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

----- X

In the Matter of

ALDI EXPANSION  
(2014-03)

13 State Route 17K  
Section 97; Block 1; Lot 2  
IB Zone

----- X

AMENDED SITE PLAN

Date: March 20, 2014  
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  
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD  
KENNETH WERSTED  
PAUL RUGGIERO

APPLICANT'S REPRESENTATIVE: STEVEN CLEASON

----- X

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

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. I'd like to welcome you to the Town of Newburgh Planning Board meeting of the 20th of March.

We'll open the meeting with a roll call vote.

MR. GALLI: Present.

MR. BROWNE: Present.

MR. WARD: Present.

CHAIRMAN EWASUTYN: Myself present.

With us this evening we have our consultants who assist the Planning Board. I'll ask that they introduce themselves.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney.

MS. CONERO: Michelle Conero, Stenographer.

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

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

MR. WERSTED: Ken Wersted with Creighton, Manning Engineering, Traffic Consultant.

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MR. RUGGIERO: Paul Ruggiero, Town of  
Newburgh Town Council.

CHAIRMAN EWASUTYN: At this time I'll  
turn the meeting over to John Ward.

MR. WARD: Please stand to say the  
Pledge.

(Pledge of Allegiance.)

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

CHAIRMAN EWASUTYN: We have three items  
on the agenda this evening, the first item being  
the Aldi Expansion. It's located on Route 17K in  
an IB Zone. It's an amended site plan. It's  
Steve Cleason from APD Engineering who is  
representing the applicant.

Steve.

MR. CLEASON: Yes. I did resubmit  
plans and the letter requested from the engineer  
last time regarding the plumbing and that there  
would be no new fixtures, and any of the fixtures  
being replaced would be of the high efficiency.  
There's no new anticipated water usage. That was  
one of the concerns that was raised last time.

A couple of minor modifications made to

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the plans. Just in noting on the site visit that there's a water valve that's fairly close to the front where we're adding on. We just put a note on there that if it's required to be relocated, that will be done. We discussed last time the building will be shutdown during the expansion, so that shouldn't be an issue during that period.

We also added a storm lateral because there is a couple small little downspouts. We're going to do an underdrain at the vestibule because there's some concrete heave there. They've added that and we disconnected that to the existing storm line.

That really was the majority of the modifications that were with the plans that were resubmitted.

We also added a plan that shows where we're going to shim for the pavement, where we're going to seal or fix the cracks and reseal and stripe. It's really more of a construction document. It also helps the contractor understand where those limits of work are. I think that was the majority of it.

I know it went before the County.

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ALDI EXPANSION

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Unfortunately I did not see the responses from the County.

CHAIRMAN EWASUTYN: I did fax it to you last night.

MR. CLEASON: Unfortunately I wasn't in the office. Faxes go into a cueing system and if somebody doesn't check them -- I apologize, I didn't see what it was.

CHAIRMAN EWASUTYN: Here you go.

Pat, do you want to review the County letter? That came in last night around 6:00 in the evening. Before I left the office around 8:00 last night I faxed you a copy.

MR. HINES: The County gave both binding and nonbinding comments. The first comment -- binding comment has to do with the access to the site by local bus routes, and it requests that the applicant or its representative contact the County or Town bus service, the Transit Orange system, to talk about allowing buses and coordinating access of the bus route to the site.

MR. CLEASON: Okay. We'd be happy to tie that into some type of a building permit or C

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of O. We have no problem with doing that. I'll contact them.

MR. HINES: We talked about that at work session. I believe it's going to be a condition of approval, requiring the applicant contact that agency to coordinate the possibility of a bus stop at that site.

The other comments have to do with the size of the curb islands and some suggestions on the type of fill to be placed in the landscaped planting for the transplanting of the trees on the site.

MR. CLEASON: Okay.

MR. HINES: They've provided a Cornell University paper on the type of structural soils to be used in an urban environment. You need to look at that comment.

They are suggesting that the large island, the new island, be provided with a drop curb to allow the drainage to discharge through that island to take advantage of that increase in pervious surface there.

They're recommending that the light fixtures meet the requirements of -- dark

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skylight requirements and the potential of using motion activated light sensors when the lights are off at night.

They took a look at the landscape plan and requested some additional trees, if they could be implemented in the curb islands. That's the County's comments.

MR. CLEASON: I know that Aldi -- I'm trying to take those, remember what each of them are. The lighting, I know the lighting typically goes down automatically at night now and then it goes down strictly to security lighting. I don't think that's going to be an issue. I don't think they would like to get into motion detectors. They'd like to reuse the existing wiring that's there. I think they close around 9:00 at night. I think around 11:00 they go to shutdown to security lighting only. I think at their -- a lot of their facilities even their pylon signs are going down or being turned off. They're going along with that energy savings.

Regarding the additional trees, what we did is we did add trees over and above what was there already. I'm not quite sure what they're

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looking for. We had three trees in the bigger landscaped island. I understand they're wanting to depress that. That is in line with the new water quality standards. The only thing I would say to that is trying to get the water into it, because the way the grading falls along the parking lot, it doesn't really -- it's not a cross island where you could easily put an opening and it would go into that island, drop down then come back out on the other side. It's not the way it's presently set up. I mean we could probably -- without getting into a lot of disturbance and regrading of that area, it would be hard to redirect that. It's really all going down to that one corner in the bottom. Right now presently we are increasing the green space, not actually decreasing it. That was what we were trying to do with this revision was to say yes, we're adding on the building but overall green space is being increased. I don't know if I'm going to be able to provide any real benefit by doing what they're asking just because I don't think I can get the water directed to it.

MR. HINES: We had noted the reduction



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in impervious surface in our previous comments also.

MR. CLEASON: Regarding maybe adding trees, I mean I don't think they would have an objection to adding a few additional trees. In actuality we were trying to relocate the existing trees in lieu of adding additional trees because normally what happens is those -- because they're already bigger and larger, it's much more expensive to relocate those, but they have a tendency to actually provide a lot more value to the area landscaping wise than trying to plant more trees only because they are larger already and if they root well. We do have a note in there if they have to be replaced, they do that. There's a couple locations, I'm not specifically sure, I can pull out the landscape plan. I don't know if there's an area specifically right now in this island. I'll show you here. We have one here, here and here, and we have one in each of these islands. Based on those island sizes now, they seem to be suited for about one tree. I mean we have done it but if we're going to use existing trees we wouldn't suggest putting two in

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those islands. What we could do is we could add some lower landscaping in this area. We don't have anything presently in there. I mean that would be one area that we could maybe add some lower landscaping, but it wouldn't be a tree base. We wouldn't suggest trees up along the building. We'd maybe go with some landscape area.

MR. HINES: They say additional plantings in their comments.

MR. CLEASON: I think that would be the one location we could add.

CHAIRMAN EWASUTYN: Okay. Cliff, would that be satisfactory?

MR. BROWNE: Yes.

CHAIRMAN EWASUTYN: John?

MR. WARD: Okay, fine.

MR. CLEASON: Was there another comment I missed?

MR. HINES: I think you covered them all.

MR. CLEASON: Okay.

CHAIRMAN EWASUTYN: Pat, do you want to review your overall comments now?

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MR. HINES: We have no outstanding comments. The applicant has addressed our previous comments.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: I have nothing additional, but in light of the conversation with the landscaping, at the work session we had talked about a landscape inspection fee, and I think it would be applicable then.

CHAIRMAN EWASUTYN: There will be a bonding amount for the material that's going in.

MR. CLEASON: Okay. I know we submitted something. There was some type of review. Was it for the building? I know you have that new inspection fee.

MR. CANFIELD: The inspection fee is based upon the bond amount.

MR. CLEASON: We submitted something, I want to say between \$1,500 and \$2,000, that was supposed to be for that fee. Is that something that would be additional to that? I actually have the amounts that we submitted.

CHAIRMAN EWASUTYN: Is that an escrow fee?

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MR. CLEASON: There was an escrow fee.

CHAIRMAN EWASUTYN: The escrow fee is for the review of the plans, it's not for the landscaping. The landscape inspection fee is based upon the cost estimate for the landscaping that is being put in place.

MR. CANFIELD: Do you have a cost estimate for the landscaping?

MR. CLEASON: If we're going to add this, I don't have one now. What we were planning on -- I could tell you that the landscaping that we had, one tree would be around \$350 and then we were going to say the other trees we'd probably rent a spade truck for the day, which typically runs around \$1,000 to \$1,500 a day to actually relocate it as long as the contractor has the areas ready to go. They just kind of get in there, take the tree spade and relocate it to the new location.

MR. CANFIELD: John, my suggestion would be to have applicant submit a landscape estimate to the Board for review and then we can base the inspection fee on that submittal.

MR. CLEASON: That would be strictly

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for the landscaping? Is there anything else?

MR. HINES: There's no modification to the stormwater so there's no requirement for that.

MR. CLEASON: Right now I can tell you we'd probably be in the neighborhood, even if I added the other ones, of \$2,000 to \$2,500. I can put you something together. If you just want to round it up to something like that I can do it right now. If you want me to submit something, I can.

CHAIRMAN EWASUTYN: I think you would submit something.

MR. CLEASON: Okay.

MR. DONNELLY: I think the minimum fee is \$2,000.

MR. HINES: It is. The inspection fee.

MR. CLEASON: Okay. I'll submit something. That's not a problem. Would that come directly to you or would you like me to go to --

MR. CANFIELD: To the Board.

CHAIRMAN EWASUTYN: Then I'll circulate it.

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Comments from Board Members. Frank  
Galli?

MR. GALLI: Nothing additional.

MR. BROWNE: Nothing more.

MR. WARD: Nothing.

CHAIRMAN EWASUTYN: Mike Donnelly, do  
you want to give us conditions?

MR. DONNELLY: Yes. The action is for  
amended site plan approval and ARB approval of  
the renderings. This is a Type II action under  
SEQRA so there's no further compliance required.

I have incorporated the Orange County  
Planning Department report into your resolution  
and recited how we're handling it. The following  
determinations are made: First, the  
recommendations contained within the first half  
of comment 1 have been fully incorporated into  
this approval, see condition number 3 below, and  
we'll get to that in a moment. The  
recommendations contained within the second half  
of comment 1 have been fully incorporated into  
this approval, see condition number 4 below, and  
we'll get to that in a moment. The remaining  
advisory recommendations have been considered and

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have been incorporated into this approval as warranted. Assuming that we approve the ARB this evening, I'll include that, those findings and that condition.

In terms of the specific conditions, we will need a sign-off letter from Pat indicating that there's been an addition of landscaping plantings at the building foundation, the standard ARB condition. Conditions 3 and 4, which I mentioned in the County Planning section, are taken right from the report and they read as follows: The applicant shall contact and work with Transit Orange in order to open the discussion with the transit operators with regard to providing accommodations for local bus service and related services, and we add to that should those discussions result in changes in location or configuration of what's shown on the plans, the applicant must return to the Planning Board for further review. And the fourth condition recites the same language but it relates to the location of a bus stop after your discussions with Transit Orange. A landscape security and inspection fee. I'm sure the inspection fee will

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be \$2,000 but we will need the estimate to fix the amount of the landscape security. We have a standard condition which prohibits the erection of any structure not shown on the approved plans. Those are all of the conditions.

CHAIRMAN EWASUTYN: For the record, we'll go through the ARB one more time. Can you display --

MR. CLEASON: Yes. The architectural. Yes. We have the photo of the building the way it is now. I can bring this up a little bit closer if this helps you. And then above it is what the new vestibule will be. It's a brick building now. It's intended to remain that way. So really the difference is the vestibule area itself will be enhanced and upgraded.

The materials and stuff were on the existing -- this was presented as part of the original application.

CHAIRMAN EWASUTYN: Having heard the conditions for approval presented by Attorney Mike Donnelly, are there any questions or comments?

MR. CLEASON: I just have one question.



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ALDI EXPANSION

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If we get a letter from the bus company, is that sufficient or -- I would assume we'd just show proof of --

MR. DONNELLY: You'll have to demonstrate that you did contact them. Yes.

MR. CLEASON: Okay.

CHAIRMAN EWASUTYN: Any additional questions or comments?

(No response.)

CHAIRMAN EWASUTYN: Okay. Having heard the conditions for approval presented by Attorney Mike Donnelly, I'll move for a motion to grant approval for the amended site plan and ARB for the Aldi's expansion on Route 17K.

MR. GALLI: So moved.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. Do I have a second?

MR. WARD: Second.

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

(No response.)

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

MR. GALLI: Aye.

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ALDI EXPANSION

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself aye. So  
carried.

MR. CLEASON: Thank you. Thank you for  
allowing me to go first. I appreciate that.

CHAIRMAN EWASUTYN: Have a safe trip  
home.

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

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: April 7, 2014

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

----- X  
In the Matter of

MARKETPLACE AT NEWBURGH  
(2004-54)

Route 300 & Route 32  
IB Zone

----- X

AMENDED SITE PLAN

Date: March 20, 2014  
Time: 7:16 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD  
KENNETH WERSTED  
PAUL RUGGIERO

APPLICANT'S REPRESENTATIVE: JOHN BAINLARDI

----- X

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

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CHAIRMAN EWASUTYN: The next item on the agenda this evening is the Marketplace at Newburgh. It's an amended site plan. It's also being called The Loop. It's in an IB Zone and it's being represented by John Bainlardi.

MR. BAINLARDI: Yes. Good evening. My name is John Bainlardi, I'm with Wilder, Balter Partners.

At your last meeting on February 6th we made a presentation of our proposal to amend the site plan, the fourth amended site plan. Subsequent -- after that meeting the Board referred us to the consultants' work session which did take place on February 25th. After the meeting on March 5th we made a formal submission to the Board, site plan -- a complete set of site plan drawings as well as a review of the findings as they relate to the proposed amendments.

Just a brief summary of what we are modifying -- proposing to modify. We have changed the alignment of the big box portion of the development. We pulled it away from the Hilltop residences to the north. We have created what we feel is a more pedestrian-friendly layout

1 with pulling these larger boxes closer and giving  
2 the visitors of the center the ability to walk  
3 the entire loop, so to speak, of the development.  
4 We were able, by doing this, to achieve about a  
5 five-acre reduction in impervious surfaces, and  
6 we're also achieving about a nine-acre reduction  
7 in the total disturbance to forested lands.  
8 The total square footage of the project is being  
9 reduced from approximately 784,000 square feet,  
10 which was the third amended site plan approval,  
11 to approximately 700,000 square feet, a little  
12 more than ten percent.  
13

14 A couple of things to point out in the  
15 plans that are before you. We inadvertently  
16 dropped the sidewalk that was along this road B  
17 that went out to the Route 52 roundabout. That  
18 was not intended. We've already put --  
19 progressed putting that sidewalk back on to the  
20 plans.

21 Additionally, in the section of the  
22 road that goes out to Route 52 at Fifth Avenue,  
23 we included some light fixtures along the section  
24 that runs through the DOT parcel. That was  
25 actually precluded or prohibited as part of the

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DOT approval. So these light fixtures along that section of the road we'll be removing from the plan. They weren't included in the prior approval.

I can run -- briefly as set forth in the cover letter, we did review the prior environmental findings. As I indicated, we have a reduction in the impervious surfaces and a reduction in the square footage. We just kind of followed the letter to just give a quick overview or summary.

The proposed site plan revisions will not result in greater building square footage or impervious surfaces.

The proposed uses on the site are permitted under the current zoning and are the same as reviewed during the SEQRA review process.

Buffers have not been decreased. And again, in some cases they've been significantly increased for the benefit of the neighbors in this area.

The limits of disturbance shown on the grading plan have not been expanded and have been reduced in the same locations.

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The three access points remain as approved. In the prior -- your prior approval of the third amended site plan you had approved the deferral of the third access drive out to Route 52 at Fifth Avenue. We are going to abandon that proposal. We feel that in order to develop the entire center and achieve the financing that we need, we're going to need to build this pretty much all in one extended phase. So all three access points we'll commit to construction.

The size of the village center or lifestyle center has not been reduced below the 100,000 square feet that was committed to in the findings. Roughly speaking, this portion of the project is approximately 200,000 square feet and it'll extend really into this portion with the small shops and the proposed similar location. That's the review of the findings.

As you may recall, there were a number of conditions in the prior approvals. One I'd just like to point out that will remain unchanged is we have a conceptual approval for the ARB. Our approval resolution will require in each instance we come in with specific tenants and



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2 we're ready to construct each building, to come  
3 in with building specific ARB presentations and  
4 submissions for your review, and at that time it  
5 will cover building elevations, screening, hard  
6 scape at each building, landscaping, so on and so  
7 forth. We are in receipt of comment letters  
8 from your consultants and are prepared to answer  
9 any questions or address any comments you may  
10 have.

11 CHAIRMAN EWASUTYN: Thank you. We'll  
12 start -- I think we had a review comment from Ken  
13 Wersted, our Traffic Consultant.

14 Ken, would you make your presentation  
15 please?

16 MR. WERSTED: Certainly. We looked  
17 through the site plans and had a number of  
18 comments, one of which was the landscaping around  
19 the drive aisles and the intersections,  
20 et cetera. I know we had gone through kind of an  
21 extensive review of it previously to make sure  
22 the plantings were of sufficient height that it  
23 wouldn't block a driver's sight lines, and I  
24 think there was an e-mail from the landscape  
25 consultant this afternoon that said that was

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consistent, and he even found a few more areas you could adjust to improve those.

There were some parking layout questions that we had, in particular between buildings G-1 and L-1, if the aisle through that area could be connected through. Right in that area.

MR. BAINLARDI: That's not a problem. We can effectuate that change.

MR. WERSTED: There was an extension of a sidewalk along row D, kind of from road A down to some of those other buildings.

MR. BAINLARDI: Yes.

MR. WERSTED: In a few locations there are some crosswalks and sidewalks that connect, I'll say one side of the plaza to the other. They seem to be kind of a major pedestrian connection through there. So if you could create those as raised crosswalks to help with the traffic calming, et cetera.

There's a number of sheets in there, particularly with regard to the traffic signal design, and we can review those at the direction of the Board to provide, you know, our review of

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it. I believe there will be private signals internal to the site, so the Town won't have any necessary maintenance of them but we can provide any feedback as necessary on that.

I also mentioned to Mark Gratz that we'll take a copy of the plans and we'll go through it in detail and make notes and annotate it to address any comments of striping, signs and those kind of things that wouldn't necessarily be easily conveyed in a letter, and then we'll transmit that to you guys.

Another comment that we have was relative to the perpendicular parking that was along one of the building frontages. In this area it doesn't seem to be a typical thing in most of the large shopping plazas. It is a little more frequent in some of the smaller plazas. At the workshop I did pass around a couple photos of some examples that I was aware of plazas that have ranged in size. If you guys have any examples of that, I'm sure the Board would be interested in seeing those or hearing about those.

MR. BAINLARDI: Sure.

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MR. WERSTED: I think for the most part our -- my personal impression or opinion is that I think it will kind of create a little bit more of a neighborhood feel or in effect a traffic calming effect on those aisles in front of those buildings because you are going to have people who are pulling in, they've got to make a turn to park and pull out, and the traffic that's traveling on those roads are going to be looking for the closest parking space. If someone is pulling out from one of those buildings, they're going to sit there and wait and want that spot, so I think they are going to be very desirable.

I think that was, for the most part, all the comments that we had.

MR. BAINLARDI: Thank you. I think there was one here that you missed. In here you asked whether or not this pass through here needed to be four lanes. We agree it probably does not need to be four lanes. What we're going to suggest here is that we'll reduce it to two lanes and we'll take the opportunity there to widen the planting median in between and then widen the sidewalks and the planting areas in

1  
2 this area. What we're envisioning here -- this  
3 is a pretty well planted run, so we kind of feel  
4 this is an important portion of the site. As you  
5 come in it makes a nice presence. We'll carry  
6 these decorative sidewalks around, wrap around  
7 here and effectuate those changes because they'll  
8 create a little more landscaping and a little  
9 more appeal.

10 As far as the perpendicular parking, in  
11 our view, and really the Wilder Company's view,  
12 and they have a number of projects that they own  
13 and are familiar with that are successful, is  
14 that it does create, and it's important,  
15 particularly in the village center, to continue  
16 to have that main street, that pedestrian more  
17 intimate feel. It does work to create some  
18 traffic calming and we like the idea of being  
19 able to carry that through into the small shops,  
20 and it's kind of a continuance of the main  
21 street. We don't have them here and there's no  
22 reason to add them there. We can fill in this  
23 section where the supermarket is. It's not  
24 necessary. We're comfortable with it as it's  
25 laid out. It's more efficient as well. We'll

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get more parking in there on less acreage and reduce the impervious surfaces.

MR. WERSTED: One of the other things I just thought of, as with our previous applicant and our subsequent applicant, was the discussion of transit, and I couldn't recall if we had ever had anything included in the previous set of plans relevant to transit to the site.

MR. GRATZ: On the formal approvals I believe it was written into the resolution very similar to what you just went through with the last applicant. There is a request that we approach I guess the County bus line system to arrange for bus stops in here. We've actually shown two on our plans, one up by the cinema and then there was another one I think we had placed down close to building E-11. So we've kind of left the sidewalk area there and we can kind of stripe it and mark it as a bus stop. Obviously it's not up to us whether or not the bus company does that.

MR. WERSTED: Thank you.

CHAIRMAN EWASUTYN: Any questions from the Board Members?

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MR. GALLI: John, you said the DOT is going to make you take the light out on the 52 entrance all the way up?

MR. BAINLARDI: No. We can keep it down to here. Once we get to their property, they didn't want it --

MR. GALLI: On their property.

MR. BAINLARDI: They didn't want it there. They felt that the lighting along this section was not necessary at all so it could impact on the visual from 84. As a condition they prohibited it. In fact, when we re-ran the lighting with our lighting company they just went ahead and ran it out, not realizing it hadn't been on the prior plan. In any event, I wanted to point it out because it's on there. I didn't want to just take it off the plans.

MR. HINES: You now own that property. That was a condition of the transfer of that property.

MR. BAINLARDI: Yes. Well, we purchased in fee a section of property where the detention basin is and then they gave us the easement we needed to construct.

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CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: Not at this time, John.

Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Well, I was going to ask what stores you had in mind for certain areas. Is that --

MR. BAINLARDI: Without saying names, but you can probably be able to figure it out, a wholesale club, supermarket, cinema, we're looking at home goods, something along those lines, small shops. These are all smaller shops, your typical apparel, boutiques, sporting goods, fish and wildlife, hunting and fishing. We are looking at restaurants, possibly a pharmacy. We'll expect there will probably be a bank as well as a health club.

MR. WARD: Timeline? If everything goes smooth, the timeline of how the project should go?

MR. BAINLARDI: Things are progressing well with the lease up. We have multiple big boxes at various stages in the lease with one lease just signed this past week. Others are



1  
2 pretty far along down that line. Two tenants  
3 we've been pretty far down the line with  
4 previously. All various stages in what we call  
5 letters of intent in getting through the business  
6 deals and locations, settling on all the business  
7 points which then allows us to go into the lease.  
8 We feel that in order to get to financing, the  
9 market out there is basically you need no less  
10 than seventy percent at lease to be able to get  
11 your commitments and to be able to close on your  
12 financing to allow us to go in and put a shovel  
13 in the ground. We're looking hopefully at late  
14 2015, going into spring of 2016 to open.

15 MR. WARD: Thank you.

16 CHAIRMAN EWASUTYN: Mike Donnelly, any  
17 questions at this point?

18 MR. DONNELLY: No. I will point out  
19 that this needs to go to the Orange County  
20 Planning Department. It has not been sent and  
21 you can't act until it does. You will also need  
22 to issue a SEQRA consistency determination or  
23 amend your findings. From what we've seen I'm  
24 prepared to draft the SEQRA consistency  
25 determination. You can take that action now or

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you can take it when it returns from the Planning Department and before you take action on the site plan itself.

CHAIRMAN EWASUTYN: Jerry Canfield, Code Compliance, questions at this point?

MR. CANFIELD: I have no questions or comments regarding the amendment or the revisions.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: Our first comment has to do with the arrangement of the parking. The lifestyle center and village portion of it, because of it's compact nature, standing alone wouldn't meet the parking requirements. The whole site itself meets the parking requirements by the way they were spaced around. I just wanted to bring that up. It has to do with moving the buildings closer and having that closer feel. The entire site does have the adequate parking.

The ten-foot high screening fence along the residential properties is still proposed, although the buildings in many locations have been moved several hundred feet away. There's

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been one change to that in the supermarket area, the fence angles into the site taking advantage of the grading there. So the fence is going to remain as part of the findings. It's going to be a fence in the middle of the woods in many locations because of the modifications to the plan.

The construction completion certification of occupancy notes need to be revised. Based on the current proposal they currently reference the previously approved deferral of the Route 52/Fifth Avenue access road. Along with that I think there needs to be a meeting further on regarding how certificate of occupancies and what will be complete in the construction sequencing phase of the project, similar to what we did before as the plans have changed. Along with Jerry's office we need to tighten that up as the project moves on.

Final design of the water system and paving. There's some plan sheets that need to be updated, so we'll be looking for those. Just for the Board, we mentioned the fueling use is back on the site. It was in the original site plans

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and it is here again.

Just pointing out to the Board during work session there is a propane filling station or pick up cylinders, I don't know which that is, but there's a propane filling area associated with their proposed tenant.

Just as noted, the grading on the site has been modified to eliminate nine acres of disturbance and five acres of impervious area. I discussed with the Board during work session how the slope between the former Cosco or that area there where you're indicating, that will remain treed under this proposal. Previously that was graded all the way down to the proposed detention pond.

We're suggesting guide rails be depicted along the retaining walls and steep slopes. I think those are turned off on not on the plans.

The Town has a code, Section 185-39, for petroleum bulk storage. We're suggesting compliance with those be documented on the plans with notes so you meet those.

And then we're just stating again that

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the five acre less impervious surface, we did receive an updated portion of the plan for the stormwater pollution prevention plan and we find that to be acceptable.

I did discuss with the Board at work session the infiltration practices that have been modified. Previously there was a lot of small infiltration areas into the curbed islands. The idea was they're to provide watering and infiltration for the system. The plans have been revised now and provide a large infiltration system in the supermarket area and parking lot on there. The infiltration is still provided on the site, it's just not a lot of small, difficult to maintain ones, it's one large one, and we find that acceptable. That's all we have.

MR. CANFIELD: John, just one comment to add to Pat's. It just came to mind, since we've last seen the project the Town has enacted stormwater management applications, administrative fees and applications that are applicable to this, and additional inspection fees.

MR. BAINLARDI: Okay.

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MR. CANFIELD: They should be added.

CHAIRMAN EWASUTYN: You'll get a set of plans to Pat Hines, we'll circulate to the Orange County Planning Department. Since we really can't take action until we hear back from them in thirty days, if it's all right with you we'll work on what Mike Donnelly suggested and seek a determination that night of the meeting when we have the response back. We'll move forward.

MR. BROWNE: I have another comment.

CHAIRMAN EWASUTYN: Okay.

MR. BROWNE: On the architectural review portion, do we have anything in place already with an overall concept, if you will, that we've looked at?

MR. BAINLARDI: Yes. The prior -- your prior approvals we had the bigger boxes and the village center. We had conceptual.

MR. BROWNE: My concern was going back to the village center area, there were some comments made about as each came in we'd review the architecture for that. Don't we have to have something in place to give us the overall what that will be?

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MR. BAINLARDI: We have an overall concept. I think the approval basically said if you come back in with something that's -- that comports with what the overall concept is, then --

MR. BROWNE: We're staying with that original?

MR. BAINLARDI: Exactly. When we come in -- it won't be necessarily built each individual small building but building blocks. So these buildings would probably come in at one time so it's all part of cohesive.

MR. DONNELLY: We have a number of conditions in the resolution. The base one is final architectural approval for each future building is hereby reserved until the plans are received that show all the required building specific elements. You will see individualized ARB as the actual tenants are lined up but you've given an overall layout, landscaping, ARB except for the individual landscaping on the buildings.

MR. CANFIELD: Thank you.

CHAIRMAN EWASUTYN: At a quick glance I noticed three locations on the site plan that

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denote a bus stop. Upon more careful review there might be more.

MR. GRATZ: I thought there was only two but we might have put a third one.

CHAIRMAN EWASUTYN: We can do one of two things. We can wait the thirty-day period, which will bring us after our meeting of the 17th of April, or we can schedule it for the 17th of April with the understanding with your effort and Pat Hines' effort maybe we can get a response from the Orange County Planning Department. I'll leave the decision to you at this point.

MR. BAINLARDI: The latter is fine.

CHAIRMAN EWASUTYN: Okay.

MR. BAINLARDI: In the interest of time do you want me to send the plans directly to --

MR. BAINLARDI: I think it's better to have them go through Pat Hines so there's no misunderstanding on the County level as to why they're getting plans. They have a standard procedure. We'll follow that procedure.

MR. BAINLARDI: A full size set?

MR. HINES: Yes.

CHAIRMAN EWASUTYN: We'll set this for



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our meeting -- I'll poll the Board Members to set this for a meeting of the 17th of April. Frank Galli?

MR. GALLI: Yes.

MR. BROWNE: Yes.

MR. WARD: Yes.

MR. HINES: If we haven't heard back from the County we can't take action that night. I can't guarantee less than thirty days.

CHAIRMAN EWASUTYN: Thank you.

(Time noted: 7:43 p.m.)

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: April 7, 2014

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

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In the Matter of

CRYSTAL RUN MEDICAL OFFICE  
(2013-18)

1000-1006 Union Avenue/NYS Route 300  
Section 97; Block 3; Lots 6, 7 & 8.28  
Section 4; Block 1; Lot 72.2 (New Windsor)  
IB Zone

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LOT LINE & SITE PLAN

Date: March 20, 2014  
Time: 7:44 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  
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
PATRICK HINES  
GERALD CANFIELD  
KENNETH WERSTED  
PAUL RUGGIERO

APPLICANT'S REPRESENTATIVE: DOMINIC CORDISCO

----- X

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

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CHAIRMAN EWASUTYN: The next item before us this evening is Crystal Run Medical Office building. It's a lot line and a site plan. It's located on Union Avenue in an IB Zone and it's being represented by Dominic Cordisco.

MR. CORDISCO: Good evening, Mr. Chairman, Members of the Board. For the record, I'm Dominic Cordisco with the law firm of Drake, Loeb, and I'm here with John O'Rourke from Lanc & Tully and Michael D'Archangel from Columbia Development here on behalf of Crystal Run.

We submitted revised site plans for the Board's consideration.

We also have received comments from the County Planning Department where the County Planning Department has reviewed the revised plans and found that the revised plans address a great deal of the comments that the Planning Board had prior to that.

We also are in receipt of a letter that came in late today at around 5:30. I don't know if the Board has received it as well. The City of Newburgh city engineer submitted a letter that addresses actually a prior version -- the prior

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2 version of the plans. The Board may be aware,  
3 perhaps you're not aware, but in light of the  
4 City of Newburgh's concerns regarding the  
5 project, we've had two meetings with the City,  
6 with their representatives, and most recently on  
7 Tuesday, this past week, where representatives of  
8 Crystal Run were at that meeting with Mayor Judy  
9 Kennedy, City Manager James Slaughter, City  
10 Engineer Jason Morris, and other representatives  
11 as well, and there was an agreement to agree, at  
12 least as far as the participants in the room were  
13 concerned, and we are making further revisions,  
14 minor tweaks to the plans, in our estimation, to  
15 further address stormwater issues that the city  
16 engineer and others at the City had.

17 At this point, since this is our first  
18 time back in a couple of meetings, I'll turn it  
19 over to Mr. O'Rourke, if the Board would like a  
20 walk through or update on any of the details  
21 regarding the plan.

22 CHAIRMAN EWASUTYN: For the record, we  
23 have not been cc'd on the letter that you  
24 received at 5:30 this evening.

25 MR. CORDISCO: Yes. The letter --

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CRYSTAL RUN MEDICAL OFFICE

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MR. GOLDEN: I have copies if you want.

CHAIRMAN EWASUTYN: For the record, you are?

MR. GOLDEN: Richard Golden, special counsel for the City of Newburgh with respect to this project.

The letter was just generated late this afternoon. I have copies for the Board here. I'll also have my office file copies tomorrow with the Planning Board. I can hand those out if the Chairman would like.

CHAIRMAN EWASUTYN: While you're up. May I ask you to circulate in that direction. Thank you.

MR. CORDISCO: In regard to this letter --

CHAIRMAN EWASUTYN: Let him finish his activity, please.

MR. GOLDEN: Just to make it very clear so it's not confusing, and underscoring what Dominic had said just before, this was a letter that was generated on the 17th, the date that the letter notes, and it was on the 18th that we had the latest meeting with Crystal Run and Town and

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County officials and City officials. It was a very constructive meeting. There were some things that were discussed further addressing several of the concerns, major concerns of this letter. So there will be a future letter submittal after this which will address the plan revisions, et cetera.

CHAIRMAN EWASUTYN: Thank you.

MR. CORDISCO: That is important and I appreciate that as well. While we haven't had a full chance to digest the letter, the short point is that the letter doesn't reflect the commitments that Crystal Run made to modify further stormwater design at our Tuesday meeting. So we're hopeful that those changes, which of course the City will have an opportunity to review, will fully address our concerns, but we're working through that process.

At this point I'd like to turn it over to John O'Rourke so he can show you the latest plans and answer any questions that you might have on a technical basis.

MR. O'ROURKE: Thank you, Dominic.

The last time before the Board, the

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building is the same, it's a two-story building.  
This was one of the renderings.

Since last we were before the Board generally the project entrances and exits stayed the same.

The utilities are generally the same.

The stormwater management in response to some of the County comments originally received, if you remember at that time the Board asked us to treat 110 percent for the water quality. At that time we had treated about 122 percent. The County asked for a little bit more, so we added some additional pavement in this area through here and here and the center island here. We've also provided additional rain gardens and treatments in this area as well. So we're up to about 135 percent water quality that we're treating.

Relative to the revised letter from the County, they had a binding comment concerning a bus stop. The plans that we had submitted showed a bus drop off area in through here which we had originally met with them and they had requested that location. Since that time they talked to



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the people who run the bus and wanted that revised. We spoke with the bus people this morning and the bus's drop off is going to be located over in this area here. So we're going to have a bus drop off here. This landscaping now will go back into this area and there's a crosswalk that will be across there.

We did receive comments from your Traffic Consultants concerning some additional signage and controls at this intersection here, which we have no objection to. They actually were good comments, so we will certainly add those in there, basically just to stop vehicles through that intersection.

Since the last time we submitted a detailed landscaping plan and a lighting plan along with a utility plan.

We've coordinated, at least initially, the potential development of this parcel and provided them an accessway, and are also treating their stormwater management within our facility as well. So even though this is not fully designed, we've incorporated and designed our pond so if this was completely paved we can

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handle all their stormwater management as well, which was something that the County and the City had asked us to just look at. So we've done that.

Overall again, one access, one entrance off of Old Little Britain Road, and the other entrance is directly across from the Wal-Mart and the traffic light. Mr. Grealy is not here this evening but as we move forward he has set up meetings with New York State Department of Transportation to discuss the proposed improvements in here as well as any proposed improvements at this location as well.

Those are generally the revisions we've made since last time we were here. We have reviewed your consultants' comments both with your planning consultants and building department and we have no issues with any of the comments they have provided us.

CHAIRMAN EWASUTYN: John, since you ended by speaking about traffic and Phil Grealy working with the DOT, and since we have the opportunity of having Ken Wersted with us this evening, I'll ask Ken if he has a moment or two

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to comment on the site plan before us.

MR. WERSTED: We basically had two comments on the latest plan, one of which you've addressed in regards to the traffic control on the western corner of the building where there's a couple drive aisles and a proposed bus stop is now located. You mentioned you were going to add some traffic control to give the drivers information about which approach aisle is going to be the one to stop, et cetera.

The other comment that we had was just confirming that the landscaping, particularly around the end of drive aisles and around the intersections, was going to be low enough that anybody pulling out can see oncoming cars and --

MR. O'ROURKE: My apologies. We did receive that comment and we have no issue with that.

MR. WERSTED: That was all I had.

MR. WARD: Nothing further.

CHAIRMAN EWASUTYN: Pat Hines, Drainage Consultant?

MR. HINES: Our first comment has to do with the need for demolition permits for the

1 existing structures on the site, and also that  
2 all the structures on the site must be removed  
3 prior to the Planning Board signing of the lot  
4 consolidation lot line change map, including that  
5 structure that's located on the adjoining parcel  
6 which is part of the lot line change for this  
7 project. They each would create either use or  
8 bulk requirement zoning issues if they were to  
9 remain. I know the applicants are working  
10 towards getting those demolition permits and have  
11 had people on the site with the building  
12 department recently.

14 The stormwater pollution prevention  
15 plan, as mentioned, has implemented the best  
16 management practices for the green infrastructure  
17 and runoff reduction requirements. They've  
18 included poarse pavement, rain gardens and  
19 bioretention areas in combination with a  
20 conventional wet pond and stormwater treatment  
21 system. My office has reviewed those and found  
22 those to be acceptable.

23 Permits from DOT are required for  
24 access and utilities.

25 The sewer line is proposed to cross

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Route 300 in the area of the Applebee's, so that would require DOT input.

Standard notes for water and sewer from the Town of Newburgh must be added to the plans.

A stormwater maintenance agreement with the Town will need to be executed prior to final approval.

Building permits and detailed submissions at building permit time for all the retaining walls on the site that are in excess of four feet will be required.

We're suggesting that the erosion control notes be increased or additional items be placed on there regarding the five-acre waiver, the increase in inspections and the increase for the reduced time period for revegetating the site.

There are some monitoring wells on this parcel that are proposed to be removed. We're suggesting those be noted on the plans and the method for abandoning those wells in compliance with AWWA standards be identified on the plans.

In the southernmost corner of the parcel there exists buried storage containers.

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Recently the tree removal on the site has identified those -- made them a little more obvious, and we're just wondering what is going to occur with those. They look to be some form of tank that's been converted into a storage facility. There's doors on them that are evident now. Whatever is going to occur with those.

There are some environmental considerations that had been discussed which need to be added to the earlier plans regarding ice control, more environmentally friendly ice control materials that are proposed on the site.

A note just that the building is 39 feet high, so there's additional requirements of the building department we'll be looking at regarding fire access.

The water line which we discussed at work session has a single lateral coming in which needs to be addressed. There may be the requirement for additional hydrants based on input from the building department and the jurisdictional fire department.

Just a detail of the potable and fire flow water in compliance with the Town's

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requirements.

Those are our comments on the plan.

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

MR. GALLI: No additional.

MR. BROWNE: Nothing more.

MR. WARD: By the retaining pond did you add any more landscaping for the buffer with the residences?

MR. O'ROURKE: Yes. On this side, yes. There's also a split rail fence.

MR. WARD: I saw that. Thank you.

CHAIRMAN EWASUTYN: Jerry Canfield, Code Compliance?

MR. CANFIELD: We request that the applicant submit the actual setbacks on the bulk use table. I know it does comply according to the plan but we'd just like to see the actual dimensions, the setbacks, what's there.

MR. O'ROURKE: Certainly.

MR. CANFIELD: A surveyor's stamp and seal on the drawings, the final drawings to be submitted.

The parking calculations, they are

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submitted however I feel that the calculations that are depicted are from a previous -- I don't believe there's 380 sites there. I think there's some less than that. So the correct parking count should be there.

MR. O'ROURKE: Certainly. And just to let you know, when we put -- addressed the County comments about pedestrian access, we put bridges across these bioretention areas. That's where we lost the six parking spaces. Since that point, in speaking with the City we're also going to lose one space over here as well to provide a little more buffer. We can revise that.

MR. CANFIELD: Thank you. The access road, as Pat had mentioned, I sent the applicant's representative comments. The access onto Route 300, the access road width required is twenty feet. On the inward lane at the turn the radius appears to be fifteen or in that area. That needs to be increased to a minimum of twenty feet.

The aerial access road which is in the vicinity of the structure, because it's over thirty feet in height is required to be



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twenty-six feet. There is one side of the facility that is twenty-six feet. The fire department has indicated that they may request a little more. Also, what may affect that is, as Pat had also said, we're going to ask for additional hydrants. Where you locate them -- the road width is twenty-six feet in the vicinity of the hydrant. Where the additional hydrant ends up, that road width in that area is going to have to be increased as well, which could further enhance our aerial accessibility.

MR. O'ROURKE: Again, we do have the twenty-six feet on the one side which is meeting the code, and we have the twenty-six feet where the existing hydrant is now. So we're aware of those.

MR. CANFIELD: Very good. Very good.  
The water main we talked about.

One determination that will be made probably at the County level is currently it's a six-inch proposal. If the County views it as something more than a service line, it may need to be increased to an eight-inch.

MR. O'ROURKE: We have no objection to

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that. We did the fire flow calculation and the six-inch, based on the pressure and the flows, is more than sufficient to handle the fire needs that we have.

MR. CANFIELD: That's all I have.

CHAIRMAN EWASUTYN: Ken Wersted, my question is to you, we discussed during the work session the County is making a suggestion and recommendation that there should be a sidewalk along Route 300. The question is will the applicant be bringing this to the attention of the DOT, will it be your responsibility to bring it to the DOT? How do we respond to this?

MR. WERSTED: I can certainly bring it up to DOT. I think as part of the permit process, bringing the plans to have DOT review the access and obtain the permits, that as part of that discussion and review the topic of the sidewalks should be conferred with them. Obviously I think it would be on their property and within their right-of-way.

For a number of years the Town had been looking for those kinds of improvements and DOT was resistant to them given the case that it was

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Route 300 and not a lot of people were walking along it, et cetera. I think there has been evidence in more recent years DOT's thought process on that has changed where they might be amenable to having a sidewalk along that section. It's really up to DOT to say whether they would allow it or not.

CHAIRMAN EWASUTYN: Dominic Cordisco, how would you like to move forward with that?

MR. O'ROURKE: If I may, we've already discussed this with the DOT. They've gotten copies of the County letter we sent them as well. Phil Grealy is setting up a meeting with Mike Bouchette and Zibby Zachariah to specifically discuss sidewalks. We've initially laid some out for them to take a look at, providing them the snow area they want for the snow throw and the property line and retaining wall. They are aware of it and we have brought it to their attention.

MR. CANFIELD: Just one thing on the sidewalk. If it is in their area or in their right-of-way there will need to be a maintenance agreement in place, should it go that way.

MR. O'ROURKE: Yes. We're aware of

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that. They don't want to maintain it and the Town doesn't want to maintain it. We realize if they go in, Crystal Run will be maintaining the sidewalks.

CHAIRMAN EWASUTYN: Any questions or comments?

MR. CORDISCO: None from us.

CHAIRMAN EWASUTYN: I'd like to poll the Board Members now to see if they would like to have a public hearing on this. Frank Galli?

MR. GALLI: I think after all the comments between the City and us and the County and stuff, I think it would be good to hold a public hearing and get it all out there so everybody understands and we're all on the same page.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: I think it's appropriate.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Yes, I think it's appropriate.

CHAIRMAN EWASUTYN: Okay. Then I'll move for a motion to set the 17th of April for a public hearing.

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MR. CORDISCO: Mr. Chairman --

CHAIRMAN EWASUTYN: Yes.

MR. CORDISCO: -- I'm sorry to interrupt you. Unfortunately both myself and John O'Rourke are not available on April 17th.

CHAIRMAN EWASUTYN: That would be even more fun.

MR. CORDISCO: The party will really start.

CHAIRMAN EWASUTYN: Mr. Golden specifically suggested we take the opportunity at that time. I've got a note on this paper that says so.

MR. CORDISCO: May I suggest given you're going to hold a public hearing, that you just go to the May 1st meeting?

CHAIRMAN EWASUTYN: Thank you ever so much.

I'd like to amend my motion to hold a public hearing on the Crystal Run Medical Office building on the 1st of May.

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by

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

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried. Thank you.

Mr. Golden, while you're here, and it's really not a public hearing, the Board would like to extend the courtesy if there's anything you'd like to say at this point.

MR. GOLDEN: Thank you very much, Mr. Chairman. As I said before, the City and Crystal Run and the other Town and County officials are working together to try to address the City's concerns. Obviously the City's concerns are almost entirely related to the adjacent Washington Lake which is a drinking source for the City. So it's obviously a very important issue. Today Crystal Run has been responsive and we believe we'll continue along that way. Thank

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you.

CHAIRMAN EWASUTYN: Mike Donnelly,  
Planning Board Attorney, would you like to add  
anything at this time?

MR. DONNELLY: Just a note that we've  
given a clearing and grading permit. There are  
two actions that are required, a subdivision  
approval and a site plan approval.

The public hearing on the clearing and  
grading permit was also the subdivision public  
hearing. It's not likely that you can restrict  
the public comment at the time of the site plan  
hearing but the hearing will be noticed for the  
site plan.

CHAIRMAN EWASUTYN: Thank you.

MR. CORDISCO: Thank you very much.

CHAIRMAN EWASUTYN: Pat, you'll have to  
work -- in the absence of Cindy, you'll have to  
work with Charlene as far as --

MR. HINES: Coordinating the mailing.

CHAIRMAN EWASUTYN: My understanding is  
Cindy had spoken to Charlene about that. I never  
had the opportunity. I thought about it today.  
Maybe you might take the lead and contact her.

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MR. HINES: Between my office and them  
we'll work it out.

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

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

I, Michelle Conero, a Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify  
that I recorded stenographically the  
proceedings herein at the time and place  
noted in the heading hereof, and that the  
foregoing is an accurate and complete  
transcript of same to the best of my  
knowledge and belief.

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DATED: April 7, 2014



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

----- X  
In the Matter of

THE POLO CLUB SITE PLAN  
(2006-09)

Request for an Extension of Preliminary Site Plan  
Approval from March 29, 2014 until September 29, 2014

----- X

BOARD BUSINESS

Date: March 20, 2014  
Time: 8:16 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

----- X

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

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CHAIRMAN EWASUTYN: We have three items under Board Business this evening. The first one is the Polo Club Site Plan. The applicant is requesting a 180-day extension of the preliminary site plan approval from the 29th of March 2014 to the 29th of September 2014.

MR. GALLI: So moved.

MR. WARD: Second.

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

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

(Time noted: 8:17 p.m.)

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: April 7, 2014

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

----- X  
In the Matter of

DRISCOLL SUBDIVISION  
(2005-46)

Request for an Extension of Preliminary Subdivision  
Approval from March 29, 2014 until September 29, 2014

----- X

BOARD BUSINESS

Date: March 20, 2014  
Time: 8:17 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

----- X

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

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CHAIRMAN EWASUTYN: The next item is the Driscoll Subdivision. The applicant is requesting a 180-day extension of the preliminary subdivision approval from the 29th of March 2014 to the 29th of September 2014.

I'll move for that motion.

MR. WARD: So moved.

MR. GALLI: Second.

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

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:18 p.m.)

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

----- X  
In the Matter of

LANDS OF ZAZON  
(2004-29)

Request for an Extension of Conditional Final  
Approval from March 19, 2014 until September 19, 2014

----- X

BOARD BUSINESS

Date: March 20, 2014  
Time: 8:18 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  
JOHN A. WARD

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

----- X

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

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CHAIRMAN EWASUTYN: The last item this evening is the Zazon Subdivision. The applicant is requesting a 180-day extension of the conditional final approval from the 19th of March 2014 to the 19th of September 2014.

MR. WARD: So moved.

MR. GALLI: Second.

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

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

That being said, I'll move for a motion to close the Planning Board meeting of the 20th of March 2014.

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by



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Frank Galli, a second by John Ward. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:19 p.m.)

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: April 7, 2014