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

----- X

In the Matter of

BARTON CHEVY
(2015-15)

800 Auto Park Drive
Section 97; Block 2; Lot 27.32
IB Zone

----- X

AMENDED SITE PLAN

Date: May 19, 2016
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
KENNETH MENNERICH
DAVID DOMINICK

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

APPLICANT'S REPRESENTATIVE: RONALD BARTON

----- X

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

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BARTON CHEVY

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CHAIRMAN EWASUTYN: Welcome to the
Town of Newburgh Planning Board meeting of
the 19th of May 2016. This evening we have
four items on the agenda.

At this time we'll call the
meeting to order with a roll call vote.

MR. GALLI: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. DOMINICK: Present.

CHAIRMAN EWASUTYN: We have a team of
consultants who work for the Planning Board, the
Town Board and for the public in general. I'll
ask that they introduce themselves.

MR. DONNELLY: Michael Donnelly,
Planning Board Attorney.

MS. CONERO: Michelle Conero,
Stenographer.

MR. CANFIELD: Jerry Canfield, Code
Compliance Supervisor.

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

CHAIRMAN EWASUTYN: At this point I'll
turn the meeting over to Ken Mennerich.

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BARTON CHEVY

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MR. MENNERICH: Please rise for the Pledge.

(Pledge of Allegiance.)

MR. MENNERICH: Put all your cell phones on vibrate.

CHAIRMAN EWASUTYN: The first item this evening is Barton Chevy. It's located on Auto Park Drive in an IB zone. It's here for an ARB approval for the signage.

We did approve the site plan. At this time we'll approve the amended site plan.

Mr. Barton is in the audience this evening, waiting to come up with his final design.

Ron, who is representing you?

MR. BARTON: Just me.

CHAIRMAN EWASUTYN: Okay. Do you want to come forward and talk about it?

MR. BARTON: It's pretty much replacement signs that are very similar to what was on the building the last time, the Chevrolet, the Cadillac, the Barton.

What's changed now is the service drive. We have the certified service on the side

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BARTON CHEVY

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of the building.

When you take into account the square footage of these signs, it's actually a little bit less.

CHAIRMAN EWASUTYN: The sheet mentions that.

MR. BARTON: The girls pulled the permit from the prior approval which was some 300 square feet.

MR. CANFIELD: 368 I think it was.

MR. BARTON: Pardon?

MR. CANFIELD: I think it was 368.

MR. BARTON: Yeah, 368. Then the total square footage of this is about half of that.

Other than the service department sign there, we're also looking to put a -- when we look at the new entrance off of Unity Place, which gives customers direct access to the service drive, we're looking to put a free-standing, I believe it is 2 by 8 sign, because it says certified service on it.

CHAIRMAN EWASUTYN: Now the total new is 196 square feet compared to what it says here, the original was 324 square feet?

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BARTON CHEVY

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MR. BARTON: Correct.

CHAIRMAN EWASUTYN: Is that correct?

MR. BARTON: Yes. Yes, 324. And then
the new total is 196.83.

CHAIRMAN EWASUTYN: Any questions from
Board Members?

(No response.)

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: I have nothing. It's
lesser than what was previously approved. We
have nothing outstanding with it.

The colors I think everyone had looked
at, has been provided with the actual design.
The colors, I think they are consistent with
corporate requirements whereas in the past we've
always approved or went along with the corporate
requirements. So I have nothing outstanding.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: No questions. It's a
very good looking sign. Good job.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: Frank Galli?

MR. GALLI: No.

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BARTON CHEVY

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CHAIRMAN EWASUTYN: Mike, you'll give us the language.

MR. DONNELLY: It will be an amended ARB resolution approving the plans you have before you tonight. The standard conditions, they must build what's shown.

CHAIRMAN EWASUTYN: I'll move for a motion to grant ARB approval for Barton Chevrolet subject to the resolution being prepared by Planning Board Attorney Mike Donnelly.

MR. DOMINICK: I'll make a motion.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick, a second by Frank Galli. I'll have a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. DONNELLY: It is just ARB?

MR. HINES: Just ARB.

CHAIRMAN EWASUTYN: Congratulations again.

MR. BARTON: Thank you. I appreciate

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BARTON CHEVY

it.

(Time noted: 7:06 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June 2016.

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

GARDNERTOWN COMMONS
(2016-03)

Gardnertown Road & Creek Run Road
Section 75; Block 1; Lot 21
R-3 Zone

----- X

AMENDED SITE PLAN

Date: May 19, 2016
Time: 7:07 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
DAVID DOMINICK

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

APPLICANT'S REPRESENTATIVE: UMBERTO BALDINUCCI
RICHARD PEARSON

----- X

MICHELLE L. CONERO
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Wallkill, New York 12589
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CHAIRMAN EWASUTYN: The second item is Gardnertown Commons. It's an amended site plan located within the R-3 zone. It's being represented by Umberto, is it?

MR. BALDINUCCI: Yes.

CHAIRMAN EWASUTYN: Umberto, how do you pronounce your last name?

MR. BALDINUCCI: Baldinucci.

CHAIRMAN EWASUTYN: Do you have a business card with you by chance?

MR. BALDINUCCI: Yes.

CHAIRMAN EWASUTYN: Would you please give that to the Stenographer.

Are you Richard Pearson?

MR. PEARSON: I am.

CHAIRMAN EWASUTYN: Do you have a business card for the -- also give that to the Stenographer. Thank you.

Umberto, please.

MR. BALDINUCCI: Good evening, Chairman and Members of the Board. My name is Umberto Baldinucci, I'm with JMC. We're the engineers for the Gardnertown Commons project which is located at the intersection of Gardnertown Road

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and Creek Run Road.

The 19.77-acre site is proposing to build 164 apartment units, a proposed clubhouse, pool area, tennis courts, proposed dog run and open space for recreation.

We are here to address comments from the previous Planning Board session. It was asked that the applicant move the dog run away from the residential property located on the southern portion of the site. We basically switched the dog run location and the tennis court location.

We had also been asked to remove an existing trash enclosure which was located in the open space/recreation area, and we have relocated that trash enclosure to building 8.

This is all the Planning Board asked us to do.

We also have comments from Mr. Pat Hines which we could discuss in detail.

CHAIRMAN EWASUTYN: Let's take advantage of the time to go through them because we are in a position this evening where once we put that out for discussion, then we could take

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an action and move on to the next stage. So let's talk about it.

MR. BALDINUCCI: Do we want to go through each comment?

MR. HINES: Our first comment has to do with outstanding comments, procedural matters, that were in our comments from, I guess February 25th. The Town Board needs to act on the senior housing use on the site. They have stated that they want the Planning Board, as lead agency, to make a SEQRA determination prior to that.

Comment number 4 which was outstanding is the City of Newburgh flow acceptance letter for the increase in units. It had one previously but there are additional units now.

A lot consolidation plan is required. Health Department approval for the water mains.

Also, this site previously had a pesticide residue remediation or mitigation plan. During the public hearings several years ago it was brought out this was a former orchard use. It was submitted to the Health Department. We've

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identified that they are going to work on
obtaining that approval.

The grading plan has changed somewhat.
That plan involved stripping of the 6 inches of
topsoil in the impacted areas and burying it on
the site. There will probably be a similar
comment from the Health Department.

Our second numbered comment has to do
with the calculation regarding 75 percent of the
wetland areas. Mr. Baldinucci provided me with a
section of the code that is specific to the
senior housing under the residential lot areas,
and that is consistent with the code, that
75 percent of the wetlands has an environmental
constraint calculated. We do concur with the
calculation.

A lot consolidation plan is required.

If the Board will recall, this was a
condominium project previously proposed and I
believe had five independent lots owned by the
homeowners associations. Those need to be
eliminated and it's going to be one site plan now
as rentals.

The stormwater management facility

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access drive now comes off Creek Run Road. That will need approval from the highway superintendent.

As well, they relocated the emergency access drive. We will also need that approval.

There is a part of the plan that's going to convey runoff from detention pond number 2 nearest Creek Run Road to convey the water over towards Creek Run and Gardnertown and discharge into the stream. The highway superintendent will have some input on that as well. We're looking for some additional engineering detail on that.

We have a comment regarding ADA access. That will be more of a building code issue. We're looking to have one or more of the ADA handicap accessible spots put in the area of the recreational facility and gazebo in the center of the site.

The location of the senior units, they are all going to be in one building?

MR. BALDINUCCI: Yes, in one building.

CHAIRMAN EWASUTYN: Which building is that?

MR. BALDINUCCI: It's building number

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7, and it's 20 units.

MR. HINES: Is there 21?

MR. BALDINUCCI: Excuse me?

MR. HINES: Is there 21 adult units?

MR. BALDINUCCI: 20 units for this project, 21 units for the --

MR. HINES: Okay. For the Board and for Jerry's office, we're looking for a detailed design of the clubhouse. Often times when those are constructed they don't look like the clubhouse that we have here. So some detailed blow-up of that and the landscaping around that should be submitted. It makes the building department's job easier when those details are here and on the plans.

At the previous public hearings for this project the residents along the, I want to say southern end of the parcel came out. We did note at work session the buildings have been moved further away from the southern property line, however the detention pond has become slightly larger. We're suggesting that the landscape plan address the continuation of that buffer, that the existing trees are to remain.

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There's a gap on the adjoining parcel that we're looking to have filled in to be consistent with the rest of the rear property lines.

The rest of the comments are technical in nature and procedural. That's where we're at.

I think the project has progressed to a point that the Board could issue a consistency of it's previous negative declaration if they so desire.

CHAIRMAN EWASUTYN: Jerry Canfield, code compliance?

MR. CANFIELD: No comments. Just a couple questions. On construction sequencing, it's the intent to construct it all at once; is that correct?

MR. BALDINUCCI: I believe so, yes.

MR. CANFIELD: The other question is will there be any blasting on the site? Has that been determined yet?

MR. BALDINUCCI: I would have to answer that question at another time.

MR. CANFIELD: Okay.

MR. BALDINUCCI: Yeah. I'm just unsure

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if there's any rock excavation and so forth.

MR. CANFIELD: Okay.

MR. HINES: If there is, the Town has a blasting ordinance and procedures that would have to be followed.

MR. BALDINUCCI: Of course. Yes.

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

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: If building 7 is your senior housing building, I count 16 spots in that vicinity. The 4 people who don't get spots are going to have to walk far? There's only 2 handicap spots. It seems like we're a little tight on parking spaces, especially for the elderly, for that particular building.

MR. BALDINUCCI: We also have a parking area to the side of the building with additional spaces.

MR. DOMINICK: I counted that.

MR. BALDINUCCI: The total parking spaces that are required is 328 and we have 329. We have spaces per the requirement but we don't have any additional spaces for visitors.

MR. DOMINICK: It's kind of tight.

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It's a building for seniors. There's 16 spots right around the perimeter of the building to include front and side. 2 handicap spots. 4 people, if they do drive, would have somewhat of a hike to walk where the rest of your buildings have ample parking.

MR. BALDINUCCI: This parking area here.

MR. PEARSON: What about here?

MR. BALDINUCCI: It's a steep slope.

MR. DOMINICK: It's just a concern of mine.

MR. PEARSON: We'll look into it.

MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Have you gotten the comments from Ken Wersted concerning --

MR. BALDINUCCI: Yes. Someone from our office will discuss the traffic.

MR. MENNERICH: Okay.

CHAIRMAN EWASUTYN: Frank Galli?

MR. GALLI: You said you had a total of 239 spots and you're required --

MR. BALDINUCCI: 329.

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MR. HINES: 329. 329 where 328 are required.

MR. GALLI: Which leaves none for visitors or none for -- if I move in and one of my kids has a car, my wife and I have a car, where do they park?

MR. BALDINUCCI: We comply with the zoning requirements. We could take a look and see if there's any additional parking spaces that we could accommodate.

MR. GALLI: There's no parking on the street.

MR. BALDINUCCI: Excuse me?

MR. GALLI: There's no parking on the street, like in front of the buildings and stuff like that.

MR. BALDINUCCI: No, no, no. We have assigned garage spaces, we have parking spaces, driveways, and then the remaining is all --

MR. GALLI: Okay. And the garage spaces, there's not a garage space unit; correct?

MR. BALDINUCCI: No. Not a garage unit, no. Say for this building, there's 1, 2, 3, 4 garages.

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MR. GALLI: And there's 16 units.

MR. BALDINUCCI: Right. Which are going to be supplemented with the street parking.

MR. GALLI: I mean it's a marketing issue for you, but, you know, you definitely meet the code. If I was going to lease an apartment or something like that, I would have a concern about the parking. I'm just mentioning that.

MR. BALDINUCCI: We'll look into it, increasing the parking spots.

CHAIRMAN EWASUTYN: Okay. Mike Donnelly, Pat Hines had suggested at this point a consistency determination. You had mentioned earlier we could also -- the action would be reaffirming our negative declaration.

MR. DONNELLY: It's the same concept.

CHAIRMAN EWASUTYN: Would you give us the language now for that and we'll move to a SEQRA determination and scheduling a public hearing.

MR. DONNELLY: You can note that the project, though expanded, is consistent in all ways with the negative declaration that was issued back in 2012 I think.

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CHAIRMAN EWASUTYN: Okay. Having heard from Mike Donnelly as far as reaffirming the negative declaration that was done in 2012, I would move for that motion, and to set June 16th for a public hearing.

MR. MENNERICH: So moved.

MR. GALLI: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

Your office will work with Pat Hines as far as the notice for a public hearing and the posting of the property in accordance with the regulations.

MR. BALDINUCCI: Yes.

CHAIRMAN EWASUTYN: I think your office is familiar with everything. You'll contact Cindy Martinez, who is 564-4552, arrange to bring in the envelopes which will be mailed, and then

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there will be a certification of the mailing based upon the list.

MR. HINES: John, I've been copying Cindy Martinez every time I send them out to the applicants, just so she can expect them to come in.

CHAIRMAN EWASUTYN: Good preparation. All right.

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June 2016.

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

MEADOW HILL EXPANSION, LLC
(2016-07)

Meadow Hill Road
Section 60; Block 1; Lots 9.1 & 9.2
R-3 Zone

----- X

INITIAL APPEARANCE
SITE PLAN

Date: May 19, 2016
Time: 7:21 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
DAVID DOMINICK

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

APPLICANT'S REPRESENTATIVE: JOHN CAPPELLO

----- X

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

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CHAIRMAN EWASUTYN: The third item of business this evening is Meadow Hill Expansion, LLC. It is in an R-3 Zone, it's an initial appearance for an amended site plan and it's being represented by John Cappello.

MR. CAPPELLO: Good evening, everyone. I'm here tonight with Umberto Baldinucci, George Carfano and Mike booth.

If the Board recalls, probably several years back the original building, Vista rental development, was approved on Sycamore Drive and Mill Road adjacent to the Meadow Hill School.

Since that time my clients have purchased that development, made some minor modifications and got an amended site plan approval for Golden Vista, which now is called Meadow Hill. Fortunately they were also recently able to purchase what was an out parcel fronting here near the entrance of Sycamore Drive and Meadow Hill Road. If you drove by you'll notice there's a house that's not in the greatest condition. So they were able to purchase this lot. That home is going to be vacated as part of this and will be demolished.

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The modification we're proposing is to add this property now to the development and have two new buildings up front. This is a ten-unit building, this is an eighteen-unit building. There will be then -- the majority of the development is similar. There will be eighteen units here where there was formerly I believe twelve, and then there is a building -- there's three less units in this building. There was a building here that's been removed. That will now be a bioretention area creating more of a buffer between the neighbors. From here on the project is virtually exactly the same.

I know Umberto will tell you there might be some minor changes on grading and everything. By doing these revisions we were not able to add an emergency access road which will provide a secondary access into the site. Now we'll have a consistent unified, upfront and more attractive development.

There will be a total addition of 21 market rate units and 3 additional senior units to make the same ratio that was in the 160-unit for the senior development component. All of

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those units for the seniors will be located in the building fairly close to the entrance right here.

The other advantage of this plan is because now we have a more uniform area, there will be less retaining walls because it will be easier to grade down the project and make it a more even grade and require less retaining walls. Otherwise the project is virtually exactly the same.

The clients have started construction knowing that, you know, if this didn't go through they'd have to build pursuant to the approved plans. They are building in the area where there are no changes proposed so that hopefully when this is approved in the near future, this will be able to just be incorporated and we'll be able to continue work on that.

I have Umberto here if you have any specific questions on the details of the design and the changes.

I think really it's, you know, just adding and having a unified front now along the road, providing an emergency access and adding 21

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more rentals.

MR. DONNELLY: On the senior units, what is your view as to whether you need to go back to the Town Board to get a further approval for the density?

MR. CAPPELLO: I have to look at that, to be honest with you, between now and then. I know they have to waive the density.

MR. DONNELLY: I think you got a density bonus approval from them in the past. I think it was for a fixed number of units, not just a ratio. I think you need to go back there.

MR. CAPPELLO: We'll take care of that.

MR. DONNELLY: Okay.

CHAIRMAN EWASUTYN: Umberto, do you have anything to add to what John just said?

MR. BALDINUCCI: I wanted to go further into detail of what we're proposing.

CHAIRMAN EWASUTYN: Why don't you do that.

MR. BALDINUCCI: So as Mr. Cappello pointed out, the improvements just are going to be along Bill Robinson Way.

We're proposing one additional

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building. We'll modify the unit counts in the senior building. The original twelve-unit buildings now are ten units each.

In addition to these changes, these major changes, we have a slight change to the proposed clubhouse configuration, the pool deck area.

We're also showing the location of the lease trailer and the lease parking area. This is a temporary facility which is basically going to be transferred over to the proposed clubhouse once it's built.

We've done some updates to the bus stop seating area. It was open to the elements. We're now proposing a twelve-by-twelve shelter. So it's open on four sides but it has a roof. We'll provide additional details in that regard.

The last thing is we have is from the Perger parcel we have a one-story garage which is going to be renovated to a main storage facility for the caretakers of the property. Access to this building is going to be through Meadow Hill Road, the existing asphalt driveway that's there currently, and then we're going to extend a

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gravel driveway to the garage area. That's the updates for the layout.

What Mr. Cappello was hinting is we also have revised the vertical elevation of the road. We modified that to eliminate the proposed -- it was 550 feet of the retaining wall which has been eliminated with the regrading. We've done that also to balance the project.

We have relocated the bioretention area closer to the residence. We've made that bioretention area larger to treat for the runoff reduction and the water quality that's required with this kind of improvement.

With the grading, we're focused on keeping the residents happy. Originally it was agreed to provide a drainage swale along the property line along the eastern border. We extended the swale, the diversion swale to the Perger parcel. That should divert any kind of runoff from our site to our design point. That was originally -- that's where all the water currently goes.

These are all the changes.

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extension of what we currently have and are currently building.

There's minor improvements, minor changes. The changes are the infrastructure within Bill Robinson Way. We're extending the water main the stone water infrastructure and the sanitary infrastructure. No modifications to the approved systems are going to be required.

One change that we are proposing is to the stormwater outlet control structure which is just minor in nature.

CHAIRMAN EWASUTYN: Thank you. Frank Galli, questions?

MR. GALLI: On the garage, what were you going to do to the garage again, the one that's existing that's stone?

MR. BALDINUCCI: The existing stone garage is going to be renovated into a storage facility for the caretakers. They are going to store their vehicles, any kind of machinery that they need.

MR. GALLI: Outside it's going to stay stone?

MR. BALDINUCCI: Yes.

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MR. GALLI: You're just going to put a roof on it and doors?

MR. BALDINUCCI: Whatever improvements are necessary.

MR. CAPPELLO: I'll just clarify. Storage has been a word --

MR. DONNELLY: Maintenance garage.

MR. CAPPELLO: This is only maintenance for the development. It's not offered to anyone else. It's a garage.

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

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Similar to the previous project where there was a lot of discussion about parking, it appears you have the same problem here where visitors won't have parking spots.

MR. BALDINUCCI: We received these comments from Mr. Hines. We've also discussed this with the owners. We're going to relook at the plans to see if we can provide additional parking spaces. We think we can. We don't want to confirm what the numbers are until we look at that.

MR. MENNERICH: Thank you.

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MR. HINES: The concern is because the project relies on garages, you're taking credit for the garage parking space and we would assume that the one in front of that is also going to be credited. I'll use the senior residents as an example. Where there's 21 units, there are 24 parking spots in the area of that. It would require 42 parking spots to support that unit count. The other ones are further away because you can't -- the people in the garage obviously can't be blocked in by some other vehicle. There's not a lot of additional parking. We don't know where visitors are going to go. If someone has a party or guests over, it could -- it seems to be it could lead to a problem without any additional parking. It works because of the garage use, taking credit for the garages and the space in front.

MR. BALDINUCCI: Again, yes. We discussed this with the owners of the property. We're going to look into -- I don't know if it's agreed on but -- possibly dedicating some parking spaces to the seniors which are -- in the adjacent parking area we have fourteen parking

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spaces. Twelve of the units are going to be satisfied with the garage spaces and the driveways. We'll have to address the remaining.

MR. HINES: I'm assuming your leases are going to have to assigned spaces because of the limited parking.

MR. BALDINUCCI: Right. We're also looking into potentially adding additional parking spaces in this area, which --

MR. HINES: I would even entertain the construction spaces you have in front. Maybe keep those. You're constructing those anyway at the trailer. They may be incorporated to give you eight overflow guest parking spaces there.

MR. BALDINUCCI: That's a possibility.

MR. HINES: I think the Board is concerned, they don't want people parking on the street and having vehicles towed because they parked in someone else's spot. You meet the intent of the code, you have the two per unit. For functionality and marketing purposes it may help you.

MR. BALDINUCCI: We'll coordinate with your office and come up with the best solution.

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CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Umberto, the same comments as the prior applicant. We're focusing on the senior buildings, the senior housing. Senior tenants have senior friends, so when you relook at the parking issue, and I'm glad to hear you are doing that, see what we can do in the building 21 area to get a little more parking spaces. Maybe more handicap parking spaces. We have eight total. You might be following the guidelines but just take your tenants into consideration.

MR. BALDINUCCI: I just want to point out the way we graded out the site, the majority -- I think all the parking spaces meet the 2 percent cross slopes, the ADA requirements. That's one of the things we looked at when we were designing this property. Our roadways are within the 2 percent running slope, cross slopes. So it meets most of the ADA requirements required for parking spaces.

CHAIRMAN EWASUTYN: Pat Hines, do you have anything additional to add at this point?

MR. HINES: I have comments. The first

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comment had to do with the 75 percent/100 percent ratio which we discussed at work session. We concur with that calculation now.

The deferral of recreation fees note is on this plan which is no longer possible. Recreation fees will have to be paid upon, I think it's approval, whatever the code says.

MR. CANFIELD: Conditional approval.

MR. HINES: Existing structures to be removed will require a permit from Jerry's office prior to removing them.

We discussed the one-story structure and the fact that it is not a storage building as Mr. Cappello just informed everyone.

The grading, I know you said the detention pond is going to provide some buffer. This project moved the grading and the buildings in, I want to say a southerly direction. Now three residential lots that previously didn't have construction behind them do. I know there may be room to move some of the grading toward the storage structure rather than bring it out toward the property line like you did. That swale --

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MR. BALDINUCCI: Wrap it close?

MR. HINES: -- wrap it close to the limits of disturbance.

MR. BALDINUCCI: We wanted it to capture as much of the runoff.

MR. HINES: I think the people will appreciate that. When we had the public hearing originally on this that's what we heard from the public along Sycamore Drive, along with the drainage that you are addressing.

The parking arrangements and the senior building, my comment 7 we just discussed.

Comment 8 has to do with the similar parking.

Comment 9, you do have a note on there stating that the garages must be utilized for parking.

A revised City of Newburgh flow acceptance letter will be required for the additional unit count.

An emergency access drive to Meadow Hill Road needs to be addressed. I see you provided a chain and gate but we're suggesting similar to the one that you have on the Lawrence

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Farm facility, you also have one on Meadow Hill Road so it doesn't become an attractive spot to pull in and leave your refrigerator, or whatever else you might leave there. Both ends of that could be locked.

Water main. Additional revised water main approval will be required from the Health Department.

We've been reviewing your stormwater pollution prevention plan. We don't have any real concerns regarding that other than the length of pipe. Currently your stormwater collection systems stops at building 9 and 8 and there is a couple hundred foot of overland flow that's proposed. We're asking that you take a look at that. Rather than having --

MR. BALDINUCCI: Sheet flow to that location.

MR. HINES: You're getting past sheet flow distances there.

MR. BALDINUCCI: We'll add two additional structures.

MR. HINES: Ken Wersted's comments regarding traffic for the additional units should

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be received.

We just talked about the drainage issue.

Those are the changes we have, or suggestions we have for changes to the project.

CHAIRMAN EWASUTYN: I think the question Mike Donnelly proposed at the beginning, being referred to the Town Board; Mike, do you want to speak on that?

MR. DONNELLY: Again, I'm not -- I didn't look at the code or the original grant but I think you're going to need to go back to the Town Board to get further approval for the additional density.

MR. CAPPELLO: I have to go back. It was done during the prior development.

MR. DONNELLY: Based upon the earlier project, they will want to have the Planning Board issue a SEQRA consistency determination or closeout SEQRA in some fashion before they rule on that. I don't know if we're in that position yet or not.

MR. CAPPELLO: Okay. I will look at it tomorrow and contact both you and Mark Taylor and

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keep the Board advised on what we need to do.

CHAIRMAN EWASUTYN: Okay. I guess that's it at this point.

MR. CAPPELLO: I just want to let you know that I don't know where the Board is leaning but we are constructing here and we're looking to give you the answers as quick as possible. Would you think or would this require another public hearing? If we could move forward, I think we are addressing most of the comments in making this a more attractive --

CHAIRMAN EWASUTYN: I'll poll the Board Members. Frank Galli, do you want to have a public hearing on this?

MR. GALLI: For the additional units, moving it. I think we should.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I think it's a significant change.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Yes. I'm sure the residents in that area might want to be heard.

MR. CAPPELLO: Is it possible we could get a date subject to us getting the information

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in?

MR. HINES: We normally don't do that until a SEQRA determination is made. I don't think the Board wants to manage the previous application and this one on the same public hearing night. I wouldn't recommend that.

CHAIRMAN EWASUTYN: So then the most convenient public hearing date would be when after the -- the one before it would be the 16th of June. So we're talking the first meeting in July.

MR. HINES: The first meeting in July would be July 7th.

MR. DONNELLY: Between now and then, if you get back on the agenda at a meeting when a consistency determination or some other SEQRA declaration could be issued.

MR. HINES: The June 2nd meeting would be available --

CHAIRMAN EWASUTYN: June 2nd.

MR. HINES: -- for them to come back to set the public hearing. There are five Thursdays in June.

CHAIRMAN EWASUTYN: So we're saying

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July, what was that? The 7th?

MR. HINES: July 7th.

CHAIRMAN EWASUTYN: And coming back on the what meeting?

MR. HINES: June 2nd. June 2nd is your next meeting.

CHAIRMAN EWASUTYN: For a SEQRA consistency determination. Do you want to follow that agenda, that scheduling?

MR. CAPPELLO: That's fine. Thank you very much.

CHAIRMAN EWASUTYN: Okay.

MR. HINES: We would need a resubmission early next week to comply with that.

MR. DONNELLY: Umberto is ready. I see him smiling.

MR. BALDINUCCI: Yes.

CHAIRMAN EWASUTYN: All right. For now we'll place the Meadow Hill Expansion on the June 2nd agenda with the consideration then of setting the 7th of July for a public hearing, so the record is clear.

All right, gentlemen?

MR. CAPPELLO: Thank you very much.

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(Time noted: 7:41 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June 2016.

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

BARRON/MONACO
(2016-08)

416 Rock Cut Road/26 Copper Rock Road
Section 125; Block 1; Lot 13
R-1 Zone

----- X

INITIAL APPEARANCE
LOT LINE CHANGE

Date: May 19, 2016
Time: 7:41 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
DAVID DOMINICK

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

APPLICANT'S REPRESENTATIVE: BRIAN BABCOCK

----- X

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

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CHAIRMAN EWASUTYN: The next item of business this evening is the last item. It's the Barron/Monaco lot line change. It's in an R-1 Zone, located on Rock Cut Road and Copper Rock Road. It's being represented by Brian Babcock of Engineering Properties.

MR. BABCOCK: Good evening. Brian Babcock, Engineering Properties.

A survey from, her name is Stephanie Barron, probably back in 2012 when she purchased the lot, lot number 13 of the Mountain View Subdivision. At that time we did the survey and we discovered that the rear adjoiner, Franco Monaco, actually is possessing part of her land by virtue of a fence and lawn area in the back of her lot. Ms. Barron, she purchased this property. Her mom actually lives here. I don't know if you noticed in the application, Stephanie Nicklen Barron. This is Nicklen here. Mother and daughter.

CHAIRMAN EWASUTYN: Interesting.

MR. BABCOCK: She lives next to her mom. She devised a plan to approach Mr. Franco Monaco about exchanging land to resolve this

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issue so they can both have fee ownership of the land that they occupy.

What we did is we came up with the plan to do a land swap of the portion of the land that's being possessed right now by Franco Monaco for this piece of land down here which adjoins Ms. Barron's mom. Basically I guess she's been probably walking through here. There is a little walking trail or something because of the woods. The two have agreed that if this complies with the Planning Board, they'd like to swap this land. That's the crux of our lot line change.

CHAIRMAN EWASUTYN: It seems like a natural lot line change.

Pat Hines will discuss with you where it may be a little bit more involved than it appears on paper.

Pat.

MR. HINES: I agree. I looked at this at first and said this looks simple, only it's a little more complicated. Lot 25, the Monaco lot, has pre-existing nonconforming bulk requirements for lot area, lot width and one side yard. It currently has a deficient rear yard as well, but

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that will go away should this proceed. Because it's involved in this lot line/subdivision, it loses the protection that it has for those pre-existing nonconforming uses and would require referral to the Zoning Board of Appeals to gain approval for each of those three items, lot area, lot width and one side yard. So it would need to be referred to the ZBA.

MR. BABCOCK: Okay.

MR. HINES: A couple other issues. Tax lot 13, which is the lot on -- the land that's being transferred from the house that fronts on Copper Rock -- or to the house that fronts on Copper Rock from the house that fronts on Rock Cut Road would cause an encroachment to the existing well.

MR. BABCOCK: Right.

MR. HINES: So that lot line may need to be modified. They need fifteen feet.

MR. BABCOCK: I did just check that. I have a black line here where we can meet the fifteen if I just skew that line a little bit.

MR. HINES: So that needs to be done.

And then the portion of the lot

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transferred from Barron, the Copper Rock frontage to the other lot, is encumbered by a conservation easement, and I believe that would continue upon this lot line change. We don't know what restrictions that has.

MR. BABCOCK: Right. Basically the conservation easement is for the Mountain View Subdivision.

MR. HINES: Right. It doesn't go away from this piece of land, so --

MR. BABCOCK: No. I would -- I mean it's kind of difficult now, it has been cleared and it's a lawn. As long as I guess it doesn't -- we'll take a look at that.

MR. HINES: We're going to need that submitted to Mike Donnelly.

MR. BABCOCK: The language for the Mountain View Subdivision?

MR. DONNELLY: If you give us a copy. It was supposed to prevent tree cutting.

MR. BABCOCK: I think the only provision -- I'm laying out a lot of the lots in the subdivision. I believe the only provision was for septic installs. To be honest --

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MR. HINES: I think there were tree clearing limitations. The Orange Lake Homeowners Association came out fairly strong when the Mountain Lake Subdivision was proposed. I mean they were offered, not required. Now that they are there, they are --

MR. BABCOCK: Yeah.

MR. HINES: -- there. I just want to make sure, number one, everyone knows what's involved in this. It may have significant use restrictions on that. Number two, it's going to ride with the land. Whatever transfers that piece or that conservation easement is going to transfer with it. Mike Donnelly is going to need a copy of that.

MR. BABCOCK: The only information I can offer about that whole scenario is I wouldn't be surprised if that lawn and that fence was probably there because that was approved and filed.

MR. HINES: It may have been. I don't recall there being a fence shown on the plan but --

MR. BABCOCK: It wasn't shown on the

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BARRON/MONACO

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plan but there were other improvements, monuments that we found that are shown on that plan. I don't know. I really don't know.

MR. HINES: I think the biggest hurdle here is the referral to the ZBA because lot 25 loses its protection it currently has as pre-existing nonconforming.

MR. BABCOCK: Okay.

CHAIRMAN EWASUTYN: Mike Donnelly, do you want to give us the language for a referral to the Zoning Board of Appeals for the Barron/Monaco lot line change?

MR. DONNELLY: At the Board's direction I'll write a letter to the Zoning Board referring this application to it for consideration of granting variances for lot area, lot width and one side yard. You will still need to apply directly to the Zoning Board of Appeals.

MR. BABCOCK: Okay.

CHAIRMAN EWASUTYN: I'll move for that motion, to have Mike Donnelly prepare that referral letter to the Zoning Board of Appeals for lot area, lot width and one side yard requirement.

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MR. GALLI: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Dave Dominick. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

Anything else?

MR. BABCOCK: Did the Board want to start the SEQRA process tonight? I know you can't declare --

CHAIRMAN EWASUTYN: Michael?

MR. DONNELLY: Those are Type 2 issues for the Zoning Board. We don't need to do a lead agency because I don't think anybody else has approval.

MR. HINES: Because your definition of a lot line is not a subdivision, it does not require submission to Orange County Planning. It's exempt from that as well.

MR. BABCOCK: When I return from the

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ZBA, if I'm so fortunate to get granted the approval, does it seem like something that could possibly the public hearing could be waived on?

MR. DONNELLY: It does not require a public hearing.

MR. BABCOCK: Excellent.

MR. HINES: You'll have one at the ZBA but not here.

MR. BABCOCK: Okay.

MR. HINES: We will have to send out a notice. The Town of Newburgh has -- your office is familiar with it -- a requirement to give notice to adjoining land owners prior to coming back. There will be a notice provision --

MR. BABCOCK: Okay.

MR. HINES: -- that we need to mail out.

MR. BABCOCK: All right. That's it?

MR. GALLI: If you do get a lot of opposition at the Zoning Board we could possibly have a public hearing.

MR. BABCOCK: All right. Thank you.

(Time noted: 7:50 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 ^ day day of ^ Month 2016.

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

LONGVIEW FARM/SUMMER KIM
(2006-39)

Request for a Ninety-Day Extension of Final Approval
until August 20, 2016

----- X

BOARD BUSINESS

Date: May 19, 2016
Time: 7:50 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
DAVID DOMINICK

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

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

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CHAIRMAN EWASUTYN: The last item of business is the Longview Farm/Summer Kim. It's a six-month extension for project number 2006-39 presented by Tom Depew. Let's see if I have that letter.

MR. DONNELLY: The request is for six months. How about if we make it November 20th?

CHAIRMAN EWASUTYN: November 20, 2016. Okay.

MR. HINES: John, also you asked me to add Mavis ARB as a discussion item tonight.

CHAIRMAN EWASUTYN: Let me finish this. The 20th of November, Michael?

MR. DONNELLY: Yes.

CHAIRMAN EWASUTYN: I'll move for a motion, based upon the letter presented by Tom Depew of Engineering & Land Surveying dated May 3, 2016, where he's requesting Longview Farm and Summer Kim Corp., Section 20, Block 1, Lots 1 and 3.35, for a six-month extension.

We'll grant that until the 20th of November 2016.

MR. GALLI: I just have a question.

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This wasn't approved. Does it have to go back
to --

CHAIRMAN EWASUTYN: Michael?

MR. DONNELLY: Realistically I think
this was a preliminary approval, not a final.

CHAIRMAN EWASUTYN: Right.

MR. DONNELLY: Preliminary we have
six months. State law says you're supposed to
come back within six months. There's no
automatic expiration date. We prefer to keep
them on a short leash.

MR. HINES: This was final.

MR. DONNELLY: Well --

MR. HINES: I'm shooting from the hip.
I know there were issues with bonding and calling
up bonds and roadways.

MR. DONNELLY: When I see my notes it
does say final. It would be a final approval.
If the final approval is not granted beyond that,
it would expire.

MR. GALLI: It's been since 2006.

MR. DOMINICK: Ten years. Pretty long.

MR. DONNELLY: Maybe you want to have
the applicant come in on some date and explain

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where they are going.

MR. GALLI: I would like to see that. I'll go for it now but come November -- this has been a long time. It doesn't cost them anything to keep coming.

MR. DONNELLY: Actually, if it's final it has to be ninety days anyway. Make it August.

MR. GALLI: It's constantly on. Since 2006 is ten years.

MR. DOMINICK: They anticipate moving forward with the project but they don't say when or a start or stop date.

MR. DONNELLY: Why don't you make the extension ninety days, because it's final, until August 20th, I just made that date up, and ask them to be physically present to explain what the delays are.

CHAIRMAN EWASUTYN: I'll move for a motion to grant a ninety-day extension for Longview Farm/Summer Kim, Section 20, Block 1, Lots 1 and 3.35, to the date of the 20th of August 2016. I'll ask that Mike Donnelly prepare a letter to be sent to Tom Depew referencing the fact that they will have to appear before the

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Planning Board sometime between now and the 20th of August to explain where they are actually in finalizing this plan.

MR. DOMINICK: I'll make a motion.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick and a second by Frank Galli. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion married. Thank you, Frank.

(Time noted: 7:54.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June 2016.

Michelle Conero

MICHELLE CONERO

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

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In the Matter of

MAVIS/MIXED USE
(2015-03)

Architectural Review Board

----- X

BOARD BUSINESS

Date: May 19, 2016
Time: 7:54 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
DAVID DOMINICK

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

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CHAIRMAN EWASUTYN: I did ask you to remind us on Mavis Tire ARB.

Mike Donnelly.

MR. DONNELLY: You'll remember you approved this at the meeting in May. I had talked to Michael Mannis, the applicant's representative, about the terms for the provisions of the resolution. He asked me to hold off.

The ARB was approved for all of the buildings. I think one of the national tenants is desirous of having a different ARB appearance that's more in keeping with their national program. I got the impression that Mavis is not, at least at this juncture, in favor of doing that because it perhaps likes the idea of a cohesive look itself.

In order to carry forth that plan they asked me to include additional language, and I didn't bring it with me, the resolution in the finding section that says that the Planning Board specifically approved this in order to keep that cohesive look. I don't have a problem with that language except you as a Board never talked

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about. I think before we include that language it needs to be something you would endorse under the design guidelines as your intent. If you feel that's appropriate, I'll add it.

MR. DOMINICK: I can understand the applicant's point of view, going with the corporate branding, similar to what we had with Barton this evening. However, I'm much, much more in favor of Mavis' position in keeping the buildings pretty much consistent to the architectural review that we approved.

MR. HINES: Mavis is the applicant here actually. They own the whole site.

MR. DONNELLY: They are looking for help to control their tenant is the way I read it.

MR. CANFIELD: Don't we have boilerplate language that says what's to be built is what was approved?

MR. DONNELLY: That's why I'm saying the unusual request I think is for them to be able to take it to that tenant and say you can't get your national look because they said -- the Planning Board was insisting upon having this

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cohesive look.

MR. MENNERICH: Without seeing what the other tenant is proposing, we don't really know that it's not cohesive. We're assuming that; right?

MR. DONNELLY: They can always come in with a request for an amended approval.

MR. GALLI: He's the applicant, he has the most to lose. It's his tenant. If his tenant says if I can't have that ARB look, I don't want to come there, he's losing. If they want to come back for an amended after that language is in there, they can still do that. Correct?

MR. DONNELLY: Sure.

MR. GALLI: Like Ken says, I don't know -- I haven't seen it so I don't know if it would look good or not. It's his building, it's his tenant, so --

MR. DONNELLY: I just didn't want to, on my own, add the language that essentially may upset their discussions in negotiations unless it was your own conclusion. Yes, it's always open to amendment in the future.

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MR. GALLI: He must realize it will be a possibility they might not like that.

MR. DONNELLY: They could lose the tenant.

CHAIRMAN EWASUTYN: Do you want to give us the language and we'll move for a motion to revise the resolution, the ARB resolution for Mavis tire on Route 300?

MR. DONNELLY: I did not bring the precise language. In essence it's the conclusion and findings of the Planning Board that the Architectural Review Board approval that was granted was based in some measure on the design guidelines' intent to try to develop cohesive sites. In essence that's what the language said.

CHAIRMAN EWASUTYN: I'll move for a motion to allow Mike Donnelly to modify the ARB resolution subject to the language that he feels is appropriate to maintain the unified look of the Mavis site plan.

MR. GALLI: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Dave Dominick.

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I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: So will the applicant be notified that if they don't think it's consistent that they'll have to come back to the Planning Board?

MR. DONNELLY: You've approved the renderings. They can't build anything else unless they come back. Right now they want to build what was approved. So it's up to them. If they want to give in to their tenant and allow them to make changes, then they have to come back.

MR. GALLI: Or if they change tenants they'd have to come back for ARB.

MR. CANFIELD: It comes down to what they submit for a building permit. If I don't feel it's consistent with what has been approved, then I'll make that determination at that time to refer it back to the Planning Board.

MR. DONNELLY: They intend to keep it

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consistent. They don't want to change what was approved. They just wanted additional findings language for a cohesive sign plan, a look and feel of the facades of the building where you thought it was necessary.

MR. GALLI: I think we did that with Target.

MR. HINES: Shop & Stop.

CHAIRMAN EWASUTYN: Stop & Shop there was a point in time between the architecture and renderings when the building was all red.

MR. CANFIELD: Mid-Valley Mall also.

MR. DONNELLY: It's not unusual. I do not recall there being a specific discussion of that being a requirement here. I didn't want to add the language unless you felt --

MR. MENNERICH: It's kind of ironic because the Wild Wings versus the Mavis, both of those structures look very different. I don't know where the cohesiveness came from. Maybe with the columns or something. Whatever.

MR. DONNELLY: They are not looking for a change in the approval. I've been holding the resolution waiting to speak to you about it.

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I'll send out the resolution with that language.

CHAIRMAN EWASUTYN: I'll move for a motion to close the Planning Board meeting of the 19th of May.

MR. GALLI: So moved.

MR. MENNERICH: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:01 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June 2016.

Michelle Conero

MICHELLE CONERO