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

----- X

In the Matter of

MALMARK SUBDIVISION
(2020-15)

72 Lattintown Road
Section 9; Block 3; Lot 2
AR/R-3 Zones

----- X

FIVE-LOT SUBDIVISION

Date: February 4, 2021
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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: ZACHARY PETERS

----- X

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

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. We'd like to welcome you to the Planning Board meeting of the 4th of February 2021. We have four agenda items and one Board business item.

I'd like to call the meeting to order with a roll call vote.

MR. GALLI: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. WARD: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board Attorney.

MS. CONERO: Michelle Conero, Stenographer.

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

CHAIRMAN EWASUTYN: At this point in the evening I'd like to turn the meeting over to Stephanie DeLuca.

(Pledge of Allegiance.)

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MS. DeLUCA: Silence your phones.

CHAIRMAN EWASUTYN: The first item of business is the Malmark Subdivision, project number 20-15. It's located on 72 Lattintown Road. It's in an AR Zone/R-3 Zone. It's a concept on a five-lot subdivision. I think it's being represented by --

MR. PETERS: Zachary Peters from Mercurio-Norton-Tarolli-Marshall.

CHAIRMAN EWASUTYN: Thank you. Zachary, you can go forward.

MR. PETERS: We were last before the Board I think at the end of December to present the initial plan. Since then we've updated the subdivision plan based on the boundary survey that was completed for the parcel.

We continued on with soil testing and sewer designs. We have a pretty detailed plan at this point.

The only significant change from when we were last before the Board was we originally proposed a private road here to serve lots 1 through 4 off sort of the northwesterly corner of the parcel. The owner decided he didn't want to

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go with that and we proposed two private common driveways, essentially. There's one to serve lots 3 and 4 in the back and then there's one that's going to be serving lots 1 and 2. That's really the only significant change from the previous plan.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: No additional comments at this point.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: No.

CHAIRMAN EWASUTYN: Ken?

MR. MENNERICH: Not at this point.

MR. WARD: Nothing.

MR. BROWNE: No.

MR. DOMINICK: Nothing more.

CHAIRMAN EWASUTYN: At this point we'll turn to Pat Hines.

MR. HINES: We reviewed the plan. As Zachary said, the project did change, eliminating the private roadway, which also eliminated the need for the stormwater pollution prevention plan. The Town's code does require that if you

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build a private road you also must comply with the Town's stormwater ordinance. So this removes that as well.

We're looking for the highway superintendent's comments on the driveway locations for the two shared driveways on the one and the individual driveway for lot 5.

The subdivision plan doesn't have internal metes and bounds on plans yet.

The bulk table for the AR Zone still identifies the private road. There's a note on there stating that the area doesn't include the private road. That's been removed.

Common driveway access and maintenance agreements will be required.

The next comment is that lots 3 and 4 have a grading plan that depends on each of the lots doing the grading as depicted in order to make the driveway work. We're suggesting that those common driveway access and maintenance agreements also include the ability to regrade on each other's property.

It is a major subdivision, there being five lots less than 5 acres. The project needs

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to go to the Health Department for approval of the septic and wells.

At this time the Board could declare its intent for lead agency.

The bulk tables that are on sheet 3, it seems a little strange I don't have a survey sheet. They're normally on the survey sheet. I don't know if there's any room.

MR. PETERS: I showed the required ones on sheet 1. There wasn't quite enough room. I could try to make them fit.

MR. HINES: Maybe put a note that says individual bulks so if someone sees that, they can find those in the future.

Sight distance details as northerly and southerly work for the upper portion of Lattintown Road. The other one should be changed.

We did not send out the notices because we discussed with the applicant that the project was going to change from the private roadway to the flag lot arrangement that's currently before you. We will do that as well.

I think the only action tonight would

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be a motion for lead agency.

CHAIRMAN EWASUTYN: Okay. Zachary, you're familiar with contacting -- he would have to contact Charlene Black with the informational letter?

MR. HINES: Once I prepare the letter and get the assessor's list, I'll work with Zachary and we'll go through the process of contacting the Personnel Department for an appointment to drop off the letters.

MR. PETERS: Absolutely.

CHAIRMAN EWASUTYN: I have one question. Private driveways, is it necessary to have a road name?

MR. HINES: No. If it had three or more, then it does. Two lots on a private driveway does not.

CHAIRMAN EWASUTYN: Dominic Cordisco?

MR. CORDISCO: Nothing further at this time. The Board is, as Pat mentioned, in a position to be able to declare its intent to be lead agency, in which case a notice would be sent out to all the other involved agencies.

CHAIRMAN EWASUTYN: Who might the

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involved agencies be with this, Pat?

MR. HINES: The Health Department for their review of the realty subdivision wells and septics.

CHAIRMAN EWASUTYN: Would someone move for a motion to declare intent for lead agency?

MR. DOMINICK: I'll make a motion.

CHAIRMAN EWASUTYN: Motion by Dave Dominick.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Second by John Ward. Can I please have a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you. Motion carried.

MR. PETERS: Okay. Thank you very much.

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(Time noted: 7:05 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 15th day of February 2021.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

DORRMANN SUBDIVISION
(2021-03)

Weaver Road
Section 11; Block 1; Lot 93
AR Zone

----- X

TWO-LOT SUBDIVISION

Date: February 4, 2021
Time: 7:05 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

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CHAIRMAN EWASUTYN: Item number 2 on our agenda is the Dormmann Subdivision. It's located on Weaver Road in an AR Zone. It's an initial appearance for a two-lot subdivision. Charles Brown of Talcott Engineering is representing the applicant

MR. BROWN: Thank you, John. This is an existing, just under 30-acre parcel with a new house built depicted on the lot. We did just add the septics to that.

The proposal is to cut it into two lots and create one more building lot. The smaller lot, lot 1, is just under 5 acres and lot 2 will be just under 25 acres.

Both lots will be serviced by on-site wells and septics.

The property does contain several wetlands, part of that flag portion over to roughly about here. I understand we've got to get the rest of that flag. Mike Nowicki says he can't do it right now with all the snow cover. That's it.

CHAIRMAN EWASUTYN: John Ward, any comments?

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MR. WARD: No comment.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Nothing at this point.

CHAIRMAN EWASUTYN: Stephanie DeLuca?

MS. DeLUCA: No.

CHAIRMAN EWASUTYN: Frank Galli?

MR. GALLI: No.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: We talked about the topo
on one, didn't we?

MR. BROWN: I did see that on Pat's
comments. I don't feel the need to do any
additional topo than what's shown here because
we're not impacting the rest of the site.
Particularly trying to topo the wetlands would be
very problematic.

I'd like to request a waiver of any
additional topo. This topo right here as shown
was field shot for this map.

MR. BROWNE: Pat, is that adequate for
your analysis?

MR. HINES: I'm okay with the review.
I suggested that the applicant request a waiver.
The majority of the lot behind the residence is

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all Federal jurisdictional wetlands and the roadway is existing to the parcel. I take no exception to the Board granting a waiver if you wish.

CHAIRMAN EWASUTYN: We can stop. Having heard from Pat Hines recommending that we can, and the Planning Board has the authority to, waive additional topo on the Dormann two-lot subdivision, would someone make that motion?

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Ken Mennerich. Can I please have a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion carried.

Thank you.

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Can we continue on then. Dave
Dominick?

MR. DOMINICK: No questions.

CHAIRMAN EWASUTYN: All right then.
Pat Hines.

MR. HINES: We're looking for the
information on the private roadway for Weaver
Road, if it does in fact terminate as you show it
as a dead end there.

MR. BROWN: We can supply that. We did
pull the previous subdivision map. I'll talk to
my client about if there's anything in the title
report on that. That is accurate as shown on the
plan. I don't know whether it's actually a
private road ending here and this is the common
driveway or if it's a private road the full way.
The Stewart residence does have a Weaver Road
address. If that's considered a common driveway,
I just had on the last application, it would
still have a Weaver Road address.

MR. HINES: So that's the gist of that
question, where does that private road begin and
end. The reason is that we talked at work
session, I think Jerry Canfield concurred, this

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may be three houses on a common driveway at this point because they're all sharing and are not on the private road.

MR. BROWN: Okay.

MR. HINES: It's lot 1 and lot 2 and then this tax lot 28.21. With that, I just need the width -- I think it's 25 feet, but the width of the portion of lot 1 that's touching the private road.

MR. BROWN: Okay.

MR. HINES: I think the private road --

MR. BROWN: That's 25 feet.

MR. HINES: It's just not labeled there. If you can label that.

You talked about the Federal wetlands. We need that clarified. They're shown as approximate. We're going to need those delineated.

Additionally, the 23 foot wide driveway easement, which is why I think it's not a private road because it does reference that 23 foot easement on the filed map --

MR. BROWN: Right. That came right off the filed map.

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MR. HINES: If you can give us the information on that as well --

MR. BROWN: Okay.

MR. HINES: -- when you give us the private road.

We just talked about the topography.

Orange County Planning will be required to be notified since the property adjoins the Thruway.

I'll do the adjoining notice after this meeting.

At work session Jerry Canfield was here and there are a couple of issues. The existing storage trailer is not a permitted use.

MR. BROWN: It's actually more like a container. I took a picture of it.

MR. HINES: That's even worse. They're not allowed to be utilized in the Town of Newburgh.

MR. BROWN: Okay.

MR. HINES: The container will need to go.

MR. BROWN: What do they do with Pods?

MR. HINES: They have a permit system

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for them.

The existing barn and what you have identified as an existing shed are located in the front yard. If Weaver Road does truly terminate where it's shown, --

MR. BROWN: Got you.

MR. HINES: -- they're going to need referral to the ZBA for approvals and/or be removed. I think the Board is going to need to refer you tonight to the ZBA for those accessory uses in the front yard setback with the front yard being that private road portion of Weaver Road. Jerry Canfield was here at work session and did concur with that.

That's what we have to date.

MR. BROWN: Okay. Do you need another set of drawings for the County?

MR. HINES: I think we're going to wait until you come back from the ZBA. You'll have to submit that to the County as well for the ZBA.

CHAIRMAN EWASUTYN: Dominic Cordisco?

MR. CORDISCO: Yes. Nothing additional to add other than the Board would be in a position to consider referral to the ZBA at this

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time because accessory uses are not allowed in front yards.

MR. GALLI: If he removes them then he doesn't have to go to the Zoning Board?

MR. CORDISCO: That's correct.

MR. BROWN: We'll take the referral and if we decide to remove them we just don't make the application.

MR. CORDISCO: Correct. And you would update the plan to show that they would be removed.

MR. BROWN: Okay.

CHAIRMAN EWASUTYN: Let the record show that Dominic Cordisco will be preparing a referral letter to the Zoning Board of Appeals for the accessory buildings which are not permitted in the front yard.

MR. CORDISCO: Yes, sir.

MR. HINES: Charlie, I'll work with you on the adjoiners notice as well.

MR. BROWN: Thank you very much.

(Time noted: 7:12 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 15th day of February 2021.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

POLO CLUB
(2018-12)

Route 300 & Jeanne Drive
Section 39; Block 1; Lots 1 & 2.12
R-3 Zone

----- X

FSEIS
242 UNITS/MULTI-FAMILY WITH SENIOR
CLEARING & GRADING

Date: February 4, 2021
Time: 7:12 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ, DAVID
WEINBERG, JAYNE DALY

----- X

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CHAIRMAN EWASUTYN: Our third item of business is the Polo Club, project number 18-12. It's located on Route 300 and Jeanne Drive in an R-3 Zone. It's here on an application for a clearing and grading application.

Dominic will make mention of the FEIS, 242 units.

MR. CORDISCO: The FEIS has been accepted previously by the Board subject to the revisions that were made. This is the Final Supplemental EIS, to be particular. It has also been circulated to the involved and interested agencies and notices have been posted appropriately. You are currently within the ten-day waiting period as far as taking additional action under SEQRA to provide those recipients with the ability to review the Final Supplemental and to provide any final comments that they may have to the Board.

The next step in the process is to consider, after that ten-day period has concluded, the Findings Statement. The adoption of the Findings Statement would close out the SEQRA process. There is currently a draft that's

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under review. That is where SEQRA stands at this particular time.

CHAIRMAN EWASUTYN: Thank you.

The project is being represented by Ross Winglovitz of Engineering & Surveying Properties. Ross.

MR. WINGLOVITZ: Good evening. I would just add that we did submit a letter to the Town Board regarding the senior incentive zoning. I'm hoping to be on the 22nd, I believe it is, of this month regarding an affirmative referral back to the Board.

Tonight we're here regarding a clearing permit. As everybody in Orange County knows by now, in many places, unless we're able to remove trees or at least drop trees before March 31st, it would hinder our ability to start work any time before November 1st of next year -- November 1st this fall. So what we've filed is a clearing permit with Jerry's office. He's referred it to the Board. Clearing has been addressed thoroughly in the EAF as well as the EIS. For SEQRA purposes there's a lot of information available regarding that.

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What we would ask is that the Board set this for a hearing at their earliest convenience. I think maybe the first March meeting is the best we could do as far as timeframes.

I would be glad to answer any questions.

CHAIRMAN EWASUTYN: Questions from Board Members. Frank Galli?

MR. GALLI: No. I'll wait to hear the rest.

CHAIRMAN EWASUTYN: Stephanie DeLuca?

MS. DeLUCA: The same.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I'll pass.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I'll wait for Pat.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: One of the questions we talked about a little bit is when you do the clearing, when you do get to that point, are you going to do the stumping at that point or are you going to leave the stumps in?

MR. WINGLOVITZ: We would have to leave the stumps in until we file a stormwater permit.

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MR. BROWNE: Thank you.

MR. WINGLOVITZ: That would be for ground disturbance.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: I'm going to reserve comments right now.

CHAIRMAN EWASUTYN: At this point we'll turn the meeting to the advice of Pat Hines from McGoey, Hauser & Edsall.

MR. HINES: Our first comment just identifies the information from the clearing and grading application that was submitted to the Building Department. They're proposing to clear the trees from 21.81 plus or minus acres of the site which has been delineated as the limits of disturbance on the plans that have been before the Board for quite some time. Again, as the applicant said, it's due to the environmental constraints regarding two bat species is why the applicant is wishing to pursue this.

Our second comment just wants the applicant to identify on the record -- the proposal is for the trees to be cut and the stumps to be left in place until such time as the

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project receives additional approvals from the Board.

We noted that the project must close out its SEQRA review by the issuance of a Findings Statement for the Supplemental Final Environmental Impact Statement prior to the project receiving any approvals.

A public hearing is required under Chapter 83 of the Town Code for the clearing and grading permit. We did discuss at work session the requirements of Chapter 83 and the fact that there is a restoration bond requirement in that chapter. The Town has typically required \$3,500 per acre for restoration assurances on these types of sites in the past.

MR. WINGLOVITZ: We have no problem with posting the restoration bond.

CHAIRMAN EWASUTYN: Dominic Cordisco?

MR. CORDISCO: Since the Findings Statement is not yet adopted, the Board would not be in a position to act on the clearing permit, the request of the application. It can certainly process the application. The Board does require a public hearing. The law requires a public

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hearing, and a public hearing can be set at this time if the Board is satisfied.

CHAIRMAN EWASUTYN: If the Board is satisfied, then would someone move for a motion to set this for a public hearing for March 4th?

MR. DOMINICK: I'll make a motion.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. Do I have a second?

MR. GALLI: Second.

CHAIRMAN EWASUTYN: Second by Frank Galli. Can I please have a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion carried.
You'll work with Pat Hines as far as the mailings.

MR. WINGLOVITZ: Yup. I'll get together with Pat and Dominic regarding any

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bonding that's necessary, the form of the bond so we make sure that that's in place when it needs to be there.

CHAIRMAN EWASUTYN: And you'll post the necessary signs for the public hearing --

MR. WINGLOVITZ: Yup.

CHAIRMAN EWASUTYN: -- on the property?

MR. WINGLOVITZ: Very good. Thank you.

MS. DALY: Has the public hearing been set?

MR. CORDISCO: For March 4th.

MS. DALY: Thank you.

(Time noted: 7:20 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 15th day of February 2021.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

DARRIGO SOLAR
(2019-24)

86 Lakeside Road
Section 86; Block 1; Lot 96
R-1 Zone

----- X

SOLAR FARM - SPECIAL USE

Date: February 4, 2021
Time: 7:20 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: JEFFREY LEASE, MICHAEL
MORGANTE, DANIEL DARRIGO & KENNETH DARRIGO

----- X

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

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CHAIRMAN EWASUTYN: The fourth agenda item is Darrigo Solar. It's located on 86 Lakeside Road in an R-1 Zone. It's a site plan for a solar farm. It's being represented by Jeffrey Lease.

MR. LEASE: Good evening. I'm Jeff Lease here representing the Darrigo family for the proposal of a 5 megawatt solar array at the address of 84 Lakeside Road.

Mike Morgante is going to be making the engineering presentation and talking to the points that have been submitted regarding the letters.

We are also under the constraint of the Indiana Bat and would like to drop the trees on the -- it's a little bit less than 15.5 acres of cleared area that would be necessary to make the window. We'd like to propose doing SEQRA this evening as well.

With that, I'll turn it over to Mike.

MR. MORGANTE: Good evening, everyone. It's been a while since I've seen everybody on the Board. I hope everybody is doing well.

So last we were here we had a bunch of

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clean-up items related to Mr. Hines' comment letters. We had a lot of agency approvals that we have compiled. There is a lot of acronyms I'm about to roll through. We've dealt with the FAA. We've dealt with the ZBA. We've dealt with the Town Board. We've dealt with the DEC. We've dealt with the State Historic Preservation Office, SHPO. We've dealt, obviously, with the Planning Board. We've compiled everything into one document. We provided that to the Planning Board. We provided it to the consultants. Mr. Hines' last comment letter seems to acknowledge that we seem to have addressed most of the outstanding items.

We cleaned up the plans. We provided a landscaping plan that we hope will meet the requirements of the Planning Board's Landscape Architect.

We feel that we've moved the project forward to a point where we would like to see the Board potentially act tonight to schedule a public hearing for this. We feel that it's at the proper point for the Board to consider that.

I'd also move to -- what Mr. Lease

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said, which was we're all in New York. It seems like anywhere you go in New York State we have environmental constraints. One of the biggest constraints right now is the Indiana and Northern Long Eared Bat. They limit the time of year you can cut trees, so they really hinder construction progress for a lot of projects before this Board and every other board, not only in the county but in New York State. If there's any avenue, any mechanism that can be considered by this Board tonight that will permit us to -- we're not looking to clear trees. We're just -- we need to be able to cut trees. No stumping. Not anything else. If there's an opportunity for us to have permission from the Board to do that, to at least work forward from tonight to maybe schedule something where we can submit a permit, consider bonding issues and potentially maybe the public hearing be scheduled on March 4th, we would have everything in place that night such that if we were able to closeout the project, we could potentially start cutting trees literally the next day because we would only have three weeks. Who knows what the weather is going to hold in

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store for us. Another two-footer or three-footer. Who knows what COVID is going to be like. It puts everybody in a bad spot. Unfortunately we're here requesting these things from the Board in the same manner.

That's my presentation in a nutshell to the Board tonight. I'll be glad to answer any questions the Board or its consultants might have. Thank you for your time.

CHAIRMAN EWASUTYN: Mike, thank you for coming out.

Frank Galli, do you have any questions for Mike?

MR. GALLI: So they want us to hear a clearing and grading permit tonight which we don't have in front of us?

MR. MORGANTE: No, no.

MR. GALLI: I don't know how that works.

CHAIRMAN EWASUTYN: I think right now we're doing -- we're making a SEQRA determination. Correct?

MR. HINES: Yeah. Part of my comments is suggesting that the numerous outside agencies

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that have been involved have weighed in with no impacts on the project, so we would recommend a negative declaration if the Board so desired.

Talking forward. If the project received a final approval at the conclusion of that public hearing, the need for a clearing and grading permit would be eliminated because your Zoning Ordinance says that Chapter 83 is waived upon approval of the site plan. In the alternative, if that doesn't -- the public hearing could -- I'm just talking out loud here -- could be held for both the Chapter 83 clearing and grading permit and the site plan public hearing. We don't have an application in to the Building Department. Chapter 83 says the application goes to the Building Department, the Building Department refers it to the Planning Board. So the timeframes for that are a little short right now. If they did get approval and everything was in order, on March 4th they could conceivably go to Jerry's office and get a building permit to clear the trees. If they don't think that's going to be the case and there be some procedural matters, it would be up to

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them to submit a clearing and grading application to Jerry's office. I think tonight the Board would have to call that public hearing a Chapter 83 and site plan hearing.

MR. GALLI: This project has been moving along all along. They would have had to clear trees sometime. Here we are at the last minute, push it through.

CHAIRMAN EWASUTYN: Dominic Cordisco, your advice?

MR. CORDISCO: Looking at it in individual components, I agree with Pat in connection with the negative declaration. Certainly the applicant has satisfied all of the efforts to obtain sign offs from the various involved and interested agencies. So if the Board is satisfied, then a negative declaration would be in order.

Tree removal. Abiding by the restrictions for tree removal is a mitigation measure. That could be set forth in the negative declaration as far as what's being offered, the measures that they're proposing to remove the trees prior to April 1st or after November 1st.

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That's a standard measure that's applied across the board.

But this Board would be in a position to consider a negative declaration at this time. A public hearing is also required. As Pat had mentioned, it's conceivable that you could schedule a public hearing for this project for your March 4th meeting, if that was convenient to you.

We're in a little bit unusual territory because you don't usually conditionally schedule a public hearing on an application which you haven't received yet. That said, I think one of the -- perhaps the most pertinent issue is whether or not we anticipate that if approval was granted for the project itself, not for the clearing permit but for the project itself, if there would be any conditions that would need a long lead time to satisfy. So in other words, are there any other approvals that are needed in order to start construction of the project. None that I can think of. I mean making the connection to the overall electrical grid, you know, is a separate process that happens up in

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Schenectady in a box that's not shown on Google Maps.

MR. HINES: I don't have any other outside agency approvals. The DEC has weighed in on the project. We previously questioned the use of the environmentally restricted area for the former, I'll say landfill on the site, and they've signed off on that.

MR. MORGANTE: Correct.

MR. HINES: They'll need approval for a SWPPP, but that would be prior to construction. Municipal authorization. That would not be required for simply cutting the trees and not stumping.

MR. CORDISCO: If I may get back to it. There are really two paths. There's a path that implies and relies on the fact that there would be a public hearing on March 4th, that there would not be any new issues that would be raised at that public hearing, and the Board would be satisfied and in a position to act on the application for the solar facility at that time. And then under that scenario resolutions could be filed and the applicant can go and get a building

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permit that would allow it to take down trees. That's cleaner than a clearing permit, which of course has the restoration bond as well. But, you know, if -- the other path is that the applicant, if they wish to deal with the potential that that best case scenario doesn't happen, they could apply for a clearing permit, but it triggers those additional requirements, including a public hearing. You don't have the application yet.

MR. HINES: Even with the site plan approval, the restoration bond is incorporated into the stormwater management bonding that would be required under the site plan. Either way, that security would need to be posted.

MR. CORDISCO: I misspoke. I apologize.

MR. HINES: I just wanted to clarify for the applicant.

MR. CORDISCO: Thank you.

CHAIRMAN EWASUTYN: Mike, which way would you like to proceed?

MR. MORGANTE: I feel like we should probably have a tree clearing permit. Everything

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is a back-up plan, potentially, if we end up having to extend the public hearing.

MR. LEASE: Absolutely.

MR. MORGANTE: I'd like to ask Dominic a question. Through SEQRA itself, through a negative declaration, in the past before I have been able to cut trees through a negative declaration. It's been wrapped up into that. I've just done it recently, actually, back in March, so -- March 2020. That's not an option for us with this particular project?

MR. CORDISCO: We have a separate chapter, Chapter 83, regarding clearing the trees. I don't want to ask whether or not you did it in this Town.

MR. MORGANTE: I can confidently say no.

MR. CORDISCO: You always have the right not to incriminate yourself. But in any event, similar to the prior application, this does require a clearing permit even when you're just cutting the trees and letting them lie, which, you know, is the necessary measure for bat mitigation.

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MR. LEASE: May I ask a question? Does the clearing permit require its own public hearing?

MR. HINES: Yes.

MR. LEASE: Thank you.

MR. CORDISCO: Yes. What we were trying, I think, to get at is that the March 4th meeting -- if I may, Mr. Chairman -- would provide the opportunity for that public hearing to take place. If you push it out beyond that, then you're so close to the April deadline that it makes it not really feasible.

MR. LEASE: Thank you.

MR. CORDISCO: I'll stop talking.

Thank you, Mr. Chairman.

CHAIRMAN EWASUTYN: Frank?

MR. GALLI: I'm satisfied.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Just a question, Mike.

On Karen's landscape comments, her suggestions, is that a problem? Are they things that --

MR. MORGANTE: I believe we've addressed everything. I think we submitted for her review.

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Did we get any responses back.

MR. LEASE: May I speak to that? Karen and the landscape architect have a meeting set up for tomorrow at noon to talk about the ten bullet points that are on that thing. I think they're all a matter of negotiation. I think they can all be resolved. I think -- yeah. Jessica Marquard and Karen are going to speak, and I'm going to be on the conference call with them tomorrow at 12 noon. We should be able to generate a letter by the middle of next week regarding those points.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: I think Karen will generate the letter.

MR. LEASE: Yes. I'm sorry. Yeah, sure.

CHAIRMAN EWASUTYN: Any other questions?

MR. MENNERICH: No.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I would like to ask the owner if you could. The building, the haunted house, you're planning on taking it down?

MR. DANIEL DARRIGO: Well, no.

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CHAIRMAN EWASUTYN: For the record,
your name please?

MR. DANIEL DARRIGO: Dan Darrigo. I'm
the trustee of the Frank Darrigo Revokable Trust.

No. My nephew, that's his little thing
there. We weren't planning on -- we're still
planning on doing the Terror Dome. There's a
building that you can see right off of 84. We
were going to tear that down. There was another
facade that we were going to take down. We're
going to move things around so it's not seen by
84. Maybe put up like temporary tents, you know.
We'd set it up probably in August or so.

CHAIRMAN EWASUTYN: Jeff, let's hold
off on the visual because we really don't have a
clarification as to what's coming down, what
isn't coming down. We're sort of clouding what
the actual --

MR. LEASE: I'm sorry.

CHAIRMAN EWASUTYN: -- compliance might
be.

MR. DANIEL DARRIGO: We're still
planning on doing the Terror Dome, if that makes
things --

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MR. WARD: Thank you.

MR. HINES: The reason for the question is the narrative that was recently submitted stated -- I have it here somewhere. The narrative identified the Halloween -- temporary Halloween use on the site will be dismantled.

MR. DANIEL DARRIGO: That was a -- we talked about that, Jeff.

MR. LEASE: Right. So not the use but the buildings. The buildings, they'll come down and go back up on an annualized basis.

MR. HINES: That's for the Board --

MR. LEASE: In your letter you said the word use, but the use was granted through the ZBA. The buildings will come down.

MR. BROWNE: I'm confused. So you're going to continue the use at a different place on the property?

MR. LEASE: Yes.

MR. BROWNE: But the buildings in question are coming down permanently?

MR. LEASE: Yes.

MR. MORGANTE: No.

MR. DANIEL DARRIGO: The Halloween

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DARRIGO SOLAR

44

thing -- Ken, maybe you can explain.

MR. KENNETH DARRIGO: Good evening. My name is Ken Darrigo. I'm one of the people behind Terror Dome. The barn is staying. The barn has been in that location for eighty plus years. It's a great haunted house.

The small buildings that you see from 84, the temporary structures, they'll be removed. You will see the barn from 84. We do have a series of tents. They're inspected by the Department of Labor. They will go up and come down as the season approaches. They will be moved away from the building on 84, more towards our field. So they will not be visible.

MR. BROWNE: So what's coming down, I would like to see that on the plan as being shown that it's coming down.

MR. LEASE: Okay.

MR. BROWNE: And then this temporary thing, I don't know what's going on with that. That's something that can be just done? I don't know. What's the deal with that?

CHAIRMAN EWASUTYN: I think without having -- I'll let you speak. Without having

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Jerry Canfield here to address the permits that may or may not be required, or temporary tents I think.

Dominic, do you have something to say?

MR. CORDISCO: Yes. I'm reviewing the ZBA decision. This is the one that's dated September 24, 2020. It does say that the Board -- the Board, the Zoning Board -- interprets their previously issued determination to permit and allow the continuation of the multiple nonconforming uses identified in the July 6, 2020 application, and that they're allowed to be permitted to continue after completion of the construction of the solar array system. That begs the question what was identified in the July 6, 2020 application because that's what the ZBA based its decision on. So if there was something that was on that plan or part of that discussion or materials considered by the Board that said we're going to take this Terror Dome down and we're going to put this one up, or something along those lines, because I think you only have the authority to have multiple nonconforming uses on the site in accordance with the strict

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interpretation of the Zoning Board's decision.

CHAIRMAN EWASUTYN: Can I make a suggestion or a recommendation? I think we could spend another hour on what is, what isn't. It's always been one of the concerns, and since my vocabulary is limited, always been one of the problems. So I think we might move to declare a negative declaration. I think we might move for a public hearing. I'd like to move that we set this up for a consultants' work session which will occur prior to the meeting of the 4th. I think there's going to have to be some language, some assurances. I agree what the ZBA approved is still something that we are not clear on. If the Board is in favor, because we don't have the time and I think we're -- one of my suggestions in having everyone here was we had to meet as a group to see if we were all on the same page, and we're not on the same page. So rather than keep turning pages and turning pages --

MR. LEASE: May I say one thing?

CHAIRMAN EWASUTYN: Please, Jeffrey. Enough is said.

MR. LEASE: Okay.

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CHAIRMAN EWASUTYN: Okay. Enough is said with showing visuals. Enough is said with this. Again, what is written and you write about is not being interpreted the same way.

Mr. Darrigo, can you raise your mask, please, above. Thank you. That's part of the protocol.

What's the date on the consultants' meeting?

MR. HINES: The 23rd.

CHAIRMAN EWASUTYN: Before we act on anything else, would the Board approve a consultants' meeting for Darrigo Solar Farm on the 23rd of February?

MR. HINES: That would be at 1 p.m. It would be the first item.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Stephanie DeLuca. May I please have a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

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CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion carried.

MR. HINES: Mr. Morgante, does 1 p.m. work for your schedule or would you prefer --

MR. MORGANTE: Can I give you a call early tomorrow -- that's fine. We'll make it work. That's fine.

CHAIRMAN EWASUTYN: So let's go back to are we having a -- number one, assuming we're going to neg dec this and set it up for a public hearing on the 4th, are we setting it up keeping Chapter 83 in mind and the clearing and grading permit or are we setting it up based upon the applicant is going to hope to get a site plan approval? I don't know about that.

MR. CORDISCO: At this point the Board could consider the adoption of the negative declaration. A public hearing is required. I think that you do have enough information that's in front of you to schedule the public hearing on the site plan and for the solar array.

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In connection with the clearing and grading permit, I think it's the Board's discretion as to whether or not you want to conditionally schedule a public hearing subject to the applicant submitting the required application and necessary fee, which actually has to go to the Building Department and then is referred to this Board.

MR. GALLI: I just have a question. Maybe it's not a question. If they do the clearing and grading with the building permit process, doesn't the building permit process have to go through the whole review at the Building Department before they can get a permit and start anything? It's a lot easier to get a clearing and grading permit probably at the Building Department so they don't have to look at everything else.

MR. HINES: The Building Department is kind of the gatekeeper. The Clearing and Grading Ordinance has kind of a hierarchy of how much clearing and how much grading. The smaller can be approved by the Building Department. The larger the project, it requires referral from the

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Building Department to the Planning Board. In this case it would be a Building Department referral to the Planning Board.

Just again speaking out loud here. That's a process that could occur between now and your next meeting where the clearing and grading application could be an agenda item on your second meeting of the month, assuming that the Building Department refers it to you in a timely manner. At that time you could schedule that public hearing to occur simultaneously with the site plan public hearing. I'm just talking out loud, if the Board wanted to consider that or not.

MR. GALLI: I ask that question only because sometimes I hear applicants say I got approval but it's taking me three weeks to get a building permit.

MR. HINES: This would be a referral to this Board from the Building Department.

MR. GALLI: Okay.

MR. HINES: The last referral you got was only, I think it's three pages and a narrative letter.

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MR. GALLI: Okay.

CHAIRMAN EWASUTYN: So then the action before us tonight would be to declare a negative declaration, set it for a public hearing on the 4th, and within a short period of time the applicant will be submitting to the Building Department for a clearing and grading permit, in which case, in a timely manner, we'll receive that referral from the Building Department and make that part of the meeting of the 4th of March. Am I understanding you?

MR. HINES: I think you have to have it at the next meeting.

MR. GALLI: The 18th.

CHAIRMAN EWASUTYN: The 18th.

MR. CORDISCO: Not the hearing.

CHAIRMAN EWASUTYN: We would have to -- so we'd have a separate agenda item on the 4th for the -- on the 18th for the clearing and grading permit, in which case we would tie that in with the public hearing on the 4th of March?

MR. HINES: Correct. That's a process where I can see where the Board could accommodate the applicant's request.

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CHAIRMAN EWASUTYN: Is that how we want to proceed?

MR. GALLI: Yes.

MS. DeLUCA: Yes.

MR. MENNERICH: Yes.

MR. WARD: Yes.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Okay. So let's start with SEQRA. Would that be the appropriate way to start? What would you advise?

MR. CORDISCO: Yes, sir. I think at this point the Board is in a position to adopt a negative declaration. Given the complexities of this matter, including the agencies that have been involved to date, my recommendation would be to prepare a written negative declaration and circulate it to those --

MR. HINES: Yes. And I know for the solar projects, that the agencies that regulate solar are going to want the written negative declaration. I can prepare that. If the Board issues the negative dec tonight, I can follow it up with a written elaboration.

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CHAIRMAN EWASUTYN: Would someone make a motion to declare a negative declaration for the Darrigo Solar Farm?

MR. WARD: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward, a second by Cliff Browne. May I please have a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Sticking with the negative declaration. Would someone make for a motion to set a public hearing for the Darrigo Solar Farm for the 4th of March?

MR. DOMINICK: I'll make a motion.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by Ken Mennerich. May I please have a roll call vote.

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MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Would someone make a motion to set this for the receipt of a clearing and grading permit for the meeting of the 18th of February.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli. Second by Stephanie DeLuca. May I please have a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: I'll repeat myself

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because I don't remember if we did move or not,
so please accept my forgetfulness.

We'll set this up for a consultants'
work session on the 23rd of February at 1:00.

MR. MENNERICH: We did vote on that.

CHAIRMAN EWASUTYN: We did. Okay. I
guess we have everything set.

We have patience with, and Pat Hines
will work with you on the public hearing notice.
We're done now with the ZBA. You'll coordinate
that with Charlene. The property has already
been posted but you'll have to repost it for
that.

I'm sure I'm missing a lot. What are
we missing?

MR. HINES: I think that's the process
that we're all familiar with. I think we can
manage it from there.

MR. BROWNE: John, do they need to do
two separate postings, one for the clearing and
grading and one for the site plan?

MR. HINES: I was going to write the
public hearing notice under the site plan and
Chapter 83. We've done that on numerous projects

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before. I guess I'm being a little forward by saying the Board is going to grant that public hearing on the 18th. It has to get mailed out by the 24th for the ten days. Actually, it has to be mailed out by the 22nd for ten days.

MR. CORDISCO: I think that's a prudent step to take. Ultimately, if for whatever reason that public hearing doesn't get called, either because the application doesn't go in or for whatever procedural reason there may be, any member from the public that's here to speak about the project, they can certainly speak about the project, they received a public hearing notice, and we can provide clarification at that time.

CHAIRMAN EWASUTYN: So you'll include that in the posting.

MR. HINES: Yes. I mean we've had that before where we had a site plan public hearing and a clearing and grading in the same notice.

CHAIRMAN EWASUTYN: All right. So all parties who are here tonight need to be present at the consultants' work session. You're going to have to define what it is you're proposing to do. I think Jerry can speak more effectively as

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DARRIGO SOLAR

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far as tents. I think you have to sort of come up -- it's up to Jerry what the timeframe is. Do you put up the tents three weeks before the occasion? It's very difficult to enforce what's said will be done, you know. Very difficult.

MR. DANIEL DARRIGO: Okay. Agreed.

MR. WARD: Just if you could possibly, for the visual effect, where you plan on doing the tents and all that. Like you said, over by the field. This way we know.

MR. DANIEL DARRIGO: Yes. You can do that?

MR. KENNETH DARRIGO: Yeah.

CHAIRMAN EWASUTYN: I guess that concludes everything at this point.

Mike, it was good to have you here.

MR. MORGANTE: Good to see you guys again. Sorry I've been absent. I've been busy lately. I enjoy working with this Board. So good to see everybody tonight. Thanks for your time, everybody.

(Time noted: 7:48 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 15th day of February 2021.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

SPRINT/NEXTEL
(2021-01)

SPECIAL USE PERMIT - UPDATE DISCUSSION

----- X

BOARD BUSINESS

Date: February 4, 2021
Time: 7:48 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
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

----- X

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

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CHAIRMAN EWASUTYN: Under Board
business we discussed during our work session a
letter that was received from Snyder & Snyder.

You have that. Do you want to read that
into the record since you have it?

MR. CORDISCO: Thank you, Mr. Chairman.
This is a letter from David Kenny, an attorney
with Snyder & Snyder, in connection with a
request for a special permit renewal on behalf of
Sprint for the Mid-Valley Mall water tower
facility located at 39 North Plank Road. "Dear
Chairman and Members of the Board. As you're
aware, we represent Sprint/Spectrum in connection
with Sprint's request to renew its special permit
for its existing wireless telecommunications
facility located at the above-referenced
property. In furtherance of the foregoing,
enclosed please find the Planning Board
application form executed by Sprint. If you have
any questions, please do not hesitate to contact
me. Thank you for your consideration.
Respectfully Submitted, David Kenny."

CHAIRMAN EWASUTYN: So the approval
process tonight, would you explain that for the

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record to the Board and the audience?

MR. CORDISCO: Certainly. So the provisions of the Town Code relating to telecommunications facilities are set forth in Chapter 168, and they provide that for facilities that have received special permits, that there is a five-year renewal that can be applied for upon request. That application must include certain technical information, including an evaluation of the structural integrity of the facility as well as radiofrequency information. This particular application did come with those technical requirements and it was referred to the Board's Consultant, Michael Musso at HDR, and Michael, on January 15th, provided a memo to the Board indicating that Sprint has satisfied the technical requirements of a five-year renewal application.

CHAIRMAN EWASUTYN: Questions from Board Members now?

MR. GALLI: No additional.

MS. DeLUCA: No.

MR. MENNERICH: No.

MR. WARD: No.

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MR. BROWNE: No.

MR. DOMINICK: No.

CHAIRMAN EWASUTYN: So then since it's in the hands of the Planning Board, the action tonight would be to approve the special use permit for Sprint/Nextel?

MR. CORDISCO: Yes, that's correct.

CHAIRMAN EWASUTYN: Would you give us the verbiage as far as the resolution, that way we'll go by that?

MR. CORDISCO: Yes. This is a matter that requires Board action. This is an extension of the special use permit that was previously granted by the Planning Board. If the Planning Board is satisfied at this point, you could move to grant a five-year extension of the special permit for the Mid-Valley Mall water tower telecommunications facility.

CHAIRMAN EWASUTYN: With those words in mind, you'll prepare a resolution?

MR. CORDISCO: Yes.

CHAIRMAN EWASUTYN: Pat, would you like to add anything to that?

MR. HINES: No.

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CHAIRMAN EWASUTYN: Questions from
Board Members?

MR. GALLI: No.

CHAIRMAN EWASUTYN: Then having heard
from the Planning Board Attorney, Dominic
Cordisco, as far as the conditions that will be
noted in a final resolution to grant the five-
year extension for the special use permit for
Sprint/Nextel, would someone move for that
motion?

MR. WARD: So moved.

CHAIRMAN EWASUTYN: I have a motion by
John Ward.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: A second by Ken
Mennerich. May I please have a roll call vote
starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Could I have a motion please to close the Planning Board meeting of the 4th of February.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli, a second by Stephanie DeLuca. May I please have a roll call vote.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

(Time noted: 7:54 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 15th day of February 2021.

Michelle Conero

MICHELLE CONERO