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

----- X

In the Matter of

GETTY ROUTE 17K

(2008-25)

91 Route 17K

Section 95; Block 1; Lot 34

IB Zone

----- X

CONCEPTUAL SITE PLAN

Date: June 4, 2009
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: ANTHONY COPPOLA

----- X

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Wallkill, New York 12589
(845)895-3018

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GETTY ROUTE 17K

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MS. HAINES: I'd like to welcome you to the Town of Newburgh Planning Board meeting of June 4, 2009.

At this time I'll call the meeting to order with a roll call vote starting with Frank Galli.

MR. GALLI: Present.

MR. BROWNE: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. PROFACI: Here.

MR. FOGARTY: Here.

MR. WARD: Here.

MS. HAINES: The Planning Board has experts that will provide input and advice to the Planning Board in reaching various SEQRA determinations. I ask that they introduce themselves at this time.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney.

MS. CONERO: Michelle Conero, Stenographer.

MR. CANFIELD: Jerry Canfield, Town of Newburgh.

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GETTY ROUTE 17K

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

MR. COCKS: Bryant Cocks, Planning
Consultant, Garling Associates.

MS. ARENT: Karen Arent, Landscape
Architectural Consultant.

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

MS. HAINES: Thank you. At this time
I'll turn the meeting over to Joe Profaci.

MR. PROFACI: Please join us in
saluting the flag.

(Pledge of Allegiance.)

MR. PROFACI: Please turn off your cell
phones.

MS. HAINES: The first item we have on
our agenda tonight is Getty Route 17K. It is a
conceptual site plan located at 91 Route 17K in
an IB Zone and being represented by Anthony
Coppola.

MR. COPPOLA: Thank you, Dina.

MS. HAINES: You're welcome.

MR. COPPOLA: For a brief summary I'll
go back to a little bit of the history and then

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GETTY ROUTE 17K

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quickly move on.

This project was -- the site plan was originally approved by the Planning Board in 1999 for the conversion of this gas station into a retail store. Most recently, within the last year, we began a second Planning Board application to convert about 200 square feet of the interior of the store to a check cashing business. We started that last September. We were referred to the Zoning Board and we received an area variance from the Town of Newburgh Zoning Board in April. We returned to the Planning Board in May. We received architectural -- I think approval for architectural review last month as a result the consultants' comments.

This site plan, the site plan that you previously approved, is largely what is there today, although some of the parking has not been defined. There is no addition to the footprint of this building. What is there remains. The existing island on 17K remains, ingress and egress remains, the pump islands remain.

What we've added to the plans since

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last month, and we've redrawn the site plan largely to show some enhancement in terms of landscaping. That is what I presented this month.

So a couple restrictions as far as the site goes. The site is largely paved over. The existing pavement is paved over the green area in the rear which goes down in the back of Lowe's. There's kind of a stand of trees here and there's also a slight green strip along the east lot line. The lot line is way in from the curb island out here. These curb islands are almost entirely in the DOT's right-of-way. So what we're doing really with the landscaping is just trying to introduce something in these islands to make it more visually appealing, to soften everything that's there. That's what had been presented in the plan that the Planning Board has now.

We introduced a stonewall, introduced some new landscaping and mulch beds in the front of the stonewall, and basically keeping everything to thirty inches and below because of sight distances and vehicles coming in and out of

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here.

The only other change to the site plan from the previous one that was approved is I basically went out there, took a close look at the site, renumbered the parking that's shown in the rear. The parking that's shown on the side, it was angled before and I straightened that out. This western lot line here is a low point. Also, all the asphalt meets the adjacent property here so there's some ponding down here. The original site plan had shown some kind of more designated gap between the two properties in terms of curbing, but I'm not sure that's going to be able to be done because I think that's going to just collect water so I've eliminated that. That's basically it.

The signage is all staying the same.

Again, last month I think we took care of the architectural review. I have those drawings in case anybody wants to see them. I think we're just largely looking at landscaping right now.

CHAIRMAN EWASUTYN: With that being said, we'll turn to Karen Arent, our Landscape

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GETTY ROUTE 17K

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Architect, to comment on Anthony Coppola's presentation.

Karen.

MS. ARENT: Anthony, there's a guide rail along the parking spaces. Is it possible to remove that guide rail?

MR. COPPOLA: I don't see why not. I mean the grade there is --

MS. ARENT: It's flat.

MR. COPPOLA: Yeah.

MS. ARENT: It's an eyesore. It would be great if that could be removed.

Where you're showing a new concrete curb, I was concerned that it might trap water. We spoke at work session and perhaps in the corner of the parking space you could drop the curb to allow the water out.

MR. COPPOLA: Sure. We'll take a close look at that.

MS. ARENT: Are you showing new asphalt on the --

MR. COPPOLA: We'll designate that on the plan. There's an area in the back that needs to be paved.

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GETTY ROUTE 17K

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MS. ARENT: It needs to be paved.

MR. COPPOLA: We have the detail.

We'll add that.

MS. ARENT: There's a light. If you could show that on the plan and maybe consider a curb or something to keep people from hitting it or just give them a little warning, if it works.

MR. COPPOLA: The one down at the southwest corner?

MS. ARENT: Yeah.

MR. COPPOLA: Sure. I know which one you mean.

MS. ARENT: And then the stonewalls, I mistakenly wrote in my comments last month that stonewalls would work but not in a -- I didn't realize it was a DOT right-of-way. They shouldn't be in the DOT right-of-way. Just use some soft planting. You have existing barberry you can keep along with the existing detail. Maybe add some Junipers in the foreground, and also add plantings in the islands to the north.

MR. COPPOLA: Sure.

MS. ARENT: I'd be happy to work with you if you want to give me a call.

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GETTY ROUTE 17K

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MR. COPPOLA: Sure.

MS. ARENT: And then if you could show the tree line in the back. If there's space, show three evergreen trees. There's holes in the screening. Just show the evergreens.

MR. COPPOLA: Within that area?

MS. ARENT: Yeah.

MR. COPPOLA: Okay. We can do that.

MS. ARENT: And then just instead of having the two trees next to each other, put a big shade tree in that island and move the perimeter tree over to the island adjacent to the dumpster.

MR. COPPOLA: Okay.

MS. ARENT: That's it.

MR. COPPOLA: Very good.

CHAIRMAN EWASUTYN: Comments from Jerry Canfield. Jerry, any comments at this point?

MR. CANFIELD: Just a question.

Anthony, you're going to pave the whole site, --

MR. COPPOLA: Well --

MR. CANFIELD: -- or repave I should say?

MR. COPPOLA: -- I don't know. We can

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GETTY ROUTE 17K

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look at that. I think probably that's going to be best in terms of appearance. We'll do an overlay over the existing pavement. I think it is kind of chewed up in spots.

CHAIRMAN EWASUTYN: Actually, they've already done the overlay. Most of it.

MR. COPPOLA: Okay.

CHAIRMAN EWASUTYN: They have. Except for the areas that Karen defined in the rear. About a week or so ago they did an overlay.

MR. COPPOLA: That I wasn't aware of.

MR. HINES: It needed it.

MR. COPPOLA: Okay. I think I was there before that period of time. Okay.

MR. CANFIELD: I have nothing further.

CHAIRMAN EWASUTYN: Pat Hines, Drainage Consultant?

MR. HINES: We just need to clean up the detail, otherwise we don't have anything outstanding.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant?

MR. COCKS: I have nothing further.

CHAIRMAN EWASUTYN: Board Members.

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GETTY ROUTE 17K

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Frank Galli?

MR. GALLI: No additional.

MR. BROWNE: Nothing more.

MR. MENNERICH: No questions.

MR. PROFACI: Nothing.

MR. FOGARTY: Tony, you mentioned on that western section where you were having a problem with water running off, what did you say the solution to that was?

MR. COPPOLA: Well in the 1999 site plan they showed additional curbing in the channel between these two properties. We're going to eliminate a portion of that curbing because I think if we introduce that curbing you're going to trap more water there. The water is basically going to go where it's going now, which is over in here, and then eventually out the back.

MR. HINES: Where you are showing curbing you're going to provide a drop curb like Karen had mentioned. So that will let the water out, too.

MR. FOGARTY: Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I'm fine.

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GETTY ROUTE 17K

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CHAIRMAN EWASUTYN: Karen, eventually they'll submit a landscape bond estimate for you to approve.

MS. ARENT: Yes.

CHAIRMAN EWASUTYN: Having heard from our consultants; Mike, would you give us the conditions for approval for the amended site plan?

MR. DONNELLY: You granted ARB approval on May 7th. I'm going to have a single resolution that will reflect both dates and the vote. We'll need a sign-off letter from Pat Hines on the pavement detail he just mentioned earlier. We'll need a sign-off letter from Karen on the issues touched upon in her memo of June 2nd. We'll have the condition that ties into the granted variance that the Zoning Board -- the interpretation that the Zoning Board issued on March 26th. We'll have the standard provision regarding Architectural Review Board approval, meaning that you can only build what's shown on the architectural rendering. A landscape security and inspection fee. A condition that says that no outdoor fixtures or amenities not

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GETTY ROUTE 17K

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shown on the plan may be built on the site.

CHAIRMAN EWASUTYN: Having heard the conditions for approval for the amended site plan for Route 17K, I'd move for that motion.

MR. GALLI: So moved.

MR. PROFACI: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by Joe Profaci. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself yes. So carried.

Thank you, Anthony.

MR. COPPOLA: Thank you very much.

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

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

I, Michelle Conero, a 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: June 23, 2009

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

----- X

In the Matter of

GATEWAY COMMONS

(2008-29)

NYS Route 17K and Skyers Lane
Section 89; Block 1; Lot 85.22
B Zone

----- X

CONCEPTUAL SITE PLAN & SCOPING OUTLINE

Date: June 4, 2009
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: FRED WELLS

----- X

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GATEWAY COMMONS

MS. HAINES: The next item we have on our agenda tonight is the Gateway Commons. It is a conceptual site plan and scoping outline located at Route 17K and Skyers Lane. It's in a B Zone and being represented by Tim Miller.

MR. WELLS: I'm stepping in for Tim Miller. Fred Wells from Tim Miller Associates.

CHAIRMAN EWASUTYN: Mr. Wells, we took the opportunity during our work session to go through the scoping outline that was presented by your office, and I think procedurally we'll do the same at this moment and discuss some additions that we have.

MR. WELLS: Okay.

CHAIRMAN EWASUTYN: Were there any changes from page 1 that anyone had that we want to discuss?

MR. COCKS: Just the addition of the website address.

CHAIRMAN EWASUTYN: Do you have that?

MR. WELLS: Not a problem.

CHAIRMAN EWASUTYN: Page 2?

MR. WERSTED: I have a comment on the

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fourth paragraph from the bottom which indicates that the D.E.I.S., the information will be presented in a fashion to be readily understood by the public, and then I added a sentence to the end, "However, technical appendices will include sufficient detail and technical information to allow for a complete and thorough review."

MR. WELLS: Okay.

CHAIRMAN EWASUTYN: Any other comments from anyone on page 2?

(No response.)

CHAIRMAN EWASUTYN: Page 3?

MR. COCKS: In the landscaping section, section 4, just the addition of screening in parking areas from adjacent properties on Route 17K, and then the zoning section below it, adding a section "In conformance with the Town of Newburgh design guidelines."

MR. HINES: We had suggested adding the Town of Newburgh MS-IV approval for a SPDES permit and also an approval for greater than five acres disturbance. That is a recent change to the regulations as of September. The Town now issues those permits, not the DEC.

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Also, Jerry had a comment on the demolition permits I think under that list of permits --

MR. CANFIELD: Yes. Under local permits --

MR. HINES: -- and blasting.

MR. CANFIELD: -- for the demolition permits the structures on site to be demolished, there should be a consideration also given for potential environmental concerns, such as asbestos abatement, if any exist.

MR. HINES: We also discussed blasting. There may be a need for a blasting permit if the geology warrants that, and we added a section further on to make sure that's evaluated.

CHAIRMAN EWASUTYN: This is all on page 3?

MR. HINES: Page 3 under local approvals. Yes.

CHAIRMAN EWASUTYN: Moving to --

MR. WERSTED: I want to say it's on page 5, section 3.

MR. HINES: Section 3?

MR. COCKS: Section 3-B.

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GATEWAY COMMONS

MR. HINES: I apologize, it was on page 5.

CHAIRMAN EWASUTYN: Page 5 then. We discussed under number 5 the possibility for variances. We were doing that under local.

MR. COCKS: There is a mention under item D on page 5 that describes variances.

CHAIRMAN EWASUTYN: Okay.

MR. WELLS: And the applicant I think also would like to add under Town Board approval a possible zoning amendment with regard to extended stay hotels. I don't know if this was discussed with the Board.

MR. DONNELLY: I had said the same thing. I wasn't sure whether you were limiting yourself to variance relief or whether you potentially would seek legislative relief. So it would be better to list both.

MR. WELLS: Yes.

CHAIRMAN EWASUTYN: Now that we're focused on page 5, any additional comments?

MR. WARD: Page 4 on the bottom, 3-D.

CHAIRMAN EWASUTYN: Okay. Jerry, you had a comment in reference to page 4, --

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GATEWAY COMMONS

MR. CANFIELD: Yes.

CHAIRMAN EWASUTYN: -- 3-E.

MR. CANFIELD: With respect to project design and layout, page 4, access, E, the document states discuss possible emergency access with crash gate on I-84. That's a unique situation. We don't ever -- we've never experienced that. There should be discussion had how the developer proposes to achieve that.

MR. WELLS: We'll discuss -- if it's proposed we'll discuss how it's proposed certainly. It sounds pretty strange to me.

CHAIRMAN EWASUTYN: Have we completed page 4?

(No response.)

CHAIRMAN EWASUTYN: Now to page 5. Mike, under construction we had discussed number 1, maybe the mentioning of bonding and --

MR. DONNELLY: Two things under C-1-C, the construction phasing. We want there to be particular attention paid to the need for bonding and how bonding would be handled with the phases. Secondly, how, after the first phase and until the next phase was built, we would be treating

1
2 the site. If there had been earth moving is it
3 going to be stabilized, planted, landscaped.
4 Whatever approach is going to be taken, that
5 should be discussed.

6 Also under C-2, with the hours of
7 operation we'd like particular information
8 regarding the entertainment center and the
9 outdoor recreational area, both the nature of the
10 uses and the likely hours of operation for them.
11 The same thing is going to appear later in the
12 noise comments as well.

13 CHAIRMAN EWASUTYN: Any further
14 comments on page 5?

15 MR. DONNELLY: This is where the
16 demolition permit goes, --

17 MR. HINES: Correct.

18 MR. DONNELLY: -- D-1-E.

19 CHAIRMAN EWASUTYN: Okay. Now on page
20 6. I think we had discussed under A-2 there
21 would be something relating to phasing. We want
22 to better understand, even under mitigation,
23 Mike, as far as phasing, what was meant by
24 phasing.

25 MR. DONNELLY: One is we want in 2 a

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discussion of blasting or the potential for blasting. And then again in the mitigation measures section you do mention phasing but the same idea is we need to see a discussion as to how the project will be handled between phases.

CHAIRMAN EWASUTYN: We had discussed under potential impacts, 2-D, Karen, and also the location of a snow removal area, maybe signage. What we were concerned with is that as the maintenance contracts change from contractor to contractor, how will those areas that are described in the D.E.I.S, how are they going to be noted on the site during the season when people are plowing so people know where and where not to stockpile snow. So how you would address that?

MR. WELLS: Under what?

CHAIRMAN EWASUTYN: Number 2-D, discuss the location of snow removal areas in relation to the wetlands. What we're looking for is somewhere in the document, and later on the site plan, that those areas are noted in the field so that there is a protection.

Karen, you had other concerns about

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that?

MS. ARENT: Under the mitigation measures for wetlands -- I'm sorry, it's under terrestrial and aquatic. Along with the discussion of conceptual landscaping the plan should address measures to ensure the potential landscape will live and grow.

CHAIRMAN EWASUTYN: You're on what page?

MS. ARENT: I'm on page 7.

CHAIRMAN EWASUTYN: Have we completed page 6? We've completed page 6, Bryant, Pat?

MR. HINES: I'm okay with it.

CHAIRMAN EWASUTYN: Now I'll move to page 7.

MS. ARENT: Sorry. 7, C-3, mitigation measures. Along with that discussion, the conceptual landscaping plan should address measures to ensure proposed landscaping will live and thrive. Somewhere we should also discuss tree protection as well.

MR. WELLS: Okay.

CHAIRMAN EWASUTYN: Under 3-C you talk about low-impact development measures. We'd like

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to have an example of what your maintenance program will be as far as permeable pavement.

MS. ARENT: Under water resources, discuss in general, under mitigation measures in a general category, potential use of stormwater for various purposes, such as irrigating the landscape areas.

CHAIRMAN EWASUTYN: Additional comments on page 7?

MR. MENNERICH: During work session, under D-1-D, the tributary to Orange Lake; Pat, you expressed the opinion that the drainage wouldn't be towards Orange Lake.

MR. HINES: I took a look -- when I saw that comment by your office I took a look at the topography there. It doesn't appear any of the site drains towards Orange Lake. We can leave it to be evaluated. If not, it will be a very short section.

MR. WELLS: Yeah.

MR. HINES: I don't know where it came from, that comment.

CHAIRMAN EWASUTYN: Any additional comments on page 7?

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(No response.)

CHAIRMAN EWASUTYN: Page ^ 8 ^ eight?

MR. DONNELLY: In E-2, probably somewhere in B or a new section, again we'd like a discussion of the affect on the surrounding neighborhood, the entertainment center and the recreational areas in terms of the nature of the use, hours of operation, et cetera.

MR. COCKS: Somewhere around 2-D there should be a discussion of the possible waivers of the design guidelines criteria, and whichever guidelines you wish to be waived for each building, the reasons behind it.

MR. HINES: Also above, under the stormwater there on the top of the page, we discussed at work session, with input from Karen, the stormwater re-use and use of stormwater for irrigation, implementing that into the design. That would be a small letter g under that section.

CHAIRMAN EWASUTYN: Does that complete page 8?

(No response.)

CHAIRMAN EWASUTYN: Page 9? John Ward,

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you had an addition on page 9.

MR. WARD: For your traffic study, I'd like to add Fleetwood Drive and 17K. There's a development there.

MR. WELLS: Fleetwood?

MR. WARD: Fleetwood Drive and 17K. Across the street there's Holiday, if you want to include that. It's the same area.

CHAIRMAN EWASUTYN: Additional comments for page 9?

MS. ARENT: On F it says discuss existing pedestrian pathways. There's some proposed with the new development, so should that say -- it should say discuss existing and proposed pedestrian pathways because the Exiter project has pedestrian pathways as well as --

MR. WELLS: Well that section will cover existing conditions. Under impacts on the next page there's an added line that includes pedestrian circulation.

CHAIRMAN EWASUTYN: Any further comments on page 9?

MR. GALLI: Traffic, the potential impact on, was it 2-C? It was brought up about

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the two-year design or longer for doing studies and stuff for traffic.

CHAIRMAN EWASUTYN: Ken Wersted, we were talking about -- do you want to elaborate? Frank is talking and we were talking about design. This is one that may be built over a greater period of time than may be described as far as design years.

MR. WERSTED: Item 2-C discusses background traffic volume for two design years. The first design year would be for lot 1, which would be the lot closest to 17K, which my understanding is that there's more of a plan to develop that in the short term than there is for the balance of the property. So a design year appropriate with the anticipated completion of that can be selected followed by a longer term design year for the remainder or the balance of the property, and that could be, you know, a few years after or it could be ten years. I think that would be something to speak with the project sponsor and talk about the timeline of that.

MR. WELLS: Okay.

MR. WERSTED: The purpose there is to

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identify what the short-term immediate impacts would be from development of lot 1 versus longer-term impacts from the completion of lot 1 as well as the balance of the property.

MR. MENNERICH: We also discussed that if your project -- the phasing of your project is such that there's various pieces that come after the supermarket but you don't reach the full project development, there could be intermediate requirements required for traffic improvements so that there may, at some future time, have to be additional studies to indicate what would be required for traffic improvements if you just say you're building half of the back part or whatever.

CHAIRMAN EWASUTYN: We were looking at the square footage, having a certain percentage of square footage in place, then to stop to study to see if the requirements for the improvement are necessary or if not at that time.

Correct, Ken?

MR. WERSTED: Yeah. If, for example, lot 1 is completed and then the balance of lots 2 and 3 are being considered for development, when

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some particular buildings come in for site plan review, during that time we'll have to look at the D.E.I.S. and see what the scope of the whole study was and how those individual site plans fall into that. If all the environmental impacts of the larger development were studied and covered by the full development, then a lot of items won't necessarily need to be studied further. However there may be the issue of the traffic improvements for lot 1 versus the traffic improvements for the full development, there may be some interim improvements that need to be completed. So when the applicant is coming in for those couple of buildings, they need to provide a traffic study update to see how much the site is generating now, how much those couple of buildings would generate, if it falls in line with the overall study and whether the improvements completed to date would satisfy and accommodate those couple of buildings or whether there's additional improvements that need to be done short of the full development of the project.

CHAIRMAN EWASUTYN: I think what we

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have to keep in mind there then is are they -- do they have to be in place prior to a building permit or prior to a certificate of occupancy, because there's always that fine line. I think we may want to consider that to be an improvement that would be completed prior to issuing them a building permit so the Town is protected and there's no need to sort of get into the scenario where someone is waiting for a certificate of occupancy because they have everything done. We have it completed prior to the building permit so there won't be any issues of -- I think we should address it prior to the issuing of a building permit that these improvements would be in place. I think it protects the Town significantly that way.

MR. WERSTED: So relative to this discussion, I guess my comment is is there any change needed to the scope at this point or what I think -- in my opinion I think we've been discussing how it will proceed further down the road when we come up to these issues.

MR. WELLS: In the introduction here, and I can't point to it off the top, it's our

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intent to develop the E.I.S. in phase I as site specific because we'll have the detailed information for that and an analysis for that. For the subsequent phases we'll have more of a conceptual idea but as part of the E.I.S. we'll propose a threshold form which will explain these things you're talking about, a certain number of square footage as a threshold, that once you reach that point you need a certain improvement or a certain improvement has to be in place, and you can propose that in draft form in the Draft E.I.S. That will ultimately become part of your Findings.

CHAIRMAN EWASUTYN: The language, Mike, for that?

MR. DONNELLY: I think that's the right approach. The other approach would be to say you have to do all the improvements before you start phase II. If you set triggers and they're reasonable and the consultants agree with them and from a policy point of view they are satisfactory to you.

CHAIRMAN EWASUTYN: Questions from Board Members with that discussion?

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MR. BROWNE: I think that's the right approach.

MR. MENNERICH: The only thing I would wonder is based on square footage or based on use, because I would think the different types of uses and the square footage impact of those uses versus traffic could be --

MR. WELLS: It could be based on the number of trips. With another project we did it based on the traffic generation, which is the use and the square footage factored together. So there's a trip generation projected for phase I, and after phase I is built we need to monitor the numbers to see how they reflect what was actually projected, and when it reaches a certain point or exceeds a certain point we'll consider additional improvements. That will be in a form the building inspector or this Board can look at to see where we are in the scheme of things. We can look at it and propose something as part of the E.I.S. We'll propose it in a draft form so that it wouldn't be more of a completeness issue but kind of set the stage for what ultimately will be part of the Findings.

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CHAIRMAN EWASUTYN: Joe Profaci?

MR. PROFACI: I'm fine with that approach.

MR. FOGARTY: Who determines when these triggers are met?

MR. WELLS: I think the best time for us to do it is as we're assessing things most likely there will be some triggers for phase I or shortly thereafter when phase I is developed and occupied, but if there's certain improvements it doesn't make sense until we're down the road a piece we would come up with what would be the trigger for that to happen, whether it's a level of service change or some other change. That's something we can find as we do the study.

MR. DONNELLY: In other cases we've required the applicant to deposit a sum of money that could then be used for the Town to have its own traffic consultant to do whatever the appropriate test to see if those triggers were met. It doesn't have to be done that way but it's been done that way in the past.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I'm good.

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CHAIRMAN EWASUTYN: Page 10, any
comments?

(No response.)

CHAIRMAN EWASUTYN: Page 11? Just a
typo under B. The spelling of -- it's not
Winwood Drive. If you can correct that.

MS. ARENT: We discussed also the
operational noise of the garbage trucks.

CHAIRMAN EWASUTYN: Correct. As it
would impact the residential district.

Mike Donnelly, you had mentioned
something about that.

MR. DONNELLY: I think Karen just
brought it up. You have uses in parking areas
that are in reasonably close proximity to
existing residences. I'm sure you're going to
cover the operational noise. One of the things
we've learned from other projects is by removal
of trash from dumpsters by corridors in often
early morning hours, it's a problem. So it needs
to be looked at. Perhaps the location of the
dumpsters, and the restrictions, and the timing
of that in those areas can be discussed in the
E.I.S.

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MR. WELLS: Okay.

MR. GALLI: John, also the noise level for the entertainment center. They mention about Jester's entertainment area down there in Chester.

MR. DONNELLY: It does talk about in 2-B-1 the outdoor recreational uses in the noise section, but I wonder, depending upon what the uses are in the indoor recreation center, whether if certain of their hours of operation might cause the congregation of people in the parking lot or the sounds of traffic leaving at late hours, that that issue needs to be looked at as well. Somehow the E.I.S. has to tell us what's going to go on in that entertainment center, what its impacts are on traffic, noise and everything else.

CHAIRMAN EWASUTYN: Thank you, Frank.

Additional comments on page 11?

(No response.)

CHAIRMAN EWASUTYN: I'd like to step back to page 7, item C, number D. Pat, you had a comment during the work session as far as the further studies other than the National Heritage

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Program.

MR. HINES: We were requesting under the terrestrial for rare and endangered species. It just mentions that actual site surveys will be undertaken.

CHAIRMAN EWASUTYN: That would be C, D, and then I guess we would add E to that.

MR. HINES: Or it could be a part of A actually, site basic characteristics, and then just put a section that actual field surveys will be provided rather than using any information that's available either publicly or past studies or something.

MR. WELLS: We can add it under A, the actual field surveys.

MR. HINES: It's a normal course that would be done but I just wanted to clarify that in the scope.

CHAIRMAN EWASUTYN: Page 13?

MR. WELLS: One thing if I can go back to the noise section, page 11. One of the comments that Bryant had was to do a noise study of The Castle project in Chester. I would submit that we're not prepared to study the noise at

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Chester but we'll do the analysis in terms of what the DEC standard protocol and guideline, but it looks like we ought to be taking measurements at another location. We'll do so for comparison. To actually do a study is beyond the scope.

MR. DONNELLY: The reason for the request is the same user has proposed to build a similar, if not identical, site here, and rather than make assumptions or come up with projections, perhaps an actual -- you know, readings at levels, distances that are similar to what might be experienced here would be the most direct way of developing the data.

MR. WELLS: It would be. Maybe we can, instead of specifically citing The Castle, cite a similar user, a little more generic, in case something changes we're not stuck --

MR. GALLI: I think we're looking for the most accurate reading possible.

CHAIRMAN EWASUTYN: Page 12?

MR. CANFIELD: I have a comment, John. With respect to community services, socioeconomic, police and fire protection, we request that language should be added to include

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communication with all the Town emergency services, such as fire, police and EMS, with respect to the potential demand for additional police, fire service related impacts.

MR. HINES: We didn't discuss that at work session but I did note EMS is missing from that section.

MR. WELLS: So where it says police and fire protection we can add EMS protection as well.

MR. HINES: Right.

MR. CANFIELD: Also the actual communication.

MR. COCKS: I had a comment to compare the impacts from operation of the site on the police department and other sites in the county using either the Galleria or Woodbury Commons as a base.

MR. HINES: Under item 5 on that page for water service, we would anticipate that an appendix for water flow and analysis would be provided, which is especially important in light of the height of some of the buildings and the ability to supply water service to those elevated

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buildings.

CHAIRMAN EWASUTYN: Additional comments
on page 12?

(No response.)

CHAIRMAN EWASUTYN: Page 13?

MS. ARENT: I have comments with regard
to visual quality potential impacts. As part of
the assessment of potential visual impacts, a
visual influence analysis of the proposed multi-
story hotel should be conducted. This will
determine from where the hotel will be visible.
A digital three-dimensional model or some similar
type of analysis. A digital terrain model should
be built so you can shoot a beam of light from
the top of the hotel to various points within a
specified radius to determine exactly from where
the six-story hotel would be visible, and then
that will help to determine whether or not it can
be screened.

And then along with that study, since
it only studies topography, to do line-of-sight
profiles for worst case scenarios to see if the
existing vegetation or proposed vegetation can
screen the hotel.

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MR. DONNELLY: I think somehow for both of those we need to identify the locations from which we want to see those views or that --

MS. ARENT: Yes.

MR. DONNELLY: -- laser model.

MS. ARENT: That could be part of the study. It should encompass the adjacent residential neighborhood.

MR. WELLS: What I would propose is that we use the DEC guidance provision assessment, which is what we typically do for a visual assessment, which essentially identifies the view shed in a little bit different manner than terrain modeling but it identifies the radius of visibility for whatever is proposed on the site, and then we would develop line-of-sight profiles at key locations based on that initial analysis which identifies what potentially is sensitive. So you'll essentially end up, I think, with the same thing but we use an established methodology by DEC.

CHAIRMAN EWASUTYN: Is the Board in favor of using the methodology that is being described from the DEC's requirements as a

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standard?

MR. GALLI: I haven't seen it, John, so I don't know.

CHAIRMAN EWASUTYN: Mike?

MR. DONNELLY: I'm sure it provides the data to an intelligent observer. One of the issues is whether or not it's adequate for the public to understand. I don't mean to be condescending but it's easier for the public to see something whether it's a photograph superimposed and a building superimposed in a photograph from a vantage point rather than a simple line-of-sight drawing. Maybe one of the approaches is to accept whatever is provided in the D.E.I.S. and if something further is warranted based upon what you see, that could be addressed in the F.E.I.S.

CHAIRMAN EWASUTYN: Is the Board satisfied with that?

MR. BROWNE: John, what Karen was describing, I'm not sure if I've seen this yet so I really don't have the intelligence to make a judgment call on it.

MS. ARENT: I actually think it's one

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of the methods that can be used under the DEC guidelines. The guidelines allow more methods.

The objective is we want to find out from where the hotel would be visible and we want you to show us on the map, like shade where it will be visible, that's the important thing, so that you know exactly from where it's visible, and then we can study whether or not --

MR. BROWNE: I think that's the important way to go because in previous things that we've done I felt we've gotten short changed because we didn't say we should have looked here and we didn't look there. I want to know all the places we need to look and then look there.

MS. ARENT: That's the objective.

CHAIRMAN EWASUTYN: I think we need a clearer understanding of what you present to us as far as the potential visual impact --

MR. WELLS: Okay.

CHAIRMAN EWASUTYN: -- as it relates to the community.

MR. WELLS: Karen is correct, the DEC guideline is one way. There are several methods. Ultimately I think maybe we should -- we can

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stress here that we'll provide a view shed analysis initially prior -- as part of the initial step, which is essentially defining what's visible from where, and show that on the map in the E.I.S. and then select locations and you'll be able to see where those locations fall for sight line studies, line-of-sight cross sections.

MS. ARENT: And I think we should also study the effect of lighting from buildings as well as street lighting on the adjacent properties.

MR. WELLS: I'm not quite sure how you would want to do that. Lighting from buildings isn't really measurable. It's visible but it isn't measurable. We can talk about it in a narrative. To do an analysis, I don't know how you do that. We can certainly have a discussion of visibility based on the lighting, an analysis of how bright it is.

MS. ARENT: I think that would be helpful.

CHAIRMAN EWASUTYN: Additional comments on page 13?

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MR. COCKS: Yes. In the visual quality section also I think we should take a look at what the site is going to look like during construction, especially if it's a phased construction. There's potential for, you know, pilings of dirt or something beyond the site line, like a supermarket is already built and in operation.

MR. WELLS: In the comment that -- in Bryant's comment you also said study initial impacts of sites during construction, specifically when the site is being graded. I ask that we not specifically talk about grading but talk about in between phases. In other words, if we can pick a time when we can analyze it, that's readily done. If we have a moving target, because the project is going to be under construction for a period of time, then we really have nothing to analyze, we can only talk in generalities. I think it would be more informative to the Board, and certainly we can talk about in between phases or as phase I is done what the site is going to look like prior to any further construction and so forth, to give a

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sense of what it might look like.

MR. DONNELLY: I think Bryant's comment was trying to get at what will the project look like, because it's large, during the course of construction, and I think he's meaning particularly the earth-moving phase when there's the most disturbance and it's most readily available. I think that's a narrative discussion as to what mitigation measures you will put forth to make sure that whatever can be done to minimize that look is taken care of. Obviously what it looks like after the first phase and before the second, whether it's a clear field or something that's planted and stabilized, is also important. I think the construction phase is what he was getting at.

MR. WELLS: We can certainly discuss it in narrative form.

CHAIRMAN EWASUTYN: Probably timing has something to do with the seasonal nature also, when there's no foliage on trees. Basically we're talking about fall through the early spring when you do have the balloon thing out and screening of the area to provide some kind of

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visual mitigation.

Additional comments on page 13?

(No response.)

CHAIRMAN EWASUTYN: Page 14?

MR. COCKS: As one of the alternatives I think we should have a plan that's in conformance with the design guidelines as an alternative even if it's not going to be used.

MR. DONNELLY: I think that's C; right?

MR. WELLS: I thought that was the intent of C.

MR. COCKS: Okay.

CHAIRMAN EWASUTYN: You'll make revisions to the scoping document as we described this evening.

At this point I'm going to move for a motion to set July 16th for a public hearing on the scoping document for the Gateway Commons.

MR. MENNERICH: So moved.

MR. PROFACI: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Joe Profaci. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself yes.

You'll see Dina Haines as far as the mailing list for that.

MR. DONNELLY: One last thing. We want to make sure that somewhere in the discussion we're going to talk about what the publicly available website is that will be used for publishing these things. In the past I think your company has offered its website. If that's going to be done, then make sure we know about it.

MR. WELLS: Okay. I'll let Dina know what the actual site is.

MR. DONNELLY: It would be helpful from the get go to have the notices reflect the site.

MR. WELLS: Yes.

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CHAIRMAN EWASUTYN: There was a suggestion that -- why don't you speak.

MR. MENNERICH: In cases in the past when we've had a scoping session the applicant would set up a display out in the lobby so that people understand what the project is about before they come in to the scoping session.

MR. WELLS: Mm'hm'.

MR. MENNERICH: It's a good opportunity for the applicant to answer some questions out there prior to, you know, then you don't end up -- then you can end up concentrating on the scoping session, what's in the scope rather than what the project is about.

MR. WELLS: Okay. That's a good idea. I think we can do that.

MR. BROWNE: John, would it be appropriate to give a description of what a scoping session is for the folks that are here so they know what we're talking about?

CHAIRMAN EWASUTYN: We can do that.

Mike, Cliff Browne suggests you just give a brief description to the public of what a scoping document is.

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MR. DONNELLY: Sure. In a broader outline what we've all been talking about this evening is the content of the environmental study that's called a Draft Environmental Impact Statement. I think at times we've referred to it tonight as a D.E.I.S. The applicant prepares the D.E.I.S. The scoping outline is what the Planning Board is telling the applicant must be addressed or contained within it. It looks almost like, when it's completed, the table of contents of the document. So it's important that anything that the Planning Board wants to have studied is in that outline, in that table of contents.

The purpose of the hearing, the public scoping session, is to enable the public, after they've seen the draft scope which will be made available, and the project itself, to come forward with additional issues that are not presently on the scoping outline that you may have thought of, and it's proved helpful in the past and I take no doubt it will be helpful here. The hearing will not really be to answer people's questions, that's not the point. It's not to get

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answers, it's to raise issues that members of the public think should be addressed in that impact statement. We'll try to explain it again that night but that's the purpose.

CHAIRMAN EWASUTYN: Thank you.

MR. WELLS: One question. Jerry, did you have written comments? If you did, I didn't receive them.

MR. CANFIELD: I e-mailed them to WWW.TIMMILLERASSOCIATES.COM.

MR. WELLS: Just TIMMILLERASSOCIATES ? TIM@TIMMILLERASSOCIATES?

MR. CANFIELD: No. Just TIMMILLER.

MR. WELLS: They wouldn't have gotten there.

MR. CANFIELD: I didn't get an e-mail back.

MR. WELLS: Can you send me one?

MR. CANFIELD: I most certainly will.

MR. WELLS: Thank you.

CHAIRMAN EWASUTYN: I'll give you Jerry's copy here.

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

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

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

DATED: June 23, 2009

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

----- X
In the Matter of

LANDS OF CHARLES PELELLA & WILLIAM BELL

(2007-29)
End of Lockwood Lane, South Side of Colvin Lane
Section 8; Block 1; Lot 8.12
AR Zone

----- X

FIVE-LOT SUBDIVISION

Date: June 4, 2009
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

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

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MS. HAINES: The next project on our agenda tonight is the Lands of Charles Pelella and William Bell. It is a five-lot subdivision located at the end of Lockwood Lane and the south side of Colvin Lane. It's in an AR Zone and being represented by Charlie Brown.

MR. BROWN: Thank you. Since our last appearance before the Planning Board last month, and in response to the Town Board's conditions for the drainage, we've reconfigured the pond to provide fifty foot to the rear of the proposed residence, and we -- the detention pond. With that we revised the drainage report and the swale.

The rest of the revisions, including an easement, are mostly clean-up items.

CHAIRMAN EWASUTYN: Pat Hines, Drainage Consultant?

MR. HINES: We've reviewed the revised stormwater pollution prevention plan. I do have some technical comments on there. They're technical in nature. Some clean-up items on pipe slopes, pipe sizing, the details with the slip that was submitted. So I do feel that they're

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technical comments that can be addressed between now and the close of the public hearing.

I did reference the landscaping of the detention ponds which I believe was a requirement of the ZBA also. I think Karen needs to take a look at that. There's some plantings proposed but they're rather small. Some of them are aquatic plants.

The maintenance for the detention pond has to be worked out with the Town Board. Three of the lots that contain actual grading for the detention pond will be responsible for the operation and maintenance of -- the long-term operation and maintenance of the detention pond because of its location behind and alongside of the residences, not immediately off of the proposed Town roadway.

With that we would recommend a neg dec and possibly scheduling a public hearing if the Board wishes.

MR. DONNELLY: We did.

CHAIRMAN EWASUTYN: We closed the public hearing on the 16th of April. He waived the sixty-two day --

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MR. HINES: Because of the drainage issue. Okay. When we got the revised slip I didn't realize that. I'm okay with the final approval then subject to our technical comments if we're at that point.

CHAIRMAN EWASUTYN: Jerry Canfield, are you satisfied to date?

MR. CANFIELD: We just had one outstanding comment, and that was the road name. I don't know that that's been resolved with the Town Board. Lockwood Lane Extension is the proposed road name.

MR. BROWN: Well, we're just -- it's just going to be Lockwood Lane. It's an extension of Lockwood Lane. We just differentiated that as far as on the map. I should say Lockwood Lane existing. I'll put it in parenthesis. I'll put in it's still Lockwood Lane. We're not asking for --

MR. CANFIELD: If you call it extension, Charlie, you need Town Board approval. If it's just going to remain Lockwood Lane, leave the extension off it then.

MR. BROWN: I'll put it in brackets,

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CHARLES PELELLA & WILLIAM BELL

56

extension in parenthesis. So Lockwood Lane is the name of it. We're not changing the name.

CHAIRMAN EWASUTYN: Okay.

MR. HINES: Charlie, we also need the surveyor's stamp on here. Your plans aren't stamped by a surveyor and there's no indication of who that is.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant?

MR. COCKS: I have no further comments. I'll just note that the negative declaration was issued on March 5, 2009. We do have a letter for the approval of the K-value of the roadway from the Town of Newburgh Town Board, and I believe there is a highway department letter out. I just haven't gotten it at this time.

CHAIRMAN EWASUTYN: Charlie, could you make it a point of getting a copy of Daryl Benedict's sign off to Bryant Cocks?

MR. BROWN: I'll do that.

CHAIRMAN EWASUTYN: And also to our other consultants.

MR. BROWN: Okay.

CHAIRMAN EWASUTYN: Comments from Board

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Members. Frank Galli?

MR. GALLI: No additional.

MR. BROWNE: No questions.

MR. MENNERICH: Nothing.

MR. PROFACI: Nothing.

MR. FOGARTY: None.

MR. WARD: None.

CHAIRMAN EWASUTYN: Mike Donnelly, can you give us conditions of approval for the subdivision for Pelella and Bell?

MR. DONNELLY: Yes. We'll need a sign-off letter from Pat Hines on the SWPPD details. I'll leave in as a condition the requirement of the highway superintendent's approval, and the letter will satisfy that condition. We need a drainage easement, if I understand correctly, across the lands of Orchard. We need a grading easement. I don't know if that's for all of the lots or where that is but I know it showed up in the memo of Pat Hines. A driveway easement in favor of adjoining parcels must be submitted and approved. I haven't read the Town Board minutes but I assume that they want to see some kind of recorded document that attaches the obligation

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for drainage pond maintenance to the three lots.

MR. BROWN: Correct.

MR. DONNELLY: So I want to include a condition that requires that that be submitted and signed off on. I'll take out the condition regarding the roadway name since you won't be changing it but merely extending it. We'll need a landscape security, stormwater security, Town road security, offers of dedication and payment of parkland fees.

MR. BROWN: Those will be separate bonds, the drainage versus the road? I put the road and the drainage together.

MR. DONNELLY: I'll defer to Pat.

MR. HINES: You have to go -- the actual bonding is set by Jim Osborne. If he'll accept it that way, I'm okay with it.

MR. DONNELLY: The problem is --

MR. HINES: There have, in the past, been requirements for separate bonds.

MR. DONNELLY: Some of it is not related to the road because it's going to private lands, so that may be separate. You'll have to work that out with Jim.

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MR. BROWN: Okay.

CHAIRMAN EWASUTYN: Comments from the Board Members as far as the conditions of approval and the resolution that Mike Donnelly just discussed with us?

MR. GALLI: No additional.

MR. BROWNE: No.

MR. MENNERICH: No.

MR. WARD: None.

CHAIRMAN EWASUTYN: Having heard the conditions of approval for the lands of Charles Pelella and William Bell presented by Attorney Mike Donnelly --

MR. BROWN: Would we want to add in the landscape sign off?

MR. HINES: That's in my comments, so it would have to be addressed under that.

MR. BROWN: Okay. Sorry.

CHAIRMAN EWASUTYN: I'll move for that motion for approval.

MR. PROFACI: So moved.

CHAIRMAN EWASUTYN: I have a motion by Joe Profaci.

MR. MENNERICH: Second.

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CHAIRMAN EWASUTYN: I have a second by
Ken Mennerich. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself yes. So
carried.

MR. BROWN: Thank you very much.

(Time noted: 8:00 p.m.)

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

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

DATED: June 23, 2009

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

----- X

In the Matter of

LANDS OF JAN KADNAR

(2008-16)
275 Pressler Road
Section 6; Block 1; Lot 10
AR Zone

----- X

CONCEPTUAL SKETCH PLAN & FIVE-LOT SUBDIVISION

Date: June 4, 2009
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

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LANDS OF JAN KADNAR

MS. HAINES: The next project we have tonight is the Lands of Jan Kadnar. It's a conceptual sketch plan for a five-lot subdivision located at 275 Pressler Road in an AR Zone. It's being represented by Darren Doce.

MR. DOCE: My name is Darren Doce, I'm the project engineer. The project surveyor is Darren Stridiron.

We initially appeared before the Board last August. The proposal is for a five-lot subdivision of a forty-seven acre parcel located on Pressler Road. We'll be creating three new building lots outlined in the yellow, there will be a lot for an existing cottage outlined in the pink, and a lot that will contain the existing villa which is outlined in the orange.

The lots are all one plus acres in size except for the villa lot which will be the remaining forty-two plus acres.

There's a wetland located in the center of the site which had been verified and validated by the DEC in April.

Access to lots 1 and 2 will be over a

1 common access point on Pressler Road but will
2 have separate driveways. The highway department
3 looked at the access point and gave preliminary
4 approval for that. Lots 3 and 5 will share a
5 common driveway that's located at the entrance --
6 the existing villa entrance which is here. Lot 4
7 has a separate driveway located opposite Allen's
8 Way in the corner of the site.
9

10 The existing villa and cottage required
11 area variances for front yard setbacks, and the
12 cottage also required a variance for floor area.
13 We received those variances on March 26th.

14 The lots will all have individual wells
15 and septic.

16 There was some question as to the
17 septic system on lot 5, what was exactly there.
18 It was sketchy so we designed a new system for
19 that.

20 Lot 4 has a system that's operating, so
21 I designed a hundred percent replacement system
22 in case that system ever fails or stops
23 incorrectly. That's basically it.

24 CHAIRMAN EWASUTYN: And you noted your
25 variances on the submission?

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MR. DOCE: I contacted Darren Stridiron and told him that there were some minor changes yet to make to the bulk table and the variance to the front sheet.

CHAIRMAN EWASUTYN: Comments from Board Members. Jerry Canfield?

MR. CANFIELD: I have one question for Darren. There's a well on the property line at the stonewall. What will be the future of that well?

MR. DOCE: There is a well -- oh, the existing lot?

MR. HINES: In front of lot 5.

MR. DOCE: Right in here?

MR. CANFIELD: No. It was up.

MR. DOCE: The existing well. This house has an operating well.

MR. CANFIELD: (Indicating.)

MR. DOCE: Oh, the existing well. That would have to be abandoned. I'd have to get with Darren to see exactly what that is. I imagine it's just an old dug stone well.

MR. CANFIELD: If it's not to be future used, just make notes it be properly capped and

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abandoned.

MR. DOCE: Right.

MR. CANFIELD: That's all I have.

CHAIRMAN EWASUTYN: Pat Hines, Drainage
Consultant?

MR. HINES: There's another well you
indicated earlier. That one should probably have
a similar note. It ends up in the right-of-way I
think.

MR. DOCE: It is.

MR. HINES: We had a couple clean-up
items on the septic. The one Elgin system on lot
3, we did discuss that with the County regarding
the greater than fifteen percent slope that it's
shown on. They do not want an Elgin system on a
greater than fifteen slope. I talked to a Mike
Anderson there. I think there's enough room for
a conventional system.

MR. DOCE: I saw there were provisions
in the design book that allowed --

MR. HINES: The Elgin allows it but
Orange County doesn't.

MR. DOCE: Okay.

MR. HINES: If you want to talk to Mike

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Anderson at the Health Department.

MR. DOCE: So you're saying I can install a conventional system on that slope?

MR. HINES: With those separations. I think that will work.

MR. DOCE: Would that include in lieu of the stone trench, an infiltrator trench? Can I do that?

MR. HINES: You may be able to do that. You might want to talk to Mike Anderson at the County. That's who told me. I think you have room for a conventional.

MR. DOCE: We do have room but I was trying to confine it a little bit.

MR. HINES: Because of the stonewall?

MR. DOCE: Yeah.

MR. HINES: If you just want to -- I believe there's adequate room on the site for some other septic system there, so I don't think it's an issue.

There's a well across the street from lot 5 on the lands formerly Brown. I don't have any elevation data there. It looks like it's lower. If it's lower but not in the course of

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drainage, I just need something from you saying it's not in the course of drainage.

MR. DOCE: It is lower but it's not in direct --

MR. HINES: If you just want to respond back to this comment and give me something on that. That's all I have.

CHAIRMAN EWASUTYN: Bryant Cocks, Planning Consultant?

MR. COCKS: Darren actually mentioned putting the data on the variances and putting the actual dimensions in the bulk table. Those are my first two comments.

We didn't receive a wetlands delineation map. That's going to be needed before approval.

Mike Donnelly is going to have to approve the common driveway access and easement agreement.

The seals and signatures on the location map I couldn't even see on the map that was provided to me. If that could be more legible when we get the final copy of the plans.

And then to submit a revised E.A.F.

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There are just a couple minor changes you stated were made. Was there ever a full survey done on this whole parcel?

MR. DOCE: I spoke to Darren Stridiron. He surveyed basically up to the wetlands area because all the development was located on the frontage. He was just trying to save a little cost on completing what he thought was an unnecessary boundary and topo survey, just due to the development being all located up front.

MR. COCKS: I agree it's not necessary either. It is a requirement of the subdivision regulations so it would require a waiver from the Planning Board if they feel it's not necessary.

CHAIRMAN EWASUTYN: I'll poll the Board Members. Do the Board Members see a necessity to have a total survey or a partial survey the way it's been presented before us this evening. Frank Galli?

MR. GALLI: I would think a total survey.

MR. HINES: The issue is the topography. There's a large wetlands area that they would have to survey, forty-eight acres.

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MR. DOCE: He just confined it to the front because nothing was planned in the rear.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: If he comes back with something for lot 5 -- that's the big one; right?

MR. DOCE: Right.

MR. BROWNE: Then it would have to be redone at that point anyway.

MR. DOCE: Correct.

MR. BROWNE: Anything he's doing with the villa besides tearing it down?

MR. DOCE: If he ever came back to develop anything else it would have to be done.

MR. HINES: And they would need a wetlands permit to get anywhere on the other side. It's completely covered with wetlands buffer.

MR. DOCE: It's cut off by the wetlands and buffer.

MR. BROWNE: I have no problem with that.

MR. MENNERICH: I'm all right with what he's presented.

MR. PROFACI: I'm fine with the

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partial.

MR. FOGARTY: I'm up in the air. I mean is there any advantage to doing it since the whole project is what is being presented here? They're only going to do a partial survey. I don't understand the logic behind that.

MR. HINES: The logic is there's going to be a lot of time and expense to provide topography on thirty acres that is on the other side of the wetlands. It's not really impacted by this project. I think that's why they didn't do it all.

MR. FOGARTY: Then why was the thirty acres that's not going to be surveyed included in this project at all?

MR. COCKS: Because it's one parcel.

MR. HINES: The whole parcel is forty-six plus or minus acres right now.

MR. DOCE: He shows the lines but he didn't actually do a physical boundary survey of the rear.

MR. FOGARTY: I'll go along with the partial survey.

CHAIRMAN EWASUTYN: John Ward?

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LANDS OF JAN KADNAR

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MR. WARD: I'm fine.

CHAIRMAN EWASUTYN: Okay. Let the record show that the Board was in favor of a partial subdivision -- partial survey for the lands of Kadnar as presented this evening.

Bryant?

MR. COCKS: That was my final comment.

CHAIRMAN EWASUTYN: Karen Arent?

MS. ARENT: I have no comments.

CHAIRMAN EWASUTYN: Recommendations from our consultants as to a SEQRA determination at this point?

MR. HINES: I would recommend a negative declaration. We've reviewed the septic systems and wells, and with the exception of the septic on lot 3, which I believe can be easily modified to meet the requirements, everything else checks out.

CHAIRMAN EWASUTYN: Bryant Cocks?

MR. COCKS: I agree a negative declaration would be recommended.

MR. BROWNE: I have a question. On lot 5, the villa, that hasn't been lived in in eons? It's not being lived in currently?

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MR. DOCE: It's not.

MR. BROWNE: Why is it staying? In light of that, you designed a septic system for it with no use. It doesn't make sense.

MR. DOCE: Mr. Kadnar would like to renovate it into a four-bedroom dwelling. That's his plan.

MR. HINES: It's indicated on the plans to become a four-bedroom house.

MR. BROWNE: Good luck. You're going to tear down the fence on that property and get rid of all the poison ivy?

MR. DOCE: This is Mr. Kadnar.

MR. KADNAR: It can go down. I never thought of taking it down or doing anything. That's no problem.

MR. BROWNE: When you do all this work --

MR. KADNAR: I was thinking of growing ivy on it so it would be like a live fence. That was the original idea. The villa is really nice once it gets renovated.

MR. BROWNE: Then you want to show it, let people see it rather than block it.

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LANDS OF JAN KADNAR

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MR. KADNAR: To a certain point. But the fence, it's no problem taking it down.

MR. BROWNE: That's pretty much of an eyesore right now. Okay.

CHAIRMAN EWASUTYN: I'll move for a motion to declare a negative declaration for the Lands of Kadnar and to set the 2nd of August for a public hearing.

MS. HAINES: The 2nd of July.

CHAIRMAN EWASUTYN: The 2nd of July. Excuse me.

MR. PROFACI: So m moved.

CHAIRMAN EWASUTYN: I have a motion by Joe Profaci.

MR. WARD: Second.

CHAIRMAN EWASUTYN: A second by John Ward. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

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MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself yes. So
carried.

(Time noted: 8:15 p.m.)

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

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

DATED: June 23, 2009

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

----- X

In the Matter of

LANDS OF RUTH CAMPBELL

(2009-03)
Fostertown Road
Section 17; Block 2; Lot 23.13
AR Zone

----- X

TWO-LOT SUBDIVISION

Date: June 4, 2009
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

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LANDS OF RUTH CAMPBELL

CHAIRMAN EWASUTYN: Dina, the next one, would you bring us along on this, please.

MS. HAINES: Sure. The next project we have is the lands of Ruth Campbell. It is a two-lot subdivision located on Fostertown Road in an AR Zone. This project is also being presented by Darren Doce.

We were waiting to hear back from the Orange County Planning Department on this project so that we can set it for a public hearing. We have heard back from them and it was deemed a local determination.

CHAIRMAN EWASUTYN: So at this point we'll move for a negative declaration for the two-lot subdivision for the lands of Campbell and set it for June 18th for a public hearing.

MR. PROFACI: So moved.

MR. WARD: Second.

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

MR. WARD: Tom.

CHAIRMAN EWASUTYN: Tom, I apologize.

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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. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Thank you. Myself
yes. So carried.

MR. DOCE: Thank you.

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

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

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

DATED: June 23, 2009

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

----- X
In the Matter of

GASLAND PETROLEUM
(2008-01)

Approval of Signage per the Local Law Amending
Chapter 185, Zoning of the Code of the Town of
Newburgh, Sign Illumination (185-14(C)(2))

----- X

BOARD BUSINESS

Date: June 4, 2009
Time: 8:17 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

MICHELLE L. CONERO
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MS. HAINES: The first item we have under Board Business is Gasland Petroleum.

The Town Board has approved the local law amending the signage, so we can go ahead and approve the signage for this project because signage for this project was waiting to see what the Town Board would do with the new law.

CHAIRMAN EWASUTYN: Mike, I believe we approved the site plan at the last meeting and we held off --

MR. DONNELLY: You had approved, on May 21st, the site plan but you included a condition within the resolution that said that this approval is not intended to constitute an approval of any of the signs shown on the plans provided that legislative action makes certain of the signs shown conforming, and provided further that the enforcement action now pending in regard to those signs is resolved. The signs shall be deemed approved upon receipt of a letter from Karen Arent, the Town of Newburgh Landscaping Consultant, certifying that a detailed sign plan has been submitted and that all signs shown on the plan are conforming and satisfactory. So I

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2 propose you prepare, and I've already done so, an
3 amended resolution that carries forth the other
4 conditions of the resolution but adds the
5 following in place of the one I just read that
6 says the original site plan and ARB approval is
7 not intended to constitute an approval of any of
8 the signs shown on the plans because legislative
9 action by the Town Board has now made the signs
10 shown conforming with code, and I'm assuming this
11 is true, because an enforcement action concerning
12 certain of those signs has now been resolved, and
13 again I'm assuming this is true, and because the
14 Planning Board has received a letter from Karen
15 Arent, --

16 MS. ARENT: No.

17 MR. DONNELLY: -- Town of Newburgh
18 Landscaping Consultant, certifying that a
19 detailed sign plan was submitted and that the
20 plans are conforming and satisfactory, the signs
21 are hereby approved of course subject to the
22 issuance of the appropriate permits of the Town
23 of Newburgh Code Compliance Department. I wasn't
24 sure whether Karen did that.

25 MS. ARENT: They didn't submit the sign

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chart yet.

MR. DONNELLY: We can still make it conditioned upon them submitting that and receiving Karen's letter.

CHAIRMAN EWASUTYN: I think we did make it a point of contacting Chris Lapine to let him know that the Town had approved those changes, and that's as far as we thought it was necessary to move.

Cliff.

MR. BROWNE: Does that automatically mean, Jerry, any action that the code compliance has taken against them is automatically gone or is there anything that has --

MR. CANFIELD: It's done. It's ceased. It's closed.

MR. BROWNE: Fine.

CHAIRMAN EWASUTYN: So then we'll make the approval of the signage subject to the conditions that Mike Donnelly presented in the resolution.

MR. DONNELLY: We'll just make it that we get the letter from Karen.

CHAIRMAN EWASUTYN: I think it was on a

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Monday we contacted Chris.

MS. ARENT: I haven't seen anything.

I'll send him an e-mail.

CHAIRMAN EWASUTYN: Please.

Then I'll move for that motion.

MR. GALLI: So moved --

MR. PROFACI: Second.

MR. GALLI: -- on the signage.

CHAIRMAN EWASUTYN: I have a motion
from Frank Galli. I have a second by Joe
Profaci. Any discussion on the motion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So
carried.

(Time noted: 8:21 p.m.)

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

----- X

In the Matter of

LANDS OF REED & GRECO
(2009-04)

Declaration of Intent for Lead Agency

----- X

BOARD BUSINESS

Date: June 4, 2009
Time: 8:21 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

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LANDS OF REED & GRECO

MS. HAINES: The next item we have is the Lands of Reed and Greco. We need to declare intent for lead agency for this project.

CHAIRMAN EWASUTYN: Bryant, do you want to bring us along on this, please?

MR. COCKS: Sure. At the last meeting this project was supposed to get lead agency. We actually only just sent it to Orange County Planning and the Town of Marlborough since it's on the border. So I called up John once I realized we just, I guess, forgot to make the motion. We need to make the motion today. I actually dropped it in the mail with the notice today, so everyone will get it tomorrow.

CHAIRMAN EWASUTYN: I'll move for a motion to declare our intent for lead agency for the Lands of Reed and Greco.

MR. MENNERICH: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. Who made the second?

MR. GALLI: I did.

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

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LANDS OF REED & GRECO

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Thank you.

(Time noted: 8:22 p.m.)

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

----- X
In the Matter of

CLIFFORD C. BROWNE

Travel Update

----- X

BOARD BUSINESS

Date: June 4, 2009
Time: 8:22 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

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BOARD BUSINESS

MS. HAINES: Next we have Cliff Browne discussing various things he sees in his travel across the country.

CHAIRMAN EWASUTYN: He has the opportunity to travel around the United States and he witnesses things. He called me on something to do with Pilot. He can elaborate on other things, too.

MR. BROWNE: I was out in Flagstaff, Arizona, ten miles west of there, and gave John a call. I saw a Pilot like we have here, it was McDonald's rather than Arby's but it was a Pilot. So I go in, get to the bedroom, do my thing, I look over and I see a fully manned post office branch in the Pilot which I never saw before. I said that's cool because I'm out here, I'm ten miles from anything, just out in the middle of nowhere and there are uniformed post office workers right there at the Pilot. I called, hey John, guess what I'm seeing, so I told him. Anyway, the conversation I had with John was essentially, and I agree wholeheartedly, just because we haven't seen it doesn't mean it's not valid or it's not something that we should

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BOARD BUSINESS

consider. There's lots of things out there and possibilities and what not.

There was another one I saw some time ago down in Florida which struck me, because we had just gone through the stealth flagpole thing over here, it was a stealth cross. I'm going down in a -- I'm on a main street in a small town and there's a small church with this huge cross. On the bottom of the cross is all the ground equipment for a cell tower. Okay, that's cool. When I was approaching this thing I was saying to myself something is wrong with this picture. It was just too big, you know. I got there and sure enough it was a cell tower.

MR. MENNERICH: A lot of times they put them in the steeples.

MR. BROWNE: Another one I just saw this past -- last week -- this week -- did I call you this week?

CHAIRMAN EWASUTYN: Yes, you did.

MR. BROWNE: I was in Salem, North Carolina. A new Sheets gas station. Sheets is like -- the gas pumps are behind the building. That's what we've been pushing for. It looked

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BOARD BUSINESS

pretty decent. To me it stood out because it was different. Everybody else is up front and this guy is sitting there. Okay, that's cool. I know we've been fighting it. I don't know if you've ever seen any but I saw one that was done that way and it looked pretty decent because you didn't see the pumps. I suppose from the developer's side they're concerned about that because you don't see the pumps. I thought that was pretty decent.

When I was up in Canada, this is a negative one, I was at a Tim Hortons, that's a doughnut shop like Dunkin Donuts. What I observed there was as you're going to approach the building there's a sign on the door for handicap. There's no indicated walkways to get there. The sidewalk around the building is very narrow, about from here to there, and the door is in the middle of the building, the middle of the building, the ramp way for the wheelchair access is over in the corner. I said how the heck does a handicap person get to this building? You just can't do it. Bad design.

Another one I saw, another location was

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BOARD BUSINESS

the -- what did I write down? It was the curb cut. I was at a location, I was on a main highway, it was four lanes, two lanes each way, I was at a business, I had to cut a corner at an intersection. I approached the curb cut to get off onto the side street, I backed up and went down to their other curb cut because the first curb cut was only a car length off the corner and a lot of traffic. I'm saying to myself who designed this mess. That was a fairly recent -- that was maybe five or six years old. It wasn't something from the old days.

I'm seeing all these things. I say hey John, guess what I just saw.

There was one design I saw, the anchor in the area was a Bass Pro Shop. The complex had what I refer to as an Adirondack look to it which lent itself to that.

MR. GALLI: I see that in Florida a lot.

MR. BROWNE: Even the light poles in the parking area were with that same characteristic. It looked really good. I was in the hotel next to it. Once you left that park it

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BOARD BUSINESS

was just back to conventional stuff. It's interesting what I have come to appreciate as I'm traveling around.

You guys do an excellent job with what we do here. I think we do a great job from what I've seen. We can do better. Sometimes I see things, like I mentioned I think to Karen, our future, I don't know if we're ever going to get it but the one big project --

MR. MENNERICH: Market Place.

MR. BROWNE: Market Place. They talked about it. I don't know if it's going to happen but I've seen places do water features just beautiful. I've seen places do water features with their detention ponds. They take something they have to do as a requirement and they just do an excellent job of making it look like a park setting. Just gorgeous work. I see those things done and I say we could make those things happen here. Some of those things we could really do if we could get these guys to do stuff, realizing we have constraints so we can't require all this stuff. I see a lot of stuff like that and I say gee, it would be nice to do something like that.

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BOARD BUSINESS

MR. GALLI: I know we get calls from Poughkeepsie.

MR. BROWNE: There was one I saw last week also that was interesting. Talking about the Gateway tonight. You saw the way they had the boulevard design going down through. I was at a hotel this week where they had a boulevard, two lanes each way, sidewalk down the whole thing, both sides. Coming off the boulevard were the driveway entrances up at the shopping areas to the stores and what not. I'm talking about two miles long. Some of the businesses were interconnected. What I noticed was there was no connection to the sidewalks from those businesses down to the sidewalk on the road. I said to myself what we just went through, I said they made them put these sidewalks in, how do you get there? To my mind it was kind of stupid because the only way to get onto the sidewalk was to walk down the driveway where the cars are going. So what's the point? Why do it?

You see things and it's like I guess for myself, since I've been on the Board, I tend to look at things differently now. You see

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BOARD BUSINESS

things, you see it from a planning standpoint.
Some things are good, some things are bad.

On the other hand I guess I would just
kind of encourage, because I think in general
what we do here is pretty darn good from what
I've seen.

CHAIRMAN EWASUTYN: And I appreciate
the calls because when people say John, what have
you been doing, I say I was in Phoenix today.
What do you mean in Phoenix? When did you get
back? I say you wouldn't understand.

Thank you. I appreciate that. It is
interesting.

(Time noted: 8:30 p.m.)

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

----- X
In the Matter of

QUARTERLY SITE INSPECTION

----- X

BOARD BUSINESS

Date: June 4, 2009
Time: 8:30 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

MICHELLE L. CONERO
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QUARTERLY SITE INSPECTION

100

MS. HAINES: At the last meeting everyone was asked to think of a Saturday to do a quarterly site inspection. Did anybody come up with a date?

MR. FOGARTY: The 6th and the 20th are good for me.

MR. GALLI: For July?

CHAIRMAN EWASUTYN: We can do it in June or July, whatever is more convenient.

MR. GALLI: I can do the 20th. I can't do the 6th or the 13th. The 6th is this weekend.

MR. FOGARTY: Right.

CHAIRMAN EWASUTYN: The 20th you can do?

MR. GALLI: I can do the 20th.

MR. FOGARTY: I can do the 20th.

CHAIRMAN EWASUTYN: Ken, can you do the 20th?

MR. MENNERICH: Yes.

CHAIRMAN EWASUTYN: Cliff, can you do the 20th?

MR. BROWNE: I'll say yes.

CHAIRMAN EWASUTYN: Joe?

MR. PROFACI: I believe so.

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QUARTERLY SITE INSPECTION

CHAIRMAN EWASUTYN: John?

MR. WARD: Yes.

CHAIRMAN EWASUTYN: We'll tentatively set the 20th of June for a site inspection. We'll meet at the Planning Board office. Is 8 o'clock all right with everyone?

Dina, would you speak to Town Rec as far as supplying a vehicle for us?

Anything that anyone wants to see in particular, just let Dina know and we'll try and do that. That's great. Thanks. The 20th sounds good.

(Time noted: 8:32 p.m.)

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

----- X

In the Matter of

COMPARISON OF NEW APPLICATIONS
May 2007, 2008 and 2009

----- X

BOARD BUSINESS

Date: June 4, 2009
Time: 8:32 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DINA HAINES
MICHAEL H. DONNELLY, ESQ.
BRYANT COCKS
PATRICK HINES
KAREN ARENT
GERALD CANFIELD

----- X

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COMPARISON OF NEW APPLICATIONS

MS. HAINES: The last is the comparison of new applications per month and per year. We got two this month. It's the high for this year. In comparison we're falling short.

CHAIRMAN EWASUTYN: Bryant, did you go to the Citizen's Foundation meeting recently?

MR. COCKS: Not this month I didn't.

CHAIRMAN EWASUTYN: I ran into someone who went there and they shared with me an interesting comment that was made. Does anyone want to guess what township in Orange County, according to this meeting, has the greatest number of foreclosures or pending foreclosures?

MR. GALLI: Warwick.

MS. HAINES: What county?

CHAIRMAN EWASUTYN: Town of Newburgh.

MR. FOGARTY: We have the most foreclosures?

CHAIRMAN EWASUTYN: The greatest number of foreclosures.

MR. MENNERICH: I wonder how many are in the mega mansions?

MR. GALLI: You read in the paper a lot of them. The street addresses anyway.

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MR. CANFIELD: I say that, John,
because the number of complaints and abandoned
and rundown properties that we've been handling
has escalated. That coupled with the for sale
signs that we see. It wouldn't surprise me at
all that it's us.

CHAIRMAN EWASUTYN: I'll move for a
motion to close the Planning Board meeting of
June 4th.

MR. GALLI: So moved.

MR. FOGARTY: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. PROFACI: Aye.

MR. FOGARTY: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself.

(Time noted: 8:35 p.m.)

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