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

In the Matter of

KINGDOM HALL
(22-31)

33 Old Little Britain Road
Section 97; Block 3; Lot 13
Zone: R3

INITIAL APPEARANCE - SITE PLAN

Date: January 5, 2023
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
DAVID DOMINICK
KENNETH MENNERICH
STEPHANIE DeLUCA
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
KEN WERSTED
PATRICK HINES
JAMES CAMPBELL
KAREN ARENT

APPLICANT'S REPRESENTATIVE: JOHN MONTAGNE and
JOSH MODGLIN

REPORTED BY: Patrick DeGiorgio, Court Reporter

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

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CHAIRMAN EWASUTYN: I have a motion to reconvene the work session of the 5th of January. Can I have a motion and a second?

MR. DOMINICK: Motion.

CHAIRMAN EWASUTYN: Second?

MR. WARD: Second.

CHAIRMAN EWASUTYN: Motion by Dave Dominick, second by John Ward. Set it for a roll call vote.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. GALLI: Aye.

MR. WARD: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Town of Newburgh Planning Board would like to welcome you to their meeting of the 5th of January, 2023. There are two items on this evening's agenda. We will start the meeting out with a roll call vote.

MR. GALLI: Present.

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MR. DOMINICK: Present.

MR. WARD: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. CORDISCO: Dominic Cordisco,
planning board attorney.

MS. DeLUCA: Present.

MR. WERSTED: Ken Wersted,
Creighton Manning Engineering, traffic
consultant.

MR. HINES: Pat Hines, present
with MHE Engineering.

THE COURT REPORTER: Patrick
DeGiorgio, Court Reporter.

MS. ARENT: Karen Arent,
architectural consultant.

MR. CAMPBELL: Jim Campbell, Town
of Newburgh Code and Planning.

CHAIRMAN EWASUTYN: At this time
we will turn the meeting over to Karen.

MS. ARENT: Please rise for the
Pledge of Allegiance.

(Pledge of Allegiance)

CHAIRMAN EWASUTYN: Our first item

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of business this evening is the Kingdom Hall project, 22-31. It's an initial appearance for the site plan. The project is located on 33 Old Little Britain Road. It's an R3 Zone and Greenman-Pedersen is representing the applicant.

MR. MONTAGNE: Good evening. John Montagne with Greenman-Pedersen Engineering. With me tonight is Josh Modglin from JWCS.

As you said, the project that we are looking to do is a new Kingdom Hall to be located at 33 Old Little Britain Road.

The project itself is pretty straightforward. It's a 4,992 square foot structure, single access drive coming in. It will have 74 parking spaces which is the standard for this size Kingdom Hall which is what we are proposing. We have municipal water in the area. We will be doing an on site septic system for the project. We have

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done a full geotechnical analysis on the property. We have suitable soils for that and for stormwater management. We have soils actually suitable for stormwater recharge as well which is a benefit for us in doing our stormwater design.

I'm trying to think of a few of the other comments that came up. The town engineer did have a chance to take a look at it and gave us some feedback. We know that we have a municipal storm system that is right at our entranceway into the site. We will have to do some additional investigation on how to make sure how that all works. Make sure that our driveway does not drain out onto the road. We have done some preliminary designs on the driveway alignment and will be working with the town engineer on that too to make sure we don't have any issues with that, but we don't think there will be an issue with that.

A few other things that have come

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up. The site is a wooded site. So we do know that we have some clearing to take care of and be in compliance with that. There's an old structure on the property that is in a very bad state. It has asbestos and materials in it so there will have to be a demolition that is done where the whole building is removed as part of the demolition permitting that we have to get from the town.

Other than that, that's the introduction of what we are looking to do. We are here to answer any questions or entertain any comments from the board.

CHAIRMAN EWASUTYN: Thank you. We will start the meeting out with Frank Galli, board member.

MR. GALLI: No questions at this time.

MR. DOMINICK: John, what will the hours of operation be?

MR. MONTAGNE: Josh can probably

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answer that better than I can. There are weekday hours and there are weekend hours. The weekday hours are usually late in the afternoons, weekends.

MR. MODGLIN: Josh Modglin with JWCS, the owner. There is going to be multiple congregations using this so there is weekend meetings and often those are on Sundays, and throughout the day on Sunday and the weekday meetings, and that's usually between 6:30 and 7:30 that starts and goes for around like an hour and a half.

MR. DOMINICK: In between the two meetings what is the average population?

MR. MODGLIN: Auxiliary use maybe 30, 40 individuals a day.

MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: Anything else?
John Ward.

MR. WARD: At the work session it was mentioned about the construction work hours. The town has proposed for the hours. You have down 6:00 in the

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morning. Can you revise that and look at the town code for construction?

MR. MONTAGNE: That's fine. I think that was just put in primarily on the full EAF form as a preliminary number. We will comply with whatever the town spec is.

CHAIRMAN EWASUTYN: Jim Campbell, what are the permitted hours?

MR. CAMPBELL: For construction activities it's 7 to 7.

CHAIRMAN EWASUTYN: What days of the week?

MR. CAMPBELL: There is no restriction.

MR. MODGLIN: We will add that to the drawing. We will modify that, that's fine.

MR. WARD: The entrance going in and out, could we possibly do it like a gate in the front, a way to get in with the other entrance?

MR. MONTAGNE: That is something we will discuss and take that up and

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find a solution.

MR. WARD: Thank you.

MR. MENNERICH: Will the architectural style be the same as the existing buildings there?

MR. MONTAGNE: Actually I have a rendering of what the building looks like here. You can see this. I'll show it to the audience too. It's a similar building style. It's a smaller structure than the other one. There is no steeple or anything like that on it. It's similar architecture.

MR. GALLI: You got rid of the brick?

MR. MONTAGNE: There is stone on it. This is not brick, this is stone.

MR. MODGLIN: This is a program template design so this hasn't been specifically adjusted to this project. The color packages may be adjusted. This has been updated. Of course the one at 23 Old Little Britain is two auditoriums where this is one as well as

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it's an older building. It's more modern materials.

MR. MENNERICH: Further along in the process giving you an opportunity to give us samples of the different colors, architecture.

MR. MODGLIN: Absolutely.

MR. MONTAGNE: Sure.

CHAIRMAN EWASUTYN: The approximate size of the existing one, the square footage?

MR. MONTAGNE: I don't know if I can go on record to identify that specifically. I would say it's about double.

CHAIRMAN EWASUTYN: Okay. Stephanie DeLuca, anything?

MS. DeLUCA: We were discussing the proximity of the two buildings and I was just wondering in expanding your building if that was -- if it was possible if you were going to have an adjoining walkway or adjoining parking lot or are they two separate individual

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sites?

MR. MONTAGNE: From a site design perspective they actually have to work as two separate because of the topography. There's a fairly significant range change between where this will be and the other one will be, where the other facility is. As far as connecting the two, we did see that there was a comment about that, consideration for that. I don't believe that the congregations themselves walk between buildings. However, we are not opposed to discussing doing a connection. We can explore that further with you as we go through it.

MS. DeLUCA: Thank you.

CHAIRMAN EWASUTYN: Start out with Jim Campbell, code compliance. Any questions?

MR. CAMPBELL: Just some simple ones. The monument sign shown in the plans it seems to come to about four square feet. You have to take a look at

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that.

CHAIRMAN EWASUTYN: Karen,
landscape architect, anything further?

MS. ARENT: There's a tree code
in the town so you have to identify
the inventory of trees over a certain
diameter and height. We also ask if
you can tag them with an aluminum tag
and an aluminum nail just so that --
the ones that you identify.

MR. MODGLIN: The ones that are
identified of that caliber that will be
removed?

MS. ARENT: Yes. Just put a tag
on them.

MR. MODGLIN: Yes, understood.
Thank you.

MS. ARENT: The overall plan looks
good that you are saving a lot of the
trees, that's nice. Just make sure you
show construction fencing along the
disturbance line to make sure the trees
are in good condition. Of course you
have to submit a landscaping plan. I

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didn't see a north arrow on the drawing.

Did I miss it?

MR. MODGLIN: It's fairly small.

We will enlarge it.

MS. ARENT: Okay, thank you. I

didn't see it. Now I know where it is.

And then I asked about the gate. If you

are going to gate it, I didn't know. If

you are, just show it. If it's possible

to make a nice little stone entrance

feature or a sign with it or something,

there's a lot of stones in that area.

That's it.

CHAIRMAN EWASUTYN: Ken Wersted,

traffic consultant.

MR. WERSTED: Karen's stone

feature ties in nicely with my comment

about the existing monument sign that

you show there. It's kind of far back,

perpendicular to the road. You really

won't see it until you are in the

driveway. Just provide more visibility

to it. The driveway is aligned with

Dewey Drive across the street so that's

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good placement. You are on the inside of a curb so site distances should be checked and provided. Just give an estimate of what your trip generation may be during those meeting times.

MR. MODGLIN: Sure.

MR. MONTAGNE: That's all. Thank you.

CHAIRMAN EWASUTYN: Pat Hines, anything?

MR. HINES: The project is a permitted use with site plan approval in this zone. The EIF identified a couple of D.E.C. spillover remediation sites in proximity to it.

MR. MODGLIN: A full phase 1 ESA has begun for that. It was done two years ago, but nothing has changed on the site since then. We will be more than happy to provide that. Those spills were far enough away that they don't really impact this property at all.

MR. HINES: That will identify

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where they are. We need a Bulk Table as well. You have given some of the things that are required, but we would like to see what is provided as well on the site.

MR. MONTAGNE: We will update that too.

MR. HINES: I think my office gave you the standard water notes. We will need those as well. You talked about the drainage at the intersection. That's something we want to take a look at. We want to make sure that drainage goes to a natural discharge point. I know there is some drainage in the road there. We want to make sure we know where it goes and what the potential impacts are. The water service, the building will be required to be sprinklered. The town has a code more stringent than the New York State code.

MR. MONTAGNE: That was one thing we wanted to ask that. We weren't aware of that and that's why we didn't have it

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sprinklered, but if that is the case.

MR. HINES: You have two different size water lines on the plans. You will probably need the larger one. We will need that.

MR. MONTAGNE: If it has to be sprinklered, we will definitely do that.

MR. HINES: It's going to be sprinklered, yes. We will be looking for a stormwater pollution prevention plan. The design of the septic system will need to be submitted. That septic system will need a SPDES permit. It looks like it's more than a thousand gallons.

MR. MONTAGNE: We do have record data on that that we are going to go back through. The record data suggests about 800 gallons per day, not over a thousand gallons per day, but we will verify that for you. If we are over a thousand obviously we will work on that.

MR. HINES: The County Health Department is not going to let you use

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your record data. They want to use the published D.E.C. hydro coding. They have a memorandum out regarding that so you can take a look at that. The tree conservation ordinance that Karen spoke of is there. The buildings to be demolished will require a demolition permit. We need a note on the plan that states a demolition permit will be sought before that. Your boundary topographic survey shows the lot boundaries going to the center line of the road.

MR. MONTAGNE: Yes, it does go to the center line of the road. We saw that you were looking for a dedication on that like the town had on that, 25 feet from center line. That would be fine.

MR. HINES: We will need a site line and landscaping plan. I did note that pedestrian connection at least it seems that the two facilities would compliment each other and maybe that

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interconnect will be used. We don't want people walking out on Little Britain Road by any means. Not a good place to walk.

MR. MONTAGNE: We kind of figured that was your comment, and we didn't want to see people walking on the road, we would agree with you. That's not a safe condition.

MR. HINES: We have a requirement to notify the neighbors and I'll work with you on that. I'll generate what I call an adjoiners notice and I'll get you a list from the assessor's office and I'll walk through that process with you.

MR. MODGLIN: I have a question for Mr. Hines. You mentioned and suggested a pedestrian connection which makes great sense. Would it be of benefit to the community, and of course I ask everyone, a public connection sidewalk because that's a much longer path?

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MR. HINES: The town board has a policy of not putting sidewalks on town roads due to the maintenance issues. It will be on your site and your sidewalk.

MR. MODGLIN: To that point it could be along Old Little Britain Road, but on your property versus direct line building to building.

MR. HINES: That would be acceptable to me. Not in the town right of way. In the new town right of way.

MR. MODGLIN: We understand, yes. It will be off that 25-foot setback.

CHAIRMAN EWASUTYN: Okay, let's hear from Mr. Cordisco, planning board attorney.

MR. CORDISCO: Mr. Hines' memo touched on the adjoiners notice that will be required. We want to make sure those are accomplished. This is a first appearance for this application and I would recommend the board consider circulating for lead agency. An applicant lists an EAF which seems to be

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in order and there is a potential at least for additional permits from other agencies such as the D.E.C. in connection with the SPDES permit and it would seem prudent to circulate at the beginning of the process. You have to circulate the data.

CHAIRMAN EWASUTYN: Having heard from the planning board attorney, Dominic Cordisco, will someone make a motion to circulate the Kingdom Hall for the lead agency?

MR. WARD: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: We have a motion by John Ward and a second by Dave Dominick. Can I now have a roll call vote starting with Stephanie DeLuca?

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. GALLI: Aye.

MR. WARD: Aye.

MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Motion
granted. Any other questions?

MR. MONTAGNE: I believe that's
all we have. We do appreciate your time
this evening. We look forward to
working with you on this project. Thank
you.

MR. MODGLIN: Thank you.

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

In the Matter of

UNITY PLACE WAREHOUSE
(21-29)

Northwest Corner of Old Little Britain Road
and Unity Way

PUBLIC HEARING

Date: January 5, 2023
Time: 7:30 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
KEN WERSTED
PATRICK HINES
JAMES CAMPBELL
KAREN ARENT

APPLICANT'S REPRESENTATIVE: JOHN C. CAPPELLO, ESQ.,
PHILIP GREALY, DENNIS
ROCKS, ELIOT SPITZER and
STANLEY (STOSH) ZAMONSKY

REPORTED BY: Patrick DeGiorgio, Court Reporter

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

1 CHAIRMAN EWASUTYN: Second item of
2 business this evening is the Unity Place
3 Warehouse, project number 21-29. It's
4 located on the Northwest Corner of Old
5 Little Britain Road and Unity Place.
6 It's an IB Zone. It's being represented
7 by Brooker Engineering. This is a
8 public hearing. Ken Mennerich will read
9 the Notice of Hearing.

10 MR. MENNERICH: This is the Notice
11 of Hearing, Town of Newburgh Planning
12 Board. Please take notice that the
13 Planning Board of the Town of Newburgh,
14 Orange County, New York will hold a
15 public hearing pursuant to Section 276
16 of the Town Law on the application of
17 Unity Place Warehouse, project 2021-29.
18 The project involves the proposed
19 construction of a 154,700 square foot
20 warehouse facility on a total combined
21 parcel of 12.8 plus or minus acres. The
22 project site is located on the Northwest
23 Corner of Old Little Britain Road and
24 Unity Place. The project proposes 160
25 passenger vehicle parking spaces, 79

1 loading docks, 40 trailer parking
2 spaces. The project is proposed to be
3 served by municipal water and sewer.
4 The project is located in the town's IB
5 Zoning District. The project is known
6 on the Town of Newburgh tax maps as
7 Section 97, Lot 2, Lot 14.1 and 19.12.
8 A public hearing will be held on the 5th
9 day of January, 2023 at the Town Hall
10 Meeting Room, 1496 Route 300, Newburgh,
11 New York at 7 p.m. at which time all
12 interested persons will be given an
13 opportunity to be heard. By order of
14 the Town of Newburgh Planning Board,
15 John Ewasutyn, Chairman Planning Board
16 Town of Newburgh, dated 20 December,
17 2022.

18 CHAIRMAN EWASUTYN: Your name
19 please?

20 MR. CAPPELLO: John Cappello of
21 Jacobowitz and Gubitz on behalf of the
22 applicant, Unity Place Warehouse.

23 I'm also here with Dennis Rocks
24 from Brooker Engineering, the project
25 engineer; Philip Grealy with Colliers

1 Engineering, the traffic engineer for
2 the traffic. Also with me is Stosh
3 Zamonsky with Anderson Design Group who
4 are the architects for the project; and
5 Eliot Spitzer who is one of the
6 principals in the development group.

7 We are here this evening to
8 present and take comments on the plan as
9 Mr. Mennerich read in the Notice of
10 Hearing. The proposal calls for a
11 154,700 square foot warehouse on the
12 Northwest Corner of Unity Place and Old
13 Little Britain Road.

14 We have been before the board for
15 about a year now refining this project
16 and as we have gone we have made
17 improvements, we believe are
18 improvements to address issues related
19 to traffic relating to stormwater and
20 relating to the design of the building
21 among various other issues.

22 So with that, when Dennis Rocks
23 presents the site plan, he's going to
24 discuss among other things the SPDES
25 Stormwater Pollution Prevention Plan, a

1 stormwater plan that was prepared in
2 compliance with New York State D.E.C.
3 guidelines for this project that has
4 been reviewed and commented on by your
5 engineering consultant that we
6 understand that there was a letter today
7 that the city was kind enough to share
8 with us and we will work to address
9 their concerns as well.

10 Phil Grealy will speak to the
11 traffic concerns in the review and
12 comments we received both from your
13 traffic engineer and from New York State
14 D.O.T. to date which has recommended
15 several improvements in the area, to
16 improve the traffic circulation and also
17 to restrict truck traffic going along
18 Old Little Britain Road past the
19 development it routed from Unity Place
20 to 17K and Old Little Britain Road right
21 to Route 300. To resolve that, the
22 property is zoned for the use proposed.
23 We do not require any variances for it,
24 so with that, we are proceeding.

25 The last presenter will be Stosh

1 Zamonsky. Stosh will present the
2 elevations of the plan, which once again
3 have been revised, a give and take from
4 the town and from your landscaping
5 consultant who is here to address and
6 make the warehouse as attractive as
7 possible.

8 With that I'm going to turn it
9 over to Dennis to present the site plan.

10 MR. ROCKS: Good evening, board
11 and members of the public. I am Dennis
12 Rocks from Brooker Engineering. I'm
13 happy to be here tonight to walk you
14 through the plan. As was mentioned the
15 location of the site, size of the site,
16 I'd like to share that the site under
17 existing conditions is predominantly
18 been previously disturbed. It is
19 largely grass with some shrubs and trees
20 and has been disturbed.

21 The IB District is the permitted
22 use subject to Zoning Group Use Number 9
23 and we complied with all requirements
24 associated with that.

25 We have two access points. We

1 have an access point here. Here is
2 Unity Place here. This is Old Little
3 Britain Road. So the access from Unity
4 Place is directly opposite from the
5 Jehovah's driveway. This is an in only.
6 This will provide circulation in and
7 around the building. The second access
8 point here is from Old Little Britain
9 Road and that's two way. That's in and
10 out. You will see along the back here
11 these are the loading docks and then we
12 have trailer storage, parking here and
13 here. And then we have passenger
14 vehicle parking here and here.

15 The topography of the site is such
16 that a portion of the site drains to the
17 north. Here is the north for us. Nice
18 and big. Part of the site drains to the
19 south. So that meant that we needed to
20 have two stormwater mitigation systems.
21 At the north side we have a 16,000
22 square foot infiltration gallery. On
23 the south it's a little more complicated
24 because under existing conditions I'm
25 not sure how this happened, we accept

1 runoff from Unity Place and from the
2 existing Jehovah's site. So we have to
3 treat that as well. On the south side
4 of the site we have an 18,000 square
5 foot bio-retention facility, a 4,000
6 square foot subsurface detention
7 facility, and another 6,300 square foot
8 detention facility.

9 The stormwater mitigation design
10 is in compliance with the New York
11 D.E.C. Stormwater General Permit. And
12 as such, you are required to address
13 both water quantity and water quality.
14 So what that means is from a water
15 quantity standpoint we can't increase
16 down the street discharges. By the way,
17 this site is not a tributary to Lake
18 Washington. The water quality
19 standpoint we analyzed various design
20 storms, two 100-year intervals and the
21 mitigation systems that I have just
22 described to you have been designed to
23 retain and detain to infiltrate the
24 water so that downstream discharges will
25 not be increased.

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In addition, the stormwater general permit requires us to address water quality, what's in the water. That's where we come up with the bio-retention facility here and the infiltration gallery here.

You can see here on this presentation plan is based on a landscaping plan and so we tried to incorporate a variety of tree species and sizes and we've provided some good size street trees here and given them some space to grow in and then we provided some nice evergreen shrubs here and then in the bio-retention facility here which is basically a soil filter, we have over 4,000 plants there. Then what we have in the front is we have here on Old Little Britain Road and wrapping around this parking area here we have a decorative stone parapet wall and we similarly have one on this side that wraps around here. That's another view. Thank you.

MR. CAPPELLO: Phil will present

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the traffic.

MR. GREALY: Good evening. Philip Grealy, professional engineer with Colliers Engineering & Design.

We prepared the traffic studies for the project. Our work goes back over a year ago to the fall of 2021. As part of the updates the project size was actually reduced so in 2022 we prepared an update to reflect that reduced size. Throughout the process we've interacted with New York State D.O.T. and with the town and the town's consultants on traffic conditions and various mitigations.

So just real quickly in terms of what goes into a traffic study. We have to document existing traffic volumes. The study looked at Unity Place. Looked at Old Little Britain Road, looked at Route 300 and looked at Route 17K. That was the basic scope of the study. Existing traffic volumes is documented from moving traffic counts, from the date that's published by the New York

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State D.O.T. and from other studies.

There's been numerous studies done along these corridors over the years.

In terms of traffic projections, those projections are based on the size of the building and what is called the Institute of Transportation Engineers in terms of making those projections. The traffic study also has to account for background traffic growth, traffic from other projects that had been either approved or in the review process in the town and that has all been coordinated with the town's consultants.

Over the period of the process there's been numerous correspondence back and forth between the town's consultants and our office as well as New York D.O.T. As part of the New York D.O.T. process, in October of 2022, we received what is called an Access Highway Designation for Old Little Britain Road and Unity Place which allows the use by larger vehicle types on the roadway system.

1 As part of New York State D.O.T.
2 we will be doing improvements. We have
3 to have a permit from New York D.O.T.
4 The improvements that have been spelled
5 out thus far are upgrades at the
6 intersection of Route 300 and Old Little
7 Britain Road. They include upgrading
8 the traffic signals, operations, some
9 lane modifications and restriping.
10 Primarily to improve the efficiency of
11 what is there today.

12 At the intersection of 17K and
13 Unity Place within the existing right of
14 way, D.O.T. is requiring us to improve
15 some of the curve radii and turning
16 movements to improve that operation at
17 that location.

18 In terms of the access points
19 serving the project, we coordinated with
20 Dennis' office to ensure we have proper
21 site distances and improvements that are
22 needed to ensure that those site
23 distances are maintained. On Unity
24 Place we have, of course, a turn lane
25 for turning into the project. And at

1 this point the last correspondence with
2 the town had us interacting with the
3 highway superintendent on some signing.
4 He's made some recommendations on the
5 site plan to add some additional signing
6 at the driveways and some other updates.

7 I think that's a quick synopsis
8 just to give you a feel for what's here.
9 The volumes of traffic on these roadways
10 -- and again, we look at peak hours, so
11 the volumes range from what's on Unity
12 Place, on Old Little Britain Road. In
13 the afternoon rush hour in this vicinity
14 you have over 800 vehicles in an hour.
15 On Route 300 you have over 2,000
16 vehicles in an hour. On 17K you have
17 over 1,500 vehicles an hour. So that
18 kind of gives a feel for what's here. A
19 project of this size would generally
20 generate in the order of 45 vehicle
21 trips in an hour. So in the peak hour
22 times that's the level of volume you are
23 talking about. Of those trips,
24 somewhere in the order of 15 to 20
25 percent are truck related trips because

1 in the peak hours you have your employee
2 turnover so that just gives you more
3 magnitude. That's all analyzed. There
4 are certain criteria that we have to
5 satisfy for the town and for the state
6 and analyzing intersections.

7 One other requirement the town has
8 placed at the intersection of Unity
9 Place and Old Little Britain Road our
10 analysis showed the drop in what is
11 called level of service in the afternoon
12 rush hour. So we are responsible to
13 monitor that intersection for possible
14 future signalization and all the
15 improvements and any monitoring are all
16 at the applicant's cost. There's no
17 cost to anybody else. So that's pretty
18 much a quick synopsis of everything.

19 MR. ZAMONSKY: Stosh Zamonsky from
20 Anderson Design Group. I'm going to
21 walk through an overview of the building
22 plan, the elevations and then the photo
23 realistic renderings that were
24 generated.

25 This is a floor plan of the

1 building that's laid out on this plan
2 just like it is here, so you can see the
3 loading docks, 72 loading docks on the
4 side facing the existing old building up
5 there. This is where Unity Place is.
6 So it's a 154,700 square foot building.
7 Precast exterior wall construction.
8 It's actually subdivided into two units.
9 Because the building is so long for
10 warehousing it makes more sense to have
11 it divided into two buildings. It's one
12 building, but two separate units. Each
13 unit has offices associated with it as
14 well for the warehousing work, low
15 hazard use that would go in for the
16 future.

17 We have the exterior renderings.
18 Here we used a combination of Clerestory
19 glass windows, banding of the concrete,
20 concrete reveal as well to try to break
21 up the appearance of the building.
22 Certainly the side that faces Unity
23 Place to make it look like an office
24 instead of just a straight warehouse.

25 The overall height of the building

1 is 40 feet. We do have some parapets as
2 well to help break up that elevation.
3 The exterior is all in the precast
4 concrete panels that come
5 premanufactured and they are painted on
6 site and then we have the glass
7 Clerestory on either end as well as the
8 windows breaking up that continuous
9 elevation.

10 What our office also generated
11 were photo realistic renderings. We had
12 created a plan there that shows the
13 different view points that were taken
14 and then along with that I'll walk
15 through those. It's different growth
16 heights of the landscaping that was
17 planted around the building.

18 This is viewpoint 1 which was
19 taken from Little Britain Road -- Old
20 Little Britain Road excuse me. Here is
21 the reservoir you can see as well. All
22 of this here. It's at this point where
23 the two-way driveway enters the
24 property.

25 Here is the building shown, here's

1 Old Little Britain Road. This is
2 one-year landscaping. When it was
3 initially planted it shows the height of
4 those trees and then five years and then
5 10 years. Here is existing without the
6 building.

7 This is view point 2 as you go
8 down Old Little Britain Road at the
9 intersection of Unity Place. Here is
10 the building in the background. The
11 terrace, retaining walls, the brick that
12 was added there to kind of mimic the
13 colors of the building as well. Again,
14 year 1, year 5 and year 10 showing the
15 landscaping growing up and starting to
16 hide the building.

17 This is viewpoint 3. This is the
18 far end on Unity Place that goes to the
19 facility down here. This is the same
20 thing, first year, 5-year, 10-year
21 landscaping as well. I think that about
22 covers it.

23 MR. CAPPELLO: That's that
24 conclusion of our initial presentation.
25 We would be happy to respond as directed

1 for any question by the board or that
2 the consultants may have and interested
3 in hearing the comments from the public.
4 We will begin compiling information to
5 appropriately address those comments or
6 questions.

7 CHAIRMAN EWASUTYN: This is one of
8 the principals of the subject property.
9 Do you have a tenant in mind? Do you
10 know what the tenant might be? Do you
11 know what the use might be? For the
12 record, your name?

13 MR. SPITZER: Eliot Spitzer. We
14 have been speaking to several potential
15 tenants, one is an EV manufacturer,
16 electrical vehicle manufacturer. These
17 are high paying jobs. Not necessarily
18 any of the tenants that we are talking
19 to won't really have any conversation
20 until we have site plan approval so
21 there are a lot of high quality tenants
22 looking in this area right now. They
23 have given us some interest and that we
24 should be getting back to them as soon
25 as we have a site plan approval.

1 CHAIRMAN EWASUTYN: Thank you. We
2 will start off with comments from board
3 members. Frank Galli.

4 MR. GALLI: Question for you,
5 Phil. When the trucks come into the
6 site they probably will come off the
7 Thruway. If they come off the Thruway
8 they will come down Old 17K?

9 MR. GREALY: Yes.

10 MR. GALLI: They will be coming
11 from like car dealerships?

12 MR. GREALY: Yes.

13 MR. GALLI: And they can turn in
14 that way?

15 MR. GREALY: That's correct.

16 MR. GALLI: So they wouldn't go
17 down Old Little Britain Road?

18 MR. GREALY: That's correct.

19 MR. GALLI: So if they miss that
20 or for some reason they are coming down
21 300 and go past Home Depot and take a
22 left, can they go in right there?

23 MR. ROCKS: Correct. They can
24 come in this driveway. They can go past
25 Home Depot, Kohl's.

1 MR. GALLI: No trucks shall
2 actually pass Unity Place?

3 MR. ROCKS: There's a restriction
4 on Old Little Britain Road. As part of
5 the access highway designation, only
6 Unity Place and Old Little Britain Road
7 from Unity Place to 300. No trucks will
8 be allowed other than the current
9 allowance further to the east on Old
10 Little Britain Road.

11 MR. GALLI: When they leave the
12 site they have to go out and take a
13 right?

14 MR. ROCKS: They will be making a
15 right. They could come back and go out
16 Unity Place as an alternate, but the
17 majority will be destined to the
18 Thruway. This is the easiest right
19 turn, this would be the easiest.

20 MR. GALLI: I just wanted to
21 clarify that. Thank you.

22 CHAIRMAN EWASUTYN: Dave Dominick,
23 any questions or comments?

24 MR. DOMINICK: Nothing at this
25 point.

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CHAIRMAN EWASUTYN: John Ward.

MR. WARD: The way you presented this, is there going to be two tenants on this?

MR. SPITZER: It's designed that it's able to have two tenants because that is a possibility and that it's not really -- it depends on the actual tenant who comes in and is interested. But two is possible, yes.

MR. WARD: When you are talking about going down Unity Place there, is the radius good on the bottom?

MR. ROCKS: So in terms of the access to the property, this is designed to accommodate WB-67 trucks entering from here. At this intersection we don't anticipate trucks to come down here, but this radius right now is adequate to accommodate a truck. He will have to go into the opposite lane if he does come down to this intersection. This driveway is designed for trucks to exit in either direction.

MR. WARD: I can see an accident

1 going that way.

2 MR. ROCKS: Understood. There are
3 two lanes southbound at this point so
4 typically if the truck did happen to
5 miss the entrance here and came down
6 here, that's what he would probably be
7 doing. We didn't want to open up this
8 intersection too much, but an occasional
9 truck they can accommodate.

10 MR. WARD: They can cut in with a
11 little radius there. If you have a 45
12 you could narrow it down a little.

13 MR. ROCKS: We can look at that
14 further.

15 CHAIRMAN EWASUTYN: Ken Mennerich,
16 any questions?

17 MR. MENNERICH: No questions at
18 this time.

19 CHAIRMAN EWASUTYN: The common
20 language you referred the truck size as
21 being a number. Can you give us a
22 length which might be more
23 comprehensible.

24 MR. ROCKS: The WB-67 is the large
25 vehicle that would be a 53-foot

1 tractor-trailer, you know, the trailer
2 and then the cab. 67 is the wheel base
3 designation for this.

4 CHAIRMAN EWASUTYN: Stephanie
5 DeLuca.

6 MS. DeLUCA: No questions.

7 CHAIRMAN EWASUTYN: Jim Campbell,
8 code compliance.

9 MR. CAMPBELL: No comments.

10 CHAIRMAN EWASUTYN: Karen,
11 landscape architect.

12 MS. ARENT: There's a tree code
13 in the town that all the trees over 10
14 inches need to be tagged and identified
15 and listed on the plan along with the
16 inventory and we ask that you tag with
17 aluminum tags and nails and number each
18 tree so we know which tree is which.

19 MR. ROCKS: Aluminum? Did you say
20 aluminum tags?

21 MS. ARENT: Yes.

22 MR. ROCKS: Okay.

23 MS. ARENT: The warehouse is in an
24 area where there isn't any other
25 warehouses and it's out of character

1 with the road in the neighborhood so I'm
2 asking if you can landscape it more
3 completely so that to block the view of
4 the building as much as possible. The
5 bio-retention basin I've done several of
6 them with Red Maples and Swamp White
7 Oaks. If you can create more of a
8 forested situation in there it would
9 help block and mitigate some of the
10 visual impacts of the big building.

11 Also along Unity Place, additional
12 landscaping would be very helpful to
13 kind of hide that building better
14 including some evergreen trees to try to
15 hide it. That road at Unity place is a
16 pretty nice looking road so we want to
17 try to keep the character of that road.
18 Blocking that building as much as
19 possible will really help. Also Old
20 Little Britain Road you will be able, I
21 believe, to see in from along the south
22 side, on the south side of the exit
23 there. And that area should have larger
24 trees. White Pines did very well at the
25 Home Depot and the -- White Pines have

1 done extremely well at the Home Depot
2 and Kohl's sites so I ask that you look
3 into using the White Pines wherever it's
4 not too wet for them. I also cited this
5 section in the code that gives the
6 planning board authority to require
7 reasonable screening of parking and
8 service areas out of the public's points
9 of view and nearby residences. I ask
10 that you consider thickly screening the
11 truck parking areas from the commercial
12 use as well as the nearby residential
13 use.

14 There's a big wall along the
15 residential property and you are going
16 to have to plant something that grows
17 really tall, like arborvitaes or
18 something like that to try to help.
19 There's no space at all in the one spot.
20 You have to get creative there.

21 And these comments are spelled out
22 in more detail on my memo. Basically
23 it's really trying to screen that
24 building and put lots of landscaping in
25 there in order to do it.

1 I also ask that security be
2 necessary because most warehouses I've
3 worked on there's security fencing
4 around the parking areas and gates that
5 you have to go through, trucks have to
6 go through to get inside. If that is a
7 requirement we would like that shown on
8 the drawing and it would also be
9 something that would be nice to use
10 something that is not going to be highly
11 visible. Also if you can send me those
12 drawings it would be great. If the
13 architect could consider colors of the
14 building that would help blend it in
15 with some of the plantings, that would
16 really help in screening. And I think
17 that is it for now.

18 Oh, I also cited the design
19 guidelines does require screening
20 between adjacent properties. So the
21 landscaping needs some work.

22 MR. CAPPELLO: I would just ask
23 then that if we could have permission
24 from the board to have our landscaper
25 contact you, with your memo contact you

1 directly and discuss that.

2 MS. ARENT: That's fine with me if
3 that's fine with the board.

4 CHAIRMAN EWASUTYN: Is the
5 planning board in favor of licensed
6 professionals meeting to discuss it?

7 MR. GALLI: Yes.

8 MR. WARD: Yes.

9 MR. DOMINICK: Yes.

10 MR. MENNERICH: Yes.

11 MS. DeLUCA: Yes.

12 CHAIRMAN EWASUTYN: Let the record
13 show that the planning board
14 acknowledged that a licensed landscape
15 architect for Unity Place Warehouse, and
16 Karen Arent is a licensed landscape
17 architect will communicate as far as
18 design and improvements to the subject
19 property.

20 At this point I will turn to Ken
21 Wersted, traffic consultant.

22 MR. WERSTED: To put this into
23 context where that driveway is on Unity
24 Place, it's lined opposite of the
25 Jehovah's Witness Kingdom Hall northern

1 driveway. There is already an existing
2 gate and driveway to get into the
3 property from that location. That's
4 approximate where the site is located on
5 Unity. I know trip generation is a term
6 that we as the board and we engineers
7 use quite often, but for the public sake
8 it's how much traffic a project will
9 generate. This meeting generated
10 traffic. Obviously you, the public that
11 came out to this. Although this is a
12 large building, a lot of it is taken up
13 by goods and materials inside. To give
14 some context it would generate, an
15 equivalent amount of traffic is about
16 the Key Bank over next to the Home Depot
17 relative to how many cars come in and
18 out of that. I just wanted to provide
19 that context.

20 CHAIRMAN EWASUTYN: Thank you.
21 Pat Hines, engineering consultant.

22 MR. HINES: We have been reviewing
23 the project for approximately a year.
24 We did review the Stormwater Pollution
25 Prevention Plan, issued several comment

1 letters the applicant addressed and we
2 have found the plan to meet the
3 requirements of the D.E.C. and the Town
4 of Newburgh stormwater ordinances.

5 A City of Newburgh flow acceptance
6 letter is going to be required for the
7 connection to the town's sanitary sewer
8 collection system. We are awaiting
9 that. I do know that the City of
10 Newburgh sent a comment letter today
11 regarding issues of the downstream
12 drainage relatively distant from the
13 project, but the applicant's engineers
14 are going to have to respond to that.

15 The turning movements out of the
16 site, Old Little Britain Road has a
17 legislated weight limit on it right now
18 by the town and I think that will need
19 to be addressed by the Town Board. It
20 is in the town vehicle and traffic code
21 that it has a certain weight limit going
22 from the old Lloyd's property line, so
23 it's a rather dated weight limit. From
24 that Lloyd's property line east has a
25 weight restriction. That will need to

1 be addressed with the town board to
2 modify that.

3 The project is not located within
4 the sewer district. An outside user
5 agreement will be required also through
6 the town board.

7 The lot confirmation has been
8 received. It will require D.E.C. SPDES
9 permit for construction and that's the
10 extent of our comments. There will be a
11 requirement for security and
12 landscaping, stormwater, sediment
13 erosion control prior to the maps being
14 stamped. The town requires that those
15 improvements be bonded or Cast Security
16 posted to ensure that they are
17 constructed in compliance with the
18 plans.

19 CHAIRMAN EWASUTYN: Dominic
20 Cordisco, planning board attorney.

21 MR. CORDISCO: As it's been noted
22 a number of times tonight, the City of
23 Newburgh has provided their second
24 correspondence in continuance of this
25 project. I spoke with Jeremy Kaufman

1 today, assistant corporation counsel.
2 This is a follow-up to their prior
3 letter which came in July expressing
4 concern regarding the sewer water.
5 After the July letter, the applicant
6 provided the sewer water plan to the
7 City of Newburgh as well as some
8 analysis. The City of Newburgh has now
9 advised that they remain concerned
10 regarding the potential of this project
11 to increase the volume of stormwater
12 leaving the site which could potentially
13 effect the Lockwood Basin area which is
14 downstream of Lake Washington which is
15 an area that the City of Newburgh has
16 stated is already prone to flooding.
17 It's an issue that the City of Newburgh
18 is asking the planning board to consider
19 as part of it's review of the project.
20 My recommendation would be for the
21 applicant to address in further
22 technical details the concerns of the
23 City of Newburgh and address those
24 comments to the planning board, this
25 planning board because this board

1 obviously has jurisdiction over the
2 project and is seeking lead agency as
3 far as that's concerned. That would be
4 my suggestion at this point that the
5 comments be addressed back to this board
6 and then this board can decide if the
7 town wishes to proceed in connection
8 with addressing the City of Newburgh's
9 concern.

10 CHAIRMAN EWASUTYN: Thank you. At
11 this point we are going to be turning
12 the meeting over to the public. The
13 procedure is that the individual will
14 stand, give their name and their address
15 and they would speak. What we are
16 hopefully looking to do is talk about
17 the comments or the areas of concern and
18 that if someone would be kind enough to
19 speak, but limit their speaking so that
20 others can have a turn to speak. Once
21 we go through our first round of
22 comments then those will have an
23 opportunity to speak again. The
24 comments could be addressed to the
25 applicant and also to the planning board

1 consultants, but what we would like to
2 do is keep order to the meeting so you
3 may or may not agree with someone's
4 comments, but please keep that to
5 yourself. This is your living room so
6 we would like to make it orderly and we
7 would like to be polite to one another.

8 So with that said, comments from
9 anyone? Again, please raise your hand,
10 give your name and address.

11 MS. JOANIDES: Nancy Joanides, 50
12 Lakeview Drive. I have something to
13 read. It was a shock 14 months ago when
14 we received the notice from the Town
15 Planning Board that a warehouse was
16 planned to be built 500 feet from our
17 home. Not just a warehouse, but what I
18 call a monstrosity of a warehouse. We
19 always knew that something would be
20 built on the land, but never envisioned
21 it could be possibly something like
22 this. We thought maybe a medical
23 building or an office building or even a
24 storage unit, but not this.

25 There are so many reasons why a

1 warehouse is a terrible idea at this
2 location.

3 Noise: Road and highway noise is
4 always an issue in our neighborhood. It
5 has gotten worse with the amount of
6 development that has taken place in this
7 part of town. Now with the prospect of
8 an unknown amount of tractor-trailers
9 nearby coming and going, brakes
10 squealing and backup alarms going off
11 and engines idling, the noise level is
12 sure to be compounded. I'm assuming it
13 will be a constant issue.

14 Traffic: To put it mildly,
15 traffic has become horrendous in that
16 part of town. How are multiple
17 18-wheelers going to get in and out of
18 this neighborhood every day? As far as
19 I know the roads surrounding this
20 project are not meant to be handling
21 these trucks. Does this mean that our
22 roads are going to be enlarged? More
23 traffic lights? What is the plan?

24 Changes to our part of town:
25 Since we moved here in 1999, there has

1 been a lot of development in this area.
2 I sat down one day and I wrote up a list
3 of about 30 different projects close to
4 our home along the routes of 300 and
5 17K. I assessed the list and I realized
6 that I frequent about half of them.
7 Yes, they have added good things to our
8 lives. The difference however is that
9 my list consists of stores, restaurants
10 and other establishments that people go
11 to, not warehouses. In my mind
12 warehouses do not belong in residential
13 areas. Not even close to these areas.
14 In my mind warehouses should be in
15 another category like industrial or
16 something.

17 I ride around Orange County and I
18 see a lot of land that looks like it
19 would be much more usable for this
20 project. Land that does not have
21 neighborhoods close by. Land that is
22 also close to the highway. It is simply
23 not appropriate.

24 Other projects: It has come to
25 our attention that there are many more

1 large scale projects that are in the
2 works in the Town of Newburgh such as
3 the large apartment complex off of Old
4 Little Britain Road and another
5 warehouse across from Gold's Gym on
6 Racquet Road. I know there are many
7 more in the works. When is this going
8 to stop? When is enough enough?

9 It is my opinion that you are
10 ruining this town and striping it of its
11 charm. I believe they have come
12 dangerously close to a tipping point in
13 changing this town forever.

14 We the people: The homes on
15 Lakeview Drive have been around for
16 about 60 years. That means for 60 years
17 the residents have been paying real
18 estate taxes and it's not only Lakeview
19 Drive, but also all the other streets
20 and homes in the area. We do not want
21 this 12-acre warehouse project. For us
22 if this goes up there's no way to avoid
23 it. Coming and going it will always be
24 there, an enormous eyesore. A big
25 white, ugly, smelly monster. That's my

1 statement.

2 CHAIRMAN EWASUTYN: Thank you.
3 Would you like to comment on that and
4 provide some answers?

5 MR. CAPPELLO: I'll take her
6 comments and I understand them and will
7 try to address them as best we can, but
8 the town has adopted zoning ordinances.
9 This has been zoned for this for maybe
10 not 60, but probably close to 60 years
11 where compliance with the zoning
12 warehousing is a need in this area.
13 People want services. They want the
14 services and have their goods here and
15 this is just the trend of where our
16 economy goes in the future of the town.
17 As we said, this is the last property on
18 Old Little Britain Road that will be
19 developed. There will be no traffic
20 going forward on Old Little Britain
21 Road. We understand the comment of
22 noise and we will certainly try to take
23 a look at that with the screening and to
24 address and provide some information for
25 what we can do to limit it. It's a

1 valid concern. But despite all of the
2 development, I believe property values
3 in the Town of Newburgh have certainly
4 gone up. This wouldn't ruin it. We
5 would all like to not have any traffic
6 when we are driving on the road but yet
7 have all our goods and services and
8 availability. There's a mix of this.
9 We don't have anything against
10 restaurants. And restaurants are having
11 a tough time. We have come to a
12 different economy. Mr. Spitzer and his
13 team can provide this in as an
14 attractive manner as we can. We have
15 excellent architects looking at it and
16 will try to design it in a manner that
17 will result in as little impact to the
18 neighborhood if that's possible which is
19 why we are here tonight, to hear those
20 comments and hopefully take measures for
21 that.

22 CHAIRMAN EWASUTYN: Are you part
23 and parcel of this same team? Are you
24 Mr. and Mrs.?

25 MS. JOANIDES: Yes.

1 CHAIRMAN EWASUTYN: Can someone
2 who hasn't had a chance to speak step up
3 and then we will come back to you?

4 MR. JOANIDES: Of course.

5 CHAIRMAN EWASUTYN: I don't mean
6 to be rude. Not to dominate the topic.

7 MR. JOANIDES: I understand.

8 CHAIRMAN EWASUTYN: Thank you. Is
9 there someone here who has a question or
10 comment? Okay, way in the back.

11 MS. PLIMPTON: Good evening, my
12 name is Patricia Plimpton. I own 48
13 Lakeview Drive. I am against the
14 position of the Unity Place Warehouse
15 since this will be only several hundred
16 feet away from my home. Five years ago
17 when I bought the property it was
18 primarily based on the fact that it was
19 located on a quiet cul-de-sac in the
20 Town of Newburgh. I see absolutely no
21 benefit to the construction of a
22 warehouse near my home. I foresee only
23 constant noise, disruption and excessive
24 traffic. My property value will
25 decrease and will cause me nothing but

1 trouble if you go forward with this
2 endeavor.

3 Why will the town allow commercial
4 zoning in a residential area? That is
5 the point of zoning law. It looks like
6 the town only desires the money it may
7 make off of this and has total disregard
8 to its taxpayers. What do we pay our
9 taxes for? Our voices need to be heard.
10 Please take it into consideration we
11 have homes, family and children that our
12 lives are going to be disrupted. We
13 planned for this to be our forever home.
14 If this warehouse gets built we will be
15 forced to sell our home. Thank you.

16 CHAIRMAN EWASUTYN: Comments from
17 others. Ma'am.

18 MS. OTLOWSKI: Erica Otlowski, 21
19 Lakeview Drive. I just want to
20 piggyback on what the other two ladies
21 have said. Why? What does this bring
22 to the Town of Newburgh that something
23 like restaurants or medical research
24 would not bring? What is this going to
25 provide for us? The gentleman made a

1 reference to property values increasing
2 in Newburgh. Is there an analysis
3 available of property values of homes
4 that are next to warehouses? I can
5 already see from my bedroom window to
6 the Abscam warehouse. The light from
7 Lowe's bounces off my bedroom walls.
8 The lights in the parking lot is all
9 industrial. I've only lived there half
10 the time that this couple has and it's
11 so much. It was bad enough when BJ's
12 came in and now we are going to have to
13 deal with this. It's going to be so
14 loud. BJ's is dropping trailers at 4:30
15 in the morning every morning. That's
16 about the same distance that this
17 warehouse is going to be. We don't know
18 who is going into this. We don't know
19 who is going to be in this warehouse.
20 Are there going to be reefer trailers?
21 We don't know what their shipping hours
22 are going to be. I mean we are going to
23 build this huge project and maybe
24 someone will come into it? We don't
25 even know. They already had this huge

1 project across from the mall that was
2 seven, eight years ago and only now has
3 it gotten developed. It's a lot like
4 Nancy said, in a short period of time
5 and what that other lady said. Why
6 can't we have any green space in this
7 town? All the green space is
8 disappearing. Why?

9 CHAIRMAN EWASUTYN: John, would
10 you like to comment on that?

11 MR. CAPPELLO: The space that was
12 cleared seven years ago was cleared for
13 a shopping mall and restaurants and
14 stores and that it could not be
15 developed for such. Now it's being
16 built for warehouses that are in demand.
17 We have a need in this society for
18 goods. We may not like the Amazon
19 warehouse, but there's packages on
20 everyone's porch when you go home from
21 Amazon. They have to come from
22 somewhere. The farther away they have
23 to drive the more expensive they are.
24 The more hours trucks are on the road,
25 the more emissions they give. We happen

1 to be located in an area that is
2 conducive of it. This property has been
3 zoned so when the people bought their
4 homes this property was zoned and this
5 was a use that was potentially permitted
6 and that's something you factor in.
7 Zoning has not changed. We are not
8 asking the town to change it to allow
9 this use here. It is allowed. It is
10 contemplated and there are similar uses.
11 Lowe's with the light, it's a retail
12 facility. We certainly understand the
13 comments. I'm not minimizing your
14 concerns in any way. We will take it
15 back to our architect and engineer to
16 see what we can do to make sure we
17 mitigate. That's what this process is
18 for.

19 CHAIRMAN EWASUTYN: Thank you.
20 Additional comments?

21 MR. FEDDER: Bill Fedder, Rockwood
22 Drive. Based on the infiltration
23 system, what size storm was this
24 designed for, the infiltration system?

25 MR. GREALY: It's the two 100-year

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storms.

MR. FEDDER: And that's the D.O.T. review or town's review, Pat?

MR. HINES: My review.

MR. FEDDER: Thank you. There was allusion to potential manufacturing at that facility. Does warehousing allow for manufacturing? Is that same similar use zoning?

MR. CORDISCO: Manufacturing is allowed in this zone. This application is for warehousing. It was reviewed by the board in connection with potential impacts associated with warehousing.

MR. FEDDER: Would it require additional public hearings to change the use then if you plan or if you approve of it?

MR. CORDISCO: In my opinion it would be up to the board as to whether or not that would be a change in use. It would -- it's an entirely different category of zoning and has different impacts associated with it.

MR. FEDDER: Did I hear correctly

1 in previous comments that was potential
2 the use of the property?

3 MR. CORDISCO: Correct. That's
4 what I heard as well.

5 MR. FEDDER: I'll entertain your
6 answer.

7 MR. SPITZER: Are you referring
8 to what I said about the EV station? It
9 was a warehouse, not a manufacturer.

10 MR. FEDDER: The facility, will it
11 be approved for 24-hour operation?

12 CHAIRMAN EWASUTYN: I don't think
13 the code denies 24-hour operation. Is
14 that right?

15 MR. HINES: It does not. There
16 are no restrictions on the hours of the
17 use in the code. There are restrictions
18 on construction activities, but once a
19 facility is constructed there are no
20 restrictions on the use. I think there
21 may be legal issues if we are trying to
22 restrict the use.

23 MR. FEDDER: Noise mandates are at
24 the property line or where are they
25 measured?

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CHAIRMAN EWASUTYN: John?

MR. CAPPELLO: I believe your code -- most ordinances are at the edge of the property, leaving the property. We will have to abide by the town's noise ordinance. I want to add, this said warehouse, the traffic analysis. I believe they did -- the D.O.T. did ask for additional -- for us to increase our traffic counts in case it was a manufacturing type of use that the improvements in the road were designed for that use on that level of traffic, so the warehouse use is probably less traffic than this has been designed.

MR. GREALY: As part of the New York D.O.T. review, they ask for a sensitivity analysis at the higher generator use as they refer to it as an industrial category, so that was part of the evaluation in order to determine worst case impacts. But it is proposed as a warehouse, but we were asked to do that and that was all provided and part of the mitigation requirements we had to

1 do.

2 MR. FEDDER: It's more noise as
3 you are entering. Thank you.

4 CHAIRMAN EWASUTYN: Gentleman in
5 the back.

6 MR. ECKERT: Good evening. I'm
7 Conor Eckert. I'm the vice-president at
8 the Orange County Partnership. We are
9 the economic development organization
10 for the county. Our primary goal is to
11 create jobs for people in the county.

12 I'd like to speak to the
13 opportunity that this project presents.
14 The proposed 150,000 square foot
15 facility is very much needed in this
16 market. In fact, we don't have many
17 Class A high end buildings at 150,000
18 square feet. To put it in perspective,
19 and taking you back to what Eliot said,
20 we are working with a handful of
21 potential tenants, but none of these
22 tenants will commit to a site that is
23 not approved and in some cases they need
24 construction to be committing to it. So
25 there is interest. We are talking high

1 quality jobs, benefits to the community
2 by way of tax revenue and people coming
3 and spending money, and maybe even local
4 kids being able to work here to help
5 with college.

6 Okay, so the back story on the
7 comments, we had a European company fly
8 in earlier in December. They are in the
9 automotive industry and they originally
10 needed around 90,000 square feet shovel
11 ready land for warehousing, a little bit
12 of light assembly. These are high
13 quality jobs, good benefits, good
14 salaries for the local people. That
15 requirement quickly became 150,000
16 square feet, shovel ready, ideally under
17 construction. This is an automotive
18 company that are looking to create high
19 quality jobs. And we don't have much by
20 that size that we can offer in the
21 county, particularly in the region. In
22 fact, this was a project in Orange
23 County, New York and an undisclosed
24 county in North Carolina. We just don't
25 have 150,000 square feet ready to offer

1 yet. And that puts the community in the
2 driver's seat in trying to attract
3 companies. Not many other places have a
4 building this size. We have a million
5 feet, but 150 is a strategic sweet spot
6 for a high end company. I want to
7 mention, and Eliot is probably not going
8 to like this, but Eliot is a high
9 quality person, high quality developer
10 and this has the potential to benefit
11 the community. I'm happy to speak to
12 anyone afterwards.

13 CHAIRMAN EWASUTYN: Gentleman in
14 the back.

15 MR. GROSS: Good evening,
16 everybody, Steve Gross, Goshen, New
17 York. I'm a lifelong Orange County
18 resident. I'm director of economic
19 development in Orange County and I work
20 with Conor, I work with the Orange
21 County Partnership, I work with county
22 head, Steve Neuhaus who is a big
23 believer in economic development and job
24 creation. That is the key take away
25 from this conversation. This project

1 will create jobs. It will create tax
2 rateables for the county. We respect
3 the local municipality, we respect the
4 town planning board's overall decisions,
5 the resident homeowner decisions, but
6 the big picture is jobs, jobs, jobs
7 which creates jobs for the next
8 generation in the county. But also as I
9 mentioned, it ups the tax base. If
10 anyone has seen their recent tax bill
11 from Orange County Government that came
12 out in the mail recently, you are
13 looking at a 7 percent deduction,
14 reduction in the county tax rate.
15 That's a result of increasing tax
16 rateables through of economic
17 development activities, more people
18 contributing to the market in Orange
19 County. Very good things we see in the
20 county going forward. We see a lot of
21 progress moving forward and hopefully we
22 can continue to keep our taxes low as a
23 result of all this good economic
24 development. As Conor said, Mr. Spitzer
25 is a very responsible developer in the

1 county and we appreciate all the
2 activity he has brought. Thank you.

3 CHAIRMAN EWASUTYN: Gentleman in
4 the back.

5 MR. SCALZO: Good evening. Bret
6 Scalzo, 10 Lakeview Drive. I wanted to
7 address one comment made earlier about
8 the traffic study that was done in the
9 year of 2021. Am I correct in saying
10 that, if I can address that right now?

11 MR. GREALY: That's the date of
12 the study.

13 MR. SCALZO: Date of the study was
14 done between 2020 and 2021?

15 MR. GREALY: The date of the study
16 was 2021. The date of collection goes
17 back through 2015 because we looked at
18 historical date. The D.O.T. had
19 requirements that any traffic data
20 collection done during the COVID
21 pandemic that they would require
22 adjustments so as part of the traffic
23 study there are adjustments made based
24 on historical counts. So any effect of
25 the pandemic was taken into account in

1 the traffic study.

2 MR. SCALZO: Thank you. You just
3 pulled my teeth on that one. Well done.

4 MR. GREALY: It's a good question.
5 That's how we do it.

6 MR. SCALZO: I didn't know if
7 anybody was aware in the general public
8 between 2020 and 2021. There was a 30
9 percent reduction and I didn't know if
10 you were relying on that.

11 MR. GREALY: Luckily we have a lot
12 of historical data here from other
13 studies and D.O.T. has their own
14 historical data too.

15 MR. SCALZO: One other question I
16 have. Nontraffic related.

17 MR. CAPPELLO: This would be for
18 environmental impact study depended on I
19 assume -- the board has adopted a
20 negative declaration in the traffic
21 study and all of the documents are
22 presented for the board. In essence
23 it's a part 3 of additional information
24 based upon that, the board has adopted a
25 negative declaration and has set this

1 hearing here.

2 MR. SCALZO: There is no effective
3 -- we'll, I'll just put it this way,
4 Paragon Falcons have been noted.

5 MR. CAPPELLO: I'm sorry, I
6 thought you meant the process of the
7 SEQR. There was a review of the records
8 in the information submitted as habitat
9 as part of the -- (interrupted)

10 MR. SCALZO: How was that data
11 collected, in person? Was there a
12 walk-through?

13 MR. CAPPELLO: Yes. We had a
14 walk-through, a marine biologist walked
15 the site.

16 MR. SCALZO: Walked the site?

17 MR. CAPPELLO: Yes.

18 MR. SCALZO: This was a one-day
19 walk through? I don't know the
20 procedure.

21 MR. HINES: In addition the EAF
22 document, the Environmental Assessment
23 Form they submitted is filled out
24 interactively on the D.E.C.'s website
25 and it would populate information that

1 the D.E.C. has on the site. If the
2 D.E.C. had records of occurrences of
3 threatened or endangered species, that
4 would be added to that form. That was
5 not the case here. There was no
6 information in that database. The
7 applicant doesn't fill that out, the
8 D.E.C.'s interactive web base fills it
9 out as they enter the property, and that
10 was reviewed.

11 CHAIRMAN EWASUTYN: Gentleman in
12 the back.

13 MR. GALLAGHER: Matt Gallagher,
14 409 Little Britain Road. I live across
15 from the site. I believe I have
16 questions that are of common interest
17 with my neighbors. When we hear
18 proposals for extra tree coverage trying
19 to shield buildings is much appreciated.
20 When the proposed architects and
21 builders kind of act as the subject of
22 lighting and noise, we realize they are
23 really not the subject of the lighting
24 and the noise. It's going to be the
25 tenant who we don't know. I don't want

1 to take up more time than necessary, but
2 if there's a resource that could be made
3 available to us so that we can feel that
4 there's any recourse for noise and
5 infusion of light during operation, I
6 believe that we are convinced that that
7 would be upheld when it's the behavior
8 of the individual employees of the
9 tenant whoever that might turn out to
10 be, it would be in a sense corrected,
11 the behavior corrected, whether it's
12 through additional lighting. Light
13 coming into a home for those, we have
14 infusion of light that comes straight
15 into our house from the laborer's union.
16 We don't know who to talk to about these
17 things. The only thing that we are left
18 with right now is that anything is going
19 to go in as soon as that building goes
20 up.

21 CHAIRMAN EWASUTYN: Dominic
22 Cordisco.

23 MR. CORDISCO: This board as part
24 of its approval it does have
25 architectural review over the proposal.

1 That's one of the reasons why the
2 applicant presented architectural
3 renderings and plans. And as part of
4 the site plan, there's also a lighting
5 plan with very specific details
6 regarding fixtures and those fixtures
7 have to be arranged to ensure that
8 there's a minimal amount of light that
9 leaves the site to minimize impacts on
10 surrounding neighbors just to take that
11 particular example. Any construction
12 that occurs has to be in compliance with
13 that approved land and if it's done not
14 in compliance with that land, then the
15 recourse would be with the building
16 department to raise any questions or
17 concerns or complaints brought to the
18 building department because it becomes a
19 code compliance issue at that particular
20 time.

21 MR. GALLAGHER: And that's similar
22 with noise?

23 MR. CORDISCO: Correct.

24 CHAIRMAN EWASUTYN: Gentleman in
25 the back.

1 MR. ASCIONE: Jim Ascione, 29
2 Lakeview Drive. Just a quick question.
3 You are talking about the potential
4 tenants that will not come unless
5 there's a site plan; correct? Am I
6 correct on that?

7 MR. CAPPELLO: Yes.

8 MR. ASCIONE: It's basically blind
9 faith here where the board will issue a
10 site plan and a tenant can come in.
11 What is the process? You mentioned an
12 auto parts place. What if there's
13 hazardous material being stored in the
14 warehouse?

15 MR. CAPPELLO: There will be
16 parameters in the special permit that's
17 issued as to what this use is and what
18 the conditions are and what the
19 requirements are and then when any
20 tenant comes in to do whatever
21 retrofitting they may need to do, in
22 addition on the inside of the building
23 or get a CO, they will have to go to the
24 building department, the building
25 department will look at the conditions

1 in the special permit and if one of
2 those is different, if it says no
3 hazardous waste or conditions put, then
4 they cannot issue a permit or that
5 tenant would have to come back to the
6 planning board. If that tenant met all
7 of the mandates of the special permit
8 and was doing warehousing and was in
9 compliance with it, then they would go
10 directly back to the building department
11 and install. So there will be -- this
12 special permit will set the rules for
13 whatever tenant goes in there and
14 whatever tenant goes in there will have
15 to comply with those rules or come back
16 to this board for an amendment.

17 MR. ASCIONE: Will there be other
18 meetings on this or is this a one-time
19 thing?

20 MR. CAPPELLO: That's up to the
21 board. I'm going to ask them for
22 approval tonight.

23 MR. ASCIONE: And I'm going to ask
24 that it be denied. In reference to the
25 traffic study you did, you estimated 45

1 trucks an hour. Did I hear you right?

2 MR. GREALY: No. The total
3 traffic generation for this size
4 building in a one-hour period is
5 approximately 45 total vehicles. Of
6 that, approximately 15 to 20 percent
7 would be truck traffic, a mix of truck
8 traffic.

9 MR. ASCIONE: In addition to the
10 traffic study, are you required to
11 submit a noise study? I used to drive a
12 tractor-trailer. I know you have an
13 80-bay proposal here. That's a lot of
14 trucks running. Now we are hearing the
15 hours, we don't know if this is a
16 24-hour facility or not. There's a lot
17 of unanswered questions here with the
18 noise. I appreciate the attorney
19 talking about plans taken. There was a
20 secondary question of how retaining
21 walls and screening to be put up for use
22 for the truck noise. I realize that New
23 York State Law 6CR regarding idling
24 tractor-trailers can idle for more than
25 three minutes and I think we can all

1 agree that's pretty much useless and
2 unenforceable. I used to drive. In the
3 cold weather that truck is going to run.
4 In the hot weather the AC is going to
5 run. If you are driving a company
6 truck, you are not shutting it because
7 there's a real possibility it won't
8 start again. Was there any kind of
9 noise pollution study done?

10 MR. GREALY: There was not a
11 separate noise study done. This site
12 plan was reviewed in terms of
13 positioning and landscaping and the
14 retaining wall were positioned to
15 address that as best as possible, but
16 there was no detailed noise study done,
17 no.

18 MR. ASCIONE: I'm not trying to
19 monopolize the time here. I'm asking is
20 it possible to have a noise study
21 performed before this is approved?

22 CHAIRMAN EWASUTYN: Comment noted.

23 MR. McCrackin: My name is Chris
24 McCrackin. Good evening. I'm here
25 representing the Advance Testing

1 Company, an Orange County based company
2 that has been in the county for over 38
3 years now. I thank the board for the
4 opportunity to speak.

5 We are here in support of the
6 proposed project. We have been in
7 support of the project. We have dealt
8 with a lot of these types of projects
9 over the course of time. We have seen
10 many of them, not necessarily all, but
11 many able to strike a balance between
12 the public's input and making sure that
13 they are properly done to mitigate all
14 the concerns brought up tonight. As
15 mentioned, this project is backed by a
16 local developer as opposed to someone
17 who's not local and not from the
18 community with a history of bringing
19 high quality facilities to Orange
20 County.

21 As noted the site zone for this
22 use and outside of the stretch of road
23 there to get out of the neighborhood is
24 very close to the interstate, largely
25 avoiding truck traffic and especially

1 towards the site. It also provides the
2 rateables mentioned. The short term it
3 has some benefits for the local trucking
4 community. In the long term hopefully
5 some viable employment opportunities for
6 the public as well. I know our own
7 company we have a number of staff
8 members who have had their family
9 members take positions. We have a
10 number of people whose spouses have
11 gotten employment there and it turned
12 out to be pretty good jobs over the
13 course of time. Many times they are
14 kind of poor quality jobs, but I think
15 that is sometimes the case, but not
16 necessarily always the case with today's
17 more modern warehouses where staff are
18 more highly trained. Even many today
19 now incorporate a significant amount of
20 technology to make it much cheaper, more
21 automated, reduce some of that noise
22 with the trucks. As far as internal
23 noise, forklifts and all that, many of
24 them are highly automated at this point.
25 We look forward to the continued review.

1 I hope to get more comments and
2 consideration. Thank you.

3 CHAIRMAN EWASUTYN: Gentleman in
4 the back.

5 MR. GILMAN: Good evening, thank
6 you for the time. My name is Alberto
7 Gilman. I apologize, my voice is not
8 the best. Question or clarification.
9 Depending on site plan approval, what is
10 the time line on this project from
11 beginning of construction to it being
12 operational?

13 MR. ROCKS: 18 months. Once we
14 go through this board we still have to
15 obtain other approvals for the actual
16 connectionS of the lines and everything
17 and do the actual construction.

18 MR. GILMAN: Pertaining to the
19 Unity Place as well as Old Little
20 Britain Road, I believe it was stated in
21 the record that there was a requirement
22 that no trucks should be going
23 southbound from that road. Is that
24 required of all future tenants as well?
25 I know there is no identified tenant

1 now, but is that all required for future
2 tenants and are the trucks all supposed
3 to be within that required style to be
4 able to access that site?

5 MR. GREALY: The answer is yes.
6 No truck traffic other than what is
7 allowed today can use Old Little Britain
8 Road east of Unity Place. That
9 restriction is in place and would be in
10 place for any tenant that's here.
11 Trucks would be restricted to Unity
12 Place and Old Little Britain Road
13 between Unity Place and Route 300.

14 MR. GILMAN: What about the worst
15 case scenario if a driver accidentally
16 takes that road or does it
17 intentionally, is there a legal
18 requirement that a tenant or an
19 associate driver working with the town
20 planning board to fix those roads? I
21 know that traffic all around here, the
22 roads need to be repaved and stuff like
23 that, but is there a requirement in the
24 legal language for the town to receive
25 any certain compensation for road

1 repairs if there was a diligent or
2 unknown usage of that road by a truck
3 because of the weight?

4 CHAIRMAN EWASUTYN: I'll let the
5 planning board attorney address your
6 comment as far as the authority that the
7 planning board may have. Dominic.

8 MR. CORDISCO: The planning board
9 has -- this is a good opportunity to
10 talk about the planning board's role in
11 reviewing these applications and this
12 one in particular. It's been noted by
13 Mr. Cappello at the outset that this
14 project is consistent naturally with the
15 zone and so the planning board's
16 obligation and actually their limit of
17 their authority is to review the
18 applications that come before it and
19 determine whether or not the proposal
20 meets the technical requirements that
21 are set forth in the zone. It's a
22 misperception to think just generally
23 speaking that the planning board has the
24 authority to deny an application that
25 otherwise is consistent with what the

1 zone requires. Some might not like
2 hearing that, but this board is not a
3 legislative board. This board is a
4 reviewing board that reviews
5 applications and doesn't set policy for
6 the town. As a result the board itself
7 can only review what is being proposed
8 and can't address future conditions such
9 as the one that you are describing now
10 in connection with potential road damage
11 that might occur if a truck takes a path
12 that they are not supposed to take. In
13 that case it really becomes an
14 enforcement issue for the town to
15 address at that time. There's not much
16 that this board can use or prescribe
17 what would happen in that circumstance
18 in the future.

19 MR. GILMAN: Another question as
20 well. On the plans, there's trees seen
21 on the very bottom left-hand side. I
22 know when driving along Unity Place,
23 myself included, I have a very wide
24 range of visibility from both sides so I
25 can see the traffic. Unfortunately we

1 have a lot of drivers here that do drive
2 at excessive speeds. Is it a
3 recommendation to not include the
4 arborvitae until at least fall or at the
5 end of the year so as to create more
6 visibility from that roadway?

7 MR. GREALY: We have to maintain
8 sight distances at our access points as
9 well as at the intersection of Unity
10 Place and Old Little Britain Road. So
11 any of those plantings will not be able
12 to interfere with sight distances as
13 required by the town.

14 MR. GILMAN: My last question.
15 Depending on the applicant whether it be
16 one or two, how many jobs are
17 anticipated in creating in terms of
18 office, drivers, maintenance workers,
19 possible security as mentioned by a
20 security fence? What is the estimated
21 amount of jobs to be created? Are you
22 planning to start with as mentioned by
23 the Orange County representatives, are
24 they planning to hire within the county
25 first or is it kind of a widespread net?

1 What is that looking like?

2 MR. GREALY: The companies we
3 bring in we work with Coner Eckert to
4 try to ensure that they hire local
5 people to the extent practical,
6 connecting with the local high schools
7 and community colleges. Yes, we will
8 work with them to ensure the local
9 people are included and have an
10 opportunity.

11 MR. GILMAN: Question about the
12 jobs. How many jobs are to be created
13 with this project?

14 MR. SPITZER: Obviously depends on
15 the tenant, but it could be about a
16 hundred jobs possibly.

17 MR. GILMAN: Thank you.

18 CHAIRMAN EWASUTYN: For those of
19 you, if there are any other speakers.
20 Gentlemen in the back.

21 MR. CIRILLO: Lou Cirillo, I'm at
22 26 Lakeview Drive. I've been there
23 since 1971. Some of the things I heard
24 tonight -- I'm in the construction
25 industry too. I have four jobs and four

1 in trucking. It probably saved our
2 asses during COVID. It's just where we
3 live I've heard that this is great for
4 the community. It's just we are the
5 community. Over time it's gone from
6 along Unity -- even before that it was
7 green. I heard it was -- it's been
8 zoned for commercial or industrial for
9 awhile, but then I hear the roads aren't
10 and Unity possibly needs a variance or
11 revision from the planning board, did I
12 hear that correctly?

13 CHAIRMAN EWASUTYN: I don't think
14 the revision comes from the planning
15 board.

16 MR. CIRILLO: Who does it?

17 CHAIRMAN EWASUTYN: The revision
18 doesn't come from the planning board.
19 I'll let Dominic Cordisco speak on that.

20 MR. CORDISCO: The town had
21 vehicle and traffic law that has
22 restrictions. In this case there's a
23 weight restriction on Old Little Britain
24 Road. That would require an amendment
25 by the town board in connection with

1 that particular provision. Like I said
2 this board doesn't set policy, it
3 doesn't create legislation. The board
4 reviews applications that are in front
5 of it. If this project proceeds, one of
6 the conditions, if any approval, would
7 be that they would have to likely
8 receive that amendment from the town
9 board.

10 MR. CIRILLO: The only thing I
11 would say, if the road isn't designed or
12 meant to be for heavier traffic, if we
13 could rezone where the industrial is
14 from residential. It seems as if it's
15 going the other way. We are losing more
16 and more of the residential feel over
17 there. Like I said, since '71, I was
18 five years old, I can tell you no one
19 thought it would be where it's about to
20 be right now. Because the roads weren't
21 that bad. It was woods. What was going
22 on wasn't vehicular traffic. Over time
23 you accept things will change. And
24 again, you will see all of us here. I
25 think most of us are coming out for

1 maybe the first time because of how
2 close this is getting. How big of an
3 industry is going to be right up against
4 us? You talk about 800 cars max. I
5 mean we literally get flooded with cars.
6 You have 80 bays of trucks. I don't
7 know how many cars. Was your study
8 based off of a peak of maybe everybody
9 letting out? Unity was designed for
10 maximum peak. I can guarantee you that
11 Unity wasn't designed for maximum peak
12 of that plus Little Britain maximum. If
13 that gets let out and then you have the
14 truck traffic, you have talked about you
15 have to cross over. I mean on Old
16 Little Britain, there's no room on it.
17 It could be backed up at least five
18 times a year, maybe more at peak holiday
19 periods for maybe a mile. That whole
20 thing up to where the Home Depot
21 entrance is going to be backed up. I
22 don't know how you get all that at your
23 peak. We are all talking about this is
24 the future and this is the growth that's
25 going on as we speak. It's so tight in

1 our little part of town. Again, it's
2 called Old Little Britain, you go on it
3 there's no road as small as Old Little
4 Britain. I think all of us would agree
5 if it was another site in the county,
6 fine, that's more industrial based. I
7 don't know what it is on 17K. We would
8 like to see the state in the county or
9 in Newburgh. It's just where we are,
10 our backs are up against the wall. Has
11 there been any study on the air quality?
12 A gentleman talked about being in the
13 trucking industry. When you start the
14 truck up, that's the most noxious moment
15 of that truck's emissions. There's the
16 No-x that deals with the emissions. If
17 you are at maximum 80 days those trucks,
18 let's say 40 of them are starting, what
19 is being released for us right there?

20 The last thing I have to say is
21 would any of you want to move from where
22 you live to where we live after this is
23 built at its maximum use?

24 CHAIRMAN EWASUTYN: Any comments
25 from the public who haven't had the

1 opportunity to speak?

2 MS. FAYO: (First name inaudible
3 Fayo), 8 Old Little Britain Road.
4 Question about the entrance. There's
5 trucks that come down Unity Place all
6 day long, tractor-trailers and they try
7 to make the right because they miss the
8 turn and they take down the fire
9 hydrants and they take down the stop
10 sign. That corner of Unity Place and
11 Old Little Britain Road is too tight,
12 much too tight. I have the driveway
13 right next to Unity Place. I can't get
14 in or out because of that. I think that
15 needs to be addressed.

16 CHAIRMAN EWASUTYN: Phil Grealy.

17 MR. GREALY: We will address that
18 as part of the final site plan. We will
19 work with the highway superintendent to
20 take care of that.

21 MS. FAYO: I just have one more
22 question. Are there going to be any
23 street lights on Unity Place on that
24 side? Are they going to put any more
25 street lights on Unity Place on the

1 other side of the street? My side is
2 all lined all the way up.

3 MR. GALLI: Are there streetlights
4 on your side of the road?

5 MS. FAYO: On the other side?

6 MR. GALLI: On the other side,
7 that's up to the town.

8 CHAIRMAN EWASUTYN: Sir, you're
9 next.

10 MR. STILLWAY: Mark Stillway, 484
11 Old Little Britain Road. Two quick
12 questions. Unity Place, what is the
13 reason for only having ingress into the
14 property and not egress? What's the
15 reason for that?

16 MR. GREALY: Primarily for site
17 distance requirements and because of the
18 curvature of the road at that point.

19 MR. STILLWAY: Your numberS said
20 that on 300 the traffic count if I
21 recall is about double what it is on
22 17K?

23 MR. GREALY: 17K is over 1,500
24 vehicles an hour and Route 300 is over
25 2,000.

1 MR. STILLWAY: I'm just concerned
2 coming out and seeing less traffic to go
3 onto the Thruway. The second thing for
4 the board's consideration, I know in the
5 past the spillway just west of that on
6 Old Little Britain Road there's been
7 concern for the weight that was
8 supporting vehicles going over it. It's
9 an older spillway and I know other
10 projects in the past that the
11 contractors may not know the weight of
12 the vehicles. That would need to be
13 developed that the developer knows the
14 weight of the trucks.

15 MR. GREALY: That will be
16 addressed.

17 MR. HINES: That's one of the
18 issues we are looking at with the weight
19 limit, whether that is the driving force
20 between the weight restriction on that
21 road or that weight restriction was put
22 in there as traffic control. We will
23 have to work with the highway
24 superintendent and the town board to
25 address that restriction.

1 CHAIRMAN EWASUTYN: Additional
2 comments from those in the audience that
3 haven't spoken yet? You have an
4 opportunity to speak. Thank you.

5 MR. JOANIDES: My name is Charles
6 Joanides. I live at 50 Lakeview Drive.
7 This is my better half. I'm very proud
8 of what she said earlier as well as many
9 of you others in our neighborhood.

10 You heard earlier that this
11 project is going to generate 100 jobs.
12 That's great. What about the people who
13 are living at Lakeview Drive? What
14 about the people who are next to
15 Lakeview Drive? Williams? What about
16 Dewey? What about D'Alfonso? All those
17 people are going to be impacted by this
18 monstrosity. What about us? We are
19 talking about 100 jobs. What about the
20 quality of our lives? We didn't sign up
21 for this. I don't know one person who
22 lives in these neighborhoods that is in
23 favor of this. Not one. This will
24 affect, impact negatively on our quality
25 of life. Is that selfish? I doubt it.

1 I don't know of anyone in this room who
2 says that they would welcome this next
3 to their home. I wouldn't believe them.
4 You know, I was thinking about --
5 I'm a capitalist by the way. But I'm
6 also a capitalist with compassion. I
7 don't see this as being compassionate at
8 all. This is going to affect many, many
9 lives. Many people that aren't here
10 today that wanted to be here who were
11 probably afraid to be here, who probably
12 already knew that this is already a done
13 deal and didn't come. I hope that this
14 is not a done deal. I hope we look at
15 this a little more carefully and
16 consider the consequences of what we
17 have been talking about today and the
18 people that live in these -- in the
19 adjoining neighborhoods and have been
20 living there. They didn't buy their
21 property signing up for this. This is
22 going to affect our property value.
23 This is going to affect our well-being.
24 This is going to affect our quality of
25 life. And I don't care what kind of

1 traffic studies have been done and what
2 water quality stuff has been looked at.
3 The bottom line is this, we know who
4 lives in these neighborhoods that this
5 is going to have a negative impact on
6 us.

7 CHAIRMAN EWASUTYN: Any additional
8 comments from the public at this point?
9 You have heard some concerns from the
10 people in the audience as far as
11 providing some additional noise, that's
12 an issue. You heard some comments from
13 people in the audience as far as air
14 quality. And I'll have others bring up
15 matters that I'm sure I missed. Frank
16 Galli.

17 MR. GALLI: They brought up the
18 lighting. Make sure you address the
19 lighting. Nowadays it's designed for it
20 to stay on the site. Lighting has
21 changed in the last few years as far as
22 on big projects. There are no longer a
23 need for tall light poles. The noise
24 study, I don't know how you are going to
25 do a noise study because there's nothing

1 in the building yet. I'm not an
2 engineer so I couldn't tell you how to
3 do that. After the operation is up and
4 running and you do a noise study and it
5 doesn't reach the town level then maybe
6 the town has to address that. I'm sure
7 the town has parameters, Jim, for noise?

8 MR. CAMPBELL: Yes. There was a
9 full chapter that is geared to 1.5 noise
10 of illumination.

11 MR. GALLI: Follow that chapter.
12 You heard the people. So try to address
13 their concerns and that's all I have.

14 CHAIRMAN EWASUTYN: Dominic
15 Cordisco, planning board attorney would
16 like to speak on behalf of the planning
17 board.

18 MR. CORDISCO: There's really two
19 categories of noise studies. What you
20 are touching on, Mr. Galli, was a
21 preconstruction noise setting which is
22 really a model of -- this is what the
23 sounds that would be generated typically
24 on lighting sources and this is compared
25 to the ambient level of noise that's

1 taken out on the site and that has some
2 value, but what might be better for the
3 board to consider would be an actual
4 post-construction noise analysis where
5 the ward would retain jurisdiction where
6 after it was up and constructed and if
7 there were noises that were significant
8 that was leaving the property, the board
9 could require a post-construction noise
10 analysis to be done at some point after
11 the facility was running with the
12 ability to incorporate additional
13 controls and measures by mitigating
14 noise. In my mind that's a better
15 approach in the long-term because it's
16 one thing to talk theoretically about
17 noise and then accept those conclusions
18 and then close that book and whatever
19 happens, happens, but the board could
20 use the post-construction noise analysis
21 as a more appropriate and meaningful
22 tool if this project moves forward. I
23 might add that there's many other towns
24 in the surrounding areas that typically
25 require projects of this scale and type

1 a post-construction noise analysis. The
2 Town of Montgomery is one of them.

3 MR. GALLI: Thank you.

4 CHAIRMAN EWASUTYN: Any additional
5 comments, Frank?

6 MR. GALLI: No comments.

7 CHAIRMAN EWASUTYN: Dave Dominick?

8 MR. DOMINICK: First I want to
9 thank the public for coming out and
10 expressing their concerns. I took a lot
11 of notes here and I understand what you
12 are talking about and where you are
13 coming from.

14 As Frank said, the noise study as
15 Dominic just suggested is great. Trees,
16 increase the tree screening. More green
17 space as Karen mentioned, especially
18 soften and high impact in that area.
19 Lighting, minimize the light pollution
20 in the surrounding area.

21 CHAIRMAN EWASUTYN: John Ward.

22 MR. WARD: Yes. I'd like to thank
23 everybody for giving us your opinions,
24 we treasure that because we are Town of
25 Newburgh residents.

1 First about the trucks running.
2 I'd like you to put signs up per New
3 York State law regarding idling. It
4 might not work, but at least it's
5 enforcement by the police of whatever
6 they have to do.

7 Second, Miss Fayo in reference to
8 the corner. Like I mentioned, check
9 that out. It's important. We are on
10 this side of the fence, but we are on
11 your side, but we have no choice when
12 it's business. They have the right to
13 put whatever goes under the code. So we
14 are here to make sure everything is the
15 right way according to the town. Thank
16 you.

17 CHAIRMAN EWASUTYN: Ken.

18 MR. MENNERICH: I don't have
19 anything in addition.

20 CHAIRMAN EWASUTYN: Stephanie
21 DeLuca.

22 MS. DeLUCA: I appreciate
23 everyone's comments tonight and thank
24 you for coming out. Again, a lot of the
25 points that you have made really bring

1 the full picture, bring us a full
2 picture in terms of living in that
3 neighborhood where you are going to be
4 affected the most. And so I guess I did
5 most of what has been said already here
6 by my constituents, but again, I'm also
7 concerned with the traffic and the
8 weight limit on that road and hoping to
9 avoid any of that kind of traffic to be
10 going down a very crowded area or soon
11 to be a crowded area. Thank you again.

12 CHAIRMAN EWASUTYN: At this point
13 on behalf of the planning board, Dominic
14 Cordisco, he will give us a course of
15 action.

16 MR. CORDISCO: My recommendation
17 to the board would be in light of the
18 significant concerns that were raised
19 tonight by the public as well as by
20 written correspondence that has been
21 received by the board with additional
22 analysis that needs to be conducted by
23 the applicant, my recommendation is that
24 the board will keep the public hearing
25 open until such time that the applicant

1 provides a response to the items that it
2 raised and addressed tonight. With the
3 odds of missing something they connect
4 to the noise, to lighting and to traffic
5 obviously and some additional concerns
6 and certainly a full copy of the
7 transcript will be made available to the
8 applicant so that they can go through
9 and prepare a response to the concerns
10 we have. My recommendation would be to
11 keep the public hearing open.

12 In connection with that, since a
13 continuation of the public hearing would
14 depend on the actual timing and the
15 response from the applicant, that the
16 public hearing perhaps should be
17 renoticed or republished at the time
18 when the applicant makes its submission.
19 Or in the absence of that, if the
20 applicant can identify a time frame when
21 they think that they are going to be
22 coming back, perhaps the board could
23 alternatively consider setting a date
24 now based on the anticipated submission
25 from the applicant. I don't want to

1 commit them to speak to a time frame
2 that they are not willing to commit to
3 at this point.

4 MR. CAPPELLO: I would ask if
5 that the board could put us on the
6 agenda and let the public know, we could
7 come in on the 2nd of February or 1st of
8 March meeting. If we haven't had
9 everything submitted, we can give you an
10 update as to where we are and what needs
11 to be submitted and the board will
12 determine whether to keep it open, if
13 the board would so desire to do that.

14 MR. CORDISCO: The meetings in
15 March are March 2nd and March 16th.

16 CHAIRMAN EWASUTYN: I think for
17 the benefit of all of us, if you were to
18 have information that we need to review
19 prior to the meeting and just the nature
20 of timing, we would consider that
21 meeting to be the 16th of March. As far
22 as that, let's discuss the Notice of
23 Continuation. How would that be
24 handled?

25 MR. CORDISCO: If the board is

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members. Frank Galli.

MR. GALLI: Yes.

MR. DOMINICK: Yes.

MR. WARD: Yes.

MR. MENNERICH: Yes.

CHAIRMAN EWASUTYN: Yes.

MS. DeLUCA: Yes.

CHAIRMAN EWASUTYN: Let the record show that there will be a continuation of the public hearing for the Unity Place Warehouse and the date for that continuation would be on the 16th of March, 2023.

MR. CAPPELLO: Thank you.

MR. GREALY: I thank everyone who came out tonight.

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

In the Matter of

BRITAIN WOODS SCOPE
(22-17)

DISCUSSION

Date: January 5, 2023
Time: 9:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
KEN WERSTED
PATRICK HINES
JAMES CAMPBELL
KAREN ARENT

APPLICANT'S REPRESENTATIVE: ROSS WINGLOWITZ

REPORTED BY: Patrick DeGiorgio, Court Reporter

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

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CHAIRMAN EWASUTYN: This evening we have two items under board business. We will have Dominic Cordisco discuss the first one and that's the Scope for Britain Woods.

MR. CORDISCO: At the board's December meeting we held a scoping session for the Britain Woods project. After the meeting I circulated a proposed revised scope along with a copy of the transcript which was provided to the board and obviously to Mr. Winglowitz in connection with the revisions to address comments that were made at the scoping session. The item is not formally on the agenda tonight, but the scoping process is supposed to conclude within a reasonable time frame, typically about 60 days for the submission of the scope.

The board I think has two options to consider tonight. One would be to -- if you are satisfied with the scope in its current condition you could adopt

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the scope, but you might also want to consider postponing that action until the January 19th meeting in which case the proposed final scope could be added to the website and the agenda item could be added. Obviously there's a significant level of public interest in connection with that project and it might benefit overall the process to let the public know that the action was taken at a meeting where it formally occurred on the agenda.

CHAIRMAN EWASUTYN: Are you in agreement with that?

MR. WINGLOWITZ: We have no objection to that.

CHAIRMAN EWASUTYN: Poll the board members. We will set the scoping for Britain Woods as far as an agenda item. We are adopting that scope; correct?

MR. CORDISCO: Correct. That will be for the January 19th meeting.

CHAIRMAN EWASUTYN: Realizing that when the scope is adopted then that

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would begin the process for the DEIS?

MR. CORDISCO: Correct. The next step is for the applicant to begin preparing the studies to the extent that they are already not in the process and ultimately lead to a submission of a proposed Draft Environmental Impact Statement for the board to review.

CHAIRMAN EWASUTYN: Can I have a motion to set the adoption of the scope for the Britain Woods project for the 19th of January?

MR. GALLI: Motion.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli, second by Dave Dominick. Roll call starting with Stephanie DeLuca.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. GALLI: Aye.

MR. WARD: Aye.

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

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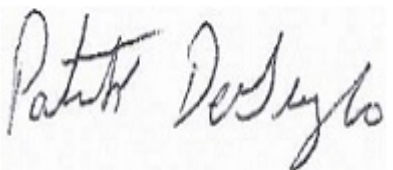
MR. HINES: I brought hard copies
of the red lines if any of the board
members want them.

CHAIRMAN EWASUTYN: Thank you.

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STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

I, PATRICK M. DeGIORGIO, a Shorthand
Reporter and Notary Public within and for the State
of New York, do hereby certify that the foregoing is
a true and accurate record of the minutes having
been stenographically recorded by me and transcribed
under my supervision to the best of my knowledge and
belief.

X 
PATRICK M. DeGIORGIO

Dated: January 14, 2023

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

In the Matter of

RT ORCHARDS
(22-17)

CONSULTANTS WORK SESSION

Date: January 5, 2023
Time: 9:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
KEN WERSTED
PATRICK HINES
JAMES CAMPBELL
KAREN ARENT

APPLICANT'S REPRESENTATIVE: (None)

REPORTED BY: Patrick DeGiorgio, Court Reporter

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

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CHAIRMAN EWASUTYN: Second item of business, would Dominick Cordisco discuss a letter that was sent out for the RT Orchards project, number 22-28, consultant's work session?

MR. CORDISCO: Prior to this meeting we received correspondence, Mr. Hines and myself, from James Nelson, an attorney with Van DeWater and Van Dewater and he's requesting the possibility of having a consultant's work session in connection with this project to discuss site access issues. It was a bit unclear to me who he was representing in connection with the letter, but I believe he was representing the applicant. My only suggestion would be that I would reach out to him, to Mr. Nelson, confirming that he's representing the applicant and in which case it's not an unreasonable request to have a work session and discuss technical issues. My suggestion is that the board authorize this

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conditionally upon confirmation that Mr. Nelson is representing the applicant.

CHAIRMAN EWASUTYN: Will someone make a motion to approve that action?

MR. GALLI: I'll make a motion to approve that.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli, second by Stephanie DeLuca. Roll call vote starting with Stephanie DeLuca.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. WARD: Aye.

MR. DOMINICK: Aye.

MR. GALLI: Aye.

CHAIRMAN EWASUTYN: Dominic, for the record, you will send out an e-mail?

MR. CORDISCO: I would assume it would be the standard work session.

MR. HINES: Either way. I don't mind if we do it at someone's office. I think they would suggest a meeting at

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one of our offices because the three of us are relatively close between his engineer and myself and Dominic's.

MR. DOMINICK: Our consultant's only meeting with the applicant?

MR. HINES: Yes. And the representatives.

CHAIRMAN EWASUTYN: What do you mean by that?

MR. DOMINICK: The applicant's representative.

MR. HINES: We weren't a hundred percent sure who he was representing, and here it appears he was representing the applicant. Our normal work session is the 24th, but you think they are looking for the 24th, sooner than that?

CHAIRMAN EWASUTYN: Any problem?

MR. CORDISCO: No.

CHAIRMAN EWASUTYN: Any other questions or comments? I think it was a good meeting. No further question or comments, we will close the planning board meeting for the 5th of January.

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Motion?

MS. DeLUCA: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: Motion by
Stephanie DeLuca. Second by Ken
Mennerich. Roll call vote.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. WARD: Aye.

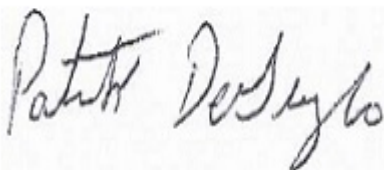
MR. DOMINICK: Aye.

MR. GALLI: Aye.

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STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

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X 
PATRICK M. DeGIORGIO

Dated: January 14, 2023