

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

In the Matter of

CURALEAF - NEWBURGH
(21-34)

8 North Plank Road
Section 80, Block 5, Lot 15
Zone: B

PUBLIC HEARING

Date: January 18, 2024
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: PETER D'AGOSTINO

REPORTED BY: Patrick DeGiorgio, Court Reporter

Michelle L. Conero, Court Reporter
michelleconero@hotmail.com
(845) 541-4163

1 CHAIRMAN EWASUTYN: Can I have a
2 motion to reconvene and close the
3 Planning Board Work Session for the
4 meeting of the 18th of January, 2024?

5 MR. DOMINICK: So moved.

6 MR. WARD: Second.

7 CHAIRMAN EWASUTYN: I have a
8 motion by Dave Dominick, a second by
9 John Ward. Can I please have a roll
10 call vote?

11 MR. DOMINICK: Aye.

12 MS. DeLUCA: Aye.

13 MR. MENNERICH: Aye.

14 CHAIRMAN EWASUTYN: Aye.

15 MR. BROWNE: Aye.

16 MR. WARD: Aye.

17 MR. CORDISCO: Dominic Cordisco,
18 Planning Board attorney.

19 MR. HINES: Pat Hines with MH&E
20 Engineering.

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

23 MR. CORDISCO: Sorry, I jumped
24 the gun. My apologies. I'm ready to

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go for 2024.

CHAIRMAN EWASUTYN: Nice to have an active person on board. Sorry, folks. Things happen quickly here. Now that we are rethinking ourselves which knowing myself that's a difficult choice. Anyway, good evening ladies and gentlemen. We would like to welcome you to the Town of Newburgh Planning Board meeting of the 18th of January of 2024. It's actually our first meeting. We cancelled the earlier meeting because the Town Board should be reorganized before we started. We will now start with a roll call vote.

MR. DOMINICK: Present.

MS. DeLUCA: Present:

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. WARD: Present.

MR. CORDISCO: I'm still Dominic Cordisco.

1 MR. HINES: And I'm still Pat
2 Hines with MH&E.

3 MR. CAMPBELL: Jim Campbell,
4 Town of Newburgh Code Compliance.

5 CHAIRMAN EWASUTYN: As you
6 follow the meeting I could be a lot of
7 people saying a lot of different
8 things that really don't make sense.
9 What I like about myself is I make a
10 lot of mistakes and I laugh at myself
11 because it makes me happy anyway.

12 Getting down to business at
13 hand, we have five items on the agenda
14 this evening. The first one is a
15 public hearing. Dominic Cordisco,
16 Planning Board attorney before Ken
17 Mennerich reads the Notice of Hearing
18 will explain to you the meaning and
19 the purpose of a public hearing.

20 MR. CORDISCO: Yes. Tonight's
21 public hearing is for the Cureleaf
22 facility which has -- which Chairman
23 Ewasutyn mentioned the public hearing
24 notice will be read in a moment, but

1 the purpose for tonight's public
2 hearing is for the board to take input
3 as to the suitability of the
4 application which is before us which
5 is for the retail sale of cannabis
6 related products at the existing
7 Cureleaf facility.

8 The application requires a
9 special permit from the board and so
10 the board will be considering comments
11 from the public as to the suitability
12 for that location in accordance with
13 the code requirements which requires a
14 special permit for this particular
15 application.

16 CHAIRMAN EWASUTYN: Before Ken
17 Mennerich reads the Notice of Hearing,
18 I'd like to turn the meeting over to
19 Stephanie DeLuca.

20 MS. DeLUCA: Please rise for the
21 Pledge.

22 (Pledge of Allegiance)

23 MS. DeLUCA: Please silence your
24 phones.

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MR. MENNERICH: Notice of
Hearing, Town of Newburgh Planning
Board. Please take notice that the
Planning Board of the Town of
Newburgh, Orange County, New York will
hold a public hearing pursuant to
Section 274-A of the New York State
Town Law in Chapter 185, page 49 of
the Town of Newburgh Code on the
application of Cureleaf Newburgh,
Special Use Permit Project 2023-19.

The project proposes to add a
cannabis dispensary use to the
existing medical cannabis facility.
The site had a previous site plan
approval for expansion of the existing
building which is under construction.
The cannabis dispensary operation is
being reviewed in accordance with the
Town of Newburgh Code Chapter 185-49,
"Cannabis Related Uses."

The cannabis dispensary is a
Special Use in the B Zoning District.
The project requires licensing by the

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State of New York for the use to be permitted. The project site is connected to existing town water and sewer facilities. The project site is located within the Town's B Zoning District. The site is known on the Town of Newburgh tax maps as Section 80, Block 5, Lot 19.

A public hearing will be held on of the 18th day of January, 2024 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m. or as soon thereafter at which time all interested persons will be given an opportunity to be heard.

By order of the Town of Newburgh Planning Board, John P. Ewasutyn, Chairman Town of Newburgh Planning Board, dated December 27th, 2023.

CHAIRMAN EWASUTYN: Thank you. Is there someone here to speak on the public hearing and the application?

MR. D'AGOSTINO: Mr. Chairman, Peter D'Agostino on behalf of the

1 applicant. Let me set this up for
2 you.

3 MR. BROWNE: Excuse me. This is
4 a public hearing so could you show it
5 so that the public can see it? Thank
6 you.

7 MR. D'AGOSTINO: Again, for the
8 record, Peter D'Agostino from Tenax
9 Strategies on behalf of Cureleaf New
10 York, LLC for the Cureleaf Newburgh
11 location.

12 As for the notice, the notice
13 covered a lot of material so I'll be
14 brief. First I want to thank the
15 board for the opportunity to appear
16 before you for the public hearing. As
17 you know, this is a special permit
18 application for the cannabis retail
19 dispensary located at 8 North Plank
20 Road.

21 Just by way of background, the
22 site plan was approved on May 28th,
23 2022. Cureleaf submitted an
24 application last fall for 2023. We

1 first appeared before the board on
2 October 19th, 2023 during which time
3 we discussed the application with the
4 board. The board had some comments
5 and had requested some additional
6 information related to parking and
7 some signage for the exclusive use of
8 those spaces. Subsequent to that
9 meeting on the 19th we provided the
10 board with the updated site plan which
11 I have here tonight. I'd be happy to
12 go through that along with the letter
13 from the landowner confirming the
14 exclusive use of the parking and we
15 also provided a copy of our New York
16 State license for that location.

17 We met with the board on
18 December 21st to address those
19 documents. There weren't any other
20 comments from the board at that
21 meeting and I believe at this point we
22 have addressed the comments from
23 engineering, so with that I'm happy to
24 address any of the materials that were

1 previously submitted or answer any
2 questions that the board may have.

3 CHAIRMAN EWASUTYN: I think at
4 this point we will turn it over to the
5 public.

6 MR. D'AGOSTINO: Thank you, Mr.
7 Chairman.

8 CHAIRMAN EWASUTYN: If there's
9 anyone in the audience who would like
10 to speak please raise your hand and
11 state your name and address. Seeing
12 no hands, okay then. We will turn it
13 over to the board members. Dave
14 Dominick?

15 MR. DOMINICK: The only thing I
16 want to add, Peter, is first thank you
17 for the signage and the parking lot.
18 It's a very busy site between your
19 property and the neighbor's property.
20 You added that for us like I asked and
21 I appreciate that.

22 MR. D'AGOSTINO: Thank you.

23 MR. DOMINICK: That's all I
24 have.

1 CHAIRMAN EWASUTYN: Stephanie
2 DeLuca?

3 MS. DeLUCA: No, I have no
4 questions.

5 CHAIRMAN EWASUTYN: Ken
6 Mennerich?

7 MR. MENNERICH: I don't have any
8 questions.

9 CHAIRMAN EWASUTYN: I have no
10 comment. Cliff Browne?

11 MR. BROWNE: I don't have
12 anything else as you covered most
13 everything in all of the previous
14 meetings that you've been here for.
15 As for the legal aspects of the site,
16 it's in my opinion improper. Thank
17 you.

18 CHAIRMAN EWASUTYN: John Ward?

19 MR. WARD: Ditto on what Dave
20 said in reference to the signage and
21 the parking. Thank you.

22 CHAIRMAN EWASUTYN: Jim
23 Campbell?

24 MR. CAMPBELL: I have nothing

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additional.

CHAIRMAN EWASUTYN: Pat Hines
with MH&E?

MR. HINES: The applicants have
addressed our previous comments in
addition to the signage. The shared
parking letter, the dumpster was
addressed in that letter with the
common landowner so they will be using
that dumpster that is existing along
the site boundary with the diner.
They have addressed all our previous
comments.

CHAIRMAN EWASUTYN: Can I have a
motion from the board to close the
public hearing on Cureleaf Newburgh?

MR. WARD: So moved.

CHAIRMAN EWASUTYN: Second?

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: Motion by
John Ward, a second by Cliff Browne.
Can I have a roll call vote starting
with Dave Dominick?

MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Dominic Cordisco, can you give us conditions of approval?

MR. CORDISCO: For the record, to confirm this is a Type 2 action under SEQR so there's no action that needs to be taken. We previously confirmed that as well. I just wanted to mention that here tonight on the record.

For the conditions of approval, it's very straightforward because there's no changes that are being proposed. However, there are requirements within the code sections regarding cannabis use within the town. I'm referring specifically to Zoning Code Section 185-48.9 regarding the fact that this is a special permit

1 that is issued to this particular
2 applicant. It can't be transferred.
3 It can't be sold. It's for the
4 operation for this facility by this
5 applicant. It also cannot be
6 enlarged. If the New York State Law
7 changes in the future and something
8 else becomes available that would not
9 typically be available, you would have
10 to come back before this board for an
11 amendment of the existing approval.

12 MR. D'AGOSTINO: Understood.
13 Thank you.

14 MR. CORDISCO: That should be a
15 condition of approval. Besides that,
16 it's standard conditions regarding
17 payment of fees and as I mentioned, no
18 expansion of use.

19 CHAIRMAN EWASUTYN: Having heard
20 the conditions of approval for
21 Cureleaf Newburgh, will someone make a
22 motion to grant the approval?

23 MR. DOMINICK: I make a motion.

24 MR. WARD: Second.

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CHAIRMAN EWASUTYN: I have a motion by Dave Dominick, I have a second by John Ward. Can I have a roll call vote?

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Motion granted. Thank you.

MR. D'AGOSTINO: Thank you, Mr. Chairman. And I thank the board for your time. Have a good night.

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

In the Matter of

FUCHECK SUBDIVISION
(21-31)

26 Tarben Way
Section 6, Block 1, Lots 11 & 12
Zone: AR

5 LOT SUBDIVISION

Date: January 18, 2024
Time: 7:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: RAUL VERMA

REPORTED BY: Patrick DeGiorgio, Court Reporter

Michelle L. Conero, Court Reporter
michelleconero@hotmail.com
(845) 541-4163

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CHAIRMAN EWASUTYN: The second item of business this evening is the Fucheck Subdivision. It's a 5 lot subdivision located on Tarben Way in an AR Zone and it's being represented by who? Can I have your name?

MR. VERMA: Good evening. I am Raul Verma on behalf of Mr. and Mrs. Fucheck here.

One of the comments was the proxy forms which he has completed so I can hand that to you. This is for you, sir. There are two there. One to represent him and his wife on behalf of the property that they own, the undeveloped lot, and that his daughter and son-in-law own the improved lot, both at 26 Tarben Way. That's the proxy for both of them.

So this application was previously heard, I believe in 2021 if I remember correctly. That was the last time they were in front of this board. Since then they have retained

1 my engineering services to continue
2 advancing the application for this
3 subdivision. There were a few changes
4 that were picked up in the comments
5 letter received a few days ago from
6 Mr. Hines' office, thank you for that.
7 So with that it's before you to
8 consider on how to move forward.

9 The major change really was I
10 believe the previous application, and
11 Mr. Hines, I don't know if you
12 remember this well or if at all, or
13 anybody else on the board, I believe
14 the previous application said
15 something about combining the two lots
16 and then subdividing. There was some
17 narrative, something written somewhere
18 along those lines.

19 MR. HINES: Yeah, I think that
20 may have been from the previous
21 engineer.

22 MR. VERMA: With this current
23 application in front of you, the lots
24 are legally owned by two separate

1 people. As I mentioned Mr. and Mrs.
2 FucHECK here own the undeveloped lot
3 and then their daughter and son-in-law
4 own the improved lot and built a home
5 there a number of years ago. So it's
6 two separate lots. We are now
7 submitting for the unimproved lot to
8 be divided into four residential lots
9 and the improved lot to be subdivided,
10 retaining of course the residence
11 that's there, but then subdividing the
12 back out of it behind the utilities
13 right of way into a new residential
14 lot that Mr. and Mrs. FucHECK intend
15 to build their house on and that will
16 also include the extension of a
17 private road off of Tarben Way to be
18 built to town standards.

19 MR. HINES: My math adds up to
20 six lots.

21 MR. VERMA: Correct. Four and
22 two.

23 CHAIRMAN EWASUTYN: Pat, do you
24 want to discuss the change from four

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to six lots?

MR. HINES: Yes. So the original application was for a five lot subdivision. That was a minor subdivision. There's an additional lot carved out of the adjoining parcel now, so it's four and two. Five of which are less than five acres so that triggers it being a major subdivision rather than a minor subdivision which was identified. The significant change there is that health department approval for the wells and septic and really subdivision are required.

MR. VERMA: On the issue of the major subdivision, I would ask the board to consider since there are two separate owners and two separate lots could it be two minor subdivisions?

MR. HINES: I don't think so. There's a complete nexus between them with a shared private road.

MR. CORDISCO: I don't think the Department of Health would treat it as

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such.

MR. VERMA: Mr. and Mrs. FucHECK are willing to move forward with that major subdivision.

MR. FUCHECK: I have a question. If both lots, the 12 acre lot, my daughter's lot, if both lots are greater than five acres, do those two lots, would they be considered part of a major subdivision grouped together?

MR. HINES: What triggers it is five lots smaller than five acres.

MR. FUCHECK: Smaller than five acres. We will reconfigure my daughter's existing lot and my future lot to five plus acres and then we will keep the other lots, individual lots, four individual lots to whatever they end up being, 1 point whatever.

MR. VERMA: To be clear, that would then keep it as a minor subdivision application?

MR. HINES: Yes. It would no longer have five lots less than five

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acres.

MR. VERMA: That can easily be done.

MR. HINES: The only difference is where to use the septics.

MR. VERMA: Right, understood.

CHAIRMAN EWASUTYN: Can we discuss it, Pat, as if it were a minor subdivision and what information would need to be looked at?

MR. HINES: The one issue is that the additional lot triggers the need for increase application fees. Before it was five, now it's six. That would need to be cleaned up. We do concur that back in November 2021 this board declared itself lead agency. At that time it was identified as a Type 1 action because the project was in an agricultural zone. The most recent EAF submitted does not identify the project area in an agricultural zone. I don't know if something changed there. You filled

1 it out on the D.E.C.'S website. We
2 already circulated intent for lead
3 agency so I think we are okay for
4 that.

5 MR. VERMA: I did see that
6 comment, Pat. Sorry to interrupt you.
7 In the zoning one it does fill it out
8 as AR?

9 MR. HINES: Right, but that's
10 the zoning. An AG District is
11 separate from zoning. Designation is
12 as farmland.

13 MR. VERMA: AG District, right.
14 Like I said this came right from the
15 D.E.C.'s website.

16 MR. HINES: Whatever triggered
17 that to be on the AG District before
18 close enough is no longer valid.
19 That's not unusual. That's why it was
20 a Type 1 action before. It probably
21 is no longer that. We already
22 circulated for lead agency and we will
23 maintain that.

24 Again, we talked about the minor

1 subdivision just now. The private
2 road we are requesting that you
3 evaluate those 90 degree turns that
4 you are currently showing on there. I
5 think we need to have the easements
6 for that sent to Mr. Cordisco's office
7 for review to make sure that that
8 access works.

9 The private road access when it
10 enters into this subdivision also
11 needs a 50-foot right of way depicted
12 and then those setbacks are taken from
13 the 50-foot right of way. There will
14 be some changes mostly in Lot 1 it
15 would impact because the house
16 wouldn't meet the setback.

17 We are looking for some
18 additional information for the
19 vertical profile for the private road.
20 There are no well locations currently
21 depicted. Septic system designs,
22 there will be -- because of the
23 project road there is a need for
24 stormwater management. Town code is

1 triggered by several issues, one of
2 which is the construction of a private
3 roadway.

4 There will be need for security
5 for construction of that private
6 roadway prior to the maps being
7 stamped. We do meet metes and bounds
8 for the lots. I don't think that's
9 currently on that. A location map,
10 soil testing.

11 You have a 100 foot wetland
12 buffer depicted and then the houses
13 shown in that. I don't believe that
14 those are D.E.C. regulated wetlands.
15 I don't think there's an associated
16 buffer. We do want to define where
17 the federal wetlands line is.

18 MR. VERMA: That was cleared up
19 with the D.E.C. I can certainly
20 provide that exchange. I think that
21 was noted somewhere in your comments
22 regarding that. That wetland there is
23 a federal wetland. The 100 foot
24 buffer line was mostly to show the

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separation of the septic from that.

MR. HINES: We shouldn't call it
buffer then.

MR. VERMA: Understood. I
realized that when I went back to
look.

MR. HINES: I do want to have
confirmed where the federal wetlands
are. I don't know if there's ever
been a delineation of those.

Private road access maintenance
agreements are required. The highway
superintendent's comments from the
private road access from the town road
and the future, the size of those
culverts should be depicted. I think
there's some additional work that is
needed to clean this up. You are here
proposing different lot sizes as well.

Dominic suggested at the work
session that we resend out the
adjoiners notices. Probably wait
until you give us the new plans so we
know what that looks like.

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MR. VERMA: Yes.

MR. CORDISCO: I think it's been since 2018.

MR. VERMA: I know there's at least one house being constructed back there. On the wetland delineation.

MR. FUCHECK: There was a survey done. We have a survey on that.

MR. VERMA: Right. And that's what's on the plan.

MR. FUCHECK: And the survey delineated the wetlands.

MR. HINES: So if we can get that information. I'm not familiar with them. If you could get that information to confirm where those are.

MR. VERMA: Yes. I believe that was the only major issue, the wetland issue there. With regard to the highway superintendent, is that something that this board forwards over or you, Mr. Hines, forwards it over to highway?

1 MR. HINES: You can contact them
2 directly.

3 MR. VERMA: That won't be until
4 there's more detail provided.

5 MR. HINES: Yes.

6 CHAIRMAN EWASUTYN: Jim
7 Campbell, code compliance?

8 MR. CAMPBELL: I see the utility
9 easement is crossing it. I don't know
10 who has rights. If you could document
11 that and get us that information.

12 MR. VERMA: Yes.

13 MR. CAMPBELL: What type of
14 easement it is?

15 MR. VERMA: The utility easement
16 I don't think it -- (interrupted)

17 MR. FUCHECK: There's I think
18 the AT&T easement going through the
19 property for the phone lines. They
20 will have it raised anyway.

21 MR. CAMPBELL: On the bulk table
22 you have the side yard, it says one
23 side yard 30. It should be read one
24 side yard 30 for a total of 80 both

1 side yards.

2 MR. VERMA: Okay.

3 MR. CAMPBELL: Also your fire
4 access, I would refer you to Fire Code
5 Section 511 and possible Appendix B,
6 2020 New York State Fire Code. That's
7 all I have.

8 CHAIRMAN EWASUTYN: Jim, is
9 there a requirement that the Town
10 Board approve a private road name?

11 MR. CAMPBELL: I believe there
12 is, yes.

13 CHAIRMAN EWASUTYN: Pat Hines,
14 is that accurate?

15 MR. HINES: Yes. Approval for
16 that road name is required.

17 CHAIRMAN EWASUTYN: Dave
18 Dominick?

19 MR. DOMINICK: I have nothing
20 further.

21 CHAIRMAN EWASUTYN: Stephanie
22 DeLuca?

23 MS. DeLUCA: I have nothing at
24 this time.

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CHAIRMAN EWASUTYN: Ken

Mennerich?

MR. MENNERICH: I have one question. On the location map is there some way that they contrast, that they can be changed?

MR. VERMA: Yes.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: No comment.

MR. BROWNE: Nothing additional.

MR. WARD: Nothing additional as well from me.

CHAIRMAN EWASUTYN: Thank you.

MR. VERMA: Thank you.

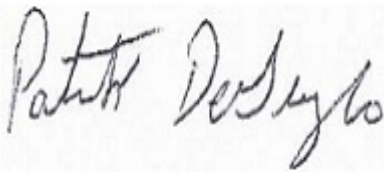
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STATE OF NEW YORK)

) 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 29, 2024

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

In the Matter of

PROPOSED ADDITION MIDDLEHOPE VETERINARY
(23-20)

5349 Route 9W
Section 9, Block 3, Lots 22.2 & 23
Zone: B

SITE PLAN

Date: January 18, 2024
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHARLENE SCHAPER

REPORTED BY: Patrick DeGiorgio, Court Reporter

Michelle L. Conero, Court Reporter
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CHAIRMAN EWASUTYN: The third item of business is the proposed addition to the Middlehope Veterinary Center located on Route 9W. Can you please state your name?

MS. SCHAPER: Good evening. I'm Charlene Schaper. I'm the general manager of the Middlehope Veterinary Hospital and the Pet Resort. Martin Passante, our architect, could not be here this evening but he forwarded me Mr. Hines' comments that we received the other day.

Since we were here last we did go in front of the Zoning Board and we were able to be granted that easement for the front yard setback. We did have that.

Our engineer that had put together our septic system had done an assessment of the septic and the ability for it to be able to withhold the new addition. I know there was an issue.

1 MR. HINES: There was an issue.

2 MS. SCHAPER: Once they did
3 that, they realized that their water
4 meter on Middlehope wasn't reading
5 correctly.

6 MR. HINES: It wasn't reading at
7 all.

8 MS. SCHAPER: Okay. And so I
9 know they have come -- they had come
10 out actually not long before we were
11 first here. I guess they just were
12 updating meters and whatnot, so they
13 did come to Middlehope and change out
14 our meter so that it could be read
15 from the road or whatever it was. I
16 talked to the Water Department after
17 you talked to Tom Depew. They sent
18 out somebody and he adjusted something
19 at the pet hotel but not at the
20 veterinary hospital. So I'm not sure
21 if we know for sure that those are
22 working correctly now. But I saw in
23 your comments that you would like
24 Depew Engineering to redo an

1 assessment.

2 MR. HINES: I provided Mr. Depew
3 with the water records since 2014 so
4 he has enough data to utilize that.
5 The last four quarters when there were
6 no readings from your water meters,
7 that's where he got the 5 gallon per
8 day use that they used in the
9 calculation. I believe he has
10 sufficient information historical now
11 that he can calculate water use. The
12 reason being you have a surface
13 discharge septic system. It's not
14 your normal septic system so they want
15 to make sure that the hydraulic
16 loading from this addition doesn't
17 impact the design for the other
18 elaborate septic system that you have
19 there.

20 MS. SCHAPER: It is something,
21 absolutely. So we will absolutely
22 have that new assessment from Mr.
23 Depew and we can come in at the next
24 meeting.

1 You made a comment about the
2 lighting for the staff parking lot. A
3 hundred percent that's something we
4 needed to address anyway so we will
5 absolutely have our architects working
6 on getting the new lighting for that.
7 Does that also need to be paved or is
8 the gravel parking lot sufficient?

9 MR. HINES: There was some
10 discussion with that at the work
11 session and I'll let the individual
12 board members address their concerns
13 there when it comes around to that.

14 CHAIRMAN EWASUTYN: We will
15 start with Dave Dominick.

16 MR. DOMINICK: Thank you for
17 that presentation. On a personal note
18 I ride by your facility every Sunday.
19 Very early in the morning and I always
20 see your employees out taking care the
21 dogs and animals. They are not on the
22 phones. They're playing with the
23 animals and doing what they should be
24 doing and it's just nice seeing that.

1 MS. SCHAPER: Thank you so much.

2 MR. DOMINICK: It's run well.

3 With that in mind, when an existing
4 application comes to -- or an existing
5 facility comes before us and it does
6 modifications similar to what you are
7 doing, it allows us to enhance the
8 town. Especially the Middlehope area.
9 We have been trying very hard.
10 U-Haul, Dollar General, QuickChek, all
11 nice enhancements to that area
12 and yours the same. This is going to
13 include your facility as well. Where
14 your employees park is dirt. I would
15 like to see it blacktopped and not
16 shale or gravel. I'm glad to see that
17 you are also adding lighting because I
18 was also going to recommend that you
19 add lighting.

20 In addition to that I would
21 think they need some type of sidewalk,
22 pathway from this new paved parking
23 lot that we are suggesting to the
24 facility because you just go through

1 grass, woods, with the weather like
2 now it's not good.

3 MS. SCHAPER: Yes. It's so hard
4 to maintain and create a path. We
5 couldn't be more agreeable. We get a
6 path as well.

7 MR. DOMINICK: Path, paving,
8 lighting?

9 MS. SCHAPER: Yes.

10 MR. DOMINICK: Nothing
11 additional, thank you.

12 MS. DeLUCA: No comments.

13 CHAIRMAN EWASUTYN: No comment.

14 MR. BROWNE: Very good, thank
15 you.

16 MS. SCHAPER: I have two
17 questions if I may.

18 MR. WARD: Wait a minute. I
19 agree with Dave in how you put it, and
20 your employees will appreciate it too.
21 You want to have a good day at work,
22 but you have to struggle going
23 through. It's a safety issue.
24 Lighting, if you could make it

1 dominant for them to see where they
2 are going. At nighttime like Dave
3 said, 6:00 in the morning sometimes
4 they are walking animals or something
5 and you never know. Thank you.

6 MS. SCHAPER: So we have
7 lighting now, big lights in our play
8 yards as well as lighting that goes in
9 front of the yards where that pathway
10 that they walk on now is. As long as
11 he shows that on the drawings, would
12 that be sufficient as long as we then
13 add the lighting all around the new
14 parking lot or do we need additional
15 lighting?

16 CHAIRMAN EWASUTYN: You will
17 need a detail of the proposed lighting
18 that you are going to be putting in.

19 MS. SCHAPER: Okay.

20 CHAIRMAN EWASUTYN: And
21 generally speaking John Ward will talk
22 about it, but we need what we call
23 pedestrian friendly lighting. John,
24 do you want to talk about that?

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MR. WARD: Yes. Basically your engineer will know what to do, but at the same time we have a path going over the bridge. Normally they put post lights or something there.

MS. SCHAPER: Okay.

MR. WARD: And the parking lot, if you look under the code for the Town of Newburgh, we have certain heights and certain lighting that doesn't go into the neighborhood, you know, it shoots down, but it's sufficient for what you have.

MS. SCHAPER: Okay, thank you.

MR. WARD: Thank you.

MR. BROWNE: Agreed.

CHAIRMAN EWASUTYN: What is the general height for pedestrian lights, does anyone know?

MR. MENNERICH: 16 feet.

CHAIRMAN EWASUTYN: I believe it's 15, 16 feet.

MS. SCHAPER: Okay. Just a question I had quick is that Orange

1 County Planning submission is
2 required. Is that something that we
3 do?

4 MR. HINES: No, the board does
5 it.

6 MS. SCHAPER: Okay. Does that
7 also go for the New York State
8 Department of Health?

9 MR. HINES: Yes.

10 MS. SCHAPER: Two things off my
11 list.

12 MR. HINES: We need those
13 updated plans before we can do those
14 referrals.

15 MS. SCHAPER: Okay, thank you.
16 Do you have an idea of the turn around
17 on those?

18 MR. HINES: County Planning has
19 30 days to respond after we send it to
20 them. D.O.T. has no set turn around.
21 I don't envision them having any
22 comments because they are all existing
23 driveways. You are not proposing any
24 changes other than the asphalt that

1 would be paved out there. But
2 certainly they have jurisdiction on
3 all your driveways so we are obligated
4 to send it to them.

5 MS. SCHAPER: Okay, perfect.

6 CHAIRMAN EWASUTYN: I think
7 there was a question as far as noting
8 the trees, what trees you were
9 proposing, the size, the caliber,
10 things like that.

11 MS. SCHAPER: Our architect will
12 absolutely put those on the drawings.
13 We weren't just front landscaping what
14 we were proposing. Nothing
15 extravagant.

16 CHAIRMAN EWASUTYN: The green
17 circles are the existing trees is what
18 you are saying?

19 MS. SCHAPER: Yes, I believe
20 that they are. Yes, those are
21 existing.

22 CHAIRMAN EWASUTYN: At some
23 point in time we're going to do an ARB
24 approval on the project.

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MS. SCHAPER: What's an ARB approval?

MR. CORDISCO: The Architectural Review Board.

MS. SCHAPER: Sure, okay.

CHAIRMAN EWASUTYN: And then there's a form, I don't know if you filled it out or not, ARB form which is part of the application. Jim Campbell will speak to that. Eventually that will be worked out.

MR. CAMPBELL: It's a form that's required to fill out the colors and stuff of the building or the project.

MS. SCHAPER: Thank you. And then there was the last thing about code compliance. Am I jumping around too much?

MR. CAMPBELL: No. My supervisor reviewed the application this afternoon and determined that a sprinkler system would not be required.

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MS. SCHAPER: Okay.

MR. HINES: Which is a big relief for you.

MS. SCHAPER: It is.

CHAIRMAN EWASUTYN: Would this be the proper time for the board to discuss having a public hearing or waiving a public hearing? Do you want to do it now? John Ward?

MR. WARD: No. Waive the public hearing.

CHAIRMAN EWASUTYN: Waive the public hearing?

MR. WARD: Waive the public hearing.

MR. BROWNE: Waive the public hearing.

MR. MENNERICH: Waive the public hearing.

MS. DeLUCA: Waive.

MR. DOMINICK: We can waive.

CHAIRMAN EWASUTYN: The Planning Board with site plan has the discretion as to whether they want to

1 hold a public hearing or waive a
2 public hearing. In this case they
3 decided to waive the public hearing.

4 MS. SCHAPER: Thank you.

5 CHAIRMAN EWASUTYN: Pat, where
6 are we now with the application?

7 MR. HINES: We need the updated
8 plans addressing the parking lot and I
9 need the sanitary sewer report. At
10 that time I think we would be able to
11 submit to County Planning and D.O.T.
12 I don't know if the board wants to
13 authorize that upon receipt of that or
14 bring them back and do that. Those
15 are the two options.

16 CHAIRMAN EWASUTYN: Does the
17 board want to bring them back or just
18 authorize Pat Hines to do that?

19 MR. DOMINICK: Authorize Pat
20 Hines.

21 MS. DeLUCA: Authorize Pat.

22 CHAIRMAN EWASUTYN: Let the
23 record show that the Planning Board
24 authorizes Pat Hines to complete that.

1 What's your time line for construction
2 and building?

3 MS. SCHAPER: Ideally we want to
4 break ground as soon as it's thawed,
5 the snow is gone. He wants to get up
6 and going with it. That's why I was
7 asking about a time line.

8 CHAIRMAN EWASUTYN: Pat, are
9 there any bonds on that that have to
10 be approved on this?

11 MR. HINES: The only thing that
12 would be bonded, especially the
13 landscaping, but you have the
14 flexibility on projects small like
15 this that waive that requirement as
16 well. I think there will be minimal
17 landscaping proposed. There's no
18 stormwater securities. There are no
19 trees proposed to be removed so no
20 tree preservation, securities. I
21 think if the board was to waive the
22 landscaping, the security there would
23 be none.

24 CHAIRMAN EWASUTYN: I think on

1 your revised sheet that you have
2 detail. Pat will speak to that as far
3 as the binder in the top course
4 associated with the parking lot.

5 MR. HINES: We were looking for
6 some detail. What's going to happen
7 with that both the employee parking
8 lot and the expansion there's a
9 rearrangement of the parking lot by
10 the vet hospital and you are just
11 having what pavement thicknesses will
12 be on both of those areas. Your
13 architect can do that.

14 MS. SCHAPER: Okay, absolutely.

15 CHAIRMAN EWASUTYN: Any other
16 questions?

17 MR. DOMINICK: No.

18 MS. DeLUCA: No.

19 MR. MENNERICH: No.

20 MR. WARD: No.

21 MR. BROWNE: No.

22 MS. SCHAPER: Thank you for all
23 your time. I appreciate it.

24

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

In the Matter of

ALVAREZ & JASON
(23-26)

12 Berry Lane
Section 35, Block 3, Lot 20
Zone: R-1

SITE PLAN TWO FAMILY

Date: January 18, 2024
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN

REPORTED BY: Patrick DeGiorgio, Court Reporter

Michelle L. Conero, Court Reporter
michelleconero@hotmail.com
(845) 541-4163

1 CHAIRMAN EWASUTYN: The fourth
2 item of Business this evening is
3 Alvarez & Jason. It's a site plan for
4 a two-family located on Berry Lane in
5 an R1 Zone and it's being represented
6 by Jonathan Millen.

7 MR. MILLEN: Good evening. We
8 are requesting to be referred to the
9 Zoning Board to potentially procure
10 the variances for the setbacks and lot
11 width and front yard and maximum
12 service coverage and minimum floor
13 area.

14 We also have some issues with
15 the neighbor's septic system which is
16 on our property. Now, apparently they
17 had an application before the town in
18 2005 that was approved and I have a
19 sketch of it here. The stetch appears
20 to be correct relative to our survey
21 information. Unfortunately they
22 didn't take into account that it was
23 most assuredly off the property. I
24 have a sketch here. You can look at

1 it.

2 I notice that our field for this
3 covered up the fact that there's a
4 carport right here and in the sketch
5 it shows pretty much identical that
6 there's the tanks here leading out to
7 this field. So I don't know what to
8 do about that. It's clearly into
9 their property. I have to give this
10 to somebody here. It only would
11 exacerbate their situation as far as
12 the area of the lot anyway where they
13 would have to do a lot line revision
14 encompass. What do we do?

15 MR. CORDISCO: We were
16 discussing this earlier in the work
17 session and you are dealing with an
18 encumbrance that affects the viability
19 of both lots. Whether it's this lot
20 that has a portion of their neighbor's
21 septic system on it or their lot with
22 a portion of the septic system is not
23 on their own lot. In the future
24 that's going to be difficult for any

1 kind of transaction that you may have
2 unless you're dealing with a cash
3 buyer who doesn't care. In light of
4 that, you mentioned there's a
5 possibility in terms of the lot line
6 change I think would be a preferable
7 way to go. But there's a couple
8 difficulties with that. Obviously it
9 makes this nonconforming lot even
10 smaller and you may want to consider
11 timing of that before applying to the
12 Zoning Board of Appeals because if you
13 apply now based on this plan, but then
14 the adjacent landowner agrees to
15 adjust the lot, you would need to go
16 back to the Zoning Board. We are also
17 mindful of the fact that we can't
18 necessarily compel these property
19 owners to resolve this issue because
20 unless the neighbor is willing to
21 adjust their lot line, even though
22 they should be, I mean in common sense
23 approaches they would actually be
24 acquiring additional property. It's

1 my opinion and recommendation to the
2 board is that we cannot make this a
3 condition of the approval, that we
4 have to accomplish the lot line
5 change. I think it would be wise to
6 do it if they agreed to do it because
7 it would clear up the title deficiency
8 that is going to haunt both of these
9 lots.

10 MR. MILLEN: Right. So it's
11 been my experience in speaking with
12 Mr. Alvarez that Mr. Conklin isn't
13 amenable to making a lot line
14 revision. What recourse do we have
15 legally to sort of force that issue in
16 any manner?

17 MR. CORDISCO: Certainly, but it
18 doesn't involve the town. It would
19 involve a claim to acquire title
20 brought by one landowner against the
21 other and it would be a private right
22 of action.

23 MR. MILLEN: So the question is
24 under the current circumstances, other

1 than the fact that the lot would be a
2 lot smaller, everything else would
3 pretty much be the way it is, are you
4 suggesting that we try to rectify
5 whether or not they can come to an
6 agreement regarding the lot line
7 change prior to continuing with this
8 application?

9 MR. CORDISCO: That would be my
10 suggestion because it would resolve
11 the title problem for them. It also
12 provides -- you are going to need more
13 variances, but there's a rationale for
14 it because you are fixing a problem
15 that actually wasn't caused by this
16 particular applicant; correct?

17 MR. MILLEN: Right.

18 MR. CORDISCO: This problem was
19 actually caused by the neighbor.

20 MR. MILLEN: Well, there is --
21 Mr. Campbell, do you recognize the
22 sketch I put here?

23 MR. CAMPBELL: Do I recognize
24 it?

1 MR. MILLEN: If you look at the
2 carport, you don't have a plan here,
3 do you? I have a copy.

4 MR. CORDISCO: Speak up,
5 Jonathan.

6 MR. CAMPBELL: I have it.

7 MR. MILLEN: It's right here.
8 This is the carport, it's covered up.
9 If we look here you will see here is
10 the carport right here. When you look
11 at it relative to that, it looks like
12 showing this, you are showing that and
13 you are showing it leads out into the
14 field. Almost just like what we
15 surveyed. The question is there being
16 given an application and being
17 approved to build this this way, it
18 seems very logical that in all
19 consideration that this would have
20 been built way off the property right
21 here, even remotely if you look at the
22 tax map. I don't know what liability
23 or what they will have as a recourse.
24 What they are saying they have an

1 application before the town or the
2 town might install it.

3 MR. CAMPBELL: Then it would
4 just go back to the property owner
5 because the documentation that they
6 submitted to the town for the building
7 -- for the septic permit was
8 deficient.

9 MR. MILLEN: Deficient?

10 MR. CAMPBELL: Yes. Based on
11 that the town could rescind the
12 certificate issue and back then they
13 didn't issue any certificates.

14 MR. MILLEN: So is there any
15 recourse for us to sort of force this
16 gentleman that he has to make a lot
17 line revision to rectify the
18 situation?

19 MR. CAMPBELL: That's more of a
20 legal question and that I'm not aware
21 of.

22 MR. MILLEN: All right. Thank
23 you for that. So apparently I guess
24 what we should do is make another

1 effort to see whether or not the
2 adjacent landowner would be amenable
3 for creating a lot line revision
4 before going any further.

5 MR. CORDISCO: That would be my
6 recommendation. It would solve both
7 of these issues.

8 MR. MILLEN: Okay. I guess
9 that's what we will do then. Thank
10 you. We will just table this for now
11 and try to rectify this as soon as
12 possible. Appreciate your time.

13 MR. HINES: Be aware that both
14 of the lots are deficient.

15 MR. MILLEN: Right.

16 MR. HINES: When that lot line
17 change appears before this board both
18 lots will be going to the ZBA.

19 MR. MILLEN: So we will have to
20 get variances for the other lot as
21 well.

22 MR. CORDISCO: Correct.

23 MR. HINES: For all the existing
24 deficiencies.

1 MR. MILLEN: There's no way to
2 make this -- all right, that's all we
3 can do. Thank you.

4 MR. HINES: John, while you are
5 here, you had identified maximum lot
6 surface coverage as a required
7 variance, 20 percent is the max. You
8 identified 31 percent lot coverage and
9 just a cursory look at that map
10 doesn't show that. The lot coverage
11 is much lower than 20 percent based on
12 the size of the house and the driveway
13 and the total lot size. I don't think
14 you need that. I think that
15 calculation is incorrect.

16 MR. MILLEN: Yes. Before we
17 only had 8.9.

18 MR. HINES: It's much less than
19 31 percent. Just as you are going
20 through that for when you come back.

21 MR. MILLEN: Yes. All right,
22 thank you very much.

23 MR. CORDISCO: Before you go, if
24 I may, in case this doesn't resolve,

1 we could refer them now and refer the
2 application as it exists and note that
3 there is also a potential for a
4 revised referral that can come at a
5 future time, but at least that way you
6 will have the ability to go to the
7 Zoning Board of Appeals without having
8 to make another appearance before this
9 board just to ask for the referral.

10 MR. MILLEN: Okay.

11 CHAIRMAN EWASUTYN: It's up to
12 him, it's not really up to us.

13 MR. MILLEN: In other words, I
14 could just go ahead and try to get
15 these variances as is in this
16 situation.

17 MR. CORDISCO: If someone knocks
18 on the neighbor's door and the
19 neighbor says I'm not interested in
20 any of this, which is actually a
21 situation that has happened to me, but
22 in any event, then they should be able
23 to proceed with an application as you
24 had presented obviously with the

1 correction that Mr. Hines suggested
2 and that way you wouldn't have to come
3 back to this board just to ask what
4 you would normally be asking for
5 tonight.

6 MR. MILLEN: Right. So what we
7 should do is confirm -- we should
8 confirm that, in fact, the adjacent
9 owner isn't interested in doing
10 anything as far as agreeing to some
11 type of lot line revision first.

12 MR. CORDISCO: Yes. That's
13 certainly a course of action. I was
14 just suggesting that you could save
15 yourself a meeting in the event that
16 he's not willing to do anything
17 because I presume you would still be
18 going forward with this application.
19 You don't need to make it more
20 complicated.

21 MR. MILLEN: With that in mind
22 and based on that and knowing that
23 this gentleman wasn't amenable to
24 doing a lot line revision, if we go

1 ahead and ask the Zoning Board of
2 Appeals to approve the variances for
3 what we have right now, we could
4 address whether or not something is
5 done regarding the adjacent septic
6 situation.

7 MR. CORDISCO: It would table
8 that to the future, if ever it gets
9 resolved, but at least it addresses
10 the two-family issue which you are
11 really here before us right now on.

12 MR. MILLEN: Right. I
13 appreciate that. So then I would like
14 to do that then.

15 MR. CORDISCO: Then we would
16 just need the motion from the board to
17 authorize to send the referral letter.
18 I'll tweak it a bit to say hold on,
19 things may be changing.

20 MR. HINES: So those variances,
21 and I can identify the ones that are
22 required if that's helpful to the
23 board.

24 CHAIRMAN EWASUTYN: I think we

1 should. It would be good as a part of
2 the discussion. Why don't you note
3 the variances and then we will poll
4 the board members to authorize Dominic
5 Cordisco to prepare the referral
6 letter to the Zoning Board of Appeals.

7 MR. HINES: The variances that
8 are required are lot size, 100,000
9 square foot is required. 45,267.2 is
10 provided. Front yard, 50 foot is
11 required where zero is provided. Lot
12 width 200 feet is required where 169
13 feet is provided. I do not believe
14 the maximum lot surface coverage
15 exceeds 20 percent so that one is not
16 needed. The minimum habitable floor
17 are per unit, 1,500 square feet is
18 required where one of the units is 861
19 and the other is 1,179 feet.

20 CHAIRMAN EWASUTYN: Would
21 someone move for a motion based upon
22 the information presented by Pat Hines
23 and Dominic Cordisco?

24 MR. WARD: So moved.

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CHAIRMAN EWASUTYN: For a referral letter to the Zoning Board of Appeals. We have a motion by John Ward.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: And we have a second by Dave Dominick. Can I have a roll call starting with Dave Dominick?

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Good suggestion on Dominic's part and a wise decision on your part.

MR. MILLEN: Thank you. Have a good evening.

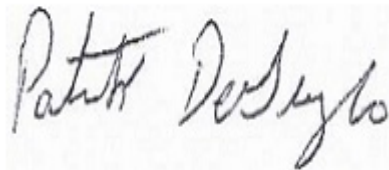
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STATE OF NEW YORK)

) 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 29, 2024

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

In the Matter of

QUICKCHEK
(24-01)

2 Lakeside Road
Section 86, Block 1, Lot 39.3
Zone: IB

INITIAL APPEARANCE SITE PLAN

Date: January 18, 2024
Time: 8:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ZACHARY CHAPLIN
AMANDA LaROSA
ADAM LAZARUS, ESQ.

REPORTED BY: Patrick DeGiorgio, Court Reporter

Michelle L. Conero, Court Reporter
michelleconero@hotmail.com
(845) 541-4163

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CHAIRMAN EWASUTYN: The next item on the agenda this evening is QuickChek, an initial site plan that is located at 2 Lakeside Road in an IB Zone and it's being represented by Zachary Chaplin from Stonefield Engineering.

MR. LAZARUS: I'm the attorney Adam Lazarus.

CHAIRMAN EWASUTYN: Do you have a business card?

MR. LAZARUS: Not on me. As you already introduced us, we are here for an initial site plan application. Zachary Chaplin from Stonefield Engineering will be walking you through our preliminary site plans and discuss some of the comments from MH&E Engineering. I'll turn it over to Zach.

MR. CHAPLIN: Good evening. My name is Zachary Chaplin and I'm with Stonefield Engineering. I want to thank you for taking the time

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tonight.

We are really here to introduce this project, walk you through the site plan and hopefully get feedback from you, comments that we can look to address and move the project forward hopefully.

What we are proposing is a new QuickChek with truck fueling. It's going to be very similar to the QuickChek that exists in the town with the addition and the ability for trucks to fuel on site. This is not intended to be a travel center or a major truck stop. There are no showers or typical amenities, laundry, overnight stays, overnight parking that you would typically see at a truck stop. This is solely just for trucks to fuel. It will be a high diesel type fuel, so you go in quickly, park, go into the convenience store and then leave and get back onto the highway. That's the addition or

1 the change as compared to the
2 QuickChek that exists in town today is
3 the addition of that truck fueling.

4 In terms of the existing
5 conditions of the site, I could give
6 you some context as to where we are
7 located. The site has three
8 frontages. So 17K, Lakeside Road and
9 the I-84 westbound ramp. The site is
10 currently undeveloped. There are
11 D.E.C. wetlands on site. We have had
12 a specialist delineate the wetlands
13 and submit that to D.E.C. There's a
14 hundred foot buffer that we note as
15 well that's shown on the plans. We
16 will certainly provide correspondence
17 from D.E.C. once received.

18 There is also a 30 to 40 grade
19 change across the property. We have
20 not fully engineered the site plans
21 yet. If you want us to point that
22 out, we'd like to grade the site, do
23 drainage, etcetera.

24 There's a 6,730 square foot

1 QuickChek building along with eight
2 MPD's, multi-purpose dispensers in
3 front. So 16 fueling positions.
4 Essentially what we did to lay out
5 this site is to really separate the
6 truck traffic from the regular motor
7 vehicle traffic. So the facility to
8 the east on this plan, that's where
9 you have the truck activity. That's
10 where the truck fueling occurs, that's
11 where the truck parking occurs and
12 that's where the underground tanks are
13 located. The left or the west side of
14 the plan, that's where your more
15 typical QuickChek layout similar to
16 what we have in town today. We have
17 parking around the building. You have
18 your pumps and then parking along the
19 exterior.

20 Access is only proposed on
21 Lakeside Road. My colleague Amanda
22 LaRosa from Stonefield, she is our
23 traffic engineer, she is also going to
24 give you a brief presentation of the

1 project tonight. She will speak more
2 about the conversations with D.O.T.
3 and the access points.

4 There are 66 parking spaces
5 provided, but 58 are required. We are
6 aware of the buffer requirement along
7 17K. We are going to look to try to
8 shift the site as much as we can.
9 Property line appears a bit
10 irregularly shaped. We do have it
11 straight with the wetlands so it does
12 make everything a little tight. It's
13 possible we do seek that relief from
14 the Zoning Board and we are just
15 curious to hear your feedback. Like I
16 said, we are going to look to shift
17 the site and reduce that as much as we
18 can.

19 I also want to point out we are
20 in receipt of the letter from MH&E.
21 There was a note about the AG
22 District. Per the mapping we were not
23 within the AG District 1. We will get
24 formal determination from the county

1 as well. It is our understanding that
2 we are not in it, it's just that that
3 map sometimes autopopulates that.

4 Again, we have not fully
5 engineered the plans yet. We are
6 really looking for preliminary
7 feedback from the board to take our
8 next steps and hopefully we can move
9 forward.

10 We are happy to answer any
11 questions and then my colleague will
12 briefly go over the traffic portion of
13 the project.

14 CHAIRMAN EWASUTYN: Amanda, why
15 don't you speak. I think the concern
16 overall is the impact on Lakeside Road
17 and the impact on 17K and what your
18 thoughts are on that right now as it
19 relates to traffic. Have you gotten
20 Ken Worsted's comments? He's a
21 traffic consultant.

22 MS. LaROSA: No, I haven't seen
23 any comments. It doesn't look like
24 that there's anything too great. I

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can certainly go through this in greater detail.

Let me introduce myself. I'm Amanda LaRosa from Stonefield Engineering. I'm the traffic engineer for the application. We will be preparing a traffic impact study for the proposed development. So far we have started some coordination with the New York State Department of Transportation. We held a pre-op meeting just this past fall in October primarily to discuss the access on 17K. We have confirmed that access will not be permitted on the state highway due to the proximity to the interstate ramp. It's a federally regulated area so there is no access proposed on 17K. And based on those discussions we have come up with a preliminary scope for the study which I'd like to discuss with this board tonight. We are proposing to study four intersections all along 17K

1 starting with Lakeside Road right at
2 the property's corner and then both of
3 the on ramps to the interstate and
4 then Governors Drive just to the east
5 of the on and off ramps.

6 Our study will of course account
7 for all the traffic associated with
8 this development. We will look at
9 truck volumes as well as passenger
10 vehicle volumes and the study will
11 make recommendations for any necessary
12 offsite improvements. We are just
13 looking for feedback at this point in
14 time.

15 CHAIRMAN EWASUTYN: There will
16 be a hard look so to speak as to the
17 impact on Lakeside Road?

18 MS. LaROSA: Yes. We will get
19 traffic counts at that intersection.
20 We will get the time and directives
21 from the state and we will prepare a
22 detail model. We will look at the
23 trip generation associated with this
24 site on top of everything going

1 through the intersection and if there
2 are any changes that are required
3 based on this, we will make those
4 recommendations to the D.O.T.

5 CHAIRMAN EWASUTYN: Again,
6 there's others besides myself, do you
7 have any general idea as to its being
8 open 24 hours a day?

9 MS. LaROSA: Yes.

10 CHAIRMAN EWASUTYN: Do you have
11 any general idea how many tractor-
12 trailers you will be servicing there
13 over the course of 24 hours?

14 MS. LaROSA: That is really the
15 bread and butter of what we are about
16 to do with this study. So we are
17 looking for general feedback on the
18 scope of the study that we are doing,
19 any particularities that you guys have
20 in mind that you have seen on other
21 projects.

22 CHAIRMAN EWASUTYN: Comments
23 from board members. John Ward?

24 MR. WARD: I think you should do

1 your traffic study on Racket Road,
2 Rock Cut Road, Route 300 all the way
3 down 17K. And when you say trucks,
4 it's tractor-trailer trucks. There's
5 a difference. When you say Town of
6 Newburgh we have trucks, it's
7 different. You have Pilot across the
8 street. Bottom line Lakeside is not
9 made for tractor-trailers. Those
10 lights, it's a nightmare. So when you
11 do this study, just make sure it's all
12 the way on 17K. It backs up all the
13 way onto 84. You name it. And that's
14 at all hours.

15 CHAIRMAN EWASUTYN: Cliff
16 Browne?

17 MR. BROWNE: I'll go along with
18 John's comments. There's several
19 projects already in progress going in
20 on 17K and I believe there's a couple
21 that have already been approved, they
22 need to be included in your studies
23 for that area. That area is really
24 bad now with traffic. So we are going

1 to be paying a lot of attention to
2 that traffic in that area, you need to
3 know that going forward. Right now
4 it's extremely difficult.

5 When I looked at your sketch
6 currently, it looked like the internal
7 stacking for the exit is very small
8 for what you are proposing. How can
9 you stack maybe two trucks in there
10 and how many cars? It's very, very
11 tight and very small for what you are
12 proposing as far as what I would
13 perceive as a typical QuickChek.
14 QuickCheks typically get a lot of
15 traffic. So I'm looking at the whole
16 thing, it needs to get a good look at
17 the internal movements and all that
18 kind of thing. I don't see the
19 stacking ability that I would suspect
20 you would need for that project. I
21 want you to look at that more closely.

22 MS. LaROSA: We will do that.

23 MR. BROWNE: Thank you.

24 CHAIRMAN EWASUTYN: I have no

1 comment at this point. Ken Worsted,
2 our traffic consultant, I think you
3 could communicate with him as far as
4 projects that are -- that have been
5 approved and projects that are in the
6 planning stages. And I think I did
7 respond to one e-mail noting Sunbelt
8 Rental. I think I responded also to
9 that with the I-84 Matrix project.
10 Again, like I said, work with Ken
11 Worsted.

12 MR. MENNERICH: I'm kind of
13 repeating, but it's a very rough
14 intersection out there on 17K and
15 Lakeside Road. It's a problem now.
16 So it would be good if you could come
17 up with some solutions that will work
18 for your project and also help the
19 existing conditions.

20 MS. LaROSA: Thank you.

21 MS. DeLUCA: I just want to
22 echo what the other members have
23 already mentioned. I was taking a
24 look at the last comment that Ken had

1 mentioned, Ken Worsted mentioned
2 concerning the weight limit on
3 Lakeside Road. I think that needs to
4 be considered. That's a minor detail,
5 but that is something that needs to be
6 looked at as well. Also too, I'm just
7 curious as to how tight you are going
8 to be coming into that, especially the
9 tractor-trailer trucks?

10 MS. LaROSA: We can certainly
11 prepare some exhibits for you
12 concerning that.

13 MS. DeLUCA: Thank you.

14 MR. DOMINICK: I echo what Ken
15 Mennerich said. If you can come up
16 with a solution for this area, it's a
17 mess. That will definitely help your
18 project and also remediate the stress
19 and attention to that. The local
20 residents pass through there every
21 day. That would be magnificent.

22 With your tractor-trailers
23 exiting the facility, where is that?
24 I just see the two arrows coming in.

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Where is that?

MR. CHAPLIN: It would be like an island here.

MR. DOMINICK: I'd like to see the left turn only for tractor-trailers.

MR. CHAPLIN: Okay. It's seems natural to do that.

MR. DOMINICK: Your New Windsor store has a car wash. Is there any plans for a car wash where you have vacuums and stuff like that?

MR. CHAPLIN: No.

UNIDENTIFIED FLOOR SPEAKER: No car wash.

MR. DOMINICK: In Ken Worsted's notes he mentioned that -- and I know the bread and butter is the petroleum. The other part of that particular business is the retail convenience store. I'd like to see in the 66 parking spots that you have some EV chargers.

Finally, landscaping. If you

1 have three pumps for this building
2 well in the open view of the public
3 and people passing on Route 84 and 17K
4 which is highly trafficked, that
5 landscaping has to be addressed as
6 well.

7 MR. CHAPLIN: Yes.

8 MR. DOMINICK: Trees, stone
9 walls, that kind of stuff we are
10 looking for.

11 MR. CHAPLIN: I will say the
12 existing vegetation over here on 17K,
13 we definitely see an opportunity
14 along Lakeside Road to do more
15 landscaping.

16 MR. DOMINICK: That's all I
17 have.

18 CHAIRMAN EWASUTYN: Jim
19 Campbell, code compliance?

20 MR. CAMPBELL: My department
21 concurs that you are not a travel
22 center in our opinion. We base it on
23 basically mimicking the Route 9W
24 QuickChek. You also didn't have an

1 issue with the two tables outside on
2 Route 9W. The air compressor and the
3 vac station, if that could possibly be
4 moved to the off ramp side of the
5 building. You have them up front so
6 it's really tough.

7 MR. CHAPLIN: We will see what
8 we can do.

9 MR. CAMPBELL: Also if you have
10 to run in a line for the sprinkler
11 system, if you can get an on site
12 hydrant. Lakeside Road would have to
13 be shut down if there was a fire. The
14 Town of Newburgh Municipal Code
15 Section 185.28G talks about distances
16 from fuel dispensing locations within
17 a thousand feet. I believe you have
18 three, so a variance would be required
19 for that. And then just a note that
20 signage details for if you have any
21 freestanding signs or building signs,
22 you would need to get us details on
23 that to the board. That is also part
24 of the ARB.

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MR. CHAPLIN: I believe it was submitted with the plans for the signage. You certainly must have received that.

MR. CAMPBELL: I only have the one sheet.

CHAIRMAN EWASUTYN: Pat Hines with MH&E?

MR. HINES: Again, we identified the need for a traffic study and you can work with Ken Worsted's office for that. Our third comment there identifies the required landscape setback. It's actually 45 feet because of the proximity to the intersection. We also have Town of Newburgh design guidelines which are available online which restrict parking in the front yard setbacks. Difficult on your site because you have three front yards. Often mitigation is proposed as Dave Dominick mentioned the use of the stone walls for screening in the front

1 of the cars. You can see that in many
2 locations in the Town of Newburgh that
3 have parking in the front yard
4 setback. That's often mitigation is
5 proposed. We did note that the EIF
6 shows it in the AG District, but
7 certainly if you can confirm it is
8 not. Take a look at that.

9 The project site does identify
10 habitat for protected bat species.
11 This project actually was subject to a
12 clearing for a clearing and grading
13 permit somewhere between seven and 10
14 years ago I believe so the site was
15 cleared, but since the time has passed
16 a lot of that has grown back. It was
17 done for prospective development
18 purposes, but if you have been on site
19 the silt fence from that clearing and
20 grading permit that is still within
21 the trees again. There is that tree
22 clearing issue that needs to be
23 addressed. I don't know if any of the
24 trees meet that in that diameter yet.

1 That is something that needs to be
2 looked at.

3 We will be looking for the
4 wetland validation block for
5 concurrence from the D.E.C. on that
6 location. Mr. Campbell has already
7 opined on the next two regarding the
8 outdoor seating and the travel center
9 use, so that's been clarified.

10 Internal turning movements, a
11 couple of the board members have
12 mentioned this should be shown.
13 Utilities on the plan need to be
14 depicted. The building will be
15 required to be sprinklered, not under
16 the New York State Building Code. The
17 Town of Newburgh has more stringent
18 requirements and we have a code
19 section for fire sprinklers that you
20 need to take a look at.

21 The sewer in front of this site
22 and 17K is a low pressure force main
23 so you will need to pump your sanitary
24 effluent into that. We can assist you

1 with giving you some pressures in
2 that. It's a 10-inch main, but it's
3 operating under pressure in front of
4 your site.

5 MR. CHAPLIN: We have a line on
6 Lakeside.

7 MR. HINES: We will have to take
8 a look at that. It may very well be
9 as well because of the discharges into
10 that. We can work on that. I was
11 just assuming you were going into
12 Route 17K.

13 MR. CHAPLIN: Our goal is to
14 connect.

15 MR. HINES: We can put you in
16 touch with the Sewer Department and
17 get you some information on that. In
18 close proximity there it's all under
19 low pressure.

20 There is no stormwater
21 management facilities depicted and
22 this will be a stormwater hot spot so
23 we will need to have an appropriate
24 Stormwater Pollution Prevention Plan

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designed for the site.

We have a process where we send the notices to all landowners within 500 feet after your initial appearance here. I will work with whichever one, whatever representative you tell me. I will do that notice and I will provide the addresses that they get mailed to. They are First Class. You put the notices in an envelope, address them, stamp them First Class Mail and they come here to Town Hall and I'll work with you however you want to do it. It's not a certified mail. We actually physically mail them. You stuff them and stamp them to save you those costs.

The parking lot landscaping section of the code needs to be complied with. I gave you the standard parking striping for the Town of Newburgh.

Orange County Planning submission will be required once we

1 get more detailed plans. And then we
2 have a requirement, the Town of
3 Newburgh does not treat sewage. We
4 have a sewage collection system and
5 that is all treated with the City of
6 Newburgh and we will have a City of
7 Newburgh flow acceptance letter. We
8 need a letter identifying the
9 hydraulic loading from the site based
10 on D.E.C. standards and we can forward
11 that to the City of Newburgh at some
12 point prior to final approve to get
13 that authorization letter.

14 CHAIRMAN EWASUTYN: Dominic
15 Cordisco, should we be declaring our
16 intent as lead agency on this? Some
17 people believe that once an
18 application comes before you then we
19 should be declaring our intent for
20 lead agency. What's your position on
21 that?

22 MR. CORDISCO: I think at this
23 point because the applicant is going
24 to look at possibly minimizing or

1 reducing potentially eliminating the
2 need for the variance for the 45 foot
3 buffer so the plans likely will change
4 and they will be circulating for
5 comments to the D.O.T. and to any
6 other agencies, I believe the
7 Department of Conservation and others
8 that it would probably be best to hold
9 off until the revised plans come in.
10 The project also is going to require a
11 variance because it did have -- it's a
12 gasoline station within a thousand
13 feet of another gasoline station. And
14 so the applicant is going to need to
15 apply for that as well. The
16 difficulty with that is we can
17 circulate for lead agency, the Zoning
18 Board of Appeals may not be in the
19 position to take action on the project
20 until the environmental review is
21 completed. And the other alternative
22 is maybe to refer them to the Zoning
23 Board of Appeals after the revised
24 plans are done. I think it would be

1 premature at this point because the
2 town can take a whack at possibly
3 moving or reducing the buffer variance
4 that they are going to need.

5 CHAIRMAN EWASUTYN: Can you
6 explain to the applicant the step as
7 far as the referral letter eventually
8 prepared for the Zoning Board of
9 Appeals?

10 MR. CORDISCO: Yes. I think
11 that once the revised plans are
12 submitted and the board is in receipt
13 and has reviewed them, and most likely
14 at the next meeting, the board will
15 authorize me to prepare a letter to
16 the Zoning Board of Appeals, and it's
17 an essential part of the process that
18 the Zoning Board will not accept an
19 application. Obviously the applicant
20 has to make the application to justify
21 the need for the variances, but a
22 referral letter at this point is an
23 essential part of the process.

24 CHAIRMAN EWASUTYN: Thank you.

1 MR. WARD: In reference to what
2 Dave said with the trucks going in on
3 the bottom, where do they go out?

4 MR. CHAPLIN: You're coming in
5 on the easterly driveway and they are
6 going out the westerly driveway.

7 MR. WARD: So basically they are
8 going out where the normal cars are
9 and everything?

10 MR. CHAPLIN: Yes.

11 MR. WARD: Let's put it this
12 way. When trucks go out they get
13 stuck, they are blocking traffic.
14 This Pilot they have it separated, but
15 they have it separated that cars can't
16 go in and they have separate lanes
17 going out, but they have the room to
18 do it. And they don't muddle up
19 traffic on their site. Here you are
20 going to have it backlogged if trucks
21 are going out the front entrance.
22 It's not a good design on that. I'm
23 just telling you.

24 MR. CHAPLIN: I appreciate the

1 feedback. We will take a closer look
2 at the access points.

3 CHAIRMAN EWASUTYN: Any further
4 questions?

5 MR. MENNERICH: On your next set
6 of plans will there be a grading plan
7 in it?

8 MR. CHAPLIN: If that is
9 something that you want to see at this
10 time we can certainly do that.

11 MR. MENNERICH: This site is
12 high as I recall. I was wondering how
13 far you are going to be bringing it
14 down, and if it's going to involve a
15 lot of trucking materials off the
16 site?

17 MR. CHAPLIN: The goal is to try
18 and balance it as much as we can. It
19 does drop off. We can certainly
20 provide some grades just for some
21 context to show where we are.

22 MR. DOMINICK: Just echoing what
23 John Ward said, if you can provide
24 different detail entrance and exit for

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vehicle traffic and tractor-trailer traffic, that would be better.

CHAIRMAN EWASUTYN: I think that would be a good point for you and Ken Worsted to work on.

MS. LaROSA: I agree.

CHAIRMAN EWASUTYN: Any questions?

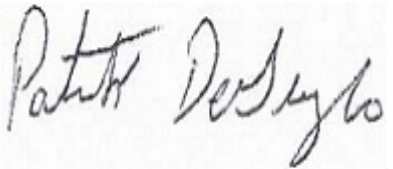
MR. CHAPLIN: I don't think so.

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 29, 2024

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

In the Matter of

PLANNING BOARD BUSINESS

RE-ORGANIZATIONAL MEETING 2024

Date: January 18, 2024
Time: 8:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

REPORTED BY: Patrick DeGiorgio, Court Reporter

Michelle L. Conero, Court Reporter
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CHAIRMAN EWASUTYN: Ken

Mennerich has some organizational business to focus on.

MR. MENNERICH: I think everybody got the information for the schedule for the Planning Board meetings and the work sessions for 2024.

MR. DOMINICK: One question on that. It still says July 4th. That's eliminated?

CHAIRMAN EWASUTYN: Right.

MR. MENNERICH: This is not replaced with another date, it's just eliminated?

CHAIRMAN EWASUTYN: Right.

MR. MENNERICH: Okay.

CHAIRMAN EWASUTYN: The reason why we are eliminating it, it's not because it's a holiday, but Cliff Browne won't be in town.

MR. BROWNE: Thank you John, appreciate it.

MR. MENNERICH: Can I have a

1 motion to approve both of these
2 schedules?

3 MR. DOMINICK: So moved.

4 MS. DeLUCA: Second.

5 MR. MENNERICH: Motion by Dave
6 Dominick, second by Stephanie DeLuca.
7 Roll call.

8 MR. DOMINICK: Aye.

9 MS. DeLUCA: Aye.

10 MR. MENNERICH: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12 MR. BROWNE: Aye.

13 MR. WARD: Aye.

14 MR. MENNERICH: Also we all got
15 the information from the consultants
16 to the Planning Board and the
17 stenographer and I think if there's
18 any questions you want to bring up at
19 this point, now would be a good time
20 to do it before we vote. We can go
21 through it one by one or combined.
22 Basically does anybody have any
23 questions concerning this?

24 MR. DOMINICK: No.

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MR. MENNERICH: Concerning the consultants?

MR. WARD: No questions.

MR. BROWNE: No questions.

MS. DeLUCA: No.

MR. DOMINICK: No.

CHAIRMAN EWASUTYN: Comment. I guess the comment will go to what happens in the case that we get an application for a new cell tower, can we discuss that now as to how we would move forward with that? Pat Hines once made a suggestion, can we discuss that now?

MR. HINES: Yes. We had previously put out an RFP for wireless consultants. We sent it to the list of consultants that Mike Musso's office had identified as people that will do that sort of work. We only received one response back from a firm that is out of state. We are familiar with that firm. They do work in some of the other municipalities that they

1 represent, but they don't do
2 appearances at meetings very readily.
3 It's quite expensive. If the board
4 wants to go back out, one of the many
5 items in speaking with the people that
6 didn't respond was the structural
7 engineering capabilities and my office
8 certainly has a whole structural
9 engineering department and provide
10 that service to the board. I think if
11 we pull that out of the RFP we may get
12 additional responses from firms. I
13 can certainly work with the Planning
14 Board and the Building Department to
15 remit that RFP.

16 MR. BROWNE: I thought we did
17 that awhile back.

18 MR. WARD: I agree.

19 MR. HINES: You authorized that.
20 We haven't done that. I'm trying to
21 identify some additional firms. We
22 can do that. We would probably do a
23 30-day RFP that we will put that back
24 out.

1 MR. BROWNE: So in the meantime
2 what do we do?

3 MR. HINES: Mike Musso is
4 continuing to assist the Building
5 Department. He hasn't completely
6 bowed out yet. I know their firm
7 wants to get out of it. They do have
8 some current activity. I don't know
9 if they will take on a new cell tower.
10 He is assisting the Building
11 Department for modifications to do
12 cell towers as recently as the
13 applicant before -- the Starbucks
14 applicant and they have confirmed that
15 they will put in escrow money for Mike
16 Musso's recent proposal to assist the
17 Building Department and the Planning
18 Board in that. So we are not -- I
19 don't think we are left with no one
20 right now, but Mike Musso's company is
21 certainly looking to divest themselves
22 with representing the municipalities
23 and cell towers.

24 MR. BROWNE: So are we

1 comfortable in the fact that if we
2 would have Mike to fall back on if
3 something does come in to us at this
4 point?

5 CHAIRMAN EWASUTYN: Or can we be
6 comfortable with the fact that maybe
7 your office could in the interim
8 cover?

9 MR. HINES: We don't have the
10 expertise to do the RFP such as that.
11 We do have the one proposal that it
12 could be something if we did get in a
13 bind in the next month or two we could
14 try that person, but it's not going to
15 take a long time to get a new RFP in
16 unless we have something that we know
17 is coming in. I think we can have
18 someone on board before we get an
19 application.

20 MR. CORDISCO: If I may, I just
21 went through that actually with the
22 Town of Fishkill. Town of Fishkill
23 has a similar situation and they are
24 in the same boat as you all. We did

1 assemble some available names for RF
2 consultants. I'll forward those on
3 because some of them are more local.
4 To Pat's point, it won't necessarily
5 provide the engineering services, but
6 may provide the radiofrequency
7 services that would be a focus for the
8 board. I think securing someone where
9 Mike Musso to some extent he has a
10 foot in the door, but also a foot
11 outside the door, is problematic
12 because if a new tower application is
13 made, that application starts to run
14 from when the application -- the shot
15 clock starts to run from the time the
16 application is made regardless of
17 whether or not you have a consultant
18 lined up. You may be scrambling.

19 CHAIRMAN EWASUTYN: Valid point.

20 MR. CORDISCO: I just forwarded
21 a list of materials to Pat and he can
22 take a look at them and advise the
23 board.

24 CHAIRMAN EWASUTYN: Do me a

1 favor, forward me the e-mail and then
2 I'll forward it onto the Planning
3 Board. That way we all understand
4 what we are talking about. When the
5 time comes we could be at least
6 somewhat familiar with a name. I'm
7 glad you brought that up.

8 MR. MENNERICH: We are all
9 familiar with the consultants that
10 work with the Planning Board here and
11 I think it's the time now to approve
12 them for the next coming year. Can we
13 have a motion to approve?

14 MR. DOMINICK: I'll make a
15 motion.

16 MR. WARD: Second.

17 MR. MENNERICH: Do you want me
18 to go through each one?

19 CHAIRMAN EWASUTYN: No, everyone
20 has the list.

21 MR. MENNERICH: Dave Dominick
22 made a motion, John Ward second. Roll
23 call vote.

24 MR. DOMINICK: Aye.

PLANNING BOARD BUSINESS

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MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Would
someone move for a motion to close the
Planning Board meeting of the 18th of
January, 2024?

MS. DeLUCA: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: Motion by
Stepahie DeLuca, second by Ken
Mennerich. Roll call vote starting
with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

