor should we probably be
4 responsible for -- I mean God, this drainage
5 channel is no different than any drainage channel
6 in any town U.S.A. I mean water is going to flow
7 downhill. People -- there's really no other
8 place for the water to go. You know, what our
9 responsibility is is to mitigate our discharge as
10 much as possible and per the DEC regulations. So
11 we're going to improve what's happening on our
12 site. Our small little portion of this is going
13 to improve significantly.

14 MR. HINES: You are reducing your peak
15 but the volume obviously is going to be more. We
16 do analysis when you reduce the peak discharge
17 but the overall volume discharging through there
18 obviously increases due to the impervious
19 surfaces. This is an extension of a DOT drainage
20 system. I believe it physically ties into DOT's
21 drainage system.

22 MR. GILLESPIE: This is a DOT structure
23 over here. Yes. Right about here. So this hits
24 a culvert and ties into the DOT structure.
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

That's correct.

MR. HINES: It's closed pipe the whole way I believe. Is it not?

MR. GILLESPIE: This is -- well, there's an open area. There's -- it kind of daylights right about here. It's in a green space. It's kind of overgrown but it's daylight for a small overgrown portion and then it goes into a pipe.

MR. HINES: The question would be if you would be willing to approach your neighbor and obtain an easement to discharge through there such that if something happened you would have the ability to maintain it. Somebody would have the ability to maintain it. I guess I'll defer to Mr. Olsen.

MR. GILLESPIE: I guess that would be more of a legal question. You know, what I would, you know, ask you is to at least look at what we've done in that we have made an overflow connection that would allow for -- it would prevent the site from flooding if something did happen. Again, I don't --

MR. HINES: I did not review that, the

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

recent submittal. We will do that as well.

MR. GILLESPIE: You know, certainly we can talk about it further.

CHAIRMAN EWASUTYN: Mr. Olsen, any comment on the potential easement that Pat Hines raised?

MR. OLSEN: I'm going to pull the title report first and see if we have anything and then I'll take a look at that question.

CHAIRMAN EWASUTYN: Okay.

MR. OLSEN: This sounds like we would be maintaining a system that benefits the entire Town, not just our site. I'll take a look at it.

CHAIRMAN EWASUTYN: All right. Pat, any questions based upon what you have to date?

MR. HINES: That's all we have on this.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: I have nothing.

CHAIRMAN EWASUTYN: All right. I'll open it up to the Board Members. Frank Galli?

MR. GALLI: I just have one question. You said you're picking up water also from the other side of Rock Cut Road from your site?

MR. GILLESPIE: Well yes. There's a

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

culvert. We're not picking it up. This is the drainage.

MR. GALLI: There's a culvert?

MR. GILLESPIE: Yes. There's a culvert right here. This is a very large area that drains across here into this channel and then back out. So I mean this is -- this is just the topography of the land. You know, obviously when the road was built this culvert had to be put in. This channel probably existed for a long time. This property owner put in a culvert to be able to park over top of it. I mean if that's -- to say that that should be or Cumberland's responsibility I don't think is our -- our opinion is that would not be appropriate. We would certainly again mitigate everything. We could maintain this channel. We could certainly put some inlet protection and try to clean up that outlet and maintain our system.

MR. GALLI: If it's clogged it's all going to go on your property.

MR. GILLESPIE: Again, we did add something into our system that would allow for an overflow if that would happen.

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

MR. GALLI: Where does it start
draining into the front part on your property?
Whereabouts on the property does it start
draining to the front and where does it start
draining to the back?

MR. GILLESPIE: It's about split right
here.

MR. GALLI: There's no way you could
run it towards the front?

MR. GILLESPIE: We tried to maintain
the existing drainage paths. Currently, you know,
a portion of the lot drains to the back, the
other portion of the lot drains to the front,
that way if you can, you know, mitigate those
flows to at or below those conditions you kind of
met your goals as far as having any impact.

MR. HINES: The front of the site
ultimately discharges at the same location as the
rear.

MR. GILLESPIE: That's true. They all
meet right here. So it's a very short, you know,
difference between where they ultimately cross
17K.

MR. GALLI: Okay. We'll see what the

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

public says.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Speaking of public, before we have the public hearing I think we have to have something definitive from the County and the State concerning the entrances, because it doesn't make any sense to have a public hearing and then find out that it's all going to be changed.

MR. HINES: I don't even think we necessarily need their permit in hand. A conceptual approval from both of those agencies I think would be appropriate.

CHAIRMAN EWASUTYN: One more time. They have until when to respond?

MR. HINES: As far as the lead agency, I think it's August -- September 9th when that expires. It may be the 8th based on the number of days in August, I'm not sure. That's just lead agency coordination. They don't have a timeframe when they have to respond to Mr. Gillespie's application.

CHAIRMAN EWASUTYN: The County or the DOT?

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

MR. HINES: I don't think either of those agencies are going to want to be lead agency for the project. We do want some kind of conceptual approval for the access roads.

CHAIRMAN EWASUTYN: You did say at our work session that Mike Carol is the only engineer right now that represents the County.

MR. HINES: It's my understanding Mike Carol, because of some attrition in the County DPW, is the only permit engineer right now. He's a little busy. Often times he's willing to come out and meet in the field to discuss those locations separate from the actual official application.

MR. GILLESPIE: We'll certainly reach out and see if we can make that happen.

MR. HINES: Siby Zachariah is the DOT permit --

MR. GILLESPIE: Would you want to be part of that meeting?

MR. HINES: Not necessarily. I just have a concern that the two entrances on the County road close to that intersection may not meet their policy and standards. I have a

1 situation in another town where both of those
2 agencies pointed to the other agency and told
3 them put your access point on the County road and
4 the County told them to put the access on the
5 State road. There that project sits.

6
7 MR. GILLESPIE: I mean we've heard
8 that. Usually they can understand the truck
9 delivery, the fuel. This is so far away.
10 Hopefully they can see the logic behind
11 separating the deliveries. I mean this site
12 could function without that but it just functions
13 better in my opinion.

14 CHAIRMAN EWASUTYN: Dave Dominick?

15 MR. DOMINICK: I am going to echo what
16 Pat said, Frank said, Ken and John, you have to
17 look at the drainage for 17K coming across. It's
18 going to be an issue with the neighbors. You
19 have to go back to the drawing board, see what
20 you can do, come up with some options. If an
21 easement is the way to go, go down that road and
22 see how that can be resolved. When you do come
23 back, I do hope you have accurate information and
24 accurate plans and accurate stuff in front of us
25 to go off. A lot of this sometimes is a little

speculation, ambiguities, you didn't get what Pat said, Pat didn't get what you said. Let's have all that cleared up so we're good to go for the meeting. It's the varsity team now, okay.

MR. GILLESPIE: Got it. Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I'm ditto'ing the same thing. With the public, they're very knowledgeable of the site and everything else. I agree not to have the public hearing until we hear something of a response. It's important because you just don't want to make it look like you had two entrances and all of a sudden there was one, you know.

MR. GILLESPIE: I understand.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: Also understanding that you're working with a time clock associated with this project. I think that's why we're here tonight. We're looking to accommodate what we thought would satisfy all parties. I apologize for bringing you here but we left off this is when you would be here. It could be a benefit to you being here tonight.

1
2 If I listened to the Board Members,
3 listened to Pat Hines, at this point, and I'm
4 talking openly, it seems like the logical date to
5 put you back on the agenda would be the meeting
6 of the 15th of September. That's much further
7 along than I think you had anticipated. That's
8 not to say that we're looking to stall this
9 project. We're just looking to have all the
10 information in hand. That being said, if you're
11 on for the 15th, we would allow for mailing -- we
12 couldn't establish a public hearing date until
13 which meeting in October, the first or second?

14 MR. HINES: Let me just take a look at
15 the calendar. If they are on -- if they are on
16 for the 15th there would be three weeks between
17 the October 6th meeting. So if on the 15th the
18 Board scheduled a public hearing for the 6th, we
19 could get the notifications out in time.

20 CHAIRMAN EWASUTYN: For which meeting?

21 MR. HINES: If you neg dec the project
22 on the 15th, schedule the public hearing for
23 October 6th, we could make those dates. There's
24 five Thursdays in September.

25 MR. OLSEN: We'll have some information

1 from DOT.

2
3 CHAIRMAN EWASUTYN: Again, we all start
4 out sort of apologizing. I think that's
5 appropriate. In most cases, you know, we
6 understand that, you know, we're all sort of
7 caught in the scenario. We have to provide good
8 service to people like yourself and to the Town
9 also. So if it's okay with you, we'll have a
10 goal in mind of seeing you on the 15th.

11 MR. OLSEN: That's fine. We're not
12 going to be building this season.

13 CHAIRMAN EWASUTYN: Thank you. Even
14 for what you may or may not have with any
15 contractual agreements as far as the properties
16 you're buying, you have the task of hooking up
17 with Mr. Carol and Siby Zachariah.

18 So with that, I think, would everyone
19 agree, we'll set this for the meeting of the 15th
20 of September?

21 MR. GALLI: Yes.

22 MR. HINES: The five Thursdays in
23 September will help.

24 CHAIRMAN EWASUTYN: Good. Thank you
25 for coming out.

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

MR. GILLESPIE: Thank you.

MR. OLSEN: Thank you.

CHAIRMAN EWASUTYN: Just for the record, we're going to be setting this for the next return for the meeting of the 15th of September, and at that point we'll be able to make a SEQRA determination and look to schedule it for the 6th of October for a public hearing.

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

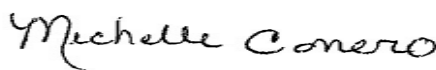
C E R T I F I C A T I O N

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of August 2016.



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

LONGVIEW FARM
(2006-39)

Section 20; Block 1; Lots 1 & 3.35

Extension of Approval from
August 18, 2016 through February 16, 2017

- - - - - X

SUBDIVISION UPDATE

Date: August 18, 2016
Time: 7:40 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: THOMAS DEPUY

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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

CHAIRMAN EWASUTYN: The next item on this evening's agenda is Longview Farm. We received a letter from Mr. Depuy for an extension of that. This project has a history dating back to '06, 2006, so it's approximately eleven years in the making.

We'd like to have a little history as to when the Town may see this.

MR. DEPUY: I'll just give a quick little refresher of where it was. It was located off of Barbara Drive, Holmes Road. What it basically did was interconnect what was Palmerone/Taylor, the Merritt Lane project, and was eventually going to come down and hit the Hickory Shadow project. It's basically this area here. Section 1 was built but section 2 and 3 was never built. We've been asking for extensions on it. What it basically does is interconnects all the other subdivisions. I know there's a lot of history to it. It's made up of three or four different parcels that we consolidated and we're re-subdividing.

Basically what it's been caught in is a bunch of lawsuits between the multiple owners.

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

One of the companies was going bankrupt, that got blocked. Basically they're supposed to hear in the next six months whether that's not going to occur. We'll probably reactivate the project at that time to try to get it rolling again.

So that's basically where it stands. They pretty much kept it intact because it interconnects all the other subdivisions that had been done through that area.

MR. GALLI: Didn't a couple of the roads they closed back off? Merritt Lane was open and then they redid it or something up there?

MR. DEPUY: Yeah. There was the new Merritt Lane alignment and then the old alignment is still kind of there. It actually -- this did get activated and then -- that's actually on the Hickory Shadow subdivision. I think that was still going through. That went into -- they pulled the bond on the project to finish up the stormwater work and everything like that.

MR. HINES: That was the Taylor parcel or something? The Palmerone parcel?

MR. GILLESPIE: Palmerone, yup.

1
2 Basically what caused it not to be
3 completed is the multiple lawsuits between Ham
4 Staples and now it's Bob Hankins is the main
5 owner of it. That's where it was at. They're
6 finally looking to get that resolved.

7 MR. GALLI: Once the lawsuits are
8 resolved do you think they're going to move
9 forward with the project?

10 MR. DEPUY: Yeah.

11 MR. GALLI: There's been a lot of
12 extensions since '06.

13 MR. DEPUY: Yup, yup. Like I say,
14 section 1 got built out and they are both dead
15 ends. This is supposed to be interconnected and
16 that was to interconnect to that. The future
17 connection was down through there, back down to
18 Merritt Lane.

19 CHAIRMAN EWASUTYN: Ken Mennerich,
20 questions?

21 MR. MENNERICH: No questions.

22 MR. DOMINICK: No questions.

23 MR. WARD: No questions.

24 CHAIRMAN EWASUTYN: Jerry Canfield?

25 MR. CANFIELD: I have nothing.

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

LONGVIEW FARM

49

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: I don't have anything. I know there's quite a history here. Some of the Board Members are relatively new. I believe that's why you brought them in tonight, to update them on it as well.

I was interested to know who your client was at this point. You don't have to answer that.

MR. DEPUY: Bob Hankins, he's involved with the lawsuits with Ham Staples and everything.

MR. HINES: I don't have anything further on it.

CHAIRMAN EWASUTYN: Okay. So I don't remember now, have we granted a six-month extension?

MR. GALLI: I think we did ninety days.

CHAIRMAN EWASUTYN: That's why we asked you to come forward. So at this point you're looking for a further extension?

MR. DEPUY: Right.

CHAIRMAN EWASUTYN: It will be ninety days from what date? From today's date?

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

MR. DEPUY: Today's date.

CHAIRMAN EWASUTYN: Six months?

MR. HINES: It sounds like six months
is more appropriate.

CHAIRMAN EWASUTYN: Six months from
today brings us into what? February 18th?

MR. HINES: Yes. Your meeting would be
the 16th of February.

CHAIRMAN EWASUTYN: Just to make it
coincide with that meeting, the 16th of February
2017.

I'll move for a motion to grant a
six-month extension for Longview Farms/Summer Kim
Corp to February 16, 2017.

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by
Frank Galli. I have a second by Ken Mennerich.
I'll ask for a roll call vote starting with Frank
Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

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

LONGVIEW FARM

51

CHAIRMAN EWASUTYN: Aye.

(Time noted: 7:46 p.m.)

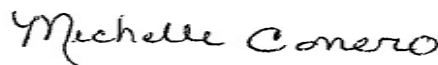
C E R T I F I C A T I O N

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of August 2016.



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

MEADOW HILL EXPANSION, LLC
(2016-07)

Meadow Hill Road
Section 60; Block 1; Lots 9.1 & 9.2
R-3 Zone

- - - - - X

AMENDED SITE PLAN

Date: August 18, 2016
Time: 7:46 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JOHN CAPPELLO
JOSEPH SARCHINO
BRUCE ENGLEBAUGH

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

1
2 CHAIRMAN EWASUTYN: Next is Meadow
3 Hill Expansion, LLC. It's in an R-3 Zone.
4 It's an amended site plan and it's being
5 represented by John Cappello.

6 MR. CAPPELLO: Good evening, everyone.
7 I'm sure you'll all recall last month we had a
8 public hearing on this application. I'm merely
9 going to turn this over to the project engineer
10 now, Joe Sarchino, who is going to just go
11 through some of the project revisions that we
12 made in response to some of the comments we heard
13 from the public and from your consultants, and
14 then hopefully we can move forward from there.

15 Unless the Board has any questions, I
16 would just hand it over to Joe.

17 MR. SARCHINO: Based on the public
18 hearing, there were a few items that we revised
19 the site plans on.

20 One notable thing was there are some
21 boulders located by the driveway that leads to
22 the shed that was going to be saved here. We
23 noted on the plan those boulders should be
24 removed.

25 We checked the truck turning template.

1 We submitted a truck turning plan which showed
2 the fire truck -- Town fire truck, which is 46
3 feet long, the ladder truck that's 46 feet long
4 that is, and shown by this colored line through
5 here. The truck maneuvered the site
6 appropriately. There was one area, and I think
7 that was brought up at the meeting, that we had
8 to widen a bit, this emergency drive here that
9 brings us to Meadow Hill Road. That was widened
10 out to accommodate the fire truck.
11

12 The other thing that we did, there was
13 a neighbor, Ms. Selby, her house is located up in
14 here, and one thing that she was concerned about
15 was softening the entrance so you don't see
16 through to the project so much. Also when we
17 were out in the field she was concerned about
18 trucks coming up and lights through this part of
19 the project. What we did is -- on the previous
20 plan the landscaping was relatively minor. As
21 promised, we increased the amount of landscaping.
22 So this was the original plan here. The
23 landscaping was up front here. We still had the
24 bus stop. There really wasn't much evergreens
25 along this portion of the property. This is the

1 proposed plan. You can see the difference
2 between the two. There were thirteen trees
3 proposed in this general area previously.
4 There's now seventy-one trees proposed. The
5 darker ones are the evergreen trees. They're
6 supplemented with shrubs and trees. We think
7 it's a substantial improvement for her. It still
8 maintains the bus stop and the sidewalk coming
9 along here accessing Meadow Hill.
10

11 The bus stop was shown in the previous
12 -- during the public hearing, that was twelve by
13 twelve and there were two six-foot benches at the
14 bus stop. We hope for twofold, to soften the
15 entrance view in and also screen with all these
16 evergreens the entire length here toward Ms.
17 Selby's property.

18 MR. HINES: That has to do with the
19 neighboring landscaping. My comment 9, I was
20 under the impression at the public hearing it was
21 the across-the-street neighbors that were
22 commenting on the landscaping. At the work
23 session we had the ability to discuss that and
24 that was the neighbor that Mr. Sarchino just
25 addressed.

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

MR. SARCHINO: You know what Pat, I thought the same as you, then I talked to her out in the hall and we met her in the field and she actually lives here.

MR. HINES: I found that out at work session. This plan does address that issue although my comment said it didn't. I thought it was the across-the-driveway neighbors.

MR. SARCHINO: In the field we met with her too. It's the white house here. So what she was concerned about was when she drives here seeing, and then also the cars coming back up the road. We think we took care of that.

We also submitted a lot consolidation plan that was requested. Basically it's just eliminating the Perger parcel here. It will just create one single parcel now.

The plans that were submitted also address the site. They represent the two-and-a-half foot increase in the elevation to balance the cut and fill now that we incorporated this into one project.

That's about all I have. With that I can turn it over to the project architect and he

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

can review some of the changes in -- the
architecture improvements I should say.

MR. HINES: The only comment on the
grading, did you see the comment regarding the
emergency access drive? There seems to be
something happening there.

MR. SARCHINO: Basically -- Pat is
correct. The spot grades that we showed there
were based on a field survey. What we're having
done right now, Pat, so we can correct that is
we're getting an as-built survey or field survey
of this area here. It will show the grades and
we can tie them in properly. That will be on the
next set.

MR. CANFIELD: One comment, Joe. The
maximum grade for emergency access is ten
percent.

MR. SARCHINO: Okay. I will make sure
it works for that.

MR. ENGLEBAUGH: Good evening. Bruce
Englebaugh with the firm of Minno & Wasko
Architects.

What I was going to talk about this
evening is three of the buildings we have

1 changed. One is this building down here which
2 used to be 21 -- used to be 18 dwelling units and
3 it's now 21. It's going to be a senior building.
4 These two buildings right here, they used to be
5 12 and now they are going to be 10.

6 We'll take a look at the senior
7 building first while this is up here. The
8 easiest thing to do to understand the difference
9 is you can see this is basically very close to
10 the same footprint of that 18-dwelling unit
11 building. That was so we could get the density
12 and maximize the floor area for those units in
13 there. These units are -- you can see are very
14 similar to these 18-dwelling unit buildings.
15 They still have the courtyard. All we did, and
16 you'll see it when we get to the elevations, we
17 just deleted 2 units off of the top. You could
18 totally understand it now.

19 We'll move on to the drawings. I'll
20 put this down here so you can still reference it.
21 This would be the senior living building. You're
22 looking at the front elevation. It's probably
23 easier if we compare the same 18-dwelling unit
24 building.
25

1 So this is the 18-dwelling unit
2
3 building. You can see we've tried to maintain
4 that same massing with the hip roofs. We've
5 articulated with gables. We still have the
6 garages in the front like we used to. This is
7 that little inset I was telling you about which
8 is where these little courtyards are, and that's
9 what's disappeared around the senior building.
10 We do have entrances, one, two, three and four,
11 and each one of these would go up and serve four
12 units on the upper level and two units on the
13 lower level, and then they would have common
14 access to the garages.

15 We have here the side elevations and
16 the end elevations. Again, they are very similar
17 to the buildings that we approved earlier, the
18 18-unit dwelling buildings.

19 MR. HINES: How do we get to 21 with
20 that math?

21 MR. ENGLEBAUGH: Let me show you a
22 building. These are the four entrances, one,
23 two, three, four, that we were just talking
24 about, and then on the lower level, one, two,
25 three, four, five, six, seven, and then the

remainder are all upstairs. If you add them up you get 21.

MR. HINES: Okay. The four and six was the confusion.

MR. ENGLEBAUGH: I'm sorry?

MR. HINES: When you said there was four above and two below, that was the confusion I had.

MR. ENGLEBAUGH: What I was referring to is when you come up there's four units that are served by that single entrance that go upstairs and then there's two below. That would be a party wall or firewall there.

MR. CANFIELD: Did you say party walls? There's actually party walls?

MR. ENGLEBAUGH: Yeah, there is a party wall. This would be a wall that would go straight up.

MR. HINES: Two-hour separation.

MR. CANFIELD: It's a fire separation. Party walls are non-penetratable, which would change your layout entirety. So they're not party walls?

MR. ENGLEBAUGH: No.

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

MR. CANFIELD: Okay.

MR. ENGLEBAUGH: So the unit floor plans, when you look at the colors here they tend to look a little more complicated than they really are. The lower level, they're all basically the same partition arrangement. We're showing the two end units. What that means is this end unit right here has windows. Actually, this whole wall has windows. When it's on the inboard side, everything in this violet color -- you see that space there becomes a den. Upstairs in the back we basically have the same thing. It's the same partition arrangement all the way through. It's just the green unit on the end, they have the windows so they get a little better exposure, and of course the rent is a little higher as well. Again, we have two end units here that are slightly different than all the interior units.

I know these are probably too small for you to see. These are basically the unit plans. Unit A is the one that was on the end that we were talking about, and it's the one that gets the bedroom. This is the B unit which is the

1 interior, which are these units right here. This
2 is the D unit which is right here. It's a
3 one-bedroom. Again, these are all the same
4 partition arrangement. You see that that is unit
5 C up there and this is unit E right in here. The
6 only two-bedroom one we have is these two lower
7 corners.
8

9 So this is the 10-unit building we were
10 talking about, which would be this one. Just to
11 compare -- give me a moment. This would be the
12 12-unit building that we approved earlier. You
13 can see overall this has the same general
14 character, same materials, same massing. We
15 tried to keep these hip roofs as you see here.
16 The change you can see is right here. This is
17 where that central courtyard is, one here and --
18 actually that's the only one right there. What
19 we did is we cut the roof back here so this unit
20 disappeared. You can see that that's where this
21 roof line comes down here. We had a single story
22 garage with a gable over it right there. So
23 that's the big difference. It's this exact the
24 same footprint with two units on the upper level
25 taken out which opens up the courtyard here a

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

little bit.

 This would be a floor plan of that.
This is where you see that courtyard in the
center we were just talking about, and then here
you can see the roof area which is where those
units were. That's before we cut it out right
here.

 One benefit we did have, the old plan
had the end of the unit right here. We pushed
the wall towards the center line here. So we got
a nicer two-bedroom unit up on top. That's
really how we achieved this 10-unit building.

 That's it for the two buildings, the
senior building and the new 10-unit building.

 CHAIRMAN EWASUTYN: Okay. Anything
else?

 MR. CAPPELLO: Just whatever the Board
has questions about.

 CHAIRMAN EWASUTYN: Frank Galli?

 MR. GALLI: No additional questions.

 CHAIRMAN EWASUTYN: Ken Mennerich?

 MR. MENNERICH: I think you've done a
good job in addressing the issues that were
brought forward at the last meeting.

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

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: I agree with Ken.

Thanks for addressing Ms. Selby's landscape.
That's going to give great curb appeal to the
project.

Also my concern about that turning
radius on Meadow Avenue, the access road,
widening that. Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I just have a question.
Basically Jerry, with the firewalls, would that
be in the specs?

MR. ENGLEBAUGH: The what?

MR. WARD: The firewalls in between the
units.

MR. ENGLEBAUGH: Yes.

MR. WARD: That would be in the specs?

MR. ENGLEBAUGH: Yes. It would be in
the construction drawings.

MR. WARD: That's what I'm asking.

I want to say thank you for
accommodating the neighbor there. You did a nice
job with that.

CHAIRMAN EWASUTYN: Jerry Canfield,

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

anything to add?

MR. CANFIELD: Nothing outstanding.

MR. HINES: Mr. Sarchino hit each of my comments in the letter.

The only outstanding issue is the City of Newburgh flow acceptance letter. The language in the agreement with the City of Newburgh is that the Board can't take action until we receive the City of Newburgh -- the flow acceptance approval from the City. So we're kind of at a stalemate right now of what you can do. That seems to be the only outstanding issue left.

We did suggest we would review the revised landscaping and stormwater cost estimates with regard to the amount of the bonds posted now. The sooner we can get those, we can have those in the cue with the Town Board to keep that moving forward as well.

CHAIRMAN EWASUTYN: Jim Osborne, on the 17th of August, referred the City flow acceptance letter to Mr. Maurice who represents the -- who is the engineer for the City of Newburgh. So they have -- they really don't have a set time to respond.

1 The question before us this evening is
2
3 do we set this for an agenda item? Our next
4 meeting is September 1st and the meeting after
5 that would be the 15th of September. So let's
6 put that on the table for discussion.

7 MR. CAPPELLO: We would certainly
8 request that it be on for the 1st and know that
9 it's up to us to hound or do a -- to make sure
10 you have the letter. I mean I certainly would
11 communicate -- if you don't have a letter by
12 then, we understand that it could be put out to
13 the 15th. We'd like the opportunity to -- you
14 know, we are working on it and it's really
15 important to coordinate the grading that we work
16 as fast as we can to get this portion approved.
17 So I would request that the Board, if possible,
18 place that on the agenda for the 1st.

19 CHAIRMAN EWASUTYN: I'm fine with that.
20 I believe the Board is fine with that.

21 Is there a window when we then decide
22 to pull it before we publish it is the question
23 that I ask?

24 MR. CAPPELLO: I don't know what date
25 you -- I mean if you want to give us a date, then

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

we'll --

MR. HINES: We typically post the
agendas the week before the meeting.

CHAIRMAN EWASUTYN: That Thursday
before the meeting. That date would be when?

MR. HINES: Next Thursday, the 25th.

CHAIRMAN EWASUTYN: What do you think?

MR. CAPPELLO: We'll do our best to
have it to you by the 25th. I mean it shouldn't
be much for them to review. They gave the flow
acceptance letter to 160 units. The additional
21, I don't know but I will be calling Jason.

CHAIRMAN EWASUTYN: So for now we'll
set this for an agenda item for the meeting of
the 1st of September with the understanding that
the applicant will do his due diligence to try
and have a response from the City of Newburgh by
the 25th of August, and that if it isn't in hand
we'll set it for the next meeting date of the
15th of September.

MR. CAPPELLO: That will be fine.

CHAIRMAN EWASUTYN: What we're finding
is looking to provide service and accommodate
applicants we're kind of setting dates that may

1
2 or may not be realistic and at the last minute
3 people are asking to sort of be withdrawn from
4 the agenda. There's a lot of time and effort
5 that goes into setting an agenda and scheduling
6 things. We're trying to find an easy way to
7 accommodate everyone.

8 MR. CAPPELLO: We understand it's our
9 job to do what we can to get that letter.

10 CHAIRMAN EWASUTYN: If the Board
11 approves, we'll set this for the meeting of
12 September 15th.

13 MR. GALLI: So moved.

14 MR. MENNERICH: Second.

15 CHAIRMAN EWASUTYN: I have a motion by
16 Frank Galli and a second by Ken Mennerich. I'll
17 ask for a roll call vote.

18 MR. GALLI: Aye.

19 MR. MENNERICH: Aye.

20 MR. DOMINICK: Aye.

21 MR. WARD: Aye.

22 CHAIRMAN EWASUTYN: Myself. So
23 carried.

24 Thank you.

25 MR. CAPPELLO: Thank you very much.

(Time noted: 8:07 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of August 2016.

Michelle Conero

MICHELLE CONERO

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

- - - - - X
In the Matter of

BARRON/MONACO
(2016-08)

416 Rock Cut Road/26 Copper Rock Road
Section 125; Block 1; Lot 13
R-1 Zone

- - - - - X

LOT LINE CHANGE

Date: August 18, 2016
Time: 8:07 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: BRIAN BABCOCK

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

CHAIRMAN EWASUTYN: The last item on the agenda is Barron/Monaco. It's a lot line change located at Rock Cut Road and Copper Rock Road. It's in an R-1 Zone. It's being represented by Engineering Properties.

MR. BABCOCK: I'm Brian Babcock, I work for Engineering Properties.

As the Board recalls, we had this plan before the Board for the lot line change between Nickolan/Barron and Monaco/Franco. It was a simple lot line change because over the years the Monaco's lawn had invaded the wooded lot behind them, and then four or five years ago they began constructing homes in the Mountainview subdivision and then it was discovered. When I laid out this house and I did the survey for the Barron parcel, we discovered it. The Barrons went and closed anyway and we were left with this situation where we have the lawn on Barron.

Barron and Franco have come to an agreement that they could do a simple land swap, a small piece, 2,700 square foot, would go to Mrs. Barron that is currently owned by Mrs. Franco, and Ms. Barron would convey about 5,300

square foot of land over to Monaco to resolve the situation.

The Board reviewed it and Pat stated that, you know, it all seemed to make sense. You know, since we were doing a lot line change the relief from some of the nonconformities that the Franco's had was no longer grandfathered. We left and went to the ZBA. The ZBA was asked to consider granting us a side yard variance, a lot area variance and a lot width variance. The lot conformed to the zoning at that time, when it was first built, okay, but it no longer conforms to the new zoning that you have in place. The ZBA, seeing that the hardship was not self-inflicted, granted us all three waivers -- all three variances.

So we're back before the Board now to try and move this along.

CHAIRMAN EWASUTYN: Pat Hines, do you want it bring us along?

MR. HINES: The project did receive it's ZBA variances on 28 July. The lot lines have been modified per our comment regarding the fifteen-foot separation from the well, the

1 existing well on the house that fronts on Rock
2 Cut Road.

3
4 The only outstanding item also is a
5 comment we have which I was able to discuss with
6 Mike Donnelly at the last meeting. We believe
7 that the -- because the Mountain Lake subdivision
8 had a conservation easement which encumbers the
9 portion of this lot being transferred to the
10 existing house, we're suggesting that the deeds
11 reference the conservation easement. The map
12 note has been added but the deed will further
13 alert anyone that the land being transferred to
14 the house that fronts on Rock Cut Road is
15 encumbered by that conservation easement.

16 Mike Donnelly's comment is it continues
17 to be encumbered but just so future purchasers
18 will be aware that it is, we're suggesting the
19 deeds also reference it. Mr. Babcock
20 acknowledges he can do that when he writes the
21 deeds. We're suggesting that be a condition as
22 well.

23 CHAIRMAN EWASUTYN: Jerry Canfield?

24 MR. CANFIELD: I have nothing.

25 CHAIRMAN EWASUTYN: Comments from Board

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

Members?

MR. GALLI: No additional.

MR. MENNERICH: Do I understand where it says free of conservation easement, that's going to disappear on the map then?

MR. HINES: No.

MR. BABCOCK: Pat, there's one area, the portion of land that was once Franco's that she's giving -- that she's giving to Barron is not subject to a conservation easement.

MR. HINES: Right. That doesn't have it. That's correct. The portion of land. As you just said, that portion is not currently encumbered and will not be based on this.

MR. BABCOCK: I just want to make it clear.

MR. HINES: That portion of land is currently owned by the lot of Rock Cut Road and is going to the lot in the Mountain Lake subdivision.

You can't get to it but through the conservation easement. It's not currently encumbered. That's why those deeds will clean that up when they reference that.

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

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: No questions.

MR. WARD: No questions.

CHAIRMAN EWASUTYN: We received a review comment letter from Mike Donnelly. What he is advising us is that we need to take a SEQRA action on this before we could act on the resolution of approval.

MR. HINES: The project is an unlisted action. You are the only involved agency on the project, so you are the lead agency by default. We would recommend a negative declaration. There's no proposed construction, just changes on the map.

CHAIRMAN EWASUTYN: Having read Mike Donnelly's memo and having heard from Pat Hines, Planning Consultant, I'll move for a motion to declare a negative declaration for the Barron/Monaco lot line change.

MR. DOMINICK: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by John Ward. I'll ask for a roll call vote starting with Frank

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

Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion
carried.

At this time I'll turn to Pat Hines,
Planning Consultant, who will read into the
minutes the resolution prepared by Mike Donnelly,
Planning Board Attorney.

MR. HINES: Mike has prepared a
resolution for the lot line change. It
references the zoning district as R-1. It is in
the RR Zone I believe.

MR. BABCOCK: R-1.

MR. HINES: Is it R-1? So that is
correct.

The boilerplate language is there for a
typical resolution. There is no public hearing
required on the lot line. Your ordinance does
not consider lot lines subdivisions. Similarly,
there is no Orange County Planning referral
required. You just issued the negative

1 declaration. There are specific conditions
2 identified. One being the deeds shall include
3 reference to the conservation easement. Number
4 two, all conditions attached to the granting of
5 the variance issued by the Town of Newburgh
6 Zoning Board of Appeals on 28 July 2016 are made
7 part of this approval. Number three, the
8 applicant must confirm there are no buried
9 utilities in the lot areas to be transferred.
10 The applicant's surveyor shall include the
11 following note, and there's a note that Mike
12 requires on lot lines: From the best available
13 knowledge there are no buried utilities within or
14 adjacent to the lot line change that will cause
15 encroachments or cause violations of the State
16 Sanitary Health Code. That will be a note
17 required on the map. The map must be filed with
18 the Orange County Real Property Tax Service
19 Agency. No deed may be recorded until such map
20 is filed. The map shall provide dimensional data
21 regarding the resulting parcels. The applicant
22 shall copy the Planning Board on it's letter
23 transferring the map to the Orange County Real
24 Property Tax Service Agency for filing and shall
25

1 provide the Planning Board with any return
2 correspondence reflecting either acceptance or
3 rejection of the plat. The applicant -- the next
4 one is the applicant shall copy the Planning
5 Board on it's letter transmitting the deed to the
6 Orange County Clerk for recording, and shall
7 provide the Planning Board with any return
8 correspondence reflecting either their acceptance
9 or rejection of the deeds.
10

11 Just as a reference, the first one
12 should require that Mike Donnelly's office review
13 the deeds with the conservation language prior to
14 those last two actions taking place.

15 CHAIRMAN EWASUTYN: Having heard the
16 conditions of approval written by Mike Donnelly,
17 Planning Board Attorney, presented by Pat Hines,
18 Planning Consultant, for the Barron/Monaco lot
19 line change, I'd move for that motion.

20 MR. WARD: So moved.

21 MR. DOMINICK: Second.

22 CHAIRMAN EWASUTYN: I have a motion by
23 John Ward. I have a second by Dave Dominick.
24 I'll move for a roll call vote starting with
25 Frank Galli.

1 BARRON/MONACO 79

2 MR. GALLI: Aye.

3 MR. MENNERICH: Aye.

4 MR. DOMINICK: Aye.

5 MR. WARD: Aye.

6 CHAIRMAN EWASUTYN: Aye. Motion

7 carried.

8 Good to see you.

9

10 (Time noted: 8:16 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

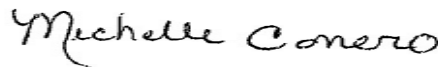
C E R T I F I C A T I O N

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 31st day of August 2016.



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

COLANDREA SUNSHINE FORD
(2015-24)

Receipt of City of Newburgh Flow Acceptance Letter
Final Subdivision Approval

- - - - - X

BOARD BUSINESS

Date: August 18, 2016
Time: 8:16 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: GREGORY SHAW

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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

CHAIRMAN EWASUTYN: To accommodate those who are in the audience now, we have two items on Board Business. We'll take the second item first, and that's Colandrea Sunshine Ford.

The last time it was before us we held off taking an action because we could not take an action with the agreement that the Town of Newburgh has with the City of Newburgh to receive an approval from the City of Newburgh for a City flow acceptance letter. That approval was received, I believe a week ago Thursday.

At this point, Mr. Shaw, do you want to bring us along on what you want to present to us?

MR. SHAW: Mr. Chairman, I believe when we left the meeting the last time we pretty much covered all the bases. The only thing outstanding from us obtaining a resolution for site plan approval was the letter from the City regarding the flow acceptance letter. So having received that, we're here before you tonight asking for final subdivision approval.

We also have prepared the landscape estimate, the storm drainage estimate, and we've submitted that to your consultant. I'm not a

1 hundred percent sure but I believe those have
2 been accepted by the Town as well.

3 So I believe we've dotted the I's,
4 crossed the T's, and we're here for our final
5 approval resolution.

6 CHAIRMAN EWASUTYN: Did Mike prepare a
7 final resolution?

8 MR. HINES: He did not. I believe he
9 hit the point at the last meeting. Those are the
10 outstanding issues.

11 CHAIRMAN EWASUTYN: So we're prepared
12 to take action tonight and grant final site plan
13 approval.

14 MR. HINES: Conditional final site plan
15 approval. I guess it is final.

16 MR. SHAW: Yes.

17 MR. HINES: Those are the conditions.

18 CHAIRMAN EWASUTYN: Then having heard
19 from Pat Hines, our Planning and Drainage
20 Consultant, having heard from the applicant's
21 representative, Greg Shaw from Shaw Engineering,
22 I'll move for a motion to grant final site plan
23 approval for Colandrea Sunshine Ford, project
24 number 15-24.

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

COLANDREA SUNSHINE FORD

84

MR. DOMINICK: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by
Dave Dominick. I have a second by Frank Galli.
I'll ask for a roll call vote starting with Frank
Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Thank you.

MR. SHAW: Thank you.

(Time noted: 8:19 p.m.)

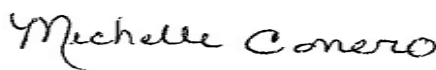
C E R T I F I C A T I O N

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of August 2016.



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

TRINITY SQUARE
(2006-53)

Extension of Approval from
August 18, 2016 through November 15, 2016

----- X

BOARD BUSINESS

Date: August 18, 2016
Time: 8:19 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: PATRICK HINES
GERALD CANFIELD

----- X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

CHAIRMAN EWASUTYN: The second item of Board Business this evening, we received an extension letter from Darren Doce from Doce Engineers that relates to the Trinity Square subdivision. Darren was asking for a six-month extension for Trinity Square from August 18, 2016 through February 18, 2017.

We'll put this on the table for discussion for Board Members. I'll open it up.

We recently have been receiving extension approvals for projects similar to this that have a history of being anywhere between ten to eleven to thirteen years of age. We just discussed Longview Farm which came before us, 2006-39.

Trinity Square was originally before us in 2006, 2006-53. In the matter of Longview Farm, when we first received that letter we granted an extension for ninety days asking that the applicant's engineer, Tom Depuy, come forward and give us an update on the project before we extend it any further. The purpose of that is to understand what the potential growth may be in the Town of Newburgh so we could plan for that

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

TRINITY SQUARE

88

and other projects that come before us. So after so many years we're really not sure and we need to hear from those who have a better understanding of their ownership and what they are proposing to do.

If the Board is in agreement, I'd like to carry that similar thought process through to Trinity Square and grant them an extension of ninety days, through November 15, 2016, with the understanding that Darren Doce, and if possible the applicant, come forward to give us a proposed future action plan for this site plan.

MR. MENNERICH: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by -- John Ward, is it?

MR. WARD: Yes.

CHAIRMAN EWASUTYN: I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

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

TRINITY SQUARE

89

CHAIRMAN EWASUTYN: Aye. So carried.

Pat, if you could take the liberty when you have the time, please, of preparing a letter and sending it to --

MR. HINES: Last time you had Mike's office do that. Either way.

CHAIRMAN EWASUTYN: If you want to communicate that to Mike.

MR. HINES: One of the two of us will do that.

CHAIRMAN EWASUTYN: We'll continue on with Mike. If you would just take the time to address that.

MR. HINES: Yes.

CHAIRMAN EWASUTYN: I'll move for a motion to close the Planning Board meeting of August 18th.

MR. WARD: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward and a second by Frank Galli. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

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

TRINITY SQUARE

90

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:23 p.m.)

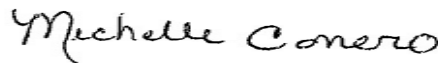
C E R T I F I C A T I O N

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of August 2016.



MICHELLE CONERO