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MEETING HELD REMOTELY VIA ZOOM

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

----- X

In the Matter of

YOUNG SUBDIVISION  
(2020-02)

50 Mill House Road  
Section 8; Block 1; Lot 52.2  
AR Zone

----- X

PUBLIC HEARING  
FOUR-LOT SUBDIVISION

Date: July 2, 2020  
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  
STEPHANIE DeLUCA  
KENNETH MENNERICH  
DAVID DOMINICK

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: JAY SAMUELSON

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845)541-4163

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CHAIRMAN EWASUTYN: Good evening,

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ladies and gentlemen. We would like to

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welcome you to the Town of Newburgh Planning

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Board meeting of July 2, 2020. We have three

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agenda items this evening. We have the Young

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Subdivision which is a public hearing for a

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four-lot subdivision. We have the Madan

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Subdivision which is a public hearing for a

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three-lot subdivision. We have the Hammond

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Subdivision which is an initial appearance

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for a five-lot subdivision on Cronk Road.

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At this time we'll call the meeting

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to order with a roll call vote.

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MR. GALLI: Present.

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MS. DeLUCA: Present.

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MR. MENNERICH: Present.

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CHAIRMAN EWASUTYN: Present.

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MR. BROWNE: Present.

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MR. DOMINICK: Present.

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CHAIRMAN EWASUTYN: With us this

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evening tonight we have Planning Board

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consultants and associated staff. Introduce

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yourselves.

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MR. CORDISCO: Dominic Cordisco,

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Planning Board Counsel.

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

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

CHAIRMAN EWASUTYN: Thank you. At this  
time I'll turn the meeting over to Pat Hines.

MR. HINES: Sure. If the folks on the  
video would like to join me in a salute to the  
flag.

(Pledge of Allegiance.)

CHAIRMAN EWASUTYN: Before we enter the  
formal meeting agenda items, I'd like to  
introduce Dominic Cordisco, Planning Board  
Attorney, to discuss with us COVID-19 and how we  
are now having our meetings. Dominic.

MR. CORDISCO: Thank you, Mr. Chairman.  
The meeting tonight is being held consistent with  
the Governor's Executive Orders related to the  
pandemic. These Executive Orders have been in  
place since March and have been extended. The  
current Executive Orders are expiring on July  
7th, and so we'll have to see what new  
restrictions or relief is involved with future

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Executive Orders. For this particular meeting, it's being done consistent with the existing Executive Orders which allow for public hearings to be held during this pandemic provided that there is the opportunity for the public to participate in either a video or a teleconference, as well as for the ability to comment following the holding of the public hearing. The public hearings scheduled tonight have been duly noticed as being consistent with that, and they both have a written comment period of ten days following any closure of those public hearings. The Town's website will be updated with a link to the recording of this meeting as well as a posting of the minutes once they become available. All of that is being done consistent with the Governor's Executive Orders that are currently in place.

CHAIRMAN EWASUTYN: So item number 1 is the Young Subdivision located on 50 Mill House Road in an AR zone. It's being represented by Engineering & Surveying Properties.

We'll ask Mr. Mennerich to read the notice of hearing.

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MR. MENNERICH: "Town of Newburgh  
Planning Board, notice of hearing. Please take  
notice that the Planning Board of the Town of  
Newburgh, Orange County, New York will hold a  
public hearing pursuant to Section 276 of the  
Town Law on the application of Young Subdivision,  
project 2020-02, for a four-lot subdivision on  
Mill House Road in the Town of Newburgh,  
designated on the Town's tax maps as Section 8,  
Block 1, lot 52.2. The project proposed is a  
four-lot subdivision created from two existing  
parcels resulting in two new residential lots.  
The project involves parcels of property located  
in the Town of Marlborough, Ulster County, New  
York, designated on Town of Marlborough tax maps  
as Section 108.004, Block 5, Lot 20.21 and 20.3.  
The total combined parcel size is 10.69 acres.  
All new residential structures, wells, septic  
and driveways are proposed to be located in the  
Town of Marlborough. Portions of the lot located  
in each of the towns will be legally bound  
together through filed documents in each county.  
The project is located in the Town of Newburgh AR  
Zone District. A public hearing will be held on

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the 2nd day of July 2020 at 7 p.m. at which time all interested persons will be given an opportunity to be heard. Due to the public health and safety concerns related to COVID-19, the Planning Board will not be meeting in person. In accordance with the Governor's Executive Order 202.1, the July 2, 2020 Planning Board meeting will be held via teleconference, and a transcript will be posted on the Town's website at a later date. The public will have an opportunity to see and hear the meeting live and provide comments either during the meeting or by U.S. Mail or e-mail up to ten days following the posting of the transcript on the Town's website. The public can watch the meeting via Zoom. The Zoom app must be first downloaded and installed on smartphones, tablets or computers from [www.zoom.us](http://www.zoom.us)." The details for connecting to that I won't bother reading because either you're here or you're not. "Comments may be sent to the address above or preferably the Planning Board at the [townofnewburgh.org](http://townofnewburgh.org). Comments must be received no later than ten days of the posting of the transcript on the Town's website. By order of the

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Town of Newburgh Planning Board. John P. Ewasutyn, Chairman, Planning Board Town of Newburgh. Dated 17 June 2020."

CHAIRMAN EWASUTYN: Thank you, Ken.

Pat Hines, would you discuss with us the public hearing tonight, who the lead agency is for this project and the procedure?

MR. HINES: Sure. This is the second public hearing to be held on this project. The Town of Marlborough Planning Board also held a public hearing on the project back in May. Comments were received at that time. After that public hearing, the Town of Marlborough declared a negative declaration under the State Environmental Quality Review Act, and a written elaboration of that negative declaration was issued. The negative declaration was also noticed in The Environmental Notice Bulletin as the project was identified as a Type 1 action due to it's proximity to the Gomez Mill House. So the environmental review for the project was completed with the Town of Marlborough serving as lead agency. The logic behind that was that the two new house sites, the two new septic and

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wells, and all of the driveways access a Town of Marlborough highway. So all the new activities were in the Town of Marlborough. So this is the second public hearing held because the project spans the county and town lines.

All parties noticed for the Marlborough -- we noticed each municipality for both public hearings within 500 feet, so the Town of Newburgh and the Town of Marlborough area was also noticed for this.

CHAIRMAN EWASUTYN: Thank you.

At this point we'll ask Engineering Properties to come forward and make a presentation on the four-lot subdivision for Young.

MR. SAMUELSON: Good evening. Jay Samuelson from Engineering & Surveying Properties.

As was discussed, this is a combined subdivision that encompasses both the Town of Marlborough and the Town of Newburgh. The total of all the parcels involved is 10.69 acres. There are two existing dwellings, one within the Town of Marlborough and the second one within the Town



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of Newburgh.

It is a proposed four-lot subdivision with two new dwellings. Both of the new dwellings will be in the Town of Marlborough, along with their wells and septic.

Lot 1 that's being highlighted now will have its own new driveway. Lot 4 with a second new dwelling will use a shared driveway with the existing driveway for lot 3 to reduce the number of driveways onto Mill House Road.

The plans have been submitted to the Ulster County Health Department which have been reviewed and approved by their office.

We did an archeological study on the site. As stated, we are working with the attorneys in both towns and the applicant's attorney to develop language and documents that can be filed in both county clerks office that will tie any of the lots that span the county line and have property owned by the same person in both towns and both counties so that those can not be separated for any purpose at all. So they will always be together. They can not be foreclosed on, sold or transferred individually.

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That's pretty much the end of my

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presentation.

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CHAIRMAN EWASUTYN: We'll turn -- any

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comments from Planning Board Members at this

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time?

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MR. GALLI: None.

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MR. MENNERICH: No.

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MR. DOMINICK: No.

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MR. BROWNE: No.

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CHAIRMAN EWASUTYN: No comment.

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At this time we'll turn the meeting

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over to Planning Board Attorney Dominic Cordisco.

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MR. CORDISCO: Thank you, Mr. Chairman.

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There are three people that are here attending

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the meeting that are not presenters tonight or

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Members of the Board. So at this point they're

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muted but I would like to, with your permission,

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unmute them to see if they have any comments on

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this particular public hearing.

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CHAIRMAN EWASUTYN: Thank you. You can

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unmute them.

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MR. CORDISCO: Everybody has been given

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the ability to unmute on their end. So if there

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is anyone here that wishes to speak tonight on

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the Young Subdivision public hearing, now is your opportunity to identify yourself and provide your comments.

MR. HINES: Before you do, we would ask that you identify yourself, state your name for the Board. There is a stenographic record of this being kept. If you could give your address so the Board would have a perspective as to your point of view on the project.

MR. CORDISCO: There's a person on the phone who called in with a number 0363, and then there's also two individuals, one with the name Lina Wu and the other that has a number of letters, it looks like R-S-C-U-O-L-A.

They've all remained mute, Mr. Chairman. So they were given the opportunity to unmute themselves and at this point they have not spoken.

CHAIRMAN EWASUTYN: One more time.

MR. CELLA: Mr. Chairman, this is Jonathan Cella. I'm 0363,.

CHAIRMAN EWASUTYN: Jonathan.

MR. CELLA: 0363, Jonathan Cella.

MR. CORDISCO: Thank you, Jonathan.

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MR. CELLA: Thank you. I'm sorry.

MR. CORDISCO: No. That's okay. We'll identify you as --

MR. CELLA: I'll wait for my turn.

MR. CORDISCO: Thank you very much.

CHAIRMAN EWASUTYN: Dominic, so for the record --

MR. SMYTH: Good evening. I'd like to make a public comment.

CHAIRMAN EWASUTYN: Would you introduce yourself?

MR. SMYTH: Yes. My name is Joseph Smyth, S-M-Y-T-H, a resident of 71 Mill House Road.

I wanted to comment on this project, on drainage on Mill House Road and flooding issues on this road resulting from the Young property. Due to the elevation there's runoff. It does flood the road. It does flood my property. I know it's a concern to other residents, and the Gomez Mill House as well, because what happens is we have large standing pools of water after storms, and due to that vehicles traveling Mill House Road have to sway around the puddles. Now

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many residents are walking on roads with baby carriages as well after storms when it clears up, but the puddles are still standing.

I'm also concerned about mosquitoes.

When the museum reopens after COVID, they're going to have buses and vans that will travel Mill House Road from Old Post Road because they can not access the Gomez museum from the 9W entrance because of the weight limit of 3 tons on the bridge.

Originally when they subdivided the property back in 2006, the engineer of the project told me that they would put in drainage. So I think that if you're clear cutting this many acres of land, drainage should be looked at due to the elevation in the rear of the property and there's runoff. I tried to submit some photos but was unable to online earlier. So that's my concern.

I'm not against the development of the property, I just would like to see drainage for the road and the safety of the fellow residents and vehicles passing. That's about it.

CHAIRMAN EWASUTYN: Before we turn your

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comments over to Pat Hines, I have a question of my own. Did you attend the public hearing that the Town of Marlborough had on this project and did you raise the same questions at that meeting?

MR. SMYTH: Yes, I did.

CHAIRMAN EWASUTYN: The response to you was?

MR. SMYTH: Excuse me?

CHAIRMAN EWASUTYN: And their reply to your questions were?

MR. SMYTH: They would follow up on it I believe.

MR. HINES: So I think I can jump in here as I was at both meetings as well. Since the Marlborough meeting the question of drainage improvements came up. We pulled, and actually Jay's office also pulled, the original 2005 subdivision. There is no reference to any drainage improvements within the existing roadway.

I do know that it sounds like the drainage conditions are existing conditions with the town's road. I made a note to discuss those with the Marlborough highway superintendent and

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the Town of Newburgh. The majority of this parcel fronts in the Town of Marlborough on the roadway. So I will forward these concerns to the Marlborough highway superintendent. If there are ponding conditions existing that are causing issues, maybe they can address them.

This project does not exceed the threshold where it would require a stormwater management report. Town of Marlborough and the Town of Newburgh are both traditional land use regulated MS-4 communities and have stormwater management regulations that would kick in if this project exceeded a certain threshold or was constructing new roadways. This isn't the case here. There's two new lots being proposed. Two new structures being proposed. The other two lots are an existing condition. So it doesn't pass the threshold to require a stormwater management analysis. But I will relay the comments of the existing ponding conditions to both of the highway superintendents.

MR. SMYTH: I do appreciate that. Excuse me. And, you know, due to runoff, and if there's going to be additional runoff, of course

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I'm concerned about my well water and my neighbor's well water as well, if there's going to be additional runoff from -- that we don't have now. Thank you.

CHAIRMAN EWASUTYN: Dominic Cordisco.

MR. CORDISCO: Yes. Mr. Chairman, is there anyone else here that would like to speak on the Young Subdivision?

MR. DOMINICK: Dominic, I believe Mr. Cella said he would wait his turn but I don't hear him coming on the line right now.

MR. HINES: He's representing a later project.

MR. DOMINICK: Okay.

MR. CORDISCO: That's correct. There is one other individual named Lina Wu.

MS. DeLUCA: I think she's a reporter. I think she's a reporter on paper.

MR. CORDISCO: My mistake. Thank you. Thank you very much. I did not realize that.

CHAIRMAN EWASUTYN: Dominic, for the record, procedurally, from the time the minutes are posted, would you just walk us through that one more time?



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MR. CORDISCO: Yes. So consistent with the Governor's Executive Orders, the public comment will be accepted for ten days following the posting of the minutes of this meeting. And once those are done, they will be placed on the Town's website. Comments can be submitted thereafter and will be received up to ten days. The preference is to receive them by e-mail, and that was stated in the notice, with your e-mail address and so they can be easily distributed. But comments can also be sent by regular mail if that is what occurs.

CHAIRMAN EWASUTYN: Due to the holiday, posting of the minutes, would we be in agreement that August 6th would be an appropriate timeframe for setting this for an agenda item?

MR. CORDISCO: That's correct.

CHAIRMAN EWASUTYN: All right. So any further comments from the Planning Board Members?

MR. GALLI: No.

MR. DOMINICK: No.

MS. DeLUCA: Not at this time.

MR. BROWNE: No.

CHAIRMAN EWASUTYN: Okay. For the

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record, the Young Subdivision, which we just heard, will be an agenda item for our meeting of August 6, 2020.

MR. CORDISCO: Mr. Chairman, I recommend the Board take a vote at this time to close the public hearing with the receipt of public comment as we've described.

CHAIRMAN EWASUTYN: Thank you, Mr. Cordisco.

Would someone make a motion to close the public hearing?

MS. DeLUCA: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: Stephanie DeLuca. Second by Cliff Browne; correct?

MR. BROWNE: Okay.

CHAIRMAN EWASUTYN: Thank you. A roll call vote, please, starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion carried. Thank you all.

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(Time noted: 7:21 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 9th day of July 2020.

*Michelle Conero*

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MICHELLE CONERO

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MEETING HELD REMOTELY VIA ZOOM

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

----- X  
In the Matter of

MADAN SUBDIVISION  
(2020-06)

Orchard Drive  
Section 1; Block 1; Lot 132  
AR Zone

----- X  
PUBLIC HEARING  
THREE-LOT SUBDIVISION

Date: July 2, 2020  
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  
CLIFFORD C. BROWNE  
STEPHANIE DeLUCA  
KENNETH MENNERICH  
DAVID DOMINICK

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: LARRY MARSHALL

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MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845)541-4163

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CHAIRMAN EWASUTYN: Our second item of business is the Madan Subdivision. It's located on Orchard Drive. It's a three-lot subdivision and it's being represented by, I believe, Larry Marshall.

MR. MARSHALL: Yes, sir. Good evening.

CHAIRMAN EWASUTYN: At this point -- excuse me.

MR. MARSHALL: I'm sorry.

CHAIRMAN EWASUTYN: We'll introduce the public hearing notice by Ken Mennerich. Ken.

MR. MENNERICH: "Notice of hearing. Please take notice the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to Section 276 of the Town Law on the application of Madan Subdivision, project 2020-06, for a three-lot subdivision located at 757 Orchard Drive. The three-lot subdivision will result in the creation of two new lots and an existing lot which contains a single-family residential structure. These lots will be served by on-site well and septic systems. Driveways are proposed to serve each lot. The project is located in the Town's AR

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Zoning District and is known on the Town tax maps as Section 1, Block 1, Lot 132. A public hearing will be held on the 2nd day of July 2020 at 7 p.m. at which time all interested persons will be given an opportunity to be heard. Due to the public health and safety concerns related to COVID-19, the Planning Board will not be meeting in person. In accordance with the Governor's Executive Order 202.1, the July 2, 2020 Planning Board meeting will be held via teleconference, and a transcript will be posted on the Town's website at a later date. The public will have an opportunity to see and hear the meeting live and provide comments during the meeting or by U.S. Mail or e-mail up to ten days following the posting of the transcript on the Town's website. The public can watch the meeting via Zoom. The Zoom app must be first downloaded and installed on smartphones, tablets and computers from [www.zoom.us](http://www.zoom.us)." The details on that I won't read at this point. "Comments may be sent by mail to the address above, or preferably by e-mail to [planningboard@townofnewburgh.org](mailto:planningboard@townofnewburgh.org). Comments must be received no later than ten days following the

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posting of the transcript on the Town's website.  
By order of the Town of Newburgh Planning Board.  
John P. Ewasutyn, Chairman, Planning Board Town  
of Newburgh. Dated 17 June 2020."

CHAIRMAN EWASUTYN: Thank you, Ken  
Mennerich.

At this point in the meeting we'll turn  
it over to the engineering firm that's  
representing the Madan Subdivision. That would  
be Larry Marshall. Larry.

MR. MARSHALL: Good evening. My name  
is Larry Marshall and I'm the engineer for the  
proposed subdivision.

As stated in the notice, this is a  
proposed three-lot subdivision of an existing  
parcel located just to the south of the Town and  
County lines between the Town of Plattekill in  
Ulster County and the Town of Newburgh.

This is an existing parcel that has an  
existing single-family residence on it. As  
stated in the notice, there are two proposed --  
two new homes being proposed on the property. To  
serve those homes we have shown -- or have  
designed wells and septic system locations in

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accordance with Orange County Department of Health regulations, meeting all the necessary required setbacks.

The access to the property will be from Orchard Drive. Individual driveways located adjacent to one another with a utility pole that's located right in between the two. These driveways will line up with the two existing driveways that are located on the west side of Orchard Drive. The sight distance for these driveways does meet the minimum requirement with some minor brush clearing along the sides of the road just due to general maintenance.

In addition to this, one of the things that is unique about this property is the existing utility line that services lot 1. As it currently is installed it will -- it travels through proposed lot 2. As part of the subdivision, the utility line, electric and cable and telephone lines underground would have to be rerouted. There will be an easement over proposed lots 2 and 3 for the relocation of that from the existing utility pole until it meets back up to the existing line on lot 1. So an



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easement will have to be filed with that. There is a -- we have agreed to the stipulation that that line be relocated prior to the filing of any subdivision map.

CHAIRMAN EWASUTYN: Questions from Planning Board Members?

MR. GALLI: No additional.

MS. DeLUCA: Nothing at this time.

MR. MENNERICH: I'm interested in where it says deed, it looks like a considerable size parcel of property. Could you tell me a little bit about that, Larry?

MR. MARSHALL: Sure. When we did the original -- it's not part of this subdivision. When we did the original subdivision, our survey of the parcel, back when we did the subdivision many, many years ago, the surveyor of record from my firm recognized in plotting the adjoining deeds that there was actually a deed gap between the subject parcel, our parcel, and the adjoining parcel. I can't read the name there. I apologize. But basically it's unclaimed land as per the deeds of record. So it's not -- that's what we recognized as -- it's similar to a deed

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overlap but the opposite. Basically the

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adjoining deeds don't line up like a jigsaw

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puzzle. There actually is a gap in between the

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two deeds.

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MR. MENNERICH: Thank you.

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CHAIRMAN EWASUTYN: As you've noticed,

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the lands that are contiguous are the lands of

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John and Carmen Hammond, who you'll soon be

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hearing from them.

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Any other questions or comments from

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Planning Board Members?

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MR. GALLI: No additional.

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MR. DOMINICK: No.

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CHAIRMAN EWASUTYN: Good comment, Ken.

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Dominic Cordisco, I'd like to turn the

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meeting over to you now at this point.

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MR. CORDISCO: Thank you, Mr. Chairman.

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Now at this point the only member of the public

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that would be here would be Lina Wu. So I think

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-- I'm not sure if the reporter has any comments

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on this particular application, but now would be

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the opportunity to speak.

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MS. WU: Hello. Sorry. I don't have

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any comments. I'm just watching for now.

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MR. CORDISCO: Thank you. We just wanted to be thorough. To be quite honest, it's good that we can conduct public hearings during this time but it also is a challenge with the technology. Thank you.

MS. WU: Thank you.

CHAIRMAN EWASUTYN: If there's no public comment at this time, Planning Board Members have commented, I would move for a motion to declare a negative declaration for the Madan three-lot subdivision.

MR. GALLI: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli. I have a second by Cliff Browne. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Let the record show

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that it was unanimous to close the public hearing on the Madan Subdivision.

At this time we'll open the meeting to both Pat Hines and Dominic Cordisco. Gentlemen.

MR. CORDISCO: Mr. Chairman, just to clarify, I believe you introduced that motion as a motion to adopt a negative declaration. It was the intent to close the public hearing, or was it for what you mentioned at the end or to adopt the negative declaration?

CHAIRMAN EWASUTYN: The motion would be to declare a negative declaration and to close the public hearing.

The second motion would be to close the public hearing on the Madan three-lot subdivision. Can I have that motion, please?

MR. MENNERICH: So moved.

MR. BROWNE: Second.

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

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

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CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you, Dominic.

Gentlemen, again if you want to prepare a resolution for approval. Pat Hines, Dominic Cordisco, can you work on that at this time?

MR. CORDISCO: Yes.

MR. HINES: The only condition that we would have, rather than the standard conditions, is that the electric line be relocated prior to signing of the maps so that that doesn't create an encroachment on any of the other lots.

Again, we're going to accept public hearing written comments for ten days, and then this will most likely be scheduled for the August 6th meeting for a final decision.

CHAIRMAN EWASUTYN: Dominic Cordisco?

MR. CORDISCO: That's correct. We'll prepare the resolution for the Board's consideration at the August 6th meeting.

CHAIRMAN EWASUTYN: Thank you. Let the record show that this will be an agenda item on the 6th of August 2020.

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Thank you.

MR. MARSHALL: If I could just ask one question, Chairman. Has the Board heard anything back from the highway superintendent regarding the proposed driveway entrances?

CHAIRMAN EWASUTYN: Our office has not received anything at this time.

MR. MARSHALL: Okay. We have reached out to the highway superintendent both via e-mail and via phone, and then placed the stakes where -- the proposed driveway stakes identifying where the driveways were to be located. I understand the situations that we've been with. Should we just continue to contact -- reach out to him to try to get comments back?

CHAIRMAN EWASUTYN: Pat Hines, your suggestion?

MR. HINES: I just made a note. Mr. Marshall's office can continue to contact him. I will also remind him that those driveways have been staked.

MR. MARSHALL: I really appreciate that. I understand the situation, everybody is dealing with different things. We didn't just

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want to keep on repeatedly calling and e-mailing.  
So we really appreciate your help with that.

MR. HINES: I'll contact Mr. Hall as  
well.

MR. MARSHALL: Thank you.

CHAIRMAN EWASUTYN: Larry, have a happy  
July Fourth.

MR. MARSHALL: Same to all of you.  
Thank you so much.

CHAIRMAN EWASUTYN: You're welcome.

(Time noted: 7:34 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 9th day of July 2020.

*Michelle Conero*

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MICHELLE CONERO



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MEETING HELD REMOTELY VIA ZOOM

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

----- X  
In the Matter of

HAMMOND SUBDIVISION  
(2020-08)

Cronk Road  
Section 1; Block 1; Lot 63.23  
AR Zone

----- X

INITIAL APPEARANCE  
FIVE-LOT SUBDIVISION

Date: July 2, 2020  
Time: 7:34 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  
STEPHANIE DeLUCA  
KENNETH MENNERICH  
DAVID DOMINICK

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE: JONATHAN CELLA

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845)541-4163

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CHAIRMAN EWASUTYN: The third item of business this evening we have -- let me organize my paperwork. The third item of business we have this evening is the Hammond Subdivision. It's an initial appearance. It's a five-lot subdivision located on Cronk Road. It's in an AR Zone. It's being represented by Jonathan Cella.

MR. CELLA: Good evening, ladies and gentlemen. I know this is going to sound like me saying my dog ate my homework, but I was getting ready for this meeting and all the power went out in my neighborhood so I'm going off my notes right now. I'm very sorry about this.

As stated, the property is in the AR Zoning District and they're proposing a five-lot subdivision of a combination of single-family and two-family residences serviced by a public road -- I'm sorry, by a private road.

All the lots will be serviced by a well and septic.

We're proposing two two-family residences and three single-family residences. The two-family residences would be on the lots -- I'm sorry. On the paper -- on the right-hand

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side of the paper, the last two lots, while the three closest to Cronk Road would be single-family residences.

The private road is approximately 600 linear feet.

We reviewed the engineering comments and have no problem addressing all of them.

The majority of the property is DEC wetland. We've provided the -- we had the wetland delineated and we have a sign off on the title block on the first page of the subdivision map.

CHAIRMAN EWASUTYN: You've had the opportunity to review Pat Hines of McGoey, Hauser & Edsall, his review comments?

MR. CELLA: Yes. I got his comments. That was the last thing did. I read them yesterday and the last thing I did was print them out before the meeting. We have no problem. I'll address all these comments. Most of it is omissions on my part.

The one thing -- the last comment was just that you guys have to refer it to County Planning and to the Town of Plattekill because

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we're -- the property is adjacent to the Ulster County line.

CHAIRMAN EWASUTYN: Pat Hines, will you take the opportunity. They're all eighteen noted comments. Can you elaborate on the five or six that --

MR. HINES: Sure. Because the project involves the construction of a private roadway, the Town of Newburgh's stormwater regulations are required to be complied with. So a stormwater pollution prevention plan will be required.

One of the things with the duplexes is the Town of Newburgh Planning Board has architectural review authority over those, so plans for those will need to be submitted prior to final approval, and an architectural review has to be undertaken.

Four vehicle parking spaces have to be depicted on each of the two-family lots.

I have numerous comments on the septic systems, some clean-up items.

A private road access and maintenance agreement will be required.

It will be required to submit to the

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Town of Plattekill during the hearing process, so they'll be notified as well.

We're looking for some additional detail on the private roadway for the grading profiles and drainage.

CHAIRMAN EWASUTYN: Comments from Planning Board Members?

(No response.)

CHAIRMAN EWASUTYN: Dominic Cordisco, do you have anything to add at this time?

MR. CORDISCO: Well a public hearing will be required, Mr. Chairman.

I think that the issue for the Board to decide is whether or not it wants to see a response to comments, including the drainage, addressed prior to scheduling a public hearing.

MR. HINES: We normally don't schedule public hearings until after the neg dec. I think we need that additional information before I would be comfortable recommending a SEQRA determination.

CHAIRMAN EWASUTYN: Ken Wersted, do you have anything to add this evening?

MR. WERSTED: Nothing from me.

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CHAIRMAN EWASUTYN: Jonathan, good luck with getting your power returned.

MR. CELLA: Excuse me. I just had one quick question regarding the two-family residences. As Mr. Hines just stated, we would need to go through ARB approval as part of this or is that something we can go through after -- it's a separate application for the Planning Board?

CHAIRMAN EWASUTYN: Pat Hines.

MR. HINES: Typically we do that as all part of one approval. It's kind of a checks and balances. I don't know at what point you would come back to the Board. You would have to make new applications for ARB approval at some point in the future if you were to defer that. Normally during a subdivision process of two-family residential, during this process is when we review that architecture.

MR. CELLA: Okay. All right. So I'll just -- the question just so I can get the applicant the proper direction.

Thank you very much. Happy Fourth of July, everyone.

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CHAIRMAN EWASUTYN: Thank you.

MR. CELLA: Have a good night.

CHAIRMAN EWASUTYN: If there isn't any additional items of business this evening, I'd like to wish everyone a Happy July Fourth. See you all on the 16th of July.

Does someone want to make a motion to close the Planning Board meeting of the 2nd of July?

MR. GALLI: So moved.

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

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: Thank you, Dave. Second by Dave Dominick. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Everyone be safe.

(Time noted: 7:42 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 9th day of July 2020.

*Michelle Conero*

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MICHELLE CONERO