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

----- X

In the Matter of

CVS  
(2015-23)

Corel Place (Route 52)  
Section 60; Block 3; Lot 5.2  
B Zone

----- X

SITE PLAN

Date: February 4, 2016  
Time: 7:00 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: ANTHONY MORANDO

----- X

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

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CVS

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MR. BROWNE: Good evening, ladies and gentlemen. Welcome to the Town of Newburgh Planning Board meeting of February 4, 2016. At this time I'll call the meeting to order with a roll call vote starting with Frank Galli.

MR. GALLI: Present.

MR. BROWNE: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. BROWNE: Thank you. The Planning Board has professional experts that provide reviews and input on the business that's before us, as well as determine -- as well as SEQRA determinations and code and planning details. I'd ask them to introduce themselves at this time.

MR. DONNELLY: Michael Donnelly,  
Planning Board Attorney.

MS. CONERO: Michelle Conero,  
Stenographer.

MR. CANFIELD: Jerry Canfield, Town of  
Newburgh Code Compliance.

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CVS

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MR. HINES: Pat Hines with McGoey,  
Hauser & Edsall Consulting Engineers.

MR. BROWNE: Thank you. At this time  
I'll turn the meeting over to John Ward.

MR. WARD: Please stand to say the  
Pledge.

(Pledge of Allegiance.)

MR. WARD: Please turn off your phones  
or on vibrate. Thank you.

MR. BROWNE: Our first item of business  
we have this evening is CVS pharmacy, project  
number 2015-23. It's a site plan being presented  
by Cuddy & Feder.

Would you introduce yourself for the  
Stenographer.

MR. MORANDO: Good evening. My name is  
Anthony Morando, I'm an attorney with the law  
firm of Cuddy & Feder. I'm here tonight on  
behalf of CVS pharmacy.

Also with us tonight is Tracey Roll  
from TMC and Patrick O'Leary from VHB. Patrick  
is the engineer on the project.

By way of background, because we  
haven't been here in a couple months I just

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CVS 4

wanted to sort of recollect on where we've been. Back in December, December 3rd, the Board, as you may remember, adopted a negative declaration for this project, closing out the SEQRA process. The Board also issued its architectural review approval for this project. We've come back in the last two months making two submissions which we believe address the remaining comments from the consultants and we hope from the Board.

Some of the more critical items that we submitted was a flow acceptance approval letter from the City of Newburgh addressing that issue which was one of the issues that were mentioned at the last meeting.

We also have been -- VHP and our engineers have been speaking with the Department of Transportation to resolve their comments. Pat can go into that a little bit tonight. We have a confirmation that we've addressed their traffic concerns. They deem that acceptable.

Also some drainage comments. We had some correspondence that Patrick will hand in when he speaks.

In addition, we provided updated

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CVS 5  
drawings addressing a few minor changes which Patrick will walk you through, and clarified renderings for the Board's records. We have them here tonight if you'd like to see them again.

At this point I will pass it off to Patrick to go through the few changes in the plans. We're here to hear any questions you have. Our goal here tonight is to hopefully move toward a final decision if the Board will accept that. Any questions or comments after Pat is done, we're happy to answer.

MR. O'LEARY: Good evening. I'm Patrick O'Leary, P.E., principal with VHB, P.C. Engineering, Landscape, Architectural & Surveying.

Good evening to everyone. If I may approach, Mr. Chairman. I have handouts for the Board Members for the boards that are up here.

I'll be very brief tonight. At the last meeting we covered the substantial site plan changes, particularly in the area of CVS where we were requested to locate the bench seating area. Those changes we discussed at the December meeting. The changes I'll discuss tonight are

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solely the changes that we've made since then.

To begin with, from a traffic perspective, we have a crosswalk parallel to South Plank Road, connecting the sidewalks, crossing the driveway as requested.

We've also revised the traffic study to reflect the change in levels of service as requested by the engineer. I think those have been -- are satisfactory.

There are five other changes that have been made to the plan. One, as previously noted by Attorney Morando, the flow acceptance letter has been obtained, submitted to the Board.

We've added notes to the plans specifically addressing retaining walls on the site. Any retaining walls in excess of four feet must be sent in to the building compliance officer for review and approval.

We've added standard notes to the plan set reflecting the standard notes from Newburgh for water and sewer. Those notes are contained in the revised site plans.

We've continued discussions regarding the easement heading out to Union Ave. We will

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CVS 7  
request, as a contingency of approval, that that  
final easement language be submitted for review.  
CVS and the owners are still working through the  
minor details that are associated with it.

We did receive comments from the  
engineer this afternoon. I believe all comments  
have been satisfied from the engineering  
department.

The final element I'd like to just  
briefly touch on, we've given you a revised copy  
of the rendering that was submitted. It's  
incumbent upon us to make sure the renderings do  
reflect the actual site plans. The site plans  
were correct but the last rendering we had showed  
did not have the benches, the bike racks  
appropriately located, nor did it have the  
appropriate Junipers and species of trees in and  
around the park area. So we have revised the  
rendering and provided a copy to all the Board  
Members as well as for the record. As I said, it  
is incumbent upon us to make sure the rendering  
accurately reflects the site plan. We generally  
have a good eye for detail and we missed it. My  
apologies to the Board for having missed that.

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With that Mr. Chairman, I turn it back to you for any questions -- further questions you may have.

CHAIRMAN EWASUTYN: At this point we'll turn it over to Pat Hines, Planning Consultant.

MR. HINES: Our technical comments have been addressed. We do note the City of Newburgh flow acceptance letter was received on 13 January.

The outstanding issue with the easement to the rear is going to be a condition of final approval. That will have to be provided prior to any signing of maps.

Similarly, a stormwater management and maintenance agreement, which the Town has a standard form which you can utilize, will need to be executed for the long-term maintenance of the stormwater improvements on the site plan.

We are looking for correspondence between your office and the DOT to complete the files. You can submit that.

Our next comment had to do with the architectural review and the renderings that were submitted. The Town does have a required form

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that needs to be submitted for architectural review that identifies the individual products that will be utilized on the exterior of the building by material specifications, colors and such. So that will need to be submitted so that the building actually looks and reflects what you have here. That's submitted to the building department as a checks and balances on the architectural review.

There is a requirement for bonding of the stormwater management facilities and erosion and sediment control as well as the landscaping. That will be a condition of approval. Those bond amounts will be submitted to my office for review and then accepted by the Town Board at a subsequent meeting, and then they'll need to be posted prior to signing of the site plan. So there is another step in the process as you move towards the final approval and those conditions.

Otherwise our -- I did have a comment for the Board. There is a sidewalk now proposed along the State highway.

Can you describe the maintenance and whose maintenance responsibility that is? We

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CVS

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used to have DOT telling us no sidewalks. A couple of sidewalks were installed and they were maintenance issues. If you can discuss how that's going to function.

MR. O'LEARY: The sidewalk in question here is the sidewalk we placed along Plank Road, somewhat curvilinear in nature. The maintenance responsibilities of that sidewalk belong to CVS and will be maintained as part of the sidewalk coming down to South Plank Road.

MR. HINES: You have that worked out with DOT or will be as part of your DOT permit?

MR. O'LEARY: Correct.

MR. HINES: That's fine.

MR. O'LEARY: Mr. Chairman, having mentioned the DOT, at this point, to finalize things, I do have for the record correspondence from DOT accepting the traffic and the curb cut here as well as the storm drain. DOT has indicated the storm drainage is adequate. There's a fifteen-inch pipe crossing the road. They're still making a determination whether they'd like to see it upgraded, though it is adequate. Current standard is a twenty-four inch

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pipe. We're going to accept their recommendation, leave the fifteen-inch there or put a twenty-four inch in it's place. Either way. Increasing the pipe size makes it I guess more standard and more acceptable. It operates fully effectively with the fifteen-inch pipe.

MR. HINES: The upgrading of that pipe will not affect the discharge of this site. That's controlled upgradient of that pipe.

CHAIRMAN EWASUTYN: And the copies for our file?

MR. HINES: There's two here actually.

CHAIRMAN EWASUTYN: You did send some on to Ken Wersted?

MR. MORANDO: Did you mail these to Ken?

MR. O'LEARY: I'll have to track that.

CHAIRMAN EWASUTYN: I think basically that's why the last submittals kind of leave everything -- I understand what you're saying. In general, circulating papers the night of the meeting, not giving everyone the opportunity to read them, puts us at a disadvantage. Even Ken Wersted did not receive them for his input. Just

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as a matter of record.

MR. MORANDO: Okay.

CHAIRMAN EWASUTYN: Thank you.  
Jerry Canfield?

MR. CANFIELD: I have nothing  
additional.

CHAIRMAN EWASUTYN: Board Members.  
Frank Galli?

MR. GALLI: Nothing additional.

MR. BROWNE: Nothing.

MR. MENNERICH: No.

MR. DOMINICK: Patrick, could you just  
refresh my memory. On the west side of the  
building, from the sidewalk to the driveway,  
where is the light up in that area?

MR. O'LEARY: I apologize. I didn't  
hear the end --

MR. DOMINICK: From the west side where  
the sidewalk is leading to the driveway, that  
little strip there, where is the lighting?

MR. HINES: At the crosswalk.

MR. DOMINICK: At the crosswalk?

MR. O'LEARY: Yes.

MR. DOMINICK: Okay.

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MR. HINES: He wants to know where the lighting is.

MR. O'LEARY: I'm sorry. Right here.

MR. DOMINICK: Is that enough illumination to be where that drive-through window is?

MR. O'LEARY: In the back over here?

MR. DOMINICK: Yeah.

MR. O'LEARY: Aside from the site lighting here you have building lights along the side of the building.

MR. DOMINICK: That was my question.

MR. O'LEARY: We try to keep it down as much as possible and avoid putting luminars back there to shed light on the adjacent properties. There's plenty of lighting in this area. I thought you were referring to the sidewalk area right here. We do have a luminar right here at the crosswalk for the crossing itself.

MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: With the retaining wall, I know we saw colors and all. Is that the color that the retaining wall is going to be?

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MR. O'LEARY: Yes. There are two things I want to bring note to everybody. In the plan set are copies of the building elevations and the walls. The building elevations are detailed with all the material specifications, colors, things of that nature. The retaining wall plans are following exactly the color specifications that are represented thereon.

MR. WARD: Thank you.

MR. HINES: Just again as a follow up, we need that form filled out.

MR. O'LEARY: We're not suggesting we wouldn't fill it out. For the record, it's contained within the site plan application as well. The form will be filled out with those exact materials, no changes.

CHAIRMAN EWASUTYN: Mike Donnelly, do you want to review the conditions of approval?

MR. DONNELLY: The resolution will be both site plan and ARB. Although you had approved the ARB in December, I think it makes sense to approve it now and recite today's plan set and today's action as the actual ARB approval.

In terms of conditions, the DOT signoff

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CVS 15

and work permit will be required. We'll include a memorialization of the fact that CVS will be responsible for the maintenance of the sidewalk on the State highway at all times. We'll note that the City of Newburgh flow acceptance letter has been received. A requirement that the easement be approved as to form and ultimately be recorded as a condition of approval. There will be no signing of the map until the easement has been approved and a mechanism is in place to ensure it's recording. We'll include the map note that says no retaining wall above four feet in height may be constructed without further approval from the building department. ARB approval will be the standard condition plus the requirement that you submit the required form before any permits are issued. A landscape security and inspection fee. A stormwater improvement security and inspection fee. The requirement of a stormwater control facility maintenance agreement being signed before any building permits are issued. Finally, the standard condition that prohibits the construction of anything on the site that isn't

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shown on the approved site plan.

MR. HINES: Normally the stormwater is before the maps are signed, not the building permit.

MR. DONNELLY: I'm sorry. The standard language.

CHAIRMAN EWASUTYN: Any additional questions, comments or additions?

Jerry Canfield?

MR. CANFIELD: Just one question on the ARB. I don't know if we spoke of will there be rooftop units and shielding? I know from 52 there's an elevation. I doubt you'll see them. From in the rear or up at the building?

MR. O'LEARY: There are rooftop units and they are shielded around these areas and along the back side. We don't have specific internal shields to them because they're not visible unless you're standing -- you'd have to have a great elevation, much greater than exists out here, to be able to look down on the rooftop. So they'll not be visible from normal areas in and around the surrounding environment here.

CHAIRMAN EWASUTYN: Are you satisfied

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with that?

MR. CANFIELD: Yes. If the Board is acceptable to that, I have no problem with that.

MR. HINES: There is a requirement they need to be screened. If they are visible from the public view they'll have to be screened.

MR. O'LEARY: Understood.

CHAIRMAN EWASUTYN: Is the Board satisfied with that?

MR. DOMINICK: Yes.

MR. CANFIELD: That's it.

CHAIRMAN EWASUTYN: Additional comments or questions from the Board Members?

MR. MENNERICH: On the landscaping, the changes they mentioned, did you have a chance to look those over? They look okay?

CHAIRMAN EWASUTYN: They're satisfactory.

MR. MENNERICH: Thanks.

CHAIRMAN EWASUTYN: Okay. Then I would move for a motion to grant final approval to the CVS pharmacy based upon the conditions presented by the Planning Board Attorney Mike Donnelly in his resolution.

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MR. DOMINICK: I'll make the motion.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by John Ward. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Congratulations.

MR. MORANDO: Thank you very much.

MR. O'LEARY: Thank you.

MR. MORANDO: Thank you for your time.

CHAIRMAN EWASUTYN: cc me on the e-mail that you forwarded information on to Ken Wersted.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of February 2016.

*Michelle Conero*

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MICHELLE CONERO

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

----- X

In the Matter of

RESTAURANT DEPOT  
(2015-33)

NYS Route 300  
Section 95; Block 1; Lot 8  
IB Zone

----- X

SITE PLAN

Date: February 4, 2016  
Time: 7:16 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: LAWRENCE MARSHALL

----- X

MICHELLE L. CONERO  
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MR. BROWNE: Our next item of business is Restaurant Depot, project number 2015-33. It's a site plan being presented by Lawrence Marshall, P.E.

MR. MARSHALL: Good evening. My name is Larry Marshall from Mercurio-Norton-Tarolli-Marshall. We presented this project initially at the December Planning Board meeting, the second meeting in December. At that time Mr. Canfield, Code Enforcement Officer, had indicated that the building was determined to be a retail use. As such, the building height was required to be less than 35 feet -- not to exceed 35 feet, and there was access requirements regarding aerial fire apparatus. So we met with Jerry and, I apologize, I forget his name, but the local fire chief regarding the site layout. We relocated the building to the south to allow the truck access road, it accesses the loading docks towards the west side of the building, to access as the fire lane. Then we relocated the parking that was on the south side of the building to the north side, and that allows a further circulation of the fire apparatus to basically circulate around the

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entire facility.

In addition, Mr. Canfield had requested several fire hydrants be located around the building. We've added three, one on the westerly corner, one on the southeasterly corner and then one on the northeasterly corner. This will provide -- allow for flushing of the service lines as well as great circulation for fire apparatus and hookup for that purpose.

To accommodate that layout we have not -- we have actually increased the number of parking spaces being proposed for the facility and maintained by and large what we had previously proposed as it pertains to the stormwater runoff from the site.

The loading area and the primary parking has not changed. Really the parking on the north side of the building is really more secondary. During busy times they would be parking there.

Regarding comments -- oh, one other question -- one other comment. The building height was previously proposed at 36 feet. We have reduced that to the 35 foot max. That's

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just done with internal -- with alterations to the internal structure, primarily the roof -- the steel in the roof.

The lighting plan. There were questions from the Board regarding lighting along the access drive. We have altered the lighting plan to include that. These are proposed to be 17-foot high light fixtures, basically just located along the roadway to provide minimal lighting. Just basically safety lighting. We didn't want to light it up like a parking lot because it's not going to be used in that manner. We really wanted just to light it up so it wasn't dark driving into the facility at night.

The landscaping plan. We provided a landscaping plan for the Board's consideration. I apologize for your submission, we did not increase the size of the trees for the Red Maples but we have increased them on this plan set. They are two-and-a-half to three-inch caliber trees. We've also taken out some of the Red Maples and replaced them with Pin Oaks, and then we replaced some of the White Pines with Norway Spruces to provide a little bit of a mixture of

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species on the site.

Regarding access to the facility, we've been working with your traffic consultant on the access. We provided truck turn diagrams of how one of the delivery vehicles would enter and exit the site.

The access to the site is an existing -- is at an existing light with an existing control. Basically we would be looking at making a left into the site with a large tractor trailer, driving around the back, using the leg up to the north as the pull up and back up to a loading area here. The exit which we showed as the -- at the location of the southerly most loading dock would basically just move back around and make a left out of the existing entrance.

We have spoken to DOT regarding the entrance and submitted them a stage 1 of the perm 33 Com. I spoke to the local permit engineer several times today and she had indicated that there was a question of whether or not we warranted a permit, which she would be reviewing that and getting back to us, because this is an

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existing entrance. So really the amount of work that's being proposed at that is primarily limited to utility connections and stormwater connections.

Regarding the rendering. The rendering has not changed since the last submission with exception to the overall height of the building. We've reduced the overall height to 35 feet, as I mentioned. As far as the aesthetics of the building, it really has remained unchanged. This is stand up concrete, painted white with a blue stripe around the top and then the signage. The canopy along the front would be the Restaurant Depot blue.

I'll take any questions. I think that covers the majority of what we have modified and changed for this application.

CHAIRMAN EWASUTYN: Pat Hines, Jerry Canfield, you were at the work session. If you would bring the Board along.

MR. HINES: We had a technical work session on the last Tuesday of the month. Some of the changes that came out of that were the exterior of the parking areas are now proposed to

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be curbed with drop curbs providing the outlet for the stormwater into the various stormwater management facilities. Bumper blocks were added to the parking towards the building.

It was identified at the work session that that sidewalk is an at grade sidewalk without a curb to the parking lot, similar to what we see at the Home Depot and Lowes where you walk out and you're at the same grade. That's to facilitate the loading of the customers' vehicles.

We did review the site plan with regard to the fire access issues.

The landscaping issues were discussed.

Just the general layout of the building, that had changed.

The stormwater management report was updated as a result of that meeting and it is currently under review by my office. We'll be providing technical comments on that in the very near future.

Some procedural matters. A flow acceptance letter from the City of Newburgh will be required prior to the Board issuing any

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approvals.

The plans are now ready to be submitted to Orange County Planning for their 239 review.

The Board did declare itself lead agency but the circulation was held off until we had this plan, so that will need to be coordinated with the agencies. The DOT is an agency. We are going to submit to the Thruway, as it borders the Thruway and the drainage is ultimately tributary to it.

The Orange County Health Department will need to review the water main extension due to the fact it's got hydrants on the water main.

There are some signs that say motel entrance only, or something to that effect, on the Restaurant Depot property. Those will need to be removed. Obviously they should be shown to be removed on the plan.

A stormwater facilities maintenance agreement will need to be executed prior to final approval that states that the site will provide long-term operation and maintenance of the stormwater management facilities.

The FAA is an involved agency due to

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the proximity of the flight path, and submission to the FAA will be required.

I note that the light poles are 17 feet high on the access drive. At work session I did describe to the Board that due to the fact that those poles are located in the very narrow strip of the lot, the lighting levels will cross the property lines but there's no other way to light that access road because of the 50 foot width. There will be some off-cast lighting or fugitive lighting leaving the site but it is in an area that is completely commercial.

There's technical comments on the water submissions that need to be addressed.

We discussed at work session the size of the parking lots are nonstandard. They're larger than your standard along the building front due to the nature of the facility and the customer vehicles, the vans that typically access to the site. They've been upgraded to ten by twenty, larger than your nine by nineteen requirements -- nine by eighteen requirements. The ones on the perimeter of the site and the parking lot general area are standard size. We

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did note that a detail for each of those should be added to the plans and the double striping is required.

Again, the stormwater pollution prevention plan is under review.

There's procedural matters, there's submission to the other agencies and completion of the technical review.

CHAIRMAN EWASUTYN: Pat, that will make about five sets of plans that you'll need?

MR. HINES: Yes.

CHAIRMAN EWASUTYN: Larry, you'll see that Pat Hines gets those plans.

MR. HINES: A complete application set.

MR. MARSHALL: The whole pack?

MR. HINES: I need to send it to the various agencies.

MR. MARSHALL: Okay.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: The access we talked about. Mr. Marshall I think did a very good job in responding to our concerns.

Larry, for the benefit of the Board, could you just explain to the Board the

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improvements to take place on the access road?

MR. MARSHALL: Yes. Absolutely.

Regarding the entrance drive, in addition to the lighting that we had mentioned of the access drive, if anybody has driven up that road as it currently is, in the shape that it currently is, it's a little bit rough. There is no drainage along the roadside. There's no roadside swales, there's no catch basins, there's no curbing, there's nothing. The water comes off of this site and the small tributary areas that are on either side of the site. Primarily this access drive is located below the surrounding grades. All the water that comes down this road is really channelized into the roadway itself. It has zero crown on the road at all. Basically all the water comes down and sheet flows into Route 300. What we're doing is we're going to be widening the entrance -- the entire road width to 26 feet. That's edge of pavement to edge of pavement which is consistent with what the Holiday Inn that was previously proposed -- I guess it had an application back in 2010 that was also going to be utilizing this access road. It's consistent

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with the same width as proposed there. We'll be putting a crown in, repaving the road to 26 feet wide. In addition, we'll be installing roadside swales on either side of the road to pull that water off of the road and get it into the catch basin and pipe. That's why I mentioned that the -- as it relates to impacts to the State highway, Route 300, we do propose a pipe to be connected to the existing drainage facilities that are in Route 300. While DOT doesn't really like that, it's really an improvement -- they typically don't like that but it's an improvement to an existing situation because right now all that water comes down that road. It has an opportunity to freeze in the winter or cool down substantially. It gets down to 300 and causes some concerns at the entrance before it gets into the catch basin that's located directly -- a couple feet south of the existing entrance. So really we're getting that water off the road into pipe and being able to convey it on the way. Based upon the stormwater that's on the site, we're reducing the overall impact -- reducing the amount of water seen by those catch basins down

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below through the detention and diversion of some of the water. So they shouldn't take any exception. All that information has been sent to them for their consideration.

CHAIRMAN EWASUTYN: Okay, Jerry?

MR. CANFIELD: That's all I have.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No additional.

MR. BROWNE: No.

MR. MENNERICH: No.

MR. DOMINICK: No.

MR. WARD: I had one question. The sign down by 300, what's the plans with that sign?

MR. MARSHALL: Restaurant Depot, we discussed that with them and we asked that we come back with a sign package at a later date. They would like to have a sign down on 300 that would not be able to meet the setback requirements given the narrowness of the lot. So we ask that the Board allow us to defer that -- any signage until, you know, an application is submitted.

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MR. WARD: Thank you.

CHAIRMAN EWASUTYN: At this point I'll move for a motion to circulate to the Orange County Planning Board and also to the involved agencies.

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli and a second by John Ward. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

Thank you.

MR. HINES: Also, I know Jerry's office received an application for a clearing and grading permit today that you'll be seeing in the

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near future.

MR. CANFIELD: I'll be referring that.  
Probably tomorrow I'll do the referral.

MR. MARSHALL: Is there any  
consideration for the Board to schedule a public  
hearing on this matter?

CHAIRMAN EWASUTYN: Larry, we haven't  
even received it. You're talking about the site  
plan?

MR. MARSHALL: Yes.

CHAIRMAN EWASUTYN: I think we ought to  
wait. We're just circulating to the involved  
agencies.

MR. MARSHALL: Okay.

(Time noted: 7:33 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of February 2016.

*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

SUMMIT LANE  
(2015-18)

Stewart Avenue  
Section 97; Block 1; Lots 47 & 48  
R-3 Zone

----- X

SITE PLAN

Date: February 4, 2016  
Time: 7:33 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JOHN CAPPELLO

----- X

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

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MR. BROWNE: Our next item of business is Summit Lane, project number 2015-18. It's a site plan being represented by JMC Planning, Engineering & Landscape.

MR. CAPPELLO: Good evening, everyone. I'm John Cappello. I'm here with the project engineer, Joe Sarchino; Nick Vernoy, the principal; and others regarding the Summit Lane expansion project.

We were here back in November. We had gone through I think the majority of the issues on the 28 -- actually 29-unit expansion. At that point we went to the ZBA to address the issue of the single-family home setback that's existing. That will just become another rental unit, a single-family rental unit, as part of the development; and the status of a daycare center that we were hoping to convert to storage facilities solely for the applicants.

We did receive the variance for the single-family home. We are still working with the ZBA on the issue of the storage facility.

Given the unbelievably mild winter, however, my clients have decided to remove this

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storage facility from the site plan right now.

We're here to request, subject to addressing all the other issues, site plan approval so we can move forward with the building permit process and the clearing and grading work while we have such a mild winter. If between now and then the ZBA does allow the building to go through, we would just come back here to amend the site plan to include the building conversion, which would be a fairly minor adjustment.

So with that -- one other comment. I believe at the November meeting the Board did vote to waive a public hearing because we had a public hearing and it's merely an extension. That was one of the comments on the engineer's letter.

With that, I'll introduce Joe to address the substantive engineering comments.

MR. SARCHINO: Luckily, based on the changes that were made on the site plan, if the Board remembers, the JCC building and driveway were in this location here on the site. So really the only plan changes that we had to make was to eliminate where the building was and the

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driveway. We also had a driveway that extended from the on-site driveway for the buildings that came up into the back that would be able to access the JCC/storage building. Those impervious surfaces have been eliminated from the site plan and it will now be green area. That was really the only plan change that we had to make.

We made some other modifications in accordance with Mr. Hines' comments, which we submitted to the Board, which included revising some of the drainage, adding some roof drain leaders and providing some stormwater calculations, which we have done.

The City of Newburgh flow acceptance letter was also submitted with the last submission.

That's basically the only plan changes we had to make.

CHAIRMAN EWASUTYN: Jerry, you were at the last ZBA meeting?

MR. CANFIELD: Yes.

CHAIRMAN EWASUTYN: Do you have anything to add?

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MR. CANFIELD: Nothing. The future of that application is solely within the Zoning Board's realm of responsibility.

But I do have a question, and I think Mr. Cappello lightly touched on it. Procedurally, Mike, we looked at this as if the buildings were to be removed, and the notes on the plan are as such. But the buildings were to be removed. Landscaping accommodates the buildings removed. So if by chance in the future the building is to stay, then that's an amended site plan that must come back before the Planning Board; correct?

MR. DONNELLY: Correct.

MR. CAPPELLO: Yes. We understand. This will at least allow us to begin the grading around. If we don't have an answer in the next month or so, you know --

MR. CANFIELD: Right. You'll have to be aware it may limit my ability to issue COs and what not.

MR. CAPPELLO: By the time we're ready for a CO we'll have a definitive answer. A definitive answer or we walk away from it, to be

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SUMMIT LANE

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honest with you.

MR. HINES: Your clients do put up buildings pretty quick.

MR. SOTIFF: If I may, I'll just add to that. Jerry Sotiff. This is a short-term program. If we don't end up successful at the ZBA in a month or two at the most, that's just not part of the plan anymore and we'll proceed under this plan.

MR. CANFIELD: Just a comment on the ZBA meeting. John, did you speak with the ZBA attorney with respect to future visits?

MR. CAPPELLO: I did speak with the Board. I haven't spoken to Dave yet. I will speak to him. We are on for the February meeting. We did submit an amended application as requested on the interpretation, and we're on for the 25th.

MR. CANFIELD: Okay, good.

CHAIRMAN EWASUTYN: Pat Hines -- John, did you want to say something?

MR. SARCHINO: Just note, if this does come back none of this changes. We wouldn't have to change anything with the exception of just the

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SUMMIT LANE

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curb here to allow the driveway to come up.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: Our first comment is we discussed the status of the Zoning Board of Appeals. We've been briefed on that.

The City of Newburgh flow acceptance letter has been received since my comments.

In addition, we had requested additional infiltration testing for the stormwater management facility that relies on infiltration for disposal of the water. That information has been submitted to my office and is acceptable. They did additional testing of the soils within that area and submitted that.

All of our previous comments have been addressed.

We just discussed the fact that the Board waived the public hearing. Obviously there were public hearings at the ZBA level as well.

So with that, we don't have any outstanding comments and would recommend a conditional final approval.

CHAIRMAN EWASUTYN: Frank Galli, you were at the ZBA meetings. Were there any comments

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SUMMIT LANE

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from the public?

MR. GALLI: Actually, let me see. No, because there was -- a representative there from the applicant wasn't there. They put it over until they can actually get a hold of someone to see if they could hold it over until the next meeting.

CHAIRMAN EWASUTYN: Final comments from Board Members. John Ward?

MR. WARD: No comments.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: No comment.

MR. MENNERICH: No comment.

MR. BROWNE: I'm good.

MR. GALLI: I would like to make note we did have a public hearing on the large part of it initially for all the residents that were in the back there. This part we didn't have a public hearing on because it's only two more additional buildings. In the front part it wouldn't impact the concerns that the residents had in the back part with the entrance going through the back and in their neighborhood. That's the reason we didn't have the public

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SUMMIT LANE

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hearing.

MR. HINES: The other issue that came out at the previous public hearing was the security issue for the single-family homes. There is a fence extending along the entire property line that abuts the single-family homes to the west there.

CHAIRMAN EWASUTYN: The buildings that are proposed, the two new buildings are identical to the buildings that are up in Summit Lane?

MR. SOTIFF: The same exact architecture.

CHAIRMAN EWASUTYN: Michael, do you want to give us conditional approval?

MR. DONNELLY: Sure. First, you have not yet issued a declaration of significance. You'll need to do that.

This approval would be both ARB and site plan. The ARB would simply recite that the buildings are to match the existing ones and any changes would need to come back to the Board for further approval.

In terms of conditions, we will reflect the issuance of the City of Newburgh flow

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acceptance letter, the requirement of Health Department approval for the water main. The lots are to be consolidated, and there needs to be proof of that before the plans are signed. We need a landscape and stormwater security and inspection fee. The requirement that the applicant execute a stormwater control facility maintenance agreement with the Town of Newburgh. There's no roadway security. The standard condition that you can't build anything on site that is not shown on the plans. There will be a requirement of fee in lieu of parkland for the new --

MR. HINES: 28.

MR. DONNELLY: -- for the 28 units.

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

MR. MENNERICH: No.

MR. DOMINICK: No.

MR. GALLI: How is the rental going?

MR. SOTIFF: Good. It's been a mild winter so we're getting through the season. We rented 95 percent of the available inventory. We have approximately 100 units rented now and

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SUMMIT LANE

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pretty much all of our site work is finished there. We're just beginning the last of the building construction.

MR. GALLI: Good.

CHAIRMAN EWASUTYN: I'll move for a motion to declare a negative declaration on the 28 units proposed for Summit Lane.

MR. MENNERICH: So moved.

MR. DOMINICK: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion carried.

I'll move for a motion to grant conditional final approval to Summit Lane.

MR. GALLI: So moved.

MR. WARD: Second.

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SUMMIT LANE

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CHAIRMAN EWASUTYN: I have a motion by Frank Galli and a second by John Ward. Any discussion of the motion?

MR. BROWNE: Just note that the motion includes the recommendations from our attorney.

CHAIRMAN EWASUTYN: I was starting to say that but they moved quicker than I could finish getting the words out of my mouth.

Let me restate the motion. I'll move for a motion to grant conditional final approval subject to the conditions stated by Planning Board Attorney Mike Donnelly. I had a motion by Frank Galli. I had a second by John Ward. Any further discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: Thank you, Cliff. I'll have a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

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Thank you.

MR. CAPPELLO: Thank you very much.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of February 2016.

*Michelle Conero*  
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MICHELLE CONERO

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

----- X  
In the Matter of

GOLDEN VISTA  
(1999-33)

2103 Route 300  
Section 3; Block 1; Lot 82  
AR Zone

----- X

ARCHITECTURAL REVIEW

Date: February 4, 2016  
Time: 7:45 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JOSEPH SARCHINO

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MR. BROWNE: Our next item of business is Golden Vista, project number 1999-33. Once again, it's being presented by JMC.

MR. SARCHINO: Yes. Joseph Sarchino from John Meyer Consulting, JMC.

Since we received site plan approval on the Golden Vista project, and ARB approval, the owners changed architects. With the change in architects, as we always know, every time you change we change the design. The design changed a little bit but they did definitely try to keep the same theme and materials, et cetera. I have tonight Bruce Englebaugh here from Minno & Wasko Architects. He can go over the architecture and show you the comparison between the two.

Bruce.

MR. ENGLEBAUGH: My name is Bruce Englebaugh, I'm a principal with the firm of Minno & Wasko Architects.

A little bit of company background. We're based in Lambertville, New Jersey. We have 70 people and 6 partners there.

As Mr. Sarchino said, basically these footprints on these buildings are virtually

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identical. They do vary in inches in places. We had 12-unit buildings and we had 18-unit buildings. We still have all that. Basically as far as the site plan is concerned, it's unchanged.

What we did do Joe referred to as changes, I refer to as improvements of course. The original design was up on the top here. You can see that it had gable ends on the roofs. What we did is we made it into a hip roof. The reason we did that is this enters into a little courtyard in the back, and we felt that there would be a lot of light blockage with these very high roofs and the gable ends. What we did is we laid those back so now these courtyards get much more light inside. That was one of the biggest changes.

The next change that we did was on the end units. You'll see again this gable roof on the end, we now have hip roofs. We also articulated some PET roofs and we put some more windows on the end. The way we did that is on the original plan the interior unit was actually used as the end unit, so those units repeated.

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What we did is we custom designed two end units, and in doing so we got entrances on the end and we allowed an articulation with more glass. Not only I think it looks better, I know we're going to make marketability much better on these end units. We have more units to choose from. When we get to the unit plans you'll see we opened up the corner. There's a deck on the corner where before there was an equipment closet. I think we made the marketability of these worlds better. Those are the big changes.

We'll look into some smaller changes. You can see here one of the front doors just had a maybe twelve-inch cantilever. We put some PET roofs over the doors. I think it helps to identify it and I think it helps to add a shadow line. I think it makes it look a little bit better. You can see we did it here. It's not a PET roof, it's a gable impediment. Now we have a little gable impediment here.

This building is symmetrical, so around this center line we have PET roofs over here. In general those are the big design changes on the elevations.

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The next board is just the 18-unit building. It just repeats. I'm not going to go through it. It's the same what I'll call pod. This one was like what I'll call two pods and this one three pods. So very, very similar.

This is again the 12-unit building. That's the elevation we were just looking at. This is that courtyard I was telling you about in the center. This is just a second floor up above here.

The big change that I was mentioning to you are the end units. So the new custom designed end units are what you see in green here. You can see there's an entrance on the side here, and that's what gave us the door and the PET roof and extra glass. What we did is we put the kitchen, dining, living and deck, these all face out to the end. This is the corner deck that gets double exposure. This is the original design that used to be here. You can see -- you can poke some windows in it. It had a living room in the center, it had the deck and mechanical right on the corner. This is so much nicer I think where this opens up.

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The blue unit, this is just tacking over top of that. Again the same concepts, kitchen, dining room, living, deck all on the end where we can get much more glass and much more exposure.

MR. HINES: What's the square footage on those units, roughly? You don't have to be exact.

MR. ENGLEBAUGH: I don't know right off the top of my head.

MR. SARCHINO: It's consistent with what it was.

MR. ENGLEBAUGH: We kept the same unit perimeters that we had before.

MR. HINES: The building envelopes haven't changed?

MR. SARCHINO: The footprint didn't change.

MR. ENGLEBAUGH: Even the units still have the same perimeters.

This is the 18-unit building. I'm not going to go into that again. It repeats.

This is sheet 5 of 7. It's just a unit plan comparison. Up on top are the three unit



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see these have the gable ends. Now we've gone to the hip roofs. Basically the vocabulary of this is the same. Since the unit plans are very, very similar, we have windows in almost identical locations. We still have a gable here. This got a little shallower because we brought the roof height down a little bit. Basically the same materials, the same siding, the same roofing, cultured stone for the exterior finished materials.

And then lastly -- I'm not going to go through this because it repeats. This is the 18-unit building.

MR. SARCHINO: Bruce, one thing that's real important, the garages are the same. Same number of garages; right?

MR. ENGLEBAUGH: The same number of garages.

MR. SARCHINO: And we still have -- for people that don't have garages there were some garage storage areas. You still have those for the people who don't have garages; correct?

MR. ENGLEBAUGH: Correct. Actually, in the original design there wasn't enough space for

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the trash storage. We actually made it a little larger.

MR. SARCHINO: That was one thing that the Board, I remember you talked about that. They didn't want garbage cans out.

MR. ENGLEBAUGH: I know it's hard to see it from a small scale. There's trash rooms here. There used to be one on the original plans that we have here. We now have three at each end of the building. Those are to serve the upstairs units up here. So this got a little bit bigger.

This is a sprinkler closet. It was not shown on the original design. They would have had to have one anyway. That's what this is. We decided to make this a little service area. It could be landscaped out here with a little entrance into here. This gets screened by landscaping. But this little appendage was not on the original plan. You would need a sprinkler closet anyway on that building.

That's about the extent of it really.

CHAIRMAN EWASUTYN: Jerry Canfield, you have field experience with this. Comments, recommendations you can make to the Board?

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MR. CANFIELD: I have no comments. No issues with it at all.

CHAIRMAN EWASUTYN: Okay. Pat Hines?

MR. HINES: There's 18 senior units required in here. They were all going to be in one building but the Town Code has maximum unit sizes for those. How is that addressed in your building for that?

MR. ENGLEBAUGH: We haven't designed those yet. I know it's 1,000 square feet. We'll work with that.

MR. HINES: It may change that building, though. In other words, the building won't be the same size as the other, I assume, because of the maximum size of the senior units.

MR. ENGLEBAUGH: It's not going to get bigger.

MR. HINES: Yeah, smaller. There is that issue, one of the building has 18 senior apartments that are limited in size.

MR. CANFIELD: Is the location of that building going to change?

MR. ENGLEBAUGH: No. The concept is to make them look almost identical. It has to

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shrink a little bit. The one-bedrooms are already less than 1,000 square feet. The two bedrooms are a little over. The concept is to make the scheme look almost exactly the same. Shrink the units a little bit.

MR. CANFIELD: We'll have to watch that on the plan review.

MR. HINES: The clubhouse, is that going to change similar to this architecture?

MR. ENGLEBAUGH: The perimeter of that?

MR. HINES: Similar materials?

MR. ENGLEBAUGH: Similar, yeah. If I didn't put them side by side you'd have a hard time telling the difference.

MR. HINES: The only other thing is I took the opportunity at work session to advise the Board of some grade changes that were incorporated into the plans that are going to lower the elevations of some of the fills on the site which we feel was a benefit. That's been designed into this plan as well. Some of the retaining walls are much lower and the building elevations have been dropped four to six feet on those higher fill areas. So that was an

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improvement as well.

MR. SOTIFF: Some of the additional benefits here, some of the reasons for the changes, this is one of the major attractions of this property is the elevation that it sits, which is a terrific piece of real estate from a visibility standpoint and the view corridor that some of the tenants will have. The ability to add windows on the end units to take greater advantage of the view was an important marketing feature. This project has a much softer look and feel to it with a roof line we feel is a notch above our current Summit Lane project. So we believe there is a slight bump to the rents we'll get here, both from a view perspective, location and the prototype.

CHAIRMAN EWASUTYN: Questions from Board Members. John Ward?

MR. WARD: I like the design with the angle for the courtyard. That was very good.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: I agree with John. Also Bruce, the revised addition on the exterior of the units are much more attractive.

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MR. ENGLEBAUGH: Thank you.

MR. MENNERICH: Especially those new end units. I think it's very -- it presents a very good appearance for anybody looking from the outside, too.

My only question is the color scheme or the materials that are being used on the new ones are going to match the existing buildings; right? Or did I miss something there?

MR. ENGLEBAUGH: Match the original design?

MR. HINES: There's no buildings there yet.

MR. MENNERICH: I mean the other part of the project.

MR. HINES: There has been no construction on this one.

MR. MENNERICH: Okay. I'm sorry. Is the color going to be the grays? It looks like gray in the presentation.

MR. ENGLEBAUGH: I have these material sample boards.

CHAIRMAN EWASUTYN: We needed to go through this anyway.

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MR. ENGLEBAUGH: We had cultured stone. We're going to have cultured stone on the base in the same areas that they had it here. Vinyl siding, we're showing kind of a medium gray color. Then we have asphalt shingles. The color would be like weathered wood. The railings will be white. The window color is white as well.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: And you're familiar with the ARB form that has to be submitted with this; correct, Joe?

MR. SARCHINO: Mm'hm'.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: No. I like the redesign of the roof. That's good.

MR. GALLI: Good.

CHAIRMAN EWASUTYN: Mike Donnelly, would you give us conditions of approval for ARB?

MR. DONNELLY: It's only amended ARB. We'll carry forth all of the conditions of the most recent resolution of approval. It will be the standard form condition with the addition of the form that's required to be filed before any permits are issued.

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CHAIRMAN EWASUTYN: I'll move for a motion to grant that approval subject to the conditions presented by Planning Board Attorney Mike Donnelly.

MR. DOMINICK: I'll make the motion.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself.

Congratulations.

MR. SARCHINO: Thank you.

MR. ENGLEBAUGH: Thank you.

MR. SOTIFF: One quick update. I just want to update the Board that in this case, similar to our Summit Lane project, we've also acquired the adjacent property. It's the Purger property. I'm sure all of you are familiar with

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it. We've done a good job of already cleaning up the property, if any of you have had an opportunity to come by there. We've worked hand and glove with Mr. Purger. We now own the property but Mr. Purger has a lease back until he's able to relocate with all of his personal belongings. We've provided a tremendous amount of assistance to help him move those things that are on the outside of the property. We will be coming in at a future date with an expansion of this project which will look similar to this expansion.

MR. SARCHINO: It's the same.

MR. SOTIFF: It's another two buildings and 28 units, or whatever the zoning allows there. We'll be back before the Board with an expansion.

That was one of the things that bothered us about the property was the front door, so to speak, for the project was a little less desirable than we generally like.

CHAIRMAN EWASUTYN: Thank you for that.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of February 2016.

*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

BELL  
(2016-01)

65 Lockwood Lane  
Section 8; Block 1; Lot 4.22  
AR Zone

----- X

TWO-LOT SUBDIVISION

Date: February 4, 2016  
Time: 8:02 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: STEVEN SPARACO

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MR. BROWNE: The next item is Bell, project 2016-01, initial appearance being presented by --

MR. SPARACO: Steve Sparaco, engineer for the applicant.

Good evening, Members. This project is located at the end of Lockwood Lane, 65 Lockwood. It's 9.8 acres. Over the years I think this project has been before the Board a few times with different schemes and layouts, and some approvals were gotten.

At this point the owners -- the co-owners, Bell and Pelella -- Bell lives here. Pelella is in the audience with his wife Norene. They would like to subdivide the property into two, simple, be done and just separate the ownership. Right now it's under -- deeded actually under Pelella still. They want to do a two-lot subdivision.

Access is off of Lockwood.

We have done a full grading layout, provided a 30-foot wide easement, common driveway easement.

We've done septic testing. There is

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suitable soils up here.

Bell will continue to live here and this lot will eventually be sold off for a three-bedroom, single-family residence, two stories.

The proposed driveway, there's been some question as far as the easement and grading and the order of when construction will occur. Actually, I've talked to my clients recently and they actually want to move this location of this common drive to actually sell the other property. They are going to propose 15 feet either side as far as the permanent easement. They both own it. They're going to build this road to serve Bell before this ever gets built. I mean we can propose a temporary grading easement perhaps if the Board so chooses. But that's what they'd like to do. Bill currently has access with this driveway over here. We showed a crash gate. Either the crash gate or just restore the area to lawn. It's fine either way. It's up to the Board, whatever they would like.

That's where we're at. We're looking for a two-lot proposed subdivision.

MR. DONNELLY: There's an issue under

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Section 280-A of the Town Law where you have an easement on one property coming across. When you readjust that driveway, how ever you're going to do it, the property line should be down the middle and the common driveway easement maintenance agreement will give each lot an easement to cross --

MR. SPARACO: That's the --

MR. DONNELLY: That's what you were explaining.

MR. SPARACO: That's the intent of the next submission we have for the Board.

MR. DONNELLY: Very good.

MR. SPARACO: We'd like to have 15 and 15 on either side with an easement. 30 foot I believe should be sufficient, but it's up to the Board.

MR. DONNELLY: That's plenty.

MR. HINES: That's fine.

MR. SPARACO: A temporary grading easement.

MR. HINES: I do agree there should be a temporary grading easement that upon issuance of both COs or the new CO can be extinguished.

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MR. SPARACO: Right.

MR. DONNELLY: We can include within the common driveway easement and maintenance agreement the provision for cross grading.

MR. HINES: It can go away. It doesn't need -- just have any cross grading I guess.

MR. DONNELLY: Included in the language of the common driveway easement and maintenance agreement.

MR. SPARACO: Either way it works.

CHAIRMAN EWASUTYN: Pat, additional comments?

MR. HINES: My first two comments had to do with that.

One question we came up with at work session, this is currently one lot?

MR. SPARACO: It is currently one 9.8 acre lot.

MR. HINES: In your cover letter you referenced a previous subdivision that had been filed.

MR. SPARACO: I'm not sure of the language of that. I know there were other -- there was a layout. This is all I have from the

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previous engineer. It was the layout. I don't know if it ever got approved. It's kind of irrelevant now.

MR. HINES: We wanted to make sure it wasn't filed. We're aware of that. It's currently one lot as shown on the survey. We're okay with that.

MR. SPARACO: Correct.

MR. HINES: The perk test, the reproduction of the perk test, we just need that cleaned up.

MR. SPARACO: It's interesting because when I printed it out on my printer it comes out nice and clean. When it prints out in other printers it's not set right. We'll get that cleared up.

MR. HINES: A detail of the well should be added.

MR. SPARACO: Yup.

MR. HINES: Some clean up on the Town of Blooming Grove exists.

MR. SPARACO: A typo.

MR. HINES: We're going to look to the highway superintendent. Some of the previous

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subdivisions on Calvin Lane had a dedication for a proposed cul-de-sac at the end of Lockwood Lane. That's shown there. Before you move that driveway let's talk with the highway superintendent to make sure he's okay. Should that cul-de-sac ever be constructed, they don't like those driveways located at the bulb of the cul-de-sac. Just meet with him to make sure they're okay with that.

That drainage pipe, also it's shallow in the end. If we can get that a little deeper.

MR. SPARACO: We're going to put that down another foot.

MR. HINES: If that cul-de-sac is ever built, that will be fine.

And then a note on the map that the septic system requires an as-built and a certification by a design professional to the code enforcement officer.

MR. SPARACO: No problem.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: During the work session we had spoke with respect to previous proposals for this. If in fact it's determined, obviously,

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that the subdivision was not approved, it's still an open application with the Board. The Board would need a letter from the owner that the previous application is withdrawn.

MR. SPARACO: Good.

CHAIRMAN EWASUTYN: Pat, do you want to advise the Board on the SEQRA determination?

MR. HINES: I don't see any significant environmental impacts. They did submit an EAF for this. I would recommend a negative declaration for the two-lot subdivision at this point.

CHAIRMAN EWASUTYN: And you would manage the informational letter and the public hearing notice in the same mailing?

MR. HINES: If the Board was going to schedule the public hearing prior to seeing the new layout.

CHAIRMAN EWASUTYN: Do you want to wait?

MR. HINES: We can do that. There are going to be changes to the grading and such.

CHAIRMAN EWASUTYN: What's your recommendation? To hold off making a SEQRA

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determination until we get the revised plans?

MR. HINES: I'm okay with the SEQRA determination. I would like the plans reviewed and the highway superintendent just to weigh in.

CHAIRMAN EWASUTYN: Okay. That's good enough.

Questions or comments from the Board?

MR. GALLI: No additional.

MR. BROWNE: No.

MR. DOMINICK: No.

MR. WARD: No.

CHAIRMAN EWASUTYN: If you could see that Pat Hines gets an additional set of plans.

MR. SPARACO: Sure.

CHAIRMAN EWASUTYN: He'll contact the highway superintendent with those plans.

MR. SPARACO: Sure.

CHAIRMAN EWASUTYN: We'll look for his recommendation.

At this point I'll move for a motion to declare a negative declaration on the Bell two-lot subdivision.

MR. MENNERICH: So moved.

MR. GALLI: Second.

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BELL

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CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Frank Galli. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

We won't move for a public hearing until we get the revised plans.

MR. SPARACO: Thank you.

(Time noted: 8:09 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of February 2016.

*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

MANN SUBDIVISION  
(2016-02)

545 Lakeside Road  
Section 28; Block 1; Lot 12.1  
R-1 Zone

----- X

FOUR-LOT SUBDIVISION

Date: February 4, 2016  
Time: 8:10 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: JOHN STECKLE

----- X

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

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MR. BROWNE: Our next item of business is Mann Subdivision, project number 2016-02. It's a four-lot subdivision, an initial appearance. This is being presented by Maser Consulting.

MR. STECKLE: Good evening, I'm John Steckle with Maser Consulting. We're representing the applicant and owner, Mr. Cecil Mann. He wasn't able to make it tonight.

Our application is for a four-lot subdivision of the existing 5.4 acre lot. It's in the R-1 district on Lakeside Road. Just to the south of the property is the Newburgh Little League field, to the west is vacant woodland and single-family homes to the north.

We're proposing, as part of this application, to dedicate a 25-foot width along Lakeside. The parent parcel extends to the center line of the road. That's one of the things we would like to address during this application.

We're also currently proposing a Town road, a 350 foot cul-de-sac. Mr. Hines' comments, he said we should meet with the highway

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department and see if it's appropriate or if we should look at the private road application. We'll look to do that in the near future.

Of the four lots one is going to be maintaining the existing single-family home. That has an accessory two-story garage detached, and with that there's an old septic -- subsurface septic field there. I guess, according to the owner, in the past there was a dog kennel of sorts. It is not in use today. That would be abandoned and removed accordingly.

The other three lots are three new single-family dwellings, private water and sewer.

We did some preliminary soil testing out there. The three systems will be shallow designed systems based on the soils. In the future we'll obviously prepare notes, details, design of those.

We met all the R-1 zoning requirements, setbacks. The minimum area of each lot was 40,000 square feet. The smallest is just shy of 42,000. The largest lot is the existing.

Again, the owner wants to maintain that detached garage. To do so we had to make the lot

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larger to account for that.

It doesn't appear there's going to be a sight distance issue based on the speed limits. There's pretty adequate visual in each direction, north and south.

From a preliminary review we're not within the hundred-year flood plain, Army Corp wetlands or DEC wetlands or buffers.

I think that's about it. Any questions?

CHAIRMAN EWASUTYN: Before we turn it over to Pat Hines, why were you considering a Town road?

MR. STECKLE: Basically construction costs really. The only difference we saw was a couple inches additional of the subbase. Just to avoid all the HOA fees in the future. The homeowner is an older gentleman and he wanted to just go in with that. If it was going to be acceptable, that was his preference.

CHAIRMAN EWASUTYN: Logical.

Pat Hines?

MR. HINES: Our first comment is just that the previous highway superintendent did not

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entertain roads this short to be Town roads. We do have a new highway superintendent so we're suggesting -- I'll actually submit the plans to him to see what his opinion is on these. They're a lot of maintenance for those short little cul-de-sacs during the winter season, but that will be their call.

Stormwater management is not shown on the site. Based on the amount of disturbance which you'll have to do as you develop the plans, take a look at the stormwater management requirement. Hopefully you're less than 5 acres.

MR. STECKLE: I didn't measure that. We're a little over 3 acres. Based on the subdivision it would be erosion control for the SWPPP.

MR. HINES: There a couple driveways. Some are shown to be removed. In looks like there's an additional one that needs to be removed.

The lots meet the bulk requirements. I think the concept is okay once the private or Town road is worked out.

The detailed design plans will have to

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follow.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: Just one thing. In the future you need to address a road name regardless, even if it's a private road. It needs to be named through the Town Clerk's office.

MR. STECKLE: Okay.

CHAIRMAN EWASUTYN: Mike Donnelly, do you have anything to add?

MR. DONNELLY: No.

CHAIRMAN EWASUTYN: I'll move for a motion to grant conceptual approval for the Mann four-lot subdivision.

MR. HINES: With the provision that the roads will be worked out.

MR. GALLI: The two-story garage, there's not an apartment on the top of that, is there?

MR. STECKLE: No, there's not. The front side is the garage spaces. He had mentioned in the past it doesn't -- from inspection of the site it's been some time, but there were some rails in the concrete and I guess

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the back end of it was just storage above.

CHAIRMAN EWASUTYN: I'll move to grant conceptual approval to the Mann four-lot subdivision subject to determination by the highway superintendent whether it be a Town road or a private road.

MR. MENNERICH: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich and a second by John Ward. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Thank you.

MR. STECKLE: Thank you very much.

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

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

I, MICHELLE CONERO, a Notary Public  
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*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

FIDANZA  
(11-24)

66 North Plank Road  
Section 80; Block 7; Lot 7  
B Zone

----- X

ARCHITECTURAL REVIEW - SIGNAGE

Date: February 4, 2016  
Time: 8:17 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: MARIA ROTUNDO

----- X

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

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FIDANZA

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MR. BROWNE: Our next item of business is Fidanza, project number 2011-24. ARB, signage, presented by Coppola Associates.

MS. ROTUNDO: Actually I'm Light Bright Signs. Yes, we're presenting a new sign package for his building at 60 North Plank Road.

I'm assuming the Board got all of the renderings and was able to review them?

CHAIRMAN EWASUTYN: Yes.

MS. ROTUNDO: Okay. As it is now, there's no illuminated signs allowed. They have to be just black formed plastic letters or painted letters with no illumination. So we would like to change that.

CHAIRMAN EWASUTYN: Jerry, do you want to bring us along? Joe Matina looked at the submittals that Maria offered, you looked at them. Are we in a position to approve the lettering based upon the bulk requirements?

MR. CANFIELD: Yes. As the applicant has indicated, at the time of the original approval the Planning Board had approved a specific size and color of sign, I think at the recommendation of the landscape architect. The

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FIDANZA

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applicant now has a desire and a need to change that. There's no increase in the square footage of the signage. It does comply. It's solely a matter at the Board's discretion should they choose to allow that change.

We discussed at work session the color schemes basically of what they propose. I think some of it is consistent with corporate requirements, Papa John's and Planet Wings.

Also, it should be noted at any future date when you should -- if you should need an additional free-standing monument, you may have to come back to this Board and/or the Zoning Board.

MS. ROTUNDO: Okay.

MR. CANFIELD: So this approval, should the Board choose to approve, would be specifically to what you're submitting now.

MS. ROTUNDO: Right.

CHAIRMAN EWASUTYN: Does that mean they should also submit an amended site plan that doesn't show the monument?

MR. CANFIELD: I believe that's probably a question for Mike. I believe you can

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FIDANZA

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do it by just --

MR. DONNELLY: As long as you have an as-built that shows it's removed.

You did discuss the possibility of a fence.

MR. CANFIELD: I was going to get to that after we got done with the signage.

CHAIRMAN EWASUTYN: We'll first poll the Board Members on approving the signage for, is it Papa John's and --

MR. FIDANZA: Papa John's, Planet Wings and Smokes For Less. Smokes For Less just came up as a tenant. They are one of my other tenants in my other plaza which is very similar to the Papa John's sign which is pretty much the same, either white or red lettering.

CHAIRMAN EWASUTYN: Jerry, is that okay with you?

MR. CANFIELD: Yes.

CHAIRMAN EWASUTYN: Frank Galli, are you okay with that?

MR. GALLI: Yeah.

MR. BROWNE: Yes.

CHAIRMAN EWASUTYN: Mike, do you have

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FIDANZA

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any type of resolution associated with the signage?

MR. DONNELLY: I will amend the resolution to reflect it's amended ARB. The standard condition, you're abandoning your free-standing sign and relocating the same. The signs are shown on these plans under the building wall.

CHAIRMAN EWASUTYN: One more time. That's Smokes For Less, Papa John's --

MR. FIDANZA: And Planet wings.

CHAIRMAN EWASUTYN: -- and Planet Wings.

I'll move for a motion to grant approval to those three tenants and their signage, Smokes For Less, Papa John's and Planet Wings.

MR. WARD: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward and I have a second by Frank Galli. Roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

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FIDANZA

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MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself. So  
carried.

We have some existing site plan issues  
that Jerry would like to discuss.

MR. FIDANZA: Sure.

MR. CANFIELD: I believe there's been  
conversation between the neighboring properties  
and/or you, the owner, and/or Mr. Coppola --

MR. FIDANZA: Yes.

MR. CANFIELD: -- the design  
professional, with respect to installing a fence  
in the rear to somewhat shield headlights from  
shining --

MR. FIDANZA: Turning around in the  
back. I did speak to actually the tenant in the  
back or the homeowner in the back, which I don't  
have a problem doing. I understand his  
situation. That has to be landscaped there and  
the elevation there change. I know we have to  
landscape the whole back. I don't know if we  
want to do it with landscaping or fencing, but  
that's something I have to -- we have to take a

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FIDANZA

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look at. I know as soon as we turn the corner there where the lights might reflect into his house or window. That's clearly not an issue on my part if we have to do something there.

MR. CANFIELD: Okay. I think the proper way to proceed is however you choose to propose to mitigate this issue, it should be submitted to the Board because it will be an amended site plan. If we're going to use landscaping and/or a fence, whatever it is, it's ultimately up to the Board to accept.

MR. HINES: Or a fence in lieu of the landscaping.

MR. CANFIELD: Or the fence in lieu of landscaping. Currently the landscaping in the back between the lower level of the retaining wall and the adjoining property, those trees are five to six feet. The wall itself is five to six feet. So the planting does nothing to shield vehicle, you know, headlights.

MR. FIDANZA: It ends at a certain point and then -- the actual retaining wall where the dumpster area is at is a lot -- I think a little bit higher than that. Any of that

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FIDANZA

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landscaping that was behind that wall would be lost anyway. Yeah, we could do something there. And then where it raises up we can landscape that. We're going to have to present something new and -- I mean the whole front and side, we'll try to get that landscaped in time for the weather. We are going to present something with the actual fence and landscaping in the front and the back to decorate the back as well.

MR. CANFIELD: I think you would have to have your design professional make a submittal to the Planning Board.

MR. FIDANZA: I will.

MR. CANFIELD: They'll get you on an agenda.

At this time also I should remind you that I'm still waiting for an as-built on that retaining wall and sign off on it.

MR. FIDANZA: Yup.

MR. CANFIELD: Also an as-built for the site itself as it stands. Specifically the drainage. There are some catch basins that I think may have been moved. We just want to make sure that you're still functioning as originally

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FIDANZA

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intended.

MR. FIDANZA: Okay. Mark Day is handling all that. He's waiting for a few things to take care of that as well as the as-built. We're waiting for the surveyor. He did all that but he was waiting to stripe the lines and get all the striping in so he could show everything at one time, along with the actual rail on the nail salon side there that we have to incorporate because of the elevation and the height. So Mark Day Engineering will get something out and get that all finalized for you.

CHAIRMAN EWASUTYN: Additional questions or comments from the Board?

(No response.)

MS. ROTUNDO: Thank you.

(Time noted: 8:24 p.m.)

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

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

That hereinbefore set forth is a  
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I further certify that I am not  
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blood or by marriage and that I am in no way  
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*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

GARDNER RIDGE  
(2002-29)

Gross Density

----- X

BOARD BUSINESS

Date: February 4, 2016  
Time: 8:24 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD

----- X

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

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MR. BROWNE: We didn't finalize the Gardner ridge, did we?

CHAIRMAN EWASUTYN: Mike Donnelly will discuss that now.

MR. DONNELLY: As we discussed during work session, in 2014 the applicant came before you and requested a letter to go to the Town Board recommending that the unit count density could change under the gross density provisions of the code. You sent that letter. The number of units at the time -- I forget what the number was but it was in the 120 range.

The applicant has a new proposal that he's taken to the Town Board that doesn't match that. He's got somewhere between 12 and 14 more units. The Town Board has asked that if we are in favor of recommending that higher unit count, that we communicate that to them before they take action on approving that.

CHAIRMAN EWASUTYN: Is the Board in favor of that?

MR. GALLI: I'm okay.

MR. DONNELLY: The count would be a total of 144 with 36 senior dwelling units and

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108 non senior apartments.

MR. MENNERICH: Have we seen a revised layout of how they're going to do that? I thought they were going to have the senior building as a separate building.

MR. HINES: It is. It's a separate building. As you enter the site with the 36 units in it and then the -- they were here in September I believe.

MR. WARD: They got rid of something; right?

MR. HINES: I don't know that they did. They added units I believe.

MR. WARD: I thought they got rid of a rec center or something.

MR. DOMINICK: A clubhouse or something.

MR. HINES: It was relocated.

MR. BROWNE: What they presented to us, is that what the number is that they're going with now, that they're trying to adjust it to?

MR. HINES: Yes.

MR. BROWNE: They did present --

MR. HINES: At the September meeting.

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MR. BROWNE: Good.

CHAIRMAN EWASUTYN: Then you're in favor, because we have an opportunity to look at it?

MR. MENNERICH: Yes.

MR. DOMINICK: Yes.

MR. WARD: Yes.

CHAIRMAN EWASUTYN: I'll move for a motion for Mike Donnelly to prepare a letter to the Town Board saying the Planning Board is in favor of the proposed 108 single-family units and the 36 --

MR. DONNELLY: Correct.

CHAIRMAN EWASUTYN: -- senior housing.

MR. HINES: Yes.

CHAIRMAN EWASUTYN: I'll move for that motion.

MR. GALLI: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. A second by Dave Dominick.

MR. BROWNE: Should we add a comment just for the fact that is in fact the plan we did review?

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CHAIRMAN EWASUTYN: We already just discussed that we did do it.

MR. BROWNE: That would be part of the motion, that would be part of the statement.

CHAIRMAN EWASUTYN: I'll revise the motion to say that the Planning Board is approving the 108 single-family units, the 36 senior units based upon the plans that were submitted in September by Darren Doce of Vincent Doce Associates. I have a motion by Frank Galli. I have a second by Dave Dominick. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried. Thank you.

I'll move for a motion to close the Planning Board meeting of 4th of February.

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:28 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of February 2016.

*Michelle Conero*

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MICHELLE CONERO