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

----- X
In the Matter of

HEALEY KIA - NEWBURGH
(2025-01)

Route 17K
Section 95; Block 1; Lot 54.2
IB Zone

----- X

AMENDED SITE PLAN - CLEARING & GRADING

Date: March 20, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: MARK DAY

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Good evening.
3 The Planning Board of the Town of
4 Newburgh would like to welcome you to
5 their meeting of March 20, 2025. We have
6 seven agenda items and two Board business
7 items.

8 At this point we'll call the
9 meeting to order with a roll call vote.

10 MR. DOMINICK: Present.

11 MS. DeLUCA: Present.

12 MR. MENNERICH: Present.

13 CHAIRMAN EWASUTYN: Present.

14 MR. BROWNE: Present.

15 MS. CARVER: Present.

16 MR. WARD: Present.

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

19 MS. CONERO: Michelle Conero,
20 Stenographer.

21 MR. HINES: Pat Hines with MHE
22 Engineering.

23 MR. CAMPBELL: Jim Campbell, Town
24 of Newburgh Code Compliance.

25 CHAIRMAN EWASUTYN: At this time

2 we'll turn the meeting over to Dave
3 Dominick.

4 MR. DOMINICK: Please stand for the
5 Pledge of Allegiance.

6 (Pledge of Allegiance.)

7 MR. DOMINICK: Please silence your
8 cellphones or put them on vibrate. Thank
9 you.

10 CHAIRMAN EWASUTYN: Our first item
11 of business is Healey Kia - Newburgh,
12 project number 25-01. It's here for an
13 amended site plan for clearing and
14 grading. It's located on Route 17K.
15 It's zoned IB. It's being represented
16 by Mark Day.

17 MR. DAY: Good evening. Mark Day,
18 Day & Stokosa, representing Healey Kia.

19 At the last meeting we presented
20 the plan. Basically the project is an
21 existing car dealership. We are
22 proposing to put a parking lot in the
23 rear to the north of the site which would
24 serve as inventory parking only.

25 This project was approved awhile

2 ago. It has since lapsed. We're here
3 this evening to reintroduce it and hear
4 any comments from the Board.

5 We received comments from Mr. Hines
6 and we do concur.

7 CHAIRMAN EWASUTYN: Comments from
8 Board Members.

9 MR. DOMINICK: Nothing.

10 MS. DeLUCA: Nothing.

11 MR. MENNERICH: The lighting back
12 in that area, are there going to be
13 motion detecting lights?

14 MR. DAY: Yeah. They'll be
15 photovoltaic. It's not motion. It will
16 be Photovoltaic.

17 MR. MENNERICH: They'll come on at
18 night?

19 MR. DAY: Yes. We had to get these
20 approved by the FAA. We did that again.
21 We re-upped that approval.

22 CHAIRMAN EWASUTYN: Jim Campbell,
23 Code Compliance.

24 MR. CAMPBELL: No comments.

25 CHAIRMAN EWASUTYN: Pat Hines with

2 MH&E.

3 MR. HINES: We did circulate to the
4 Orange County Planning Department. We
5 did receive comments back from them with
6 a Local determination.

7 The adjoiners' notices were
8 circulated.

9 We have some comments on the
10 stormwater pollution prevention plan
11 which will have to be addressed.

12 The long form EAF identifies
13 potential habitat for threatened bat
14 species, so there's going to be a tree
15 clearing restriction requirement on the
16 site.

17 Compliance with the Tree
18 Preservation Ordinance should be
19 documented.

20 The project is before the Board to
21 schedule a public hearing and, if the
22 Board so desired, a reaffirmation of the
23 negative declaration could be undertaken
24 tonight as well.

25 CHAIRMAN EWASUTYN: Dominic Cordisco,

2 Planning Board Attorney.

3 MR. CORDISCO: I concur.

4 CHAIRMAN EWASUTYN: Having heard
5 from Pat Hines with MH&E, would someone
6 move for a motion to reaffirm the
7 negative declaration for Healey Kia -
8 Newburgh and to set it for a public
9 hearing for the 20th of April.

10 MR. WARD: So moved.

11 MS. DeLUCA: Second.

12 CHAIRMAN EWASUTYN: I have a motion
13 by John Ward.

14 MR. HINES: The 20th is Easter I
15 believe.

16 MR. CORDISCO: It would be April
17 17th.

18 CHAIRMAN EWASUTYN: The 17th.
19 Thank you. I was talking so much about
20 Easter.

21 MR. HINES: We were trying to
22 determine the dates.

23 CHAIRMAN EWASUTYN: So we have a
24 motion to set this for a public hearing
25 for the 17th of April.

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MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. DAY: Thank you very much.

CHAIRMAN EWASUTYN: You'll work
with Pat Hines' office as far as the
notice of hearing.

MR. DAY: We will. Have a good
evening.

(Time noted: 7:05 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 30th day of March 2025.

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

JJSK, INC. - RETAIL CANNABIS DISPENSARY
(2024-23)

165 South Plank Road
Section 60; Block 3; Lot 18
IB Zone

----- X

SITE PLAN - SPECIAL USE PERMIT

Date: March 20, 2025
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JOSEPH SAFFIOTI

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Our second item
3 of business is JJSK, Inc., a retail
4 cannabis dispensary, project number
5 24-23. It's a site plan for a special
6 use permit. It's located on South Plank
7 Road in an IB Zone. Joseph Saffioti is
8 representing the applicant.

9 MR. SAFFIOTI: Good evening, Mr.
10 Chairman, Members of the Board.

11 There was a possible misunderstanding
12 of what we're applying for. JJSK is the
13 owner/operator that has the permit from
14 New York State to operate the cannabis
15 dispensary. The property is owned by
16 AZB Corporation who wishes to sell it.
17 The JJSK principals have set up a new
18 LLC, JJHK, which will become the
19 property owner. They will receive
20 rent from JJSK. It's a very common
21 structure with any commercial business
22 where you have one entity that owns
23 the property and another entity being
24 the operator.

25 JJSK has completed internal

2 renovations of the building. They
3 have a certificate of occupancy from
4 the Building Department. They have
5 posted a \$60,000 performance bond to
6 complete all the site improvements,
7 which have already been contracted
8 for. We anticipate to have those
9 done in the next -- hopefully by the
10 beginning of June, no later than June
11 30th. Also, they're waiting for their
12 final state inspection to confirm that
13 they meet all the state requirements.
14 The state is scheduled to come down
15 either next week or the following
16 week. At that point they should be
17 fully operational.

18 CHAIRMAN EWASUTYN: Dominic Cordisco,
19 can you take that a step further for us?

20 MR. CORDISCO: So the special permit
21 that was applied for and issued by the Board
22 was to JJSK. JJSK is going to continue to
23 operate this particular facility.

24 MR. SAFFIOTI: Yes.

25 MR. CORDISCO: That hasn't changed

2 at all.

3 The only thing that is changing is
4 the actual ownership of the property
5 itself. That is going to a related
6 entity to JJSK. They'll be the property
7 owner. JJ --

8 MR. SAFFIOTI: HK.

9 MR. CORDISCO: -- HK will be the
10 property owner. SK will be a tenant of
11 that property and operate according to
12 the requirements of the Town's special
13 permit as well as the license that was
14 issued by New York State. It's SK that's
15 actually doing the work on the site.
16 It's SK that's going to be operating the
17 facility. It's SK that was granted the
18 special permit by this Board.

19 Mr. Saffioti is being cautious and
20 conservative because the Town Code
21 states, in connection with this kind of
22 potential situation, that a special use
23 permit shall expire upon change in
24 property ownership or property transfer,
25 which is what's happening here, unless

2 the Planning Board is notified by the
3 owner in writing prior to the property
4 transfer and the Planning Board reviews
5 the use or activity and special permit
6 documents and is satisfied that the use
7 has and is being conducted in a manner
8 that's consistent.

9 What I believe the Town Code is
10 driving at is the situation where JJSK
11 was transferring over its license or its
12 operation of the facility to some
13 completely unrelated entity.

14 MR. SAFFIOTI: That's not the case.

15 MR. CORDISCO: That is not the case
16 that's here.

17 MR. SAFFIOTI: Unfortunately your
18 code does require this formality. I
19 think it should be clarified that the
20 code should probably consider an
21 amendment to reflect the change of
22 ownership of the operating company, not
23 the ownership of the property. It
24 specifically states that if you sell the
25 building to another entity, you need

2 Planning Board sign off or it will
3 invalidate the existing permit.

4 MR. CORDISCO: I, for one, have no
5 objection to the Board considering --
6 obviously the Board may have additional
7 questions. Under the circumstances,
8 everything that you've provided for in
9 your special use permit to JJSK continues
10 to apply because JJSK is going to be the
11 operator of this particular facility.

12 CHAIRMAN EWASUTYN: Questions from
13 Board Members?

14 MR. DOMINICK: With the new ownership
15 does the bond have to be reposted?

16 MR. SAFFIOTI: Well, the tenant has
17 posted the performance bond for the site.
18 The tenant is -- the same people that own
19 JJSK own JJHK. It's really not -- it's
20 just semantics, but it has to go through
21 the approval.

22 MR. DOMINICK: Thank you.

23 MS. DeLUCA: I have a question but
24 not necessarily pertaining to this. It's
25 in regards to a license.

2 Is a license displayed anyplace to
3 -- do you have to post a license inside
4 the premises?

5 MR. SAFFIOTI: Yes. The state
6 requirements require it be posted. They
7 have to comply with the state licensing
8 requirements.

9 MS. DeLUCA: Thank you.

10 CHAIRMAN EWASUTYN: Ken Mennerich.

11 MR. MENNERICH: No questions.

12 CHAIRMAN EWASUTYN: No comments.

13 MR. BROWNE: I was confused. Thank
14 you for the clarification.

15 MS. CARVER: I understand now, too.

16 MR. WARD: Thank you.

17 CHAIRMAN EWASUTYN: Is there any
18 action this evening or just conversation?

19 MR. CORDISCO: At best it's an
20 amendment to an existing approval, but
21 bear in mind that the existing approval
22 is to JJSK. I defer --

23 MR. SAFFIOTI: I think we just need
24 consent from the Board to allow the
25 transfer of ownership. I believe you

2 just need a motion to say that we've made
3 the application, explained it to the
4 Board and the Board has no objection to
5 the property being transferred to a new
6 owner.

7 MR. CORDISCO: I have no objections
8 to that. I think a motion and a second
9 to that order should be considered by the
10 Board.

11 CHAIRMAN EWASUTYN: Would someone
12 make a motion and someone second it to
13 consent to the --

14 MR. SAFFIOTI: Transfer of the
15 ownership.

16 CHAIRMAN EWASUTYN: -- transfer of
17 ownership.

18 MR. DOMINICK: So moved.

19 MR. BROWNE: Second.

20 CHAIRMAN EWASUTYN: I have a motion
21 by Dave Dominick. I have a second by
22 Cliff Browne. Can I have a roll call
23 vote starting with Dave Dominick.

24 MR. DOMINICK: Aye.

25 MS. DeLUCA: Aye.

2 MR. MENNERICH: Aye.

3 CHAIRMAN EWASUTYN: Aye.

4 MR. BROWNE: Aye.

5 MS. CARVER: Aye.

6 MR. WARD: Aye.

7 MR. SAFFIOTI: Thank you. Have a
8 good night.

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10 (Time noted: 7:12 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of March 2025.

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

JUNCTION DEVELOPMENT, LLC
(2025-09)

561 International Boulevard
Section 89; Block 1; Lot 81
IB Zone

----- X

AMENDED SITE PLAN

Date: March 20, 2025
Time: 7:12 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JAMIE LOGIUDICE

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number 3
3 is Junction Development, LLC, project
4 number 25-09. It's an initial appearance
5 for an amended site plan. It's located
6 on International Boulevard in an IB Zone.
7 It's being represented by Insite
8 Engineering, Surveying & Landscape
9 Architecture, P.C.

10 MS. LOGIUDICE: Good evening.
11 Jamie LoGiudice from Insite Engineering,
12 Surveying & Landscaping Architecture.

13 Would you like me to go through the
14 project?

15 CHAIRMAN EWASUTYN: Please. Do you
16 have a business card by chance?

17 MS. LOGIUDICE: I do.

18 CHAIRMAN EWASUTYN: Can you give
19 that to Michelle.

20 MS. LOGIUDICE: As you mentioned,
21 Mr. Chairman, this is a new project
22 before your Board. The project is
23 located at the intersection of Interstate
24 84, the on ramp, and International
25 Boulevard. It is an existing building

2 with existing gravel surfaces and fences.
3 There are also lawn areas on the side.

4 What we're looking for your initial
5 review on is basically expanding the
6 gravel outside storage areas for the use
7 that's currently onsite and adding
8 additional fencing and landscaping.

9 The use itself right now is for an
10 energy contractor. They're the current
11 tenant. We can provide additional
12 information pertaining to that as we move
13 forward.

14 Also existing on the property is a
15 DEC wetland itself. We did have it
16 delineated by DEC. We'll have a
17 validation prepared and provide it with
18 the next submission.

19 We did provide a preliminary SWPPP
20 for review as well, providing a
21 conceptual stormwater management area
22 that we'll be giving you additional
23 detail on.

24 Were there any particular questions
25 that any of the Board Members had right

2 off the bat or do you want further
3 details?

4 CHAIRMAN EWASUTYN: Good question.
5 We'll start with Dave Dominick. Do you
6 have any questions?

7 MR. DOMINICK: A few, John. Thank
8 you.

9 Ma'am, is the owner here to go over
10 the business model of this project?
11 Saying it's going to be storage for an
12 energy contractor, that's pretty wide
13 open. It's hard for us to understand to
14 get a better picture.

15 You want storage on your property.
16 Is that going to be trucks, vans,
17 pallets, electrical bales, all those
18 things? Could you maybe clarify that, or
19 the owner of the project?

20 MS. LOGIUDICE: Sure. He is not
21 present tonight but he sends his regards.
22 He will come to the next meeting.

23 As with regard to the outside
24 storage, it is basically going to be
25 everything that you just mentioned. As

2 an energy contractor who is leasing this
3 unit, the current building from the
4 owner, they'll have their trucks, they'll
5 have their spools of wire. Basically
6 everything you see there now is what
7 would be stored on the site.

8 MR. DOMINICK: Okay. Talking about
9 lighting, how high are the poles? What
10 kind of lighting? Is there any on the
11 building? Stuff like that.

12 MS. LOGIUDICE: So there's existing
13 lighting on the building. They're not
14 proposing lighting within the outside
15 storage area itself. That's something
16 we'll certainly provide some additional
17 details for you on.

18 MR. DOMINICK: Thank you.

19 MS. DeLUCA: You answered my
20 question. I was concerned with what type
21 of business it was exactly and the
22 outside storage area. You've answered my
23 questions. Thank you.

24 MR. MENNERICH: With the use of the
25 property now with the gravel surface,

2 have you had any problems with trucks
3 sinking or --

4 MS. LOGIUDICE: Not that we're
5 aware of. They haven't complained about
6 the gravel. I don't think that they've
7 had any issues with that.

8 MR. MENNERICH: Thank you.

9 CHAIRMAN EWASUTYN: I have no
10 questions at this time.

11 MR. BROWNE: We discussed this
12 earlier. We were talking about the
13 gravel parking area. The code calls for
14 not gravel. It calls for like an
15 impervious covering. Going to the gravel
16 would require ZBA approval.

17 Also with that, I'd like to
18 understand why they want to stay with
19 gravel and not follow the code.

20 MS. LOGIUDICE: Gravel for the
21 parking areas?

22 MS. CARVER: And storage.

23 MR. BROWNE: And storage.

24 MS. LOGIUDICE: I believe that
25 would be a cost decision on the business

2 owner's -- on his mindset. I can bring
3 that to his attention, that a variance
4 would be --

5 MR. BROWNE: They should be looking
6 at what the code currently is and
7 understand that so we can understand what
8 they want to do, why they want to do it.
9 The business need, if you will.

10 MS. LOGIUDICE: Okay.

11 CHAIRMAN EWASUTYN: My thought on
12 that was they would be creating more of
13 an impervious surface. With the DEC
14 wetlands there, you'd be discharging more
15 into the wetlands. By having the gravel
16 base, then everything would then
17 percolate down into the aquifer.
18 Environmentally speaking, it's probably
19 more beneficial to the environment than
20 asphalt.

21 MS. LOGIUDICE: Potentially, yes.
22 Our preliminary SWPPP that we provided,
23 the gravel surfaces have to be treated.
24 They're looked at by the DEC as
25 impervious surfaces, so we have to treat

2 those. In those areas the increase in
3 gravel has been accounted for. We would
4 be treating all of those new surfaces.

5 CHAIRMAN EWASUTYN: Okay. So more
6 information so we can comprehend it. I
7 guess what Dave Dominick said earlier,
8 we're trying to understand the business
9 model.

10 The drilling you said earlier, the
11 drill rigs that are staged all over --

12 MS. LOGIUDICE: Are you looking for
13 more of an inventory of what they are
14 going to be storing?

15 CHAIRMAN EWASUTYN: Jim Campbell
16 will speak more on that as far as outside
17 storage. Jim.

18 MR. CAMPBELL: Town Code 185-30 has
19 a section regarding outdoor storage. It
20 talks about screening, the location and
21 stuff. I would refer you to look at that
22 section and see if you comply or don't
23 comply.

24 Regarding the parking area, the
25 code does require it to be oil and chip,

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asphalt or concrete.

MS. LOGIUDICE: Okay.

MR. CAMPBELL: There's another section of the Code, 185-13, that talks about off-street parking. The parking area needs to be striped. It's hard to stripe stone. Those two sections I would refer you to.

MS. LOGIUDICE: Okay. Thank you very much.

MR. CAMPBELL: Also we need signage details. It looks like there's going to be a freestanding sign out front.

MS. LOGIUDICE: There currently is one right now. I don't know that they were looking to adjust that.

MR. CAMPBELL: Just by changing the face of it to their business, it's changing the sign. It has to conform. I would need the location of the sign off the property line, the height of it. Basically all the information.

That's all I've got.

CHAIRMAN EWASUTYN: Lisa.

2 MS. CARVER: For clarification, I
3 know it's an existing building. The
4 energy contractor is already occupying
5 the building and running their business.
6 Do you know the employee count there?

7 MS. LOGIUDICE: I can get the exact
8 number. I don't have it offhand.

9 MS. CARVER: Thank you.

10 MR. HINES: The submission said
11 eight.

12 MS. CARVER: Eight employees.

13 So is it just for storage and they
14 run -- you may not know -- the business
15 out of there and they won't have
16 customers --

17 MS. LOGIUDICE: No customers. This
18 is purely for storage of their materials
19 and then dispersing out to various places.

20 MS. CARVER: Thank you. That's it.

21 CHAIRMAN EWASUTYN: John Ward.

22 MR. WARD: Basically like you just
23 said, materials. What are the materials
24 they're storing when you say outdoor
25 storage?

2 The reason why we said about the
3 gravel and all this, it's a lot of weight
4 one way or the other with the ground
5 there.

6 With the wetland and everything
7 else, you say trailers. What type of
8 trailers? Is it a big box trailer or is
9 it for towing behind an electrician's
10 truck? That's what we want to know
11 because of the weight that's in that
12 storage area.

13 You have your fencing around the
14 storage area that's four feet. I'm going
15 to let Pat talk on that one. It's
16 supposed to be higher.

17 MS. LOGIUDICE: I think we have six
18 feet.

19 MR. WARD: Okay.

20 MR. CAMPBELL: You're going to
21 notice in the outdoor storage section
22 that it's going to require eight feet.

23 MS. LOGIUDICE: Eight feet it will
24 be. Eight feet is perfect.

25 CHAIRMAN EWASUTYN: So the trailer

2 that's onsite now that runs parallel to
3 747, that's an example of the trailer?

4 MS. LOGIUDICE: Yes.

5 CHAIRMAN EWASUTYN: That trailer is
6 used for putting big pieces of equipment
7 on there to go wherever they're going.
8 This is basically a staging area for an
9 operation? This is where they're
10 locating their equipment and all the
11 accessories relative to that business?

12 MS. LOGIUDICE: Yes.

13 CHAIRMAN EWASUTYN: Jim, do you
14 have any more comments?

15 Possibly, and how do we know if
16 that's the case, that there may be a need
17 for variances based upon the code? How
18 would that procedurally occur? Do we
19 refer it to the Zoning Board of Appeals?

20 MR. CAMPBELL: I think once they go
21 through the section and plot it, they'll
22 be able to determine the percentages.

23 One of the big things that's
24 probably a most definite is there's no
25 storage in the front yard. That lot is

2 pretty much in the front yard. I don't
3 know if you need it just for the front or
4 the side.

5 CHAIRMAN EWASUTYN: Can we talk a
6 little bit about the height of storage of
7 materials. Is there a maximum height in
8 the code?

9 MR. CAMPBELL: I believe the max
10 would be the eight-foot range, because
11 you're looking for an opaque obstruction
12 to not view that.

13 MS. LOGIUDICE: So a vehicle that's
14 over eight feet --

15 MR. CAMPBELL: This is for outdoor
16 storage. A vehicle parked is not outdoor
17 storage.

18 MS. LOGIUDICE: Okay.

19 CHAIRMAN EWASUTYN: I guess if you
20 have things on racks. Do you propose to
21 have materials on racks?

22 MR. HINES: It's limited to the
23 height of the barrier. All of those
24 things that Dave said earlier, if they
25 are stacked on the site and there's an

2 eight-foot fence, they're limited to
3 eight feet.

4 MS. LOGIUDICE: Okay.

5 CHAIRMAN EWASUTYN: Pat Hines with
6 MH&E.

7 MR. HINES: Our first couple of
8 comments just describe the project, which
9 we've heard.

10 The bulk table should be adjusted.
11 The front yard setback on the state
12 highways is 60 feet. You comply. I
13 didn't consider the limited access
14 highway Route 84 as frontage. I don't
15 know if you disagree with that as a front
16 yard setback.

17 MR. CAMPBELL: I think 84 is exempt.

18 MR. HINES: That would be exempt.
19 You comply. The state highways, and I
20 gave you the section of the code there to
21 do that.

22 Just for the Board, I did note that
23 we're reviewing a project across the
24 street, Newburgh Park Associates, as
25 well. Your driveways almost line up.

2 Not exactly. I just wanted to bring to
3 the Board's attention the location.

4 You discussed the wetlands. We
5 will need a wetlands validation map.

6 The Board has a process of
7 requiring, within ten days of this
8 meeting, sending out adjoiners' notices.
9 I'll work with your office. I'll prepare
10 the notice.

11 MS. LOGIUDICE: From this meeting?

12 MR. HINES: Yes. I'll prepare the
13 notice and I'll give you the mailing list
14 and the instructions. I'll work with you
15 to get those out.

16 MS. LOGIUDICE: Thank you.

17 MR. HINES: The site does contain a
18 mapped floodplain. A floodplain
19 development permit may be required based
20 on the impacts in the floodplain. Any
21 filling or material in the floodplain
22 will require compensating storage based
23 on the Town's floodplain ordinance.

24 We're looking for information
25 pertaining to the existing subsurface

2 sanitary sewer disposal system. As
3 Ms. Carver, stated the number of
4 employees. I think there was a note
5 of eight employees. We want to
6 confirm that. We need any information
7 you have on the septic system.

8 We did receive your stormwater
9 pollution prevention plan which is
10 under review.

11 We discussed the outdoor storage.
12 I think the Board is trying to get a
13 happy medium between the requirements
14 of the paving. Obviously the striped
15 parking areas for employee parking
16 and such need to meet the code. I'm
17 not certain whether the majority of
18 the vehicle staging/parking where
19 there is not the general public needs
20 to be paved. I do note that you're
21 curbing it.

22 MS. LOGIUDICE: We're curbing just
23 to catch any stormwater that would run
24 across so that we can treat it.

25 MR. HINES: I think the Board is

2 willing to work with you on a happy
3 medium of paving the delineated parking
4 spaces and such, and possibly having the
5 less impervious surfaces in proximity to
6 the wetlands. We can work on that moving
7 forward. I think Jim's office will
8 review the code once they get additional
9 information.

10 We did suggest the notice of intent
11 for lead agency. If you're going to the
12 ZBA, we may want to hold off on that. We
13 may want to hold off until the next
14 meeting until we determine if any
15 variances are required.

16 The project is identified as having
17 potential habitat for protected bat
18 species. There's a tree clearing
19 limitation. I don't think you're
20 clearing any trees on the site. We have
21 a later comment requiring compliance with
22 the Tree Preservation Ordinance.
23 Clearing zero trees certainly complies
24 with that.

25 We talked about the employee count.

2 It looks like in your information
3 you asked for a waiver of required
4 parking. That would require a ZBA
5 variance. Based on the square footage of
6 the building, the parking count needs to
7 be provided on the site. It looks like
8 you have enough room on the site.

9 MS. LOGIUDICE: We do. The
10 question is, it looks like the code
11 requires based on the square footage of
12 the building itself. It wants to have
13 areas in reserve. I wasn't a hundred
14 percent clear on why.

15 MR. HINES: The code has a section
16 that your parking area must be the same
17 size as your building.

18 MS. LOGIUDICE: That's the one.

19 MR. HINES: You have a lot of
20 parking on there. There's the delineated
21 parking count based on that square
22 footage that also has to be met.

23 MS. LOGIUDICE: I believe we have
24 the delineations okay. I think it's that
25 extra -- that's the same square footage

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of the building.

MR. HINES: That just says you have to have an area available for that. I think you're okay with that.

MS. LOGIUDICE: If we just delineate an area --

MR. HINES: You certainly have the area. We need to get a handle on the employee count and how that parking calculation came out, whether it was based on square footage or on employee count.

MS. LOGIUDICE: I'll double check.

MR. HINES: The project is subject to ARB. Signage is part of that, as Mr. Campbell just said.

There is a landscaping plan proposed. We discussed at work session whether that should be submitted to the Town's landscape architect consultant. I know the Chairman had some comments on that at the work session.

There's a wetland mitigation area proposed. We'll need some additional

2 detail on that. The wetland mitigation
3 area crosses the Orange County drainage
4 easement. I don't know if the County
5 is going to take exception to that.
6 747 is not a County road anymore.
7 That's a remnant of when Drury Lane
8 went through there and it was a
9 County road. During the lead agency
10 circulation we will include them in
11 that circulation.

12 The location for the well should
13 be depicted. I'm assuming there's a
14 well on the site somewhere. I didn't
15 see it.

16 MS. LOGIUDICE: There is a well.
17 It is located right here.

18 MR. HINES: If you can just show
19 that on there.

20 Site lighting we did talk about.

21 We have some comments on the SWPPP
22 that need to be addressed.

23 That's where we're at. I think we
24 need a little more information on whether
25 or not variances are going to be required

2 before we circulate for lead agency. If
3 we do circulate, you would have to wait
4 until SEQRA is closed out to closeout
5 your ZBA variances if required.

6 CHAIRMAN EWASUTYN: Dominic Cordisco,
7 Planning Board Attorney.

8 MR. CORDISCO: Mr. Hines covered
9 it. He's absolutely correct. Typically
10 this Board would circulate for lead
11 agency early on in the process, but that
12 would prevent the Zoning Board from
13 actually being able to reach a decision
14 on the variances until you actually
15 complete all the engineering and the
16 process before the Planning Board.

17 This Board also, it's their custom
18 and practice to make a referral. What
19 they do is they authorize me to write a
20 letter to the Zoning Board of Appeals
21 that makes the referral for the project
22 to the Zoning Board of Appeals. The ZBA
23 requires receiving that letter before
24 applications can be made. That letter
25 details exactly what variances are being

2 sought. That's why I think a resubmission
3 with some additional analysis on that
4 particular issue would serve you
5 well, because if something is missed,
6 you would have to come back.

7 MS. LOGIUDICE: Okay.

8 CHAIRMAN EWASUTYN: Jim Campbell,
9 would you be available, if you received a
10 call, to sort of help clarify the outdoor
11 storage?

12 MR. CAMPBELL: Sometimes. I am a
13 field inspector so I am in the field
14 quite often. It's a hit or miss. You
15 call me and I'll call you back.

16 MS. LOGIUDICE: That sounds wonderful.

17 CHAIRMAN EWASUTYN: That's it for
18 now. We covered most of it.

19 MS. LOGIUDICE: All right. We will
20 provide you some additional information
21 and review the code and reach out.

22 Thank you very much.

23

24 (Time noted: 7:30 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 30th day of March 2025.

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

LANDS OF MELISSA MENENDEZ
(2025-11)

5 Kings Hill Road
Section 11; Block 1; Lot 63.22
R-1 Zone

----- X

TWO-LOT SUBDIVISION

Date: March 20, 2025
Time: 7:30 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHRISTOPHER GREY

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number 4
3 is the Lands of Melissa Menendez. It's
4 project number 25-11. It's an initial
5 appearance for a two-lot subdivision.
6 It's located on Kings Hill Road in an R-1
7 Zone. It's being represented by Control
8 Point Associates.

9 MR. GREY: Yes, sir. My name is
10 Chris Grey with Control Point Associates.
11 We're here tonight proposing a residential
12 two-lot subdivision.

13 The applicant, Ms. Menendez, is
14 proposing a subdivision of her 18.6 acre
15 parcel of land. It's located in the R-1
16 Zoning District.

17 Direct access is off of Kings Hill
18 Road. The new proposed driveway is going
19 to access off of Kings Hill as well.

20 The flag lot has been extended to
21 50 feet to preserve this vegetated buffer
22 zone here.

23 The parcel does contain an approximate
24 4.5 acre pond that's not going to be
25 impacted by the proposed development or

2 the house at all.

3 The original layout of the house
4 has been shifted southerly to preserve
5 a 41-inch tree. At this time the only
6 tree proposed to be removed is a 24-
7 inch oak tree.

8 It's a pretty standard subdivision.

9 If the Board has any questions
10 at this time, I'd be happy to answer.

11 CHAIRMAN EWASUTYN: Any comments
12 from Board Members?

13 MR. DOMINICK: Nothing further.

14 MS. DeLUCA: Nothing.

15 CHAIRMAN EWASUTYN: No comments.

16 MR. MENNERICH: Just a question on
17 the diagram in the middle. It's says the
18 house is like half a house.

19 MR. GREY: The adjoiner here?

20 MR. MENNERICH: Yes.

21 MR. GREY: Correct. I don't know
22 what that's about. It is field located
23 all the way through. I'll check the
24 drafting on that.

25 MR. MENNERICH: Thank you.

2 CHAIRMAN EWASUTYN: No comment.

3 MR. BROWNE: Nothing.

4 MS. CARVER: No comment.

5 MR. WARD: No comment.

6 CHAIRMAN EWASUTYN: Jim Campbell,
7 Code Compliance.

8 MR. CAMPBELL: As far as the
9 driveway, the driveway would need to
10 conform to the Fire Code in New York
11 State, Section 511.

12 MR. GREY: Okay.

13 MR. CAMPBELL: There are a few
14 items that need to be addressed. If you
15 could dimension those items when you put
16 them on there.

17 MR. GREY: Absolutely.

18 CHAIRMAN EWASUTYN: Pat Hines with
19 MH&E.

20 MR. HINES: Our first comment just
21 describes the project is in the R-1 Zone.

22 We're requesting that you evaluate
23 the separation distance between the
24 septic system and the well.

25 MR. GREY: The engineer is going to

2 look at that. We did model it, the
3 existing septic and well on the site.

4 MR. HINES: It looks like the well
5 may be within the 200-foot separation
6 down gradient. Take a look at that.

7 Adjoiners' notices may be sent out.
8 I think you just heard that conversation
9 with the previous project. I'll work
10 with your office on those.

11 The survey of the entire 19 acres
12 wasn't performed. We discussed during
13 the work session whether a deed plot of
14 that should be provided. I think County
15 DPW is going to want a survey of it, a
16 minimum of that frontage there. It's got
17 to get circulated to them because they
18 are an adjoiner. I can see the logic of
19 not surveying the entire 19 acres, but I
20 think that level of detail along the road
21 frontage and on both sides should be
22 provided.

23 MR. GREY: Okay.

24 MR. HINES: The project is
25 identified as disturbing nine-tenths of

2 an acre. It's less than one acre. We're
3 requesting that a note be added to the
4 plans that any disturbance greater than
5 one acre requires a permit from DEC for
6 the construction stormwater permit.

7 The EAF identifies the site as
8 containing DEC wetlands MB-11. The
9 Boundaries of the New York State wetland
10 should be depicted.

11 We're missing the second sheet of
12 the EAF.

13 MR. GREY: I do have a hard copy
14 here if you'd like it tonight. I don't
15 know what happened with the submission.

16 MR. HINES: It just wasn't in the
17 packet.

18 MR. GREY: We'll submit it.

19 MR. HINES: The Planning Board may
20 wish to declare its intent for lead
21 agency. Lead agency and adjoiners'
22 notices could be done at this time.

23 CHAIRMAN EWASUTYN: Dominic Cordisco,
24 Planning Board Attorney.

25 MR. CORDISCO: I concur.

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CHAIRMAN EWASUTYN: Can I have a motion from the Board to declare our intent for lead agency and to circulate the adjoiners' notice.

MR. MENNERICH: So moved.

MS. CARVER: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Lisa Carver. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. GREY: Thank you.

(Time noted: 7:35 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 30th day of March 2025.

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

LANDS OF COX - WENMAR DRIVE
(2024-38)

Wenmar Drive
Section 95; Block 1; Lot 74
R-3 Zone

----- X

TWO-LOT SUBDIVISION

Date: March 20, 2025
Time: 7:35 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: DARREN STRIDIRON

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The fifth item
3 of business is the lands of Cox - Wenmar
4 Drive, project number 24-38. It's a two-
5 lot subdivision located on Wenmar Drive.
6 It's on the east side of the road. It's
7 in an R-3 Zone. It's being represented
8 by Darren Stridiron.

9 MR. STRIDIRON: Yes. Thank you,
10 Mr. Chair. This is our second visit to
11 the Planning Board. We were here about
12 two months ago for this two-lot subdivision.

13 Each of the lots meet all the zoning
14 requirements.

15 We did send out the adjoiners'
16 notices. I believe there were 93 in
17 total. There were a couple duplicates on
18 the list, which is normal.

19 We received the comment letter. It
20 seems as if the water service detail
21 needs to be modified to show a non-
22 polyethylene water line. I did look up
23 some other details. This might be
24 something I would send to your engineer
25 for review.

2 It looks like hopefully we're going
3 for a public hearing at the next meeting.

4 Any questions?

5 CHAIRMAN EWASUTYN: Comments from
6 Board Members. Dave Dominick.

7 MR. DOMINICK: Nothing further.
8 Thank you.

9 MS. DeLUCA: Nothing.

10 MR. MENNERICH: Nothing.

11 CHAIRMAN EWASUTYN: No comment.

12 MR. BROWNE: Nothing.

13 MS. CARVER: No.

14 MR. WARD: No comment.

15 CHAIRMAN EWASUTYN: Jim Campbell,
16 Code Compliance.

17 MR. CAMPBELL: No comments.

18 CHAIRMAN EWASUTYN: Pat Hines with
19 MH&E.

20 MR. HINES: The adjoiners' notices
21 have been sent.

22 A note has been added to the plans
23 requiring stakeout and submission of a
24 plot plan to the Code Compliance
25 Department due to the proximity of the

2 structures having required building
3 setbacks.

4 We can work with the applicant on
5 the water service detail, but it needs to
6 just be copper with flared fittings
7 consistent with the Town of Newburgh's
8 water code. Right now it shows
9 polyethylene and compression which are
10 the exact opposite of what is permitted.

11 The project is identified as
12 disturbing .7 acres. Less than 1 acre of
13 disturbance is exempt from the DEC
14 construction stormwater permit.

15 We're suggesting, in addition to
16 the buildings being staked out, the
17 limits of disturbance also be staked out
18 to assure that the project does not
19 exceed the 1-acre threshold.

20 A review of the short form EAF does
21 not identify any potential significant
22 environmental impacts.

23 The project will be served by
24 municipal water and sewer.

25 We have reviewed that EAF and are

2 comfortable recommending the Board adopt
3 a negative declaration for the project
4 and scheduling of a public hearing to be
5 appropriate at this time.

6 CHAIRMAN EWASUTYN: Having heard
7 from Pat Hines of MH&E, would someone
8 make a motion to declare a negative
9 declaration on the lands of Cox - Wenmar
10 Drive, a two-lot subdivision, and to
11 schedule it for a public hearing for the
12 17th of April.

13 MR. DOMINICK: So moved.

14 MS. DeLUCA: Second.

15 CHAIRMAN EWASUTYN: I have a motion
16 by Dave Dominick. I have a second by
17 Stephanie DeLuca. Can I have a roll call
18 vote starting with Dave Dominick.

19 MR. DOMINICK: Aye.

20 MS. DeLUCA: Aye.

21 MR. MENNERICH: Aye.

22 CHAIRMAN EWASUTYN: Aye.

23 MR. BROWNE: Aye.

24 MS. CARVER: Aye.

25 MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Thank you.

MR. STRIDIRON: Thank you.

(Time noted: 7:40 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of March 2025.

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

ANCHORAGE-ON-HUDSON LOT 6
(2025-10)

7 Mariners Court
Section 121; Block 1; Lot 6
R-1 Zone

----- X

AMENDED SUBDIVISION

Date: March 20, 2025
Time: 7:40 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number 6
3 is Anchorage-on-Hudson Lot 6. It's an
4 initial appearance for an amended
5 subdivision located on Mariners Court in
6 an R-1 Zone. It's being represented by
7 Darren Doce.

8 MR. DOCE: Good evening. I'm
9 Darren Doce and I'm representing Mr.
10 Tosco.

11 Back in June, July of this year
12 Mr. Tosco had me prepare a site plan
13 showing the drainage and house location
14 which he submitted to the Code Compliance/
15 Building Department for a building permit.
16 That was reviewed by them and a permit
17 was issued in August. It does have a
18 few retaining walls to achieve the
19 grading. At that time he was told
20 that he'd have to get a building
21 permit for the individual retaining
22 walls. Just recently he applied for
23 that and there was a comment that he
24 needed approval from the Planning
25 Board. When he applied for the

2 building permit, no comment to that
3 effect was ever made. He was unaware
4 that he had to get Planning Board
5 approval. Now we're here to get that
6 approval.

7 CHAIRMAN EWASUTYN: Jim Campbell,
8 do you know the history on this?

9 MR. CAMPBELL: The history that I
10 was told was that the walls were applied
11 for and denied, then the house came in
12 and they wanted the house reissued. The
13 house was issued without the walls.

14 CHAIRMAN EWASUTYN: They were
15 issued a building permit?

16 MR. CAMPBELL: They were issued a
17 building permit. All the reviews refer
18 that it did not include the walls.

19 CHAIRMAN EWASUTYN: Pat Hines with
20 MH&E, the point that we're considering
21 now?

22 MR. HINES: I believe the project
23 is before you for an amended subdivision
24 to address the Building Department's
25 comments regarding the reenforced

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concrete retaining walls proposed on the site.

The site disturbance is identified very close to the 1-acre disturbance at .95. Any disturbance greater than that 1 acre would require a DEC stormwater permit. We're suggesting that those limits of disturbance be staked in the field in order to protect both the Town and the applicant that the 1-acre disturbance is not exceeded. A note to that extent should be placed on the plans and made a condition of the approval.

The septic permit approval has been extended by the County.

The driveway location I believe is in the same location as the original subdivision.

MR. DOCE: It's maybe twenty to thirty feet further northeast. The Highway Department was at the site. They actually cut the guardrail so they could put the driveway in back in August.

2 MR. HINES: That's a pretty good
3 indication of approval.

4 MR. DOCE: That's why it's a little
5 confusing. All these permits were
6 issued.

7 MR. HINES: I believe this is a
8 Type 2 action under SEQRA.

9 The adjoiners' notices must be sent
10 out.

11 We're requesting additional silt
12 fence be evaluated. There's only one row
13 of silt fence down at the base.
14 Additional erosion and sediment control
15 practices should be implemented.

16 An amended subdivision would
17 require a public hearing.

18 CHAIRMAN EWASUTYN: Dominic Cordisco,
19 Planning Board Attorney.

20 MR. CORDISCO: This would be a Type
21 2 action under SEQRA, so there's no
22 further action that needs to be taken in
23 connection with the environmental review.

24 However, a public hearing will be
25 required.

2 CHAIRMAN EWASUTYN: Question. Can
3 we circulate the adjoiners' notice and
4 also set a date for a public hearing?

5 MR. HINES: We have done that when
6 these projects coincide like this, yes.
7 It meets the intent of the regulation.

8 The adjoiners' notice will go out
9 included in the same envelop as the
10 public hearing.

11 CHAIRMAN EWASUTYN: Is the Board in
12 favor of setting this also for a public
13 hearing on the 17th of April?

14 MR. DOMINICK: Yes.

15 MS. DeLUCA: Yes.

16 MR. MENNERICH: Yes.

17 CHAIRMAN EWASUTYN: Yes.

18 MR. BROWNE: Yes.

19 MS. CARVER: Yes.

20 MR. WARD: Yes.

21 CHAIRMAN EWASUTYN: Would someone
22 make a motion to circulate the adjoiners'
23 notice and also circulate the notice of
24 the public hearing, since it's a Type 2
25 action, Dominic?

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MR. CORDISCO: Yes.

MR. WARD: So moved.

CHAIRMAN EWASUTYN: To set it for a public hearing for the 17th of April.

I have a motion by John Ward.

MS. CARVER: Second.

CHAIRMAN EWASUTYN: I have a second by Lisa Carver. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. DOCE: Thank you.

(Time noted: 7:45 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 30th day of March 2025.

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

ROCKET SUBDIVISION
(2025-08)

Candlestick Hill Road
Section 6; Block 1; Lot 56.21
AR Zone

----- X

FOUR-LOT SUBDIVISION

Date: March 20, 2025
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The last agenda
3 item, number 7, is the Rocket Subdivision,
4 project number 25-08. It's here this
5 evening for an initial appearance for a
6 four-lot subdivision. It's located on
7 Candlestick Hill Road in an AR Zone.
8 Jonathan Millen is representing the
9 applicant.

10 MR. MILLEN: What we're proposing
11 is a four-lot subdivision. One of the
12 lots will have a shared driveway. One of
13 the lots will be isolated.

14 The other lot has a fairly decent
15 drainage of wetlands.

16 We're proposing a couple of
17 greenhouses, an agricultural storage
18 building and a standard residence.

19 All the locations will have well
20 and septic.

21 I don't anticipate that there are
22 any issues with steep slopes.

23 A portion of the property will
24 require a right-of-way dedication.

25 I don't know if anyone has any

2 other questions.

3 CHAIRMAN EWASUTYN: Good question.

4 Dave Dominick, do you have any questions?

5 MR. DOMINICK: Nothing further.

6 MS. DeLUCA: Nothing further.

7 MR. MENNERICH: The right-of-way

8 dedication isn't shown on the map yet.

9 Right?

10 MR. MILLEN: It's right down here,

11 all the way on the left-hand corner on

12 the bottom. It's a very small portion.

13 MR. HINES: It is not depicted yet.

14 MR. MENNERICH: Okay.

15 CHAIRMAN EWASUTYN: Cliff Browne.

16 MR. BROWNE: Not at this point.

17 MS. CARVER: Nothing further.

18 MR. WARD: What's the width of the

19 driveway, the long one?

20 MR. MILLEN: The driveway here?

21 MR. WARD: Yes.

22 MR. MILLEN: Well, this has been

23 drawn. It's going to have to be a lot

24 wider than it is drawn right now.

25 MR. WARD: There was a question at

2 work session about when they split how
3 narrow it is.

4 MR. MILLEN: Right. Well, in
5 hindsight this pavement width will have
6 to be a lot greater, and so will this
7 section that divides the two lots right
8 here.

9 MR. WARD: Thank you.

10 CHAIRMAN EWASUTYN: Jim Campbell,
11 Code Compliance.

12 MR. CAMPBELL: First I just want to
13 state that the proposed ag buildings and
14 the greenhouses were not reviewed. That
15 really isn't part of this subdivision.

16 MR. MILLEN: Right.

17 MR. CAMPBELL: If a building permit
18 is required or whatever, it can be done
19 at that time.

20 As far as the long driveway, the
21 pull off and turnaround should be dimensioned,
22 and the width of the driveway. Just put
23 some dimensions to it so we can verify
24 that it does conform with the Fire Code
25 Section 511.

2 MR. MILLEN: Understood.

3 MR. CAMPBELL: That's all I've got.

4 CHAIRMAN EWASUTYN: Pat Hines.

5 MR. HINES: Our first comment just
6 describes the project as Mr. Millen did.
7 It is a concept layout at this point.

8 The driveway locations will need
9 approval from the highway superintendent.

10 We did discuss the portion of lot 4
11 that extends into the roadway. A request
12 for dedication should be undertaken.

13 The project will disturb greater
14 than 1 acre, so coverage under the DEC
15 construction stormwater permit will be
16 required.

17 Future submissions should incorporate
18 topography and a grading plan to delineate
19 the limits of disturbance as well as to
20 depict grading for the driveways to make
21 sure that can be done for the lots that
22 serve the driveway or appropriate
23 easements be provided. It's right
24 alongside, I'll call it the lime green
25 lot. If any grading encroaches on

2 there, that will have to be addressed.

3 We'll be looking for future
4 submissions to have the subsurface
5 sanitary sewer disposal systems
6 designed and depicted.

7 The subdivision abuts the Ulster
8 County/Town of Marlborough line. It
9 will need to go to Orange County
10 Planning as well as the Town of
11 Marlborough for review.

12 There are federal wetlands. The
13 site should be submitted to the DEC
14 for a jurisdictional wetlands based
15 on the recent wetland changes by DEC.
16 There's a process where the plan
17 should be submitted to DEC Albany for
18 an initial screening.

19 The EAF identifies the project
20 as 27 acres. The plan identifies it
21 as 25.5. That just needs to be
22 cleaned up.

23 You did discuss lot 2 is a flag
24 lot. The location where the driveway
25 crosses over, it looks like less than

2 10 feet. That should be appropriately
3 widened to provide access and eliminate
4 any possible 280-A issues with access
5 less than 15 feet. I would think it
6 would be more appropriate to have a
7 25-foot strip accessing that. I'll
8 leave that design up to you.

9 As discussed with each of the
10 previous ones, adjoiningers' notices
11 must be sent out. I'll work with
12 your office on getting that notice
13 and the mailings.

14 The Planning Board may wish to
15 declare its intent for lead agency
16 for this Unlisted action.

17 CHAIRMAN EWASUTYN: Dominic Cordisco,
18 planning Board Attorney.

19 MR. CORDISCO: I concur.

20 CHAIRMAN EWASUTYN: Having heard
21 from Pat Hines with MH&E, would someone
22 move for a motion to circulate the
23 adjoiningers' notice and for the Planning
24 Board to declare our intent for lead
25 agency.

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MS. DeLUCA: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion
by Stephanie DeLuca. I have a second by
Ken Mennerich. Can I have a roll call
vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 7:50 p.m.)

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

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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

MKJ PARK, LLC OFFICE & WAREHOUSE
(2022-32)

NYS Route 32
Section 34; Block 2; Lot 29.1
IB Zone

----- X

BOARD BUSINESS

Date: March 20, 2025
Time: 7:50 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: That concludes
3 the regular agenda items.

4 Pat Hines, would you speak about
5 MKJ Park, Office and Warehouse Site Plan,
6 project number 22-32.

7 MR. HINES: The MKJ Park Office and
8 Warehouse was circulated to the Orange
9 County Planning Department. We have
10 received back the County Planning
11 referral with a Local determination.
12 That was an item that was being held off
13 to schedule the public hearing. Now that
14 we've heard back from the County, the
15 Board would be in a position to schedule
16 the public hearing for the MKJ Park site
17 plan.

18 CHAIRMAN EWASUTYN: Would someone
19 make a motion to schedule MKJ Park Office
20 and Warehouse, project number 22-32, site
21 plan for a public hearing on the 17th of
22 April.

23 MS. CARVER: So moved.

24 MR. BROWNE: Second.

25 CHAIRMAN EWASUTYN: I have a motion

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by Lisa Carver. I have a second by Cliff Browne. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 7:52 p.m.)

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Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

DARRIGO SOLAR FARM
(2019-24)

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

----- X

BOARD BUSINESS

Date: March 20, 2025
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Pat, do you
3 want to talk to us about one other
4 matter.

5 MR. HINES: The Darrigo solar
6 project, which was approved many years
7 ago and has been dormant, is now under
8 construction. Representatives of my
9 office as well as Karen Arent's office,
10 the project sponsors and the engineers
11 have field reviewed some issues or
12 recommendations on the project that the
13 applicant's representative had requested
14 to be addressed either by field changes
15 or a re-approval.

16 One of the important ones is
17 there's a proposed access drive off of
18 Patton Road. This project has three
19 access points, one which is constructed
20 across from Monarch Drive and it comes in
21 here as the main access. That's where
22 the utility connections are coming out to
23 Meadow Hill Road. The other access point
24 is off of Lakeside Road and it comes in
25 through the Darrigo Farm, heads this way

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and also into the site. There's a third access point here on Patton Road on the turn. The project sponsors have asked why is that there, why do we have so many access points. I can remember during the review of this we asked that very same question. They're requesting to not construct the access off of Patton Road.

I have a preliminary indication from Jerry Canfield's office that the jurisdictional fire department takes no exception to that. I want to get that in writing.

There are a couple of single-family residential houses right along Patton Road here. This was all proposed to be cleared for the construction of that. Some of the large trees were cleared in 2021, but it's growing back.

They're requesting that that access drive not be constructed at this time. I think it's really not necessary. There are two points of fire department access here.

2 That one only gave them a pull off.
3 They'll be cutting some large trees that
4 are still remaining along Patton Road.
5 This brush has grown up where it was
6 previously cleared. In 2021 they cleared
7 all of those trees in anticipation of
8 beginning construction and trying to beat
9 the bat habitat window.

10 They're looking for that. That
11 will allow them to leave the existing
12 trees that are there now.

13 Jackie from Karen Arent's office
14 was out in the field. There was, I'll
15 say, extensive landscaping in this area
16 proposed. In order for them to install
17 that, they would have to go in and cut
18 down all of those trees to plant that
19 landscaping. They're willing to work
20 with Karen Arent's office to repurpose
21 the landscaping in that area. They're
22 not trying to cheap out. If it can go
23 somewhere else, either along 84,
24 repurpose that, leaving this area in the
25 condition it is today, which I think will

2 go a long way to making these residents
3 happy.

4 They're taking a look at this road
5 into Darrigo Farm here which is existing.
6 It's been there probably longer than any
7 of us have been alive. It had a
8 requirement it was going to be upgraded
9 fairly substantially. It really serves
10 as an emergency access road. The Darrigo
11 Farm operation uses it now. It's the
12 emergency access road.

13 They're doing some geo-tech work.
14 They don't need a decision on that now.
15 The existing subbase is capable of
16 supporting emergency vehicles, which is
17 currently their access point to construct
18 on the site.

19 The only other minor change is up
20 here where the control building panels
21 and such are on there, they want to put
22 cameras on that facility, which makes a
23 lot of sense. It's inside the fence, but
24 they were requesting to put cameras
25 there. They want to put those on 20 foot

2 poles which is well into the site. I
3 didn't see any issue with that. No one
4 is going to see them. It makes sense to
5 have security around a facility like
6 that.

7 I told them that I would bring
8 these to the Board to discuss them as a
9 field change.

10 Again, the caveat is that the fire
11 department needs to also sign off on
12 that.

13 If you've driven by here, this is a
14 pretty substantial access point. Lakeside
15 Road serves as one as well.

16 They're requesting that field change
17 to eliminate the Patton Road access and
18 those couple minor changes. Again,
19 repurposing the landscaping, working with
20 Karen's office and Jackie.

21 CHAIRMAN EWASUTYN: Comments from
22 Board Members.

23 MR. DOMINICK: Pat, my only concern is
24 during the public hearing many residents,
25 I think up by Patton Road, expressed deep

2 concern about runoff and flooding into
3 their property. The applicant said they
4 would take mitigation efforts.

5 MR. HINES: This ditch, which is
6 defined by the topography but was poorly
7 defined in the field, has been cleaned
8 out by the solar farm developer. If you
9 drive by there, you'll see that ditch has
10 been cleaned out. The drainage
11 improvements that are proposed crossing
12 there also continue to be proposed. So
13 there's an existing stormwater mitigation
14 going in there to place a pipe across the
15 road which currently the pipe conveys
16 down here.

17 MR. DOMINICK: Even though it won't
18 be an access point, mitigation would --

19 MR. HINES: The drainage improvements
20 are still going in. If you drive by
21 there, without going -- they did it
22 mostly by hand and reestablished this
23 section. I walked it the other day
24 right after the rain. This house,
25 which was the fairly local folks,

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2 that house has been sold. There are
3 new folks there who are unaware of
4 this whole project. That was kind of
5 the driving force for me to go and
6 take a look at what's happening there.
7 I remember bringing it up in 2019
8 when we were Zoom meeting this
9 project, why is this here. They
10 don't see the purpose either. As
11 long as the Orange Lake Fire District
12 chief has been consulted. He's told
13 Jerry he initially has no concerns
14 with needing that. If he signs off
15 on that and the Board considers it a
16 field change, we can eliminate some
17 of the impact to those residential
18 houses there.

19 MR. DOMINICK: I believe you even
20 said if you clean out that swale or
21 ditch, that would be a big improvement.

22 MR. HINES: We spent many field
23 reviews walking along here with these
24 residents, with the developer. The ditch
25 was not defined. It's always been there

2 as a farm ditch. The lack of maintenance
3 over the years had water spilling across
4 that property. It's not going to solve
5 all of their problems. During the
6 hurricane there's a large tributary area
7 here. For the smaller storm events and
8 typical average storm events, it's going
9 to go a long way to helping. This new
10 pipe crossing across here will alleviate
11 that. Right now the drainage goes across
12 all the driveways. The driveways used to
13 have culverts. The Town, many years ago,
14 put a closed pipe drainage system in and
15 covered up the swale. All that is still
16 happening.

17 We didn't see the point of clearing
18 the trees to put the landscaping in.
19 Really this doesn't serve as much of an
20 access point and would have an impact on
21 these houses.

22 CHAIRMAN EWASUTYN: Dominic Cordisco,
23 Planning Board Attorney.

24 MR. CORDISCO: If the Board is
25 satisfied, you can deem these to be field

2 changes and refer it back to the Building
3 Department subject to Pat's recommendations.

4 CHAIRMAN EWASUTYN: I'll pole the
5 Board Members if they are all in favor of
6 eliminating the access onto Patton Road
7 and to consider the field change based
8 upon the advice of Pat Hines with MH&E
9 Engineering.

10 MR. DOMINICK: Yes.

11 MS. DeLUCA: Yes.

12 MR. MENNERICH: Yes.

13 CHAIRMAN EWASUTYN: Yes.

14 MR. BROWNE: Yes.

15 MS. CARVER: Yes.

16 MR. WARD: Yes.

17 CHAIRMAN EWASUTYN: Jim, did you
18 want to add anything to that?

19 MR. CAMPBELL: I'll discuss it with
20 Jerry. He's the one that had the
21 conversations.

22 CHAIRMAN EWASUTYN: Just for the
23 record, Jerry is who?

24 MR. CAMPBELL: Jerry Canfield, the
25 Code Compliance supervisor.

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CHAIRMAN EWASUTYN: Thank you. I think that ends the meeting. Would someone move for a motion to close the Planning Board meeting of the 20th of March 2025.

MS. DeLUCA: So moved.

CHAIRMAN EWASUTYN: I'll second it. Motion by Stephanie DeLuca. A second by John Ewasutyn. Can I have a roll call vote starting with Dave Dominick.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 8:03 p.m.)

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

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That hereinbefore set forth is a true
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