

1  
2 STATE OF NEW YORK : COUNTY OF ORANGE  
3 TOWN OF NEWBURGH PLANNING BOARD  
4 ----- X  
5 In the Matter of  
6  
7 SUBDIVISION FOR WILLIAM NOBLE  
8 (2012-27)  
9  
10 409 Quaker Street  
11 Section 11; Block 1; Lot 143.0  
12 AR Zone  
13 ----- X  
14  
15 CONCEPTUAL THREE-LOT SUBDIVISION  
16 Date: April 4, 2013  
17 Time: 7:00 p.m.  
18 Place: Town of Newburgh  
19 Town Hall  
20 1496 Route 300  
21 Newburgh, NY 12550  
22  
23 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
24 FRANK S. GALLI  
25 KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD  
26  
27 ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
28 BRYANT COCKS  
29 PATRICK HINES  
30 GERALD CANFIELD  
31  
32 APPLICANT'S REPRESENTATIVE: STEVEN BURNS  
33  
34 ----- X  
35 MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018  
36  
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1 3  
2 Hauser & Edsall Consulting Engineers.  
3 MR. COCKS: Bryant Cocks, Planning  
4 Consultant.  
5 MR. PROFACI: At this time I'll turn  
6 the meeting over to John Ward.  
7 MR. WARD: Please stand to say the  
8 Pledge.  
9 (Pledge of Allegiance.)  
10 MR. WARD: If you have cell phones,  
11 please turn them on vibrate or off.  
12 MR. PROFACI: The first item on  
13 tonight's agenda is the subdivision for William  
14 Noble. It's a conceptual three-lot residential  
15 subdivision on 409 Quaker Street, Section 11;  
16 Block 1; Lot 143, located in the AR Zone and  
17 being represented by Steven Burns.  
18 MR. BURNS: Good evening, everybody.  
19 I've taken the plans and updated them a little  
20 bit since the last time you saw them.  
21 I've shown the easement for the  
22 utility. The utilities and the access to the  
23 tower site is in the rear, and I've also made  
24 sure that both of the proposed dwellings are  
25 outside of a fall area, about 300 feet outside of  
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1 2  
2 MR. PROFACI: Good evening, ladies  
3 and gentlemen. Welcome to the Town of  
4 Newburgh Planning Board meeting of April 4,  
5 2013.  
6 At this time I'll ask for a roll  
7 call starting with Frank Galli.  
8 MR. GALLI: Present.  
9 MR. MENNERICH: Present.  
10 CHAIRMAN EWASUTYN: Present.  
11 MR. PROFACI: Here.  
12 MR. FOGARTY: Here.  
13 MR. WARD: Present.  
14 MR. PROFACI: The Planning Board  
15 employs various consultants to advise the  
16 Board on matters of importance, including  
17 SEQRA issues. I ask them to introduce  
18 themselves at this time.  
19 MR. DONNELLY: Michael Donnelly,  
20 Planning Board Attorney.  
21 MS. CONERO: Michelle Conero,  
22 Stenographer.  
23 MR. CANFIELD: Jerry Canfield, Town of  
24 Newburgh.  
25 MR. HINES: Pat Hines with McGoey,  
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1 4  
2 the tower. The tower is about 150 feet. So it's  
3 double the distance of the height of the tower.  
4 This morning I also dug -- I also dug  
5 test holes with the owner, and the soil is  
6 sufficient for in-ground septic systems.  
7 CHAIRMAN EWASUTYN: Okay. I'll turn to  
8 our Consultants for their comments. Jerry  
9 Canfield?  
10 MR. CANFIELD: I have nothing. No  
11 questions.  
12 MR. HINES: The project will require a  
13 stormwater SPDES permit. It's 2.5 acres of  
14 disturbance. It's less than 5 so it shouldn't  
15 need an erosion and sediment control plan and  
16 coverage under the SPDES permit.  
17 I did discuss with the applicant the  
18 soil testing. They identified that the perk  
19 tests were done and they would do the deep tests.  
20 Apparently they were done today. We'll need that  
21 information and the septic system design details  
22 on the plan before the public hearing is held. I  
23 don't have a problem scheduling it now. They did  
24 tell me they plan on performing that soon.  
25 The common driveway access and  
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1 5  
2 maintenance agreement needs to go to Mike  
3 Donnelly's office for review.  
4 CHAIRMAN EWASUTYN: Thank you. Bryant  
5 Cocks, Planning Consultant?  
6 MR. COCKS: The plans were sent to  
7 Central Hudson. I didn't receive a letter back  
8 from them yet. Sometimes it takes awhile.  
9 Hopefully we'll get it before the public hearing.  
10 If not, I can try to contact them.  
11 They also sent it to the Orange County  
12 Planning Department who issued a Local  
13 determination.  
14 The next available date for a public  
15 hearing would be May 2nd.  
16 I have no further comments on the lots.  
17 It meets all the zoning and setback requirements.  
18 No variances will be necessary.  
19 CHAIRMAN EWASUTYN: John Ward, Planning  
20 Board Member?  
21 MR. WARD: No comment.  
22 CHAIRMAN EWASUTYN: Tom Fogarty?  
23 MR. FOGARTY: No. My questions  
24 regarding the driveway were answered.  
25 CHAIRMAN EWASUTYN: Joe Profaci?  
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1 6  
2 MR. PROFACI: No questions.  
3 CHAIRMAN EWASUTYN: Ken Mennerich?  
4 MR. MENNERICH: No questions.  
5 CHAIRMAN EWASUTYN: Frank Galli?  
6 MR. GALLI: No questions.  
7 CHAIRMAN EWASUTYN: Okay. I'll make a  
8 motion that will have three parts to it. One,  
9 that we declare our intent for lead agency; two,  
10 that we declare a negative declaration; and the  
11 third item, that we set the 2nd of May for a  
12 public hearing.  
13 MR. PROFACI: So moved.  
14 MR. WARD: Second.  
15 CHAIRMAN EWASUTYN: I have a motion by  
16 Joe Profaci. I have a second by John Ward. Any  
17 discussion of the motion?  
18 (No response.)  
19 CHAIRMAN EWASUTYN: I'll move for a  
20 roll call vote starting with Frank Galli.  
21 MR. GALLI: Aye.  
22 MR. MENNERICH: Aye.  
23 MR. PROFACI: Aye.  
24 MR. FOGARTY: Aye.  
25 MR. WARD: Aye.  
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1 7  
2 CHAIRMAN EWASUTYN: And myself.  
3 Steve, you'll work with Bryant Cocks as  
4 far as the mailing.  
5 MR. BURNS: Okay.  
6 CHAIRMAN EWASUTYN: And then the  
7 Tuesday before the actual meeting, if you could  
8 deliver to the Planning Board office the  
9 registered receipts for that mailing so Frank  
10 Galli can look at them between that Tuesday and  
11 the meeting night.  
12 MR. GALLI: Does he fall into the new  
13 category yet?  
14 CHAIRMAN EWASUTYN: He would, Mike?  
15 MR. GALLI: Also not doing the  
16 certified.  
17 CHAIRMAN EWASUTYN: Right. Excuse me.  
18 Thank you. He doesn't have to do the certified  
19 mailing. He just has to have an affidavit of  
20 mailing.  
21 You need an affidavit of mailing.  
22 MR. BURNS: All the notices are just  
23 affidavit of mailing now?  
24 CHAIRMAN EWASUTYN: Yes.  
25 MR. GALLI: You better check with --  
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1 8  
2 MR. DONNELLY: I thought he had to  
3 supply the envelopes and we have to do the  
4 mailing.  
5 MR. GALLI: Check with Jerry's office  
6 or the building code department on how it goes  
7 now. They just passed it Monday night.  
8 MR. DONNELLY: I think you have to give  
9 us the addressed envelopes and the Town employee  
10 has to do the mailings.  
11 CHAIRMAN EWASUTYN: You'll have to  
12 remember that.  
13 MR. GALLI: It was on the sheets that  
14 they had. Check with Jerry's office.  
15 CHAIRMAN EWASUTYN: You're right, it  
16 would have to be internally.  
17 MR. DONNELLY: John, I don't know if we  
18 granted conceptual approval at the last meeting  
19 or if you want to do that.  
20 CHAIRMAN EWASUTYN: Thank you, Mike.  
21 I'll move for a motion to grant  
22 conceptual approval for the three-lot subdivision  
23 and site plan. Is it not, Bryant?  
24 MR. HINES: Yes.  
25 MR. COCKS: And lot line change.  
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1 9  
 2 CHAIRMAN EWASUTYN: And lot line  
 3 change.  
 4 MR. MENNERICH: So moved.  
 5 MR. PROFACI: Second.  
 6 CHAIRMAN EWASUTYN: I have a motion by  
 7 Ken Mennerich. I have a second by Joe Profaci.  
 8 I'll ask for a roll call vote starting with Frank  
 9 Galli.  
 10 MR. GALLI: Aye.  
 11 MR. MENNERICH: Aye.  
 12 MR. PROFACI: Aye.  
 13 MR. FOGARTY: Aye.  
 14 MR. WARD: Aye.  
 15 CHAIRMAN EWASUTYN: Thank you.  
 16 MR. BURNS: Thank you.  
 17 MR. GALLI: My understanding was they  
 18 have to be in the envelope all sealed, ready to  
 19 go. You bring them to the Town with the list and  
 20 the Town will certify that those are the ones  
 21 that have to be mailed. The Town employee will  
 22 but them in the mailbox --  
 23 MR. BURNS: Okay.  
 24 MR. GALLI: -- so they get mailed.  
 25 MR. BURNS: So they just have to be  
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1 10  
 2 stamped and addressed?  
 3 MR. GALLI: In other words, they aren't  
 4 going to stuff them and all that stuff for you.  
 5 MR. BURNS: Return address, does that  
 6 go back to Barger & Miller or is that to --  
 7 MR. GALLI: I'm sure it still goes the  
 8 same way. It's not certified, so --  
 9 MR. HINES: You're the first one so you  
 10 pick.  
 11 MR. CANFIELD: You can call my office  
 12 and we'll go through it.  
 13 MR. BURNS: Thank you.  
 14 Good evening, everybody.  
 15 CHAIRMAN EWASUTYN: We hope to learn  
 16 from you.  
 17  
 18 (Time noted: 7:06 p.m.)  
 19  
 20  
 21  
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 23  
 24  
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1 11  
 2  
 3 C E R T I F I C A T I O N  
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 5  
 6  
 7 I, Michelle Conero, a Shorthand  
 8 Reporter and Notary Public within and for  
 9 the State of New York, do hereby certify  
 10 that I recorded stenographically the  
 11 proceedings herein at the time and place  
 12 noted in the heading hereof, and that the  
 13 foregoing is an accurate and complete  
 14 transcript of same to the best of my  
 15 knowledge and belief.  
 16  
 17  
 18  
 19 -----  
 20  
 21  
 22  
 23 DATED: April 15, 2013  
 24  
 25 MICHELLE L. CONERO - (845)895-3018

1 12  
 2 STATE OF NEW YORK : COUNTY OF ORANGE  
 3 TOWN OF NEWBURGH PLANNING BOARD  
 4 ----- X  
 5 In the Matter of  
 6  
 7 SAGER LOT LINE CHANGE  
 8 (2013-06)  
 9 Little Britain Road  
 10 Section 97; Block 1; Lots 35.1 & 35.2  
 11 R3/O Zone  
 12 ----- X  
 13  
 14 LOT LINE CHANGE  
 15 Date: April 4, 2013  
 16 Time: 7:06 p.m.  
 17 Place: Town of Newburgh  
 18 Town Hall  
 19 1496 Route 300  
 20 Newburgh, NY 12550  
 21  
 22 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
 23 FRANK S. GALLI  
 24 KENNETH MENNERICH  
 25 JOSEPH E. PROFACI  
 THOMAS P. FOGARTY  
 JOHN A. WARD  
 ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
 BRYANT COCKS  
 PATRICK HINES  
 GERALD CANFIELD  
 APPLICANT'S REPRESENTATIVE: JAMES RAAB  
 ----- X  
 MICHELLE L. CONERO  
 10 Westview Drive  
 Wallkill, New York 12589  
 (845)895-3018  
 MICHELLE L. CONERO - (845)895-3018

1 13  
2 MR. PROFACI: The next item on  
3 tonight's agenda is the Sager Lot Line Change.  
4 It's located on Little Britain Road, Section 97;  
5 Block 1; Lots 35.1 and 35.2, located in the R3/O  
6 Zone, being represented by Jim Raab.  
7 MR. RAAB: This is an existing two-lot  
8 subdivision. Both lots presently belong to  
9 Carol Lee Sager. It was subdivided back in the  
10 `80s. Originally the lot line was put in here,  
11 okay, with an easement back to the back lot when  
12 you could do that.  
13 What we're doing is taking that line  
14 right there and moving it down here so that the  
15 pool is now on the front lot, not on the back  
16 lot. The Sagers are selling this house to  
17 someone and they want the pool to go with it.  
18 That's the sum and substance of this  
19 subdivision. The only thing that's really  
20 changing physically is this line is moving to  
21 here, and of course the easement to the back lot  
22 will have to now extend to that section, which we  
23 will provide that -- we'll provide a new easement  
24 for Mike's review.  
25 That's it. That's the long and short  
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1 14  
2 of it.  
3 CHAIRMAN EWASUTYN: Bryant Cocks,  
4 Planning Consultant?  
5 MR. COCKS: There are two existing  
6 nonconforming setback violations on here.  
7 There's one for one side yard, which is the  
8 existing two-story dwelling in front which is  
9 only 7.7 while 15 feet is required. Then the lot  
10 width, 100 feet is required and it's just short  
11 of that. Neither of them are being affected on  
12 this so I don't think it's an issue. Pat brought  
13 it up in his memo also. I'll defer to Mike. I  
14 don't think it would be an issue. It's an  
15 existing nonconforming and it's not being  
16 affected.  
17 MR. CANFIELD: My question to Mike is  
18 does it lose it's nonconforming protection  
19 because of the lot line change?  
20 MR. DONNELLY: These are setbacks. I  
21 don't think that's a trigger event, though.  
22 MR. CANFIELD: Okay.  
23 MR. COCKS: Other than that, as a lot  
24 line change it's no longer a subdivision in the  
25 Town so it does not have to be referred to the  
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1 15  
2 Orange County Planning Department.  
3 CHAIRMAN EWASUTYN: Pat Hines?  
4 MR. HINES: We just mentioned there's a  
5 revised access agreement that will need to be  
6 reviewed by Mike's office.  
7 There's an existing pool structure,  
8 gazebo. We want to make sure that's 5 feet off  
9 the rear property line. It's shown as 8 but the  
10 new rear line is here. That should be labeled to  
11 make sure that it meets it.  
12 The surveyor of record needs to stamp  
13 the plans.  
14 The last comment I have has to do with  
15 the lot width. It's 99 feet and it's still going  
16 to be 99 feet. That's it.  
17 CHAIRMAN EWASUTYN: Jerry Canfield?  
18 MR. CANFIELD: Nothing additional.  
19 CHAIRMAN EWASUTYN: Comments from Board  
20 Members starting with John Ward.  
21 MR. WARD: No comments.  
22 CHAIRMAN EWASUTYN: Tom Fogarty?  
23 MR. FOGARTY: I have no comment.  
24 MR. PROFACI: No comment.  
25 MR. MENNERICH: No comment.  
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1 16  
2 MR. GALLI: No additional.  
3 CHAIRMAN EWASUTYN: Okay. Following  
4 Mike Donnelly's advice, I'll move to declare a  
5 negative declaration for the lot line change.  
6 MR. DONNELLY: Actually, Bryant and I  
7 discussed it, it is a local Type II action,  
8 meaning the local law that created the lot line  
9 change designated it as a Type II action, so it  
10 needs no further SEQRA compliance.  
11 CHAIRMAN EWASUTYN: All right. I'll  
12 move for a motion to approve the lot line change  
13 subject to the conditions that Mike Donnelly will  
14 present for the final resolution.  
15 MR. GALLI: So moved.  
16 MR. FOGARTY: Second.  
17 CHAIRMAN EWASUTYN: I have a motion by  
18 Frank Galli, a second by Ken Mennerich. I'll ask  
19 for a roll call vote.  
20 MR. GALLI: Aye.  
21 MR. MENNERICH: Aye.  
22 MR. PROFACI: Aye.  
23 MR. FOGARTY: Aye.  
24 MR. WARD: Aye.  
25 CHAIRMAN EWASUTYN: And myself.  
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1 17  
 2 Mike, would you present the resolution.  
 3 MR. DONNELLY: First is my sign off on  
 4 the revised access agreement. We have the  
 5 standard note to be added, I think you've seen  
 6 the language but I'll send you the resolution,  
 7 indicating that from the best available knowledge  
 8 there are no buried utilities within or adjacent  
 9 to the lot line change that would cause  
 10 encroachments and create violations of the  
 11 State's Sanitary Code. The other conditions  
 12 relate to the requirements of the code that  
 13 authorize lot line changes, either reproducible,  
 14 ten copies of the plat itself. You must file a  
 15 map with the Orange County Real Property Tax  
 16 Service. You must copy the Planning Board on  
 17 your letter of transmittal. After filing, the  
 18 applicant shall provide the Planning Board with  
 19 two copies of the lot line change certified at  
 20 the office of the Orange County Clerk. We also  
 21 want to see the deeds, after you record them,  
 22 that transfer the newly conveyed parcels that  
 23 have been recorded with Orange County.  
 24 CHAIRMAN EWASUTYN: Thank you.  
 25 MR. RAAB: Thank you very much.  
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1 18  
 2 (Time noted: 7:11 p.m.)  
 3  
 4  
 5 C E R T I F I C A T I O N  
 6  
 7  
 8 I, Michelle Conero, a Shorthand  
 9 Reporter and Notary Public within and for  
 10 the State of New York, do hereby certify  
 11 that I recorded stenographically the  
 12 proceedings herein at the time and place  
 13 noted in the heading hereof, and that the  
 14 foregoing is an accurate and complete  
 15 transcript of same to the best of my  
 16 knowledge and belief.  
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 23  
 24 DATED: April 15, 2013  
 25  
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1 19  
 2 STATE OF NEW YORK : COUNTY OF ORANGE  
 3 TOWN OF NEWBURGH PLANNING BOARD  
 4 ----- X  
 5 In the Matter of  
 6  
 7 HILTON GARDEN INN SIGNAGE PLAN  
 8 (2012-06)  
 9  
 10 Crossroads Court  
 11 Section 95; Block 1; Lot 45.22  
 12 IB Zone  
 13  
 14 ----- X  
 15 SIGN PLAN & ARB  
 16  
 17 Date: April 4, 2013  
 18 Time: 7:11 p.m.  
 19 Place: Town of Newburgh  
 20 Town Hall  
 21 1496 Route 300  
 22 Newburgh, NY 12550  
 23  
 24 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
 25 FRANK S. GALLI  
 KENNETH MENNERICH  
 JOSEPH E. PROFACI  
 THOMAS P. FOGARTY  
 JOHN A. WARD  
 ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.  
 BRYANT COCKS  
 PATRICK HINES  
 GERALD CANFIELD  
 APPLICANT'S REPRESENTATIVE: JUSTIN DATES  
 ----- X  
 MICHELLE L. CONERO  
 10 Westview Drive  
 Walkkill, New York 12589  
 (845)895-3018  
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1 20  
 2 MR. PROFACI: The next item on  
 3 tonight's agenda is Hilton Garden Inn signage  
 4 plan. It's a site plan and ARB on Crossroads  
 5 Court off Route 17K, Section 95; Block 1; Lot  
 6 45.22, located in the IB Zone, being represented  
 7 by Justin Dates.  
 8 MR. DATES: Good evening. We're back  
 9 before you for two signs proposed for the Hilton  
 10 Garden Inn site. There's a directional sign down  
 11 at the end of Crossroads Court, about 3 square  
 12 feet, and it's located about 2.8 feet off the  
 13 property line there. We did get a variance from  
 14 the Zoning Board to allow that reduced setback.  
 15 Also, we're looking to construct a pylon sign  
 16 along the Thruway. It's 40 feet in height. It  
 17 does meet the 50 foot setback requirement for  
 18 both the property lines. We also received a  
 19 variance for the total overall allowed signage  
 20 for the site. The only frontage that the parcel  
 21 has is on the cul-de-sac of Crossroads Court, so  
 22 we're only allowed about 40 square feet of  
 23 signage. We exceed that by about 376 square  
 24 feet. We did receive a variance for that  
 25 allowance.  
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1 21  
2 CHAIRMAN EWASUTYN: So Bryant, they  
3 received all the necessary variances?  
4 MR. COCKS: Yes. They did go for a  
5 couple of others. Those are the two they  
6 received. They did have an additional pylon sign  
7 that was removed from the plans.  
8 We did get a Local determination from  
9 the Orange County Planning Department and also  
10 the advertising device permit from DOT in  
11 September which is valid through August 17, 2013.  
12 CHAIRMAN EWASUTYN: So everything is in  
13 place to approve the --  
14 MR. COCKS: Yes.  
15 CHAIRMAN EWASUTYN: -- signage?  
16 Mike, do you have a resolution that  
17 you'd like to present to us?  
18 MR. DONNELLY: Yes. It's site plan and  
19 ARB for the existing site that's been approved.  
20 The first condition -- I had it in my head. The  
21 standard ARB condition. There is no bonding  
22 required. There was something mentioned and I  
23 forgot what it was. Oh, I know what it is. The  
24 standard condition tying into the ARB approval.  
25 CHAIRMAN EWASUTYN: Justin --  
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1 22  
2 MR. DONNELLY: I'm sorry. The ZBA  
3 approval.  
4 CHAIRMAN EWASUTYN: Thank you.  
5 Do you want to walk through what the  
6 signage will look like?  
7 MR. DATES: Sure. In our original  
8 submission we had given you some sign plans that  
9 show the colors. Basically the background of  
10 each of the signs is a blue, all the lettering  
11 would be white, and then the Hilton Garden Inn  
12 symbol, which is a flowerette, is in red. And  
13 then the support structure is just going to be a  
14 gray or silver in color. It's mostly aluminium  
15 construction, aluminum cabinets. Then the vinyl  
16 sign itself is internally illuminated.  
17 MR. PROFACI: Both of them?  
18 MR. DATES: Correct.  
19 CHAIRMAN EWASUTYN: Any questions from  
20 Board Members?  
21 MR. FOGARTY: I just like this proposal  
22 a heck of a lot better than the first one.  
23 MR. DATES: We do, too.  
24 CHAIRMAN EWASUTYN: Then I'll move that  
25 we grant the Hilton Garden signage plan site plan  
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1 23  
2 approval and ARB approval.  
3 MR. GALLI: So moved.  
4 MR. WARD: Second.  
5 CHAIRMAN EWASUTYN: I have a motion by  
6 Frank Galli. I have a second by -- was that John  
7 Ward? I'll ask for a roll call vote starting  
8 with Frank Galli.  
9 MR. GALLI: Aye.  
10 MR. MENNERICH: Aye.  
11 MR. PROFACI: Aye.  
12 MR. FOGARTY: Aye.  
13 MR. WARD: Aye.  
14 CHAIRMAN EWASUTYN: Myself. So  
15 carried.  
16 Thanks, Justin.  
17 MR. DATES: Thank you.  
18  
19 (Time noted: 7:15 p.m.)  
20  
21  
22  
23  
24  
25 MICHELLE L. CONERO - (845)895-3018

1 24  
2  
3 CERTIFICATION  
4  
5  
6  
7 I, Michelle Conero, a Shorthand  
8 Reporter and Notary Public within and for  
9 the State of New York, do hereby certify  
10 that I recorded stenographically the  
11 proceedings herein at the time and place  
12 noted in the heading hereof, and that the  
13 foregoing is an accurate and complete  
14 transcript of same to the best of my  
15 knowledge and belief.  
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22  
23 DATED: April 15, 2013  
24  
25 MICHELLE L. CONERO - (845)895-3018

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

In the Matter of

AT&T - NEWBURGH MALL  
(2012-28)

Approval of Field Change

BOARD BUSINESS

Date: April 4, 2013  
Time: 7:15 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
THOMAS P. FOGARTY  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ANTHONY MORANDO

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

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calculations that had been submitted included --  
the reports that we reviewed and Mike Musso  
reviewed had the microwave on it but it was not  
on the actual drawings that this Board had seen.  
The applicant's representative, John Furst, had  
submitted a narrative to the Board asking for us  
to review that and suggested or asked if it could  
be viewed as a field change.

I have looked at it. I feel it can be  
a field change. I don't know if an amended  
application is correct.

Like I said, all the structural  
calculations, which generally is one of the  
utmost things this that Board looks for, I would  
feel comfortable having Mike Musso at least just  
give it a glance over to verify that what I'm  
seeing and what the applicant's representative is  
submitting is all accurate and true to form so to  
speak.

But other than that, I don't see  
anything out of the ordinary for this.

CHAIRMAN EWASUTYN: Any comments from  
Board Members?

MR. GALLI: No.

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MR. PROFACI: We have one item of Board  
Business, AT&T Newburgh Mall. The Planning Board  
will discuss an amended site plan approval for  
the project to include one additional dish  
antenna on the monopole.

CHAIRMAN EWASUTYN: Jerry, why don't  
you take the lead on this. You've been talking  
with John Furst. Some day this is going to be a  
Building Department matter exclusively, so you  
can start with that.

MR. CANFIELD: I think I'll start by  
saying that this very scenario is exactly why the  
Town is taking the approach to streamline the  
application process. It's very similar to this  
application.

What had happened was this application  
was before the Board the latter part of 2012,  
very near the beginning of 2013. It was for a  
panel array change out on the monopole, 140 foot  
high monopole, located at the rear of the  
Newburgh Mall. The site plan that was submitted  
by Black & Veatch to the Board for some reason  
did not have the two-foot round microwave antenna  
that is also to be there. The structural

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MR. FOGARTY: I have no comment.

CHAIRMAN EWASUTYN: Okay then. I'll  
move for a motion to approve the field change  
subject to confirmation of the structural  
analysis by Mike Musso from HDR who is our  
Telecommunication Consultant.

MR. WARD: So moved.

MR. FOGARTY: Second.

CHAIRMAN EWASUTYN: I have a motion by  
Joe Ward. I have a second by Tom Fogarty. 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. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.  
Is that okay, Anthony?

MR. MORANDO: Yes. Thank you very  
much. I appreciate your help with it.

CHAIRMAN EWASUTYN: At this time I

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would like to call the Planning Board meeting of April 4th to a close. I'll ask for that motion.

MR. MENNERICH: So moved.

MR. FOGARTY: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich, a second by Tom Fogarty. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

Thank you all.

(Time noted: 7:20 p.m.)

MICHELLE L. CONERO - (845)895-3018

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.

DATED: April 15, 2013

MICHELLE L. CONERO - (845)895-3018