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

----- X

In the Matter of

TILLSON CORP.  
(2017-27)

North Plank Road & NYS Route 32  
Section 42; Block 1; Lots 2.22, 3 & 1.2  
R-3 Zone

----- X

LOT LINE CHANGE

Date: March 1, 2018  
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  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

MICHELLE L. CONERO  
PMB #276  
56 North Plank Road, Suite 1  
Newburgh, New York 12550  
(845)541-4163

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TILLSON CORP.

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. We'd like to welcome you to the Town of Newburgh Planning Board meeting of the 1st of March, at which point we'll call the meeting to order with a roll call vote.

MR. GALLI: Present.

MS. DeLUCA: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney, present.

MS. CONERO: Michelle Conero, Stenographer.

MR. CANFIELD: Jerry Canfield, Code Compliance Supervisor.

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

CHAIRMAN EWASUTYN: At this point in the evening we'll turn it over to John Ward.

MR. WARD: Please stand to say the Pledge.

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TILLSON CORP.

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(Pledge of Allegiance.)

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

CHAIRMAN EWASUTYN: We have three items of business this evening. The first one is Tillson Corp. It's a lot line change located on North Plank Road in an R-3 Zone. It's being represented by Darren Doce.

MR. DOCE: Good evening. Since the last meeting the 500 foot mailings have gone out.

The letter was sent from the County giving their approval of participating in the lot line change.

I've also added notes that the two parcels that are going to be conveyed to the County will be added to the County tax parcel.

I believe we've addressed the comments of the Planning Board.

CHAIRMAN EWASUTYN: Comments from Board Members?

MR. GALLI: No. Just that whole back piece now is donated to the County also; right?

MR. DOCE: This.

MR. GALLI: Was that 10 acres?

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TILLSON CORP.

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MR. DOCE: 8 acres and it's  
approximately 3.25.

MR. GALLI: The piece in the front,  
that's all they have left?

MR. DOCE: Yes.

MR. GALLI: What are they going to do  
with that piece?

MR. DOCE: They have no plans.

MR. GALLI: Okay. Cut your tax bill  
way down.

MR. DOCE: I think that's why -- yeah.  
It's Jack Lease and he wants to sort of get rid  
of things.

MR. GALLI: That's all I had.

CHAIRMAN EWASUTYN: Any other Board  
Members?

(No response.)

CHAIRMAN EWASUTYN: Jerry Canfield, do  
you have anything to add?

MR. CANFIELD: Nothing.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: Darren touched on all of  
the items that we requested.

Most importantly is the notes assuring

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TILLSON CORP.

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that the parcels will be dedicated to the County, because otherwise we would be creating a landlocked parcel. Those notes have been added to assure that.

The standard lot line conditions are needed.

A County representative will have to sign the map as a participant prior to filing.

CHAIRMAN EWASUTYN: Mike Donnelly, would you give the Planning Board the conditions for approval?

MR. DONNELLY: First I note that we have not yet issued a declaration of significance under SEQRA. Assuming it is a negative declaration, that's included within the resolution.

We'll impose the condition which matches the map note which requires the conveyance of the parcels to the County of Orange. We'll reflect in the application materials the letter received from the Orange County Commissioner of Planning dated February 2, 2018 in which he acknowledges that the County will accept the parcel. The standard conditions

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TILLSON CORP.

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are required. You'll have to produce or submit one reproducible mylar. You'll have to file a map with Real Property Tax Service. You'll need a recorded deed conveying the land, and copy us on all the letters to the County Clerk to that effect. After the map is filed you need to provide the Planning Board with two copies of the lot line change plat certified by the office of the Orange County Clerk. Of course the condition that the County sign off and accept it.

CHAIRMAN EWASUTYN: Any questions or comments?

MR. GALLI: No additional.

MS. DeLUCA: No.

CHAIRMAN EWASUTYN: We'll make it a two-part motion. We'll declare a negative declaration and, part two, to approve the lot line change subject to the conditions presented by Planning Board Attorney Mike Donnelly.

MR. DOMINICK: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Motion by Dave Dominick. Second by John Ward. I'll start with a roll call vote with Frank Galli.

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TILLSON CORP.

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MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion approved. Thank you.

MR. DOCE: Thank you.

(Time noted: 7:04 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 13th day of March 2018.

*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

DOMINO'S PIZZA  
(2017-25)

88 North Plank Road  
Section 77; Block 27; Lot 2.1  
B Zone

----- X

SITE PLAN & ARCHITECTURAL REVIEW

Date: March 1, 2018  
Time: 7:04 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  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

MICHELLE L. CONERO  
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CHAIRMAN EWASUTYN: Our second item this evening is Domino's Pizza. It's before us for site plan and ARB approval. It's located on North Plank Road in a B Zone. It's represented by Talcott Engineering, Charles Brown being the engineer.

MR. BROWN: Thank you, John. We were here last month but the County had not responded yet. I was trying to get them to expedite that. Dave Church was on vacation.

I believe as far as the site plan we've addressed all of the comments.

Do you want me to go right into the ARB?

CHAIRMAN EWASUTYN: I think that would be appropriate at this point. Thank you.

MR. BROWN: So we made a submission of the ARB. We slightly changed the colors to use Sherwin Williams colors. The blotter is slightly off. I did print these off the Toshiba and they're very accurate as far as the colors. The colors are not called out in the plan. I can send those around.

The brick is going to remain. The

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DOMINO'S PIZZA

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dumpster enclosure is now rotated away from Route 32 and it will match the existing building. There are really no changes to the structure itself. It's just a matter of the colors that they're going apply to the existing building.

MR. GALLI: Charlie, there's 20 seats in there for sit down? Is it 20? I think I read that somewhere. A lot of Domino's are just carryout.

MR. HINES: The parking schedule identifies 20 seats.

MR. BROWN: It is 20.

CHAIRMAN EWASUTYN: Comments from Board Members?

MR. GALLI: No additional.

MS. DeLUCA: Nothing.

MR. BROWNE: Nothing.

MR. DOMINICK: No.

MR. WARD: No.

CHAIRMAN EWASUTYN: Jerry Canfield, do you have any comments?

MR. CANFIELD: Just a question. Charlie, on the signage, this Domino's, on the

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band up top, that's on all four sides?

MR. BROWN: Yes.

MR. CANFIELD: Will you do that under separate permit?

MR. BROWN: We could. We did check the square footage on the signs and they're okay. This particular lot has frontage all over the place, frontage on 32, Chestnut and Noel Drive. There's also a paper street that goes across the back which was closed by the Town when they approved Key Bank. That right-of-way is still there.

MR. CANFIELD: In your calculations you figured the artwork on the side of the buildings as well?

MR. BROWN: Yes.

MR. CANFIELD: The hand tossed and all of that?

MR. BROWN: They reduced the size of all their fonts to comply.

MR. CANFIELD: That's all I have, John.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: Our previous comments have been addressed.

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The dumpster enclosure was a discussion item a couple meetings ago. That's been moved to be oriented with the building and the construction details are going to match the building facade.

We did receive a Local determination from the County. I believe the Board is in a position to take action on this tonight.

CHAIRMAN EWASUTYN: Mike Donnelly?

MR. DONNELLY: The resolution is both site plan and ARB approval. We will note the issuance of the variance by the Zoning Board of Appeals and incorporate it into this resolution of approval. We'll include the standard Architectural Review Board condition and the standard condition that prohibits the construction of any outdoor fixtures or amenities not shown on the site plan. SEQRA has been closed out.

CHAIRMAN EWASUTYN: Thank you. Then will someone move for a motion for final site plan and ARB approval?

MR. CANFIELD: John, just one question for Charlie. The picture, there's a lot of

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shadowing there. Is that just the picture clarity? The brick work --

MR. BROWN: These renderings were generated by Domino's. They put shadowing as if the sun was on the building, which is why I brought the actual colors with me.

MR. HINES: The brick is the same color on the building?

MR. BROWN: Yes. It's a uniform color. They just showed the shadow from the overhangs.

MR. CANFIELD: Does that brick get cleaned or is it going to remain as it is?

MR. BROWN: It's actually pretty clean.

CHAIRMAN EWASUTYN: The architectural firm is out of Oregon, if that means anything.

Then I'll move for a motion -- we had questions by Jerry Canfield, Code Compliance. We'll continue on for a motion to grant final site plan and ARB approval subject to the conditions presented by Planning Board Attorney Mike Donnelly.

MR. WARD: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: John Ward made the

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motion. Frank Galli seconded the motion. We'll have a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion carried.

MR. BROWN: Thank you.

(Time noted: 7:10 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 13th day of March 2018.

*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

SLUSZKA TIMBER HARVEST  
(2018-02)

2103 State Route 300  
Section 11; Block 1; Lots 2, 1.23 & 1.3  
Section 3; Block 1; Lot 82

----- X

PUBLIC HEARING

Date: March 1, 2018  
Time: 7:10 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  
STEPHANIE DELUCA  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JORDAN HELLER

----- X

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CHAIRMAN EWASUTYN: Our third and final item of business this evening is Sluszka Timber Harvest. It's a public hearing. The property is located on 2103 State Route 300. It's in an AR Zone. It's being represented by Jim Wlasiuk.

MR. HELLER: Wlasiuk.

CHAIRMAN EWASUTYN: Thank you.

At this point Cliff Browne will read the notice of hearing.

MR. BROWNE: "Notice of hearing, Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to the Municipal Code of the Town of Newburgh, Chapter 83-8 Section E, on behalf of Sluszka Timber Harvest, 2018-02, for a selective harvest of timber. The project is located at 34 Kings Hill Road and New York State Route 300, designated on the Town tax maps as Section 11, Block 1, Lots 2, 1.23, 1.3 and Section 3, Block 1, Lot 82. The project has frontage on both Kings Hill Road and New York State Route 300. The applicant has applied for a selective timber harvest of 87 plus or minus

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acres on the four parcels totaling 107 plus or minus acres. The timber harvest will remove marketable timber from the site based on input from the applicant's forester. Said hearing will be held on the 1st day of March 2018 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m. at which time all interested persons will be given the opportunity to be heard regarding the proposed timber harvest. By order of the Town of Newburgh Planning Board. John P. Ewasutyn, Chairman, Planning Board Town of Newburgh. Dated 2 February 2018."

CHAIRMAN EWASUTYN: Mike Donnelly, would you speak on behalf of the hearing?

MR. DONNELLY: The purpose of the public hearing is, after the applicant makes his presentation, to invite the members of the public to bring comments to the attention of the Planning Board and issues that the Planning Board may not yet have recognized. The assumption is most of you who come to speak live near the area and may have information that's relevant. We would ask you, after that presentation, to raise

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your hand if you wish to speak and the Chairman will recognize you. If you'd step forward, tell us your name, spell it for our Stenographer and tell us where you live in relation to the project. If you have questions that can be easily answered, the Planning Board Chair will ask either a town consultant or the applicant's representative to answer the question. Your comments should be directed to the Board itself.

MR. HELLER: Okay. I'm Jordan Heller, I'm a forester for a lumber company in the Catskills. I'm representing the applicant, Jim Wlasiuk who is no longer buying timber from Rick.

Basically the landing location, which is an area where logs -- like when trees are cut down they're cut into lengths and they're skidded out by a big tractor and stacked up for log trucks to come in and bring them to the mill to turn them into lumber for furniture. What that entails is --

MR. DOMINICK: Excuse me. Do you have a map you could put up for the public as you're talking?

MR. HELLER: Yeah. This is basically

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the 107 acres. This is the utility right-of-way coming through, and then you have Rock Cut Road over here and 300. So this is the access to the house that's right over here. The landing area is going to be just -- it won't be too visible from the road.

This is primarily the area that's getting harvested, everything in the black crosshatch. So basically anything in here that has timber or the trees that are inventoried for harvest are located in these areas. The bulk of the harvest is going to be in this central section of the northern block, and then there's a little bit of timber over here. I think there's a few houses over there. Basically it's flat. It's mostly flat ground with the exception of the western section of the area of the property.

Some concerns generally are, you know, noise or the residual aesthetics of the property. It's not getting cut very hard so when trees are felled down tops stay in the woods. Basically they get knocked down so that they are generally about that high off ground and then they decay back into the ground. They provide nitrogen for

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the soil which is good for the growth of residual trees.

Then another usual concern is erosion or water flowing off the trail. That's mitigated by New York State Best Management Practices for Forestry. Basically that means all trails will be graded at the end of the harvest so there's no ruts, and any trails on the slopes will have water bars put in. In short that's basically a diversion that's put in with a bulldozer or skidder. That directs water off the trail so it doesn't wash out or pollute the streams on the property. If it were, it would be diverted into the plant material in the ground so it just disperses and slopes down.

Those are usually the concerns I run into.

MR. HINES: How long is it going to take for the operation?

MR. HELLER: I talked to the logger about that. It's probably going to be a six-month operation. I guess there's -- they ended up with more timber than we figured on, or he figured on. He's commuting. It's going to take

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a little bit longer. I think I quoted two months or something like that at the last meeting.

MR. HINES: It's probably two months work over six months. They're going start and stop, obviously.

MR. HELLER: Exactly. With this crazy weather we're having, Jim probably won't start until April because of the ground conditions right now with the rain and snow we're going to be getting.

CHAIRMAN EWASUTYN: Comments from the public? Would you raise your hand and give your name and address?

MR. FEDDER: Bill Fedder, Rockwood Drive. Is there a minimum diameter tree that you will harvest?

MR. HELLER: They're mostly mature trees in here. I mean if I was buying the trees, we don't take anything smaller than 14 inches diameter at breast height. The diameter spread in this wood lot, it's an average of 19 inches in diameter. The minimum is usually 15. That's all we take. Jim sells us the logs.

MR. FEDDER: It being selective

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harvesting, are you still under the mandate of not being able to harvest after March 31st for the bat season?

MR. HELLER: There's no bats on this property. We conducted a SEQRA application.

MR. FEDDER: I believe there's an Orange County wide --

MR. HINES: It doesn't have the Orange County boundaries. We did check that as well when they provided us with the environmental assessment form which they had filled out off the DEC database. It did say that there are no threatened or endangered species, which is unusual. Because of this location, I actually re-ran the database myself to check to make sure someone wasn't missing that.

MR. HELLER: I ran it three times because I couldn't believe it.

MR. HINES: The majority of Orange County does have that cutting restriction. This portion does not.

MR. FEDDER: Are you required to obtain a DEC permit for this harvesting?

MR. HELLER: There's no DEC permits yet



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for timber harvest notification. That is in the works, though. There is nothing -- we're not harvesting in a wetland, there's no classified stream to cross. In terms of permitting with DEC, there is none.

MR. HINES: There is a small wetland area, that's the blue portion of the map. They provided greater -- there's a 100-foot buffer shown. There's no harvesting within a larger distance than that.

MR. FEDDER: Thank you. Will that require silt fencing for that area?

MR. HINES: That's not typically utilized for timber harvesting. The water bars, revegetative practices are what's done. They're not pulling the stumps. The stumps remain. The stumps are cut about a foot high. There's value in the timber between the ground and the typical stump height, so they cut them as low as possible. There will be no removal of the stumps. Actually leaving the tops helps regenerate the woods because it keeps the deer from eating the smaller trees. That's an acceptable practice as well, leaving the tops

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three foot.

MR. CANFIELD: The only soil disturbance there will be, Bill, is the tracks from the machinery. As they had explained, that will be -- I'm not certain if grading as in a bulldozer.

MR. HINES: The skidders have a blade in the front.

MR. CANFIELD: Okay. But the disturbance to the soil is minimal.

MR. FEDDER: Thank you.

CHAIRMAN EWASUTYN: Give your name and address, please.

MS. CAROL: Susan Carol, 2116 and 2122 Route 300, directly across the street from where they'll be taking out these logs.

I'm curious, because I read the initial report and it didn't say how many trees are going. I mean is it still going to be a forest?

MR. HELLER: Yeah, it will certainly still be a forest. There's no clear cutting by any means on this property. That would be a total change in what I would be applying for.

MS. CAROL: They also stated three to

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four trucks a week would be going out.

MR. HELLER: Yeah.

MS. CAROL: This will be over a six-month period?

MR. HELLER: Yeah. Basically. It all -- I say it's six months mostly because of weather conditions. I mean there's a little over 100,000 feet marked. It's 20 loads or something like that.

MS. CAROL: And what kind of things will you have in place to make sure that the road in front of this does not become a mud pit?

MR. HELLER: Yeah, I understand that. I'm actually waiting -- the Board is requiring I get a permit from the State DOT. I'm just waiting to receive that back. We do need to put stone, a tracking pad. That will knock the dirt and mud off. Because Rick --

MS. CAROL: The driveway is dirt right now. I don't know if you're actually going to use that driveway or you're going off to the side.

MR. HELLER: I think that driveway is going to be utilized.

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MR. WLASIUK: It's actually a gravel driveway.

MR. HELLER: We won't be turning up any mud. It will be wet tires with muddy water. There won't be any chunks.

MS. CAROL: The only reason I ask is I have seen things before and you have pieces of mud in the road that you literally hit as a speed bump.

MR. HELLER: That means somebody's not -- that's how logging gets a bad --

MS. CAROL: Since I am right across the street I will have to use the road every single day.

MR. HELLER: I totally understand that. There will be a tracking pad there. There shouldn't be any issues. I'm sure we'll hear from you if there is.

MS. CAROL: So they'll be loading these trucks right there?

MR. HELLER: No, no, no.

MS. CAROL: In the driveway?

MR. HELLER: In the driveway, yes. Not off 300 but in the driveway.

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MS. CAROL: So these trucks wouldn't be going up -- what did you call it -- a trail?

MR. HELLER: No. No, they won't be going on the skid trails. They're big, expensive trucks.

MS. CAROL: You said it will be roughly six months.

Basically you touched upon noise but, you know, what's their operating times when they're in there?

MR. HELLER: We have regulations.

CHAIRMAN EWASUTYN: Jerry, the operation --

MR. CANFIELD: It's basically 7 to 7 Monday through Saturday.

MS. CAROL: All summer?

MR. DONNELLY: 8 to 6 -- wait a second. The hours of operation of the permit shall be from 8 a.m. to 6 p.m. Monday through Friday and log hauling activity shall be limited to the hours of from 10 a.m. to 2 p.m. Monday through Friday. No activity shall be conducted on Saturdays, Sundays or public holidays. One time slot for the logging and another time slot for

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truck loading.

MR. HELLER: That's it for the trucks?  
The 10 to 2 p.m., that's probably for truck  
activity.

MR. DONNELLY: Yes.

MS. CAROL: Thank you.

CHAIRMAN EWASUTYN: Any additional  
questions or comments?

MR. CALVANO: Pete Calvano, 66 Kings  
Hill Road.

I notice in the letter the applicant  
states there's also an entrance on Kings Hill  
Road and Route 300. Will any of that -- where is  
Kings Hill Road on there?

MR. HELLER: Down here.

MR. CALVANO: Will any activity be  
taking place through that area?

MR. HELLER: No.

MR. HINES: I wrote the notice. The  
notice is just identifying that there is frontage  
on Kings Hill Road. The application -- all the  
material is going out to the State highway on  
this project.

MR. CALVANO: Okay. I've been there a

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long time. Is this a prelude to something? I'm probably going to have to wait for another time. Is this selective cutting a prelude to eventually what's happening on Gardnertown Road or have they filed any application for development in that area?

CHAIRMAN EWASUTYN: The owner is here. Do you have plans?

MR. WLASIUK: Not right now.

MR. CALVANO: I figured that. You know, just looking down the road, you know, the area has been undisturbed since Christ was a corporal and right now it's starting to get disturbed. I might not be around. I just wanted to make sure that -- the selective cutting I can understand because of the logging scenario. And also the logging truck not coming out of Kings Hill Road is also beneficial because that road can't even hold a car let alone one of those logging trucks. As long as there's no current plans, you know, we'll be back when there are other plans. Thank you.

CHAIRMAN EWASUTYN: Thank you.

Comments from Board Members?

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MR. GALLI: In the Town they have a process if the road gets dirty what has to be done. I'm sure you'll get that paperwork from our building department.

MR. HINES: The DOT permit that is going to issue, they're not going to tolerate mud dragging out from the site.

MR. GALLI: Okay. How many acres is it again?

MR. HELLER: It's 87 of harvest.

MR. WLASIUK: About 110 total.

MR. HINES: It's 107. The four parcels together are 107.

MR. WLASIUK: Get some money out of it.

MR. GALLI: What's the zoning, Pat?

MR. HINES: R-1 and AR. The various parcels have different zone classifications.

MR. GALLI: Thank you.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: No. It's very thorough.

MR. DOMINICK: Do you want to, just for the public's benefit, explain the benefits of harvesting and what it does to the ground, et cetera?



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MR. HELLER: Yeah, yeah. So basically this is a well stocked, I wouldn't say overgrown forest. When I say well stocked I mean there's many stems in there. They are reaching senescence essentially. The larger trees, the 19, 20 inch trees, they have grown very well. They've allocated their resources very well. Essentially it's an open forest in the understory. That's for two reasons. It's deer browse and there's no sunlight hitting the forest floor, meaning all the seeds that are in the ground can't germinate because they need sun, they need water and they need nutrients. The sun helps sprout the new forest essentially. The forest regenerates itself. The deer are always a menace to it. The tops limit the deer browse because they are eating the tops and can't get into the little trees that sprout up through the tops. When the trees are felled and they're skidded out it causes some scarification. It just moves the leaf litter around so it opens up the soil a little bit in the understory. Oak needs that to regenerate. It needs a lot of sunlight and scarification to regenerate.

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There's a lot of open wood lot. It's basically just trying to start the next generation of trees. It has benefits even though it's kind of scary to some people, especially in this setting.

CHAIRMAN EWASUTYN: Thank you.

MR. WARD: For the public's sake can you please explain how many trees you're taking out per acre? Instead of hearing there's 100 trees, at least you can --

MR. HINES: It's a lot more than 100.

MR. WARD: You know what I'm saying.

MR. HELLER: So there's different metrics that we use in forestry. You've got just the tree count and board footage which is the volume of the trees. You can look at basilar or trees per acre. Essentially this harvest comes down to 778 trees which is roughly 9 trees per acre. I would assume most of you have at least an acre of land around this area.

MS. CAROL: You have to have in that area.

MR. HELLER: It's typical. If you can picture your property filled with trees, the trees per acre on average for the whole wood lot

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is -- I don't have it on here. I think it's about 60 or 65. It might be a little bit higher. Taking 9 trees per acre out of that 60 or so, that's kind of -- if you can picture that in your head when you go home.

MS. CAROL: There will still be a forest?

MR. HELLER: It's going to look different. You cut one tree down it's going to look different because you have sunlight. You have that big top and it's gone. It will look different but there's still plenty of trees left to look like a forest.

MS. CAROL: The wildlife will still be able to live there?

MR. HELLER: Oh, yeah. Yeah.

MR. WLASIUK: The deer will end up in my backyard like they're living there now.

MR. HELLER: They'll be in there when the logger is cutting it. They literally herd to those areas just to eat the buds on the twigs.

MR. FEDDER: Bill Fedder once again. Will you focus on a particular species of tree or type of tree?

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MR. HELLER: Basically anything that's -- there's few trees that we don't utilize. Red Oak. There's a heavy composition of Red Oak. There's many Red Oak trees in there. Because of that more oak is going to be taken out. In addition to that there's Sugar Maple, Red Maple, White Ash. That's getting killed off by a beetle anyway. There's some Hickory in there, Black Birch. It's going to be more Red Oak will be cut just because there's more of it. I wouldn't say we're singling out any species other than the ones that aren't really merchantable to us.

CHAIRMAN EWASUTYN: Okay. Jerry Canfield, do you have anything to add?

MR. CANFIELD: Just one thing. Typically with an application like this I would recommend an inspection fee of \$1,000 for forestry inspections for the Town's consultant to monitor these activities.

Also a comment on the tracking pad. There's a requirement there should be material on site as well to continually dress that pad up. The gravel typically sinks out of sight and that's when you get the tracking on the roads.

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MR. HELLER: We're putting down  
geotextile fabric.

MR. CANFIELD: Are you going to put the  
paper --

MR. HELLER: Yes.

MR. CANFIELD: Very good.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: Our previous comments have  
been addressed. I did ask for the tree harvest  
summary. A lot of the information is here so we  
can answer the questions.

We did get a number of trees based on  
species mix and the board feet and that gave us  
the calculation. We didn't have the 9 trees per  
acre. Otherwise the application is complete.

The DOT permit is required.

I actually did submit this to County  
Planning but fortunately at work session we  
determined it doesn't need to go there. We have  
not heard back but that issue has resolved  
itself.

We would recommend the Board is in a  
position to approve the project.

CHAIRMAN EWASUTYN: I'll move for a

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motion from the Board to close the public hearing on the Sluszkka Timber Harvest.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli. Second by Stephanie DeLuca. May we have a roll call vote starting with Frank?

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion carried.

At this point Mike Donnelly, Planning Board Attorney, will give us conditions for the approval of the timber harvest.

MR. DONNELLY: The timber harvest permit is actually what we call a clearing and grading permit.

The conditions are as follows: First you'll need the DOT approval that's been mentioned here before any work can be done. Two, you must comply with the requirements of Section

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83-10 of the Code at all times. More specifically, in Section 83-11 the following conditions govern the permit: The first one I mentioned before is the hours of operation. Secondly, any contractor-performed activities under the permit shall state that it is subject to Chapter 83 of the Code of the Town of Newburgh and to the terms and conditions of this resolution. You'll need to post warning signs before any work under the permit begins. You'll need to post \$1,000 inspection fee. The permit shall have a duration of one year from it's issuance.

CHAIRMAN EWASUTYN: Having heard the conditions from Mike Donnelly for the clearing and grading of timber harvest, I'll move for that motion.

MR. WARD: I'll make the motion.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: Motion by -- was that John or Frank? John Ward. Second by Dave Dominick. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

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MS. DeLUCA: Aye.

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MR. BROWNE: Aye.

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MR. DOMINICK: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Aye.

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Thank you all for coming out.

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At this point we'll move for a motion

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to close the Planning Board meeting for the 1st

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of March.

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MR. GALLI: So moved.

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MR. WARD: Second.

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CHAIRMAN EWASUTYN: Motion by Frank

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Galli. Second by John Ward. I'll ask for a roll

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call vote starting with Frank Galli.

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MR. GALLI: Aye.

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MS. DeLUCA: Aye.

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MR. BROWNE: Aye.

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MR. DOMINICK: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Aye.

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(Time noted: 7:34 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 13th day of March 2018.

*Michelle Conero*

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MICHELLE CONERO