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

----- X

In the Matter of

COLANDREA SUNSHINE FORD LINCOLN
(2015-24)

40 Route 17K
Section 99; Block 4; Lots 23.2 & 1
Section 99; Block 1; Lot 17.2
IB Zone

----- X

AMENDED SITE PLAN

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

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

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

APPLICANT'S REPRESENTATIVE: GREGORY SHAW

----- X

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

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CHAIRMAN EWASUTYN: Good evening,
ladies and gentlemen. We'd like to welcome you
to the Town of Newburgh Planning Board meeting
of July 7th. We have four items on the agenda
this evening. We'll introduce them after we
formally open the meeting.

At this time I'll call for a roll
call vote.

MR. GALLI: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

CHAIRMAN EWASUTYN: The Planning Board
has consultants that work with the Planning Board
and the Town to make recommendations and to offer
us advice. I'll ask that they introduce
themselves.

MR. DONNELLY: Michael Donnelly,
Planning Board Attorney.

MS. CONERO: Michelle Conero,
Stenographer.

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

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

CHAIRMAN EWASUTYN: At this time I'll
turn the meeting over to John Ward.

MR. WARD: Please stand to say the
Pledge.

(Pledge of Allegiance.)

MR. WARD: Please turn off your phones
or on vibrate. Thank you.

CHAIRMAN EWASUTYN: Pat, would you look
outside to see if Greg Shaw is here, or
Colandrea?

The first item on this evening's agenda
is an amended site plan. It's for Colandrea
Sunshine Ford located on Route 17K in an IB Zone.
It's being represented by Shaw Engineering.

MR. SHAW: Good evening, Mr. Chairman.
If it's permissible with the Board, I'd like to
pass out a new sheet of just the 1 of 6 drawing
which has a little bit more information on it,
that being the square footages of the two floors
of the new addition to the north. May I do that?

CHAIRMAN EWASUTYN: Go ahead.

MR. SHAW: Thank you. The last time we

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2 were before your Board was in August of 2015, and
3 at that time we requested a referral to the
4 Zoning Board of Appeals, which you granted us.
5 We went to the Zoning Board of Appeals and we got
6 our -- we got the two requested variances. One
7 was for a front yard variance of 11 feet for an
8 addition on the front of the building on 17K, and
9 the other was a rear yard variance where we were
10 obligated to provide 60 feet and we were only
11 providing 40 feet. So we obtained those two
12 variances and now we're back to your Board for an
13 amended site plan approval.

14 I'm sure the majority of your Board is
15 familiar with this project. We're proposing
16 three additions. Two of the additions are rather
17 small. The two additions are 37 square feet and
18 35 square feet, which are the Ford entry towers
19 and the Lincoln entry towers which are adjacent
20 to Route 17K. It's for one of those towers that
21 we got a variance for.

22 The other addition is for the service
23 and new car preparation area. If you take a look
24 above it, and this is the new information which I
25 presented to you tonight, you'll see the square

1
2 footages and the uses for the first floor and the
3 second floor. All totaled, you'll find on the
4 first floor there's 9,232 square feet and for the
5 second floor there's 7,465 square feet. The
6 difference being is if you look at the plan,
7 there's a notched out area where there will be no
8 second floor, and underneath that is the lifts
9 for the high bays. So there will be no second
10 floor in that area.

11 This parcel is somewhat unique in that
12 we recently obtained a zoning change. That was
13 probably about two years ago. With it now comes
14 the fact that we have to provide the necessary
15 buffer from the residential zone to the north.
16 If you look up in the upper right-hand corner of
17 the page, you'll see the setbacks not only
18 required by zoning but also required by the
19 buffer area, which we have complied in all cases.

20 Again, if you look in the upper
21 left-hand corner, you will see that the existing
22 structures, which were existing on the property
23 when we made our initial presentation to the
24 Board, were designated to be demolished and are
25 now demolished. They have been removed from the

1 site. That is our buffer area. So in lieu of
2 those structures, they're now gone, what we are
3 proposing is to wrap that area in a six-foot high
4 fence, a detail of which is on the plans, with
5 gates going to Boulder Road for emergency
6 services. Within that buffer area will be a lawn
7 and there will be some trees planted.
8

9 So again, our obligation is to remove
10 the structures, which they have, in the creative
11 buffer area, which we will, and also install a
12 six-foot high fence. Where the Fayo property is,
13 that will be an eight-foot high fence.

14 Our storm drainage. We are proposing
15 about six catch basins which is going to pick up
16 the storm drainage and tie it into the existing
17 storm drainage line which brings it into the
18 retention basin.

19 With respect to sanitary sewers, we're
20 going to be installing two oil/water separators
21 and they'll be tying into the existing -- excuse
22 me. They'll be tying into a new sanitary line
23 which is going to extend to the existing sanitary
24 line at the intersection of Putnam Street and
25 Boulder Road.

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Finally, there will be a new water main which will extend from Boulder Road -- excuse me. We will abandon the existing water main which runs through the property starting at Boulder Road and install a new water main in it's place. We presently have a water permit to do that from the Town. Plans and specs have been submitted and accepted, and we are in the process presently of installing that water main.

So that is a brief overview. I thank you for your time.

MR. GALLI: Just a quick question. You said on the Fayo property you're going to have a six-foot high fence?

CHAIRMAN EWASUTYN: Eight.

MR. GALLI: I thought six foot.

MR. SHAW: No. It's an existing eight-foot high.

MR. GALLI: It's eight-foot?

MR. SHAW: It is.

CHAIRMAN EWASUTYN: Additional comments, Frank?

MR. GALLI: No. That's all.

CHAIRMAN EWASUTYN: Ken Mennerich?

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MR. MENNERICH: Adding the second floor on this drawing was not on the previous set. Was that just an oversight or --

MR. SHAW: That was an oversight. That was a breakdown in communication between the architect and myself. It was always intended to be two stories within that addition. It's just that I found out after the drawings were submitted. I thank you for letting me submit it at this meeting.

CHAIRMAN EWASUTYN: I have no questions. Dave Dominick?

MR. DOMINICK: The first part of the project, the display -- the two entrances for Ford and Lincoln, corporate says you need two separate entrances?

MR. SHAW: That is all part of the image that Ford wants to create. Thank you for bringing that up.

What I'd like to do, when the Board is done asking their questions, is introduce Ken Syvertsen who is the project architect who brought a colored rendering of the project. I think that will answer your question as to what

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those entrances look like. But it's all -- Ford has their standards, okay, and those entrances are part of your standard. We do have a rendering that will explain that.

MR. DOMINICK: Okay. Both entrances will open up into a big display area?

MR. SHAW: Yes.

MR. DOMINICK: There's not going to be any partition; correct?

MR. SYVERTSEN: No.

MR. SHAW: That's Mr. Syvertsen who just answered that question.

MR. SYVERTSEN: I actually did bring the board. This area that you're asking about is -- this is where the Ford entry point is. All the cars will be displayed on this side. Lincoln is here. Here you can see the actual marquee, the Ford marquee on the left and the Lincoln marquee on the right.

MR. DOMINICK: Thank you. The other question I had is up on Boulder Road. You have a note here in your comments that after construction no access to or from Colandrea Sunshine Ford shall be permitted from Boulder

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Road. Is that going to be a construction access?

MR. SHAW: That's permanent. One of the questions Mr. Hines has, I think will be something you will be discussing, if it were done as to whether on a note on the plan is sufficient, whether Mr. Donnelly thinks something filed in Goshen is more adequate.

MR. DONNELLY: I think the note is fine. What we did discuss at work session is whether that should be a gate that's operated by emergency services with some kind of key system so it's not used for other purposes.

MR. SHAW: Whatever you think is appropriate.

MR. HINES: I think Dave's question is during construction are you going to use that. The note says after construction.

MR. SHAW: We will need to use it during construction. If you can just envision hundreds of thousands of dollars worth of vehicles on the site and -- yeah, we would like to use it during construction rather than dinging up all those vehicles.

MR. GALLI: It's probably better access

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to the site because the 17K entrance is pretty steep to get in with a truck and stuff. You're probably better off coming up Boulder Road. You don't have to worry about the turn and cars coming up 17K.

MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: The height when you're going with the second floor and with your existing building, how is that going to look as a second floor? Your showroom is showing me like one floor. Is it all one height?

MR. SYVERTSEN: It's almost all the same height because the high bays are quite high, too. The original building is quite high with the marquee. This is the second floor way back here. You can see it there.

MR. WARD: All right.

MR. SYVERTSEN: It's almost roughly the same height.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: At this point I'll turn to our Consultant, Pat Hines.

MR. HINES: Our first comment just

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notes that the variances have been received.

The second comment, which we discussed at work session, was the adequacy of the landscape planting combined with the fence. I think the Board was generally okay with the combination of the fence and the proposed landscaping. I'll leave that up to the Board.

A City of Newburgh flow acceptance letter for the expanded project is required prior to any approval.

The fourth comment has to do with the square footage which now has been increased by 7,400 square feet.

The next one notes that the water main that's looping through the site, I believe there's an easement that needs to be modified for that.

MR. SHAW: That easement is being modified. Has it been modified formally?

MR. ROSSI: It's being presented to the Town tomorrow.

MR. SHAW: It's in the process of being presented to the Town and will require modification.

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MR. HINES: Orange County Planning comments were received previously in October, so that's not an issue.

We did discuss at work session the adequacy of the note, and it was felt that the note is acceptable.

Just a comment that there's twenty-foot high light poles proposed which are consistent with the scale of the site. We don't have an issue with that.

During the work session the Board discussed an additional note that prohibits parking of vehicles in the buffer area. Not saying that this site has been an issue but often times with car dealerships in the Town any available square footage becomes an area for inventory. We're asking that note be added so it doesn't become a storage area for your inventory.

The Board needs to discuss whether or not it's going to hold a public hearing.

That's all we have.

CHAIRMAN EWASUTYN: Jerry Canfield, Code Compliance?

MR. CANFIELD: Greg, there's a new

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water service, six-inch. Are you intending to
sprinkler the facility now?

MR. SYVERTSEN: Yes. The building
addition is going to be sprinklered. We have
designed the firewall between the existing
building and the new building. Everything on the
new side will be sprinklered.

MR. CANFIELD: Your shop area will
exceed the 12,000 square foot threshold. Is that
the driving force?

MR. SYVERTSEN: Well, the driving force
is -- no, I don't know if it would or not. We're
just doing a firewall between so it's two
separate structures. The old structure has so
much stuff going on with it.

MR. CANFIELD: We can review that at
the architectural stage then, what the
requirements are and all of that.

MR. SYVERTSEN: Right. The existing
building --

CHAIRMAN EWASUTYN: Do you want to stop
now and go through the architectural approval
process?

MR. CANFIELD: I was talking more about

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during construction, the architectural drawings.

MR. SYVERTSEN: The existing structure has a wood framed roof. We want to really bifurcate the two structures so that new building will be concrete block with steel so that we have that construction classification versus 5B.

MR. CANFIELD: Perhaps, and rather than tie up this Board with this discussion, it more or less deals with the building permit process. At a future date we can discuss the code application and your intentions.

MR. SYVERTSEN: Yup.

MR. CANFIELD: We can look at that further.

MR. SYVERTSEN: I did bring -- we were able to get all the samples in time. I did bring the ARB paperwork. If we can submit that today or do it at the next meeting. I have all the paperwork and copies of the drawings.

CHAIRMAN EWASUTYN: The paperwork you could actually submit tomorrow rather than this evening. It's too much to carry paperwork. If the Board so desires, we could review and consider ARB.

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MR. GALLI: We're looking at the pictures, we might as well know what the pictures are.

MR. SYVERTSEN: These are all the brand standards. The marquee are made out of aluminum. That's what we have here. This is actually the Lincoln color. The Lincoln has accent bands which are like a shiny chrome. And then Ford is really all of this. We're going to be painting the existing block this gray color. We have clear glass and this is clear aluminum for the storefront and the windows. When it's all done, if everybody is familiar with it, I hope it looks somewhat like this.

CHAIRMAN EWASUTYN: We've looked at signage. What they are proposing for signage fits within what is permissible?

MR. HINES: I don't believe we have a signage plan yet.

MR. SYVERTSEN: We haven't gotten that.

MR. CANFIELD: We haven't calculated the signage out.

CHAIRMAN EWASUTYN: Comments from Board Members as far as the samples that will be part

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of the building itself?

MR. GALLI: The block part now that has
Sunshine Ford on it, that's going to stay block?

MR. SYVERTSEN: It's going to stay
block but it's going to be the gray color.

MR. GALLI: Thanks.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: It looks good.

MR. DOMINICK: Good choice of
materials. It looks really clean.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: The rear of the building, is
that going to be the Lincoln colors?

MR. SYVERTSEN: Well it's this gray.
It's going to be all concrete block. Again, it's
going to be the gray block to match the front a
little bit. On the side it's -- the Lincoln
color is on the service drive there.

MR. WARD: That's why I was looking at
the black.

MR. SYVERTSEN: The dark gray color.

MR. WARD: Okay.

CHAIRMAN EWASUTYN: Are you satisfied,
John?

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MR. WARD: Yeah.

CHAIRMAN EWASUTYN: I'll move for a motion to grant ARB approval for the Colandrea Sunshine Ford amended site plan.

MR. DOMINICK: So moved.

MR. GALLI: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself. Motion carried.

Ken, tomorrow if someone could submit the form to the office.

MR. GALLI: John, do you want to talk about the public hearing?

CHAIRMAN EWASUTYN: Sure.

MR. GALLI: I feel the process has been through the public quite a few times over the years. He's always complied with what the

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neighbors want, the fence, landscaping, buffers. I think he was just at the Zoning Board. Looking at the plans, I think he gave them pretty much everything they need. I don't think we have to have a public hearing.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: I agree with Frank.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: I agree.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I agree.

CHAIRMAN EWASUTYN: I agree also.

Let the record show that the Planning Board waived the public hearing for Colandrea Sunshine Ford Lincoln amended site plan.

Pat, where are we now in the process? They'll have to come back for signage?

MR. HINES: Signage. The City of Newburgh flow acceptance letter, the lack of that would prohibit you from doing any approval action.

CHAIRMAN EWASUTYN: The other thing is is the Planning Board okay with the proposed landscape plan?

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MR. HINES: Correct.

CHAIRMAN EWASUTYN: I'll ask the Board Members about that.

MR. GALLI: Do you have any pictures of it or is this what you're showing here? I see on the frontage what it's going to look like when I pull in.

MR. SYVERTSEN: There will probably be a lot of cars there, too.

MR. DOMINICK: Not grassy.

CHAIRMAN EWASUTYN: Actually, what's being shown for landscaping is really what's in the buffer area. I think that's what you were referring to in your --

MR. GALLI: I think that's the important part. I'm sure they are going to decorate it nice.

CHAIRMAN EWASUTYN: For the record --

MR. HINES: There's, I believe, four Norway Spruce.

CHAIRMAN EWASUTYN: -- you're proposing twelve Juniper Chinensis that will be 36 to 40 inches in height, twenty-four Hibernia that will initially be 36 to 40 inches in height, four

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Norway Spruce 6 to 7 feet in height; and two
White Pine 6 to 7 feet in height.

What color will the fence be that
you're putting in?

MR. SYVERTSEN: I think it's white.

MR. SHAW: It's a beige.

CHAIRMAN EWASUTYN: Can you look?

MR. MENNERICH: I'd like that much
better than the white. There's some white from
the old fence that was put in previous. The
beige looks a lot better I thought.

MR. HINES: The white fence is going to
remain; correct?

MR. COLANDREA: I think it's all beige.

MR. GALLI: The one by Fayo is beige?

MR. COLANDREA: That's on the Target
side. Our fence is all beige.

MR. MENNERICH: That was the white one
I was looking at.

CHAIRMAN EWASUTYN: So I'll poll the
Board Members. Are the Board Members in favor of
the proposed landscape that's shown in the buffer
area?

MR. GALLI: Yes.

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MR. MENNERICH: Yes.

MR. DOMINICK: Yes.

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Let the record show that the Planning Board is in favor of that.

At this point in time there's no further action that we can take.

MR. DONNELLY: You can issue a negative declaration if you're comfortable with it.

MR. HINES: I don't believe there's any outstanding environmental issues.

CHAIRMAN EWASUTYN: Mike, do you want to bring that up to the Board and the public?

MR. DONNELLY: As you know, you need to address the environmental impacts of the project before acting. A negative declaration is your announcement that there are no significant adverse environmental impacts that will flow from the project. If that's where you stand, you should have a motion and vote on that.

CHAIRMAN EWASUTYN: Pat, do you, as Planning Consultant --

MR. HINES: I concur that there are no outstanding environmental issues. The area

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that's going to be covered with buildings is already impervious surface. It's existing pavement and the building is going to be placed there. There are no additional issues regarding the stormwater.

A substantial stormwater detention pond had been added to the site previously when the applicant was before us for the 58 parking spaces along Putnam Street.

CHAIRMAN EWASUTYN: Having heard from the Planning Board Attorney, Mike Donnelly, and our Consultant, Pat Hines, I'll move for a motion to declare a negative declaration for Colandrea Sunshine Ford Lincoln amended site plan.

MR. WARD: So moved.

MR. MENNERICH: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Aye. Motion carried.

MR. SHAW: Mr. Chairman, does the letter from the City preclude us from getting conditional approval?

MR. DONNELLY: Any final approval is prohibited. You can get a preliminary site plan approval but I don't know what that accomplishes. You couldn't get a building permit with it.

MR. SHAW: It would just not have to return back to the Board for one more meeting.

MR. DONNELLY: Either way you'd have to come back or John would have to put it under Board Business to take another action. Even if it got preliminary tonight, after the flow acceptance letter there would still need to be a final approval.

MR. SHAW: All right. Thank you.

MR. HINES: I don't know that Mr. Shaw would need to be here that night.

CHAIRMAN EWASUTYN: That's not necessary.

MR. HINES: I don't know that you need to be here that night. It's kind of a

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ministerial act.

MR. SHAW: But I enjoy seeing
everybody.

Thank you.

(Time noted: 7:22 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 18th day of July 2016.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

DIXON SUBDIVISION II
(2014-15)

85 Forest Road
Section 3; Block 1; Lot 103.31
AR Zone

----- X

AMENDED SUBDIVISION

Date: July 7, 2016
Time: 7:22 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

MICHELLE L. CONERO
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Wallkill, New York 12589
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CHAIRMAN EWASUTYN: The second item of business this evening is the Dixon Subdivision II. It's an amended subdivision located on Forest Road. It's zoned AR. Talcott Engineering, Charles Brown, is representing the applicant.

MR. BROWN: Thank you, John.

This is a two-lot subdivision of a roughly 7-acre piece into a 2.5-acre piece off a 5 acre piece.

There is access off Forest Road which is County 23.

It's in the AR Zone. They meet the zoning.

Individual wells and septic.

We were before the Board back in November of 2014. There are already two houses on a common driveway. With this new lot there will be three. Based upon that, we had to go to the Town Board for three lots on a common driveway. At our first appearance before the Town Board they asked for some documentation that the existing lot that's not part of this action, lot 103.32, was on board with this. The owner of

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that lot had an opportunity to get some concessions out of my client as far as the driveway.

In the interim, the DPW has come out with new rules and regulations for driveway entrances. Now they've asked us to comply with those. The driveway modifications are at DPW waiting for approval. We've had a round of revisions from them.

We did get approved from the Town Board on the 20th for the three lots on a common driveway. I do have a copy of those minutes here.

As far as the maintenance agreement, I believe that that was submitted to Mike Donnelly and that was approved back in March. Something like that.

So we're here to move this project along.

CHAIRMAN EWASUTYN: Thank you.

Any questions from Board Members?

Frank Galli?

MR. GALLI: No.

MR. MENNERICH: No.

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MR. DOMINICK: No questions.

MR. WARD: No.

CHAIRMAN EWASUTYN: Pat Hines, Planning Consultant, Drainage Consultant?

MR. HINES: We just had a comment that there's portions of the driveway to be removed. We just want some further clarification on what's going to happen, if it's going to be topsoiled and seeded.

MR. BROWN: It's topsoil and seed.

MR. HINES: The common driveway access and maintenance agreement we just discussed.

I did receive a copy of the Town Board minutes tonight for the three houses on the common driveway.

There's a condition of approval that the existing well which serves lot 1 is going to be subdivided off and become lot 2's well and a new well has to be installed on lot 1 with the existing house. There's a note on the plans that that will be accomplished prior to filing the subdivision. So that needs to be repeated in any approvals that we grant.

Orange County DPW approval is

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outstanding as well.

Did this have a public hearing already?

MR. DONNELLY: No.

MR. BROWN: I didn't think so.

MR. DONNELLY: No negative declaration.

MR. HINES: So we're at that point.

CHAIRMAN EWASUTYN: Okay. Pat, what's the next available meeting for a public hearing based upon the timeframe for circulation?

MR. HINES: It looks like August 4th.

CHAIRMAN EWASUTYN: We can make that timeframe?

MR. HINES: Yes.

CHAIRMAN EWASUTYN: And your advice to the Planning Board?

MR. HINES: I say that now. If it didn't get County circulation yet, it would have to go to the County as well because it's on a State highway -- County road I mean.

MR. DONNELLY: You can open the hearing, you just can't take action.

MR. HINES: We'll circulate that.

CHAIRMAN EWASUTYN: Can we make a SEQRA determination with County --

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MR. HINES: Yes.

CHAIRMAN EWASUTYN: Your advice to the Planning Board as far as a SEQRA determination?

MR. HINES: We would recommend a negative declaration.

CHAIRMAN EWASUTYN: And the date we're talking about is the 4th of August?

MR. HINES: Yes.

CHAIRMAN EWASUTYN: I'll make this a two-part motion, to declare a negative declaration for the Dixon Subdivision II located on Forest Road and to hold a public hearing on the 4th of August.

MR. MENNERICH: So moved.

MR. DOMINICK: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself aye. So

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carried.

MR. BROWN: Thank you.

CHAIRMAN EWASUTYN: You'll work with
Pat Hines as far as the circulation.

MR. BROWN: Yes. Do you need one set,
Pat?

MR. HINES: Yes. I'll run it. I'll do
it.

MR. BROWN: Okay.

(Time noted: 7:27 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 18th day of July 2016.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

MID VALLEY PROPERTIES SITE PLAN
(2016-10)

283 North Plank Road
Section 34; Block 2; Lots 52 & 53
IB Zone

----- X

INITIAL APPEARANCE
SITE PLAN

Date: July 7, 2016
Time: 7:28 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

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CHAIRMAN EWASUTYN: The third item of business this evening is Mid Valley Properties Site Plan. This is the initial appearance. It's located on 283 North Plank Road in an IB Zone, and again it's represented by Talcott Engineering, Charles Brown

MR. BROWN: Thank you, John. This is a commercial piece of property. It's in the IB Zone on Route 32. There is a driveway here with a fifty-foot right-of-way, however this parcel does not have legal access to use that. It's a residence now. It's been vacant for quite some time. If you remember, some of you Board Members were here, in 2013 we had this parcel before the Board as an art studio -- art school/art studio. That use required a lot more parking and what not. We had parking proposed back then behind the building.

The applicant is going to use it for -- he's a real estate management company. He's going to use it for his office. He's presently in the City of Newburgh and wants

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to move in to the Town.

The parking is based upon his use which would be the top floor only. A psychologist is going to use a portion of the building.

The art studio also needed to have the building sprinklered based on the use. This use, because it's under the 2,500 square feet, does not require sprinklers.

We showed parking, access. This driveway is the way it was when we submitted it to Siby Zachariah for the DOT. She did not want curbing on this property for some reason. We show no curbing on the parking lot.

We do have a raised sidewalk against the building.

The handicap access on this project would be through the front door. That's shown on the plan. That works as far as the grades and the slopes for the handicap access.

That's pretty much it. This is our first appearance.

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We do need a front yard setback.
There is a mistake on the plans. The
previous use required 50 foot side yards.
This one only requires 30. We do not need
a side yard variance.

CHAIRMAN EWASUTYN: So all we need is a
front yard variance?

MR. BROWN: That's correct.

CHAIRMAN EWASUTYN: And what is
required and what's proposed?

MR. BROWN: It's 60, because it's on a
State highway, and we have --

MR. HINES: 35.43.

MR. BROWN: -- 35.43. Thank you, Pat.

CHAIRMAN EWASUTYN: All right.
Comments from Board Members?

MR. GALLI: Charlie, you said he was
going to use the top floor?

MR. BROWN: The top floor is the first
floor. It's a ranch. The lot slopes off to the
back, so the basement is accessed from the back
of the property.

MR. GALLI: He's the only tenant?

MR. BROWN: Yeah. It's owner occupied.

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MR. GALLI: No other company is going to be in there?

MR. BROWN: No. None.

CHAIRMAN EWASUTYN: Any questions?

MR. GALLI: That's it.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Charlie, the DOT said they didn't want curbing on the parking lot?

MR. BROWN: Yeah. Well on the entrance. It surprised me because the one just to the west is curbed. But that's a pretty big office building there. We sent this plan to her at the same time we submitted it to this Board. She's a little slow right now. It's taking about two months to get comments out of her.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: No comments.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: The parking lot I think should have -- we were talking at work session -- curbing, even if it's slanted or whatever.

MR. BROWN: Well it does, again, drain towards the stream in the back here. The reason I left the curbing off is that parking lot will

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drain directly to the stream. We could put curbing in. We'd have to put a break in it for the drainage.

MR. HINES: That's what we discussed at work session. The topography doesn't create a big issue with drainage if you put a drop curb in towards the rear, towards the stream, or a couple of drop curb areas that allow it to run off.

The Board's policy is when these residential structures or any existing structures become commercial, to require them to have that commercial look and have that defined parking area curbed.

MR. BROWN: Okay.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: Pat Hines, additional comments?

MR. HINES: The first comment just notes that it's an existing two parcels and they'll have to be consolidated for this use.

We identified the variance being 35.4 where 60 is required.

Our third comment has to do with the side yard setback. We concur it is not an issue

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and does meet the code.

We'll require DOT's approval for the driveway.

Landscaping and architectural plans should be submitted with future applications.

Site lighting needs to be addressed.

We just discussed the curbing.

Charlie, at the handicap access ramp there, it looks like there's about two feet elevation difference.

MR. BROWN: Actually, we're lowering it where the existing 450 contour is. That's the new 448. So it's going to be lower two foot right there to get that to work against the side of the building. I'll clean up the number on the contour and the striping.

MR. HINES: The 50 is showing up as a solid line in the front of the building there. The distance between the 48 and 50 are not very much.

MR. BROWN: You have the six-inch drop for the curb.

MR. HINES: Yup.

MR. BROWN: I'll check it.

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MR. HINES: That's all we have right now.

It has to go to the ZBA.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: Just for clarity, we're sending it to the ZBA for one variance, just the front yard.

Also, did we discuss what kind of office that will be?

MR. BROWN: It's a property management company. He works for a lot of condo associations, hires contractors to take care of issues unless it's something he can handle. My client is here.

Gary, do you want to talk to them about what you do?

MR. FALLON: Good evening. I manage condominium complexes. Plum Point on the Hudson is one, Centennial Blackberry Village, Fishkill Glenn. Most of my business is done over the phone. It's a family-oriented business. My son and my wife work with me and I have one other girl. I do have a few other employees. We do little odd jobs here and there.

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Basically it's just getting out of the City of Newburgh and occupying the first floor of this structure.

MR. CANFIELD: Will there be any commercial vehicles there?

MR. FALLON: I do have a commercial vehicle that will be parked there overnight.

MR. CANFIELD: Like a pick-up?

MR. FALLON: It's a Mason dump. It has DOT information on it with our phone number.

CHAIRMAN EWASUTYN: Mike Donnelly, you'll prepare a referral letter?

MR. DONNELLY: I will for an existing front yard -- a variance for an existing front yard of 35.43 feet where 60 is required.

CHAIRMAN EWASUTYN: We'll consider this to be an uncoordinated review.

MR. DONNELLY: I don't see why not. The DOT will look at it their own way when they get there.

CHAIRMAN EWASUTYN: All right, Charlie.

I'll move for a motion from the Board to have Mike Donnelly prepare a letter to the Zoning Board of Appeals noting that Mid Valley

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Properties site plan needs a front yard variance where 60 foot is required, being proposed is 35.4. Okay?

MR. WARD: So moved.

MR. DOMINICK: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWN: Thank you.

(Time noted: 7:35 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 18th day of July 2016.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

GOLDEN VISTA
(Meadow Hill Expansion)
(1999-33)

Meadow Hill Road
Section 60; Block 1; Lot 9.1
R-3 Zone

----- X

PUBLIC HEARING
AMENDED SITE PLAN

Date: July 7, 2016
Time: 7:35 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JOHN CAPPELLO

----- X

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CHAIRMAN EWASUTYN: The last item on the agenda this evening is Golden Vista. It's a public hearing on an amended site plan. It's also known as Meadow Hill Expansion. It's located in an R-3 Zone and it's being represented by John --

MR. CAPPELLO: John Cappello.

MR. MENNERICH: "Notice of hearing, Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to the Municipal Code of the Town, Chapter 185-48, Section 274 of the Town Law and 6 NYCRR Part 617 (SEQRA) on the application of DRA Meadow Hill, LLC, Meadow Hill Road senior housing project expansion, project 2016-07. The project is located off of Meadow Hill Road, west of Sycamore Drive, designated on the Town tax maps as Section 60; Block 1; Lot 9.1 and 9.2. The project is adjacent to and including the existing approved 161 unit Meadow Hill Road, formerly known as Golden Vista Senior Housing Project. The proposed lot consolidation and project expansion will allow 24 additional

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units for a total of 185 units. 21 of the units in the project will be for senior housing. An accessory maintenance building is also proposed. The public hearing will be held on the 7th day of July 2016 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m. at which time all interested persons will be given an opportunity to be heard. By order of the Town of Newburgh Planning Board. John P. Ewasutyn, Chairman, Planning Board Town of Newburgh. Dated 13 June 2016."

CHAIRMAN EWASUTYN: Mike Donnelly, Planning Board Attorney, will you introduce the public hearing?

MR. DONNELLY: This project has a long history. A project like this with that type of history is one that the Planning Board wishes to hold a public hearing on.

The purpose of the hearing is for you, the members of the public, to bring to the attention of the Planning Board issues that the applicant may not have explained or the Town's consultant team is not aware of. After the applicant gives a presentation as to the proposed

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amendments, the Chairman will ask those who wish to speak to please raise your hand. When you're recognized I would ask you to step forward so we can hear you. Tell us your name, spell it for the Stenographer if you would. Tell us where you live in relation to the project. Address your comments to the Board. If you have questions that can be easily answered by either one of the applicant's consultants or a member of the Town consultant team, the Chair will ask those -- will pass those questions to the appropriate person.

CHAIRMAN EWASUTYN: At this point I'd like to turn the meeting over to John Cappello. He's representing the Golden Vista/Meadow Hill Expansion. John.

MR. CAPPELLO: Good evening, everyone. My name is John Cappello, I'm with Jacobowitz & Gubits. I'm here tonight on behalf of DRA Meadow Hill, LLC.

I also have with me project engineer, Joe Sarchino; the project traffic engineer, Richard Pearson; and also representatives from DRA, Nick Minoia, George Carfagno and Michael Long.

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As many of you may recall, the Board Members and the public, back in 2016 DRA purchased and made a few modifications and had approved what was then known as the Golden Vista or Meadow Hill project which was a 161-unit multi-family project with 18 senior citizen units. After construction was begun and the clients were on the property, they discussed and entered into a contract and eventually purchased an additional 2.57 acre parcel on the corner of Meadow Hill Road and Sycamore Drive that housed a formerly fairly dilapidated single-family home and appurtenances.

What we're proposing, and Joe will run you through the site plan for it, is to develop that lot and to add it to the existing approved 161 units, to add an additional 24 units to the project, add an additional emergency access road to make traffic a little better for emergency vehicles, and also to make minor modifications to the project. The result will be there will be an additional 24 units, 3 of which will be senior, raising the total for the development of senior units to 21, which will be

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located within one building.

So with that, I'm going to turn it over to Mr. Sarchino who will present the details of the site plan.

MR. SARCHINO: Thank you, John.

He went through it fairly well. To make sure everybody knows where we are, here's Meadow Hill Road here, Sycamore Drive is down here.

This was the original site plan that was amended that received approval. It was 161 units. We had an access drive off of Meadow Hill, it came down and served the roadways and the buildings with the driveways and garages that they had. There was a clubhouse here. We have a little bus area here, a little patio area for bus pick up.

So as John stated, the parcel that was added is in this location here. It's 2.57 acres in size.

Logically what we looked at was extending this roadway through here to serve the 24 additional units in this location. So that's the existing plan. You can see on this next

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slide the proposed.

As John stated, 21 units would be a market rate unit in this location here. This is the Perger parcel, as we called it. The additional parcel. This was the senior building. This was building number 8. Out of the 24, 3 senior units will be added to this building here and the 21 units would be located on the property that was purchased. There's an emergency drive here that would be gated to Meadow Hill.

So one thing that we noticed during the course of our design of this is we are able to make improvement to the original plan with respect to our neighbors along Sycamore Drive. So let me just go back a slide. Previously we had a building in this location and a building here. Again, here is our southern property line here. So if you look on the next slide -- I'll come back to that -- what we were able to do is eliminate this building here. This is part of our stormwater management area here. We basically kept the senior building in this location, skewed it away and pulled it away from our neighbors to the south here, increasing that

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setback. We took the building that was proposed here and we moved it as far north as we could to -- away from the properties along Sycamore Drive. We feel that was a substantial improvement we were able to design into this development.

Storm drainage would still be completed in this stormwater basin here and here. We moved the bio-detention basin from here to here. We were able to move this building up into this location. We felt good about increasing our buffer along our southern property line. We have landscaping along the edge of the slope here, deciduous and evergreen landscaping that's proposed.

We're also saving -- there's an existing wood -- I'm sorry, stone faced shed here that's proposed to be saved, and keep this driveway on Meadow Lane here. It will be basically a maintenance shed where things will be stored.

As part of this design or portion of redesign of the project, the clubhouse also was reconfigured slightly. I'll show you an elevation in a minute. Basically a larger pool

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deck and we have a little maintenance shed right here that's also located.

Part of the application also includes, instead of just having an open patio for the school children to wait, we proposed a little shelter here with a roof on it. It looks pretty much like this. It has a little roof and there will be benches below it.

We're also showing a leasing trailer that would be located here. This would be for the whole project. Once the clubhouse is finished, the leasing will be moved into here and this will be eliminated and replanted as shown on the originally approved plans.

The architecture of the buildings is the same as what we had. You'll see the garages along the first floor here. It's a two-story building. Cultured stone on the bottom of the units here and the siding on the top on the second floor here with a hip roof. Nothing has changed from the amended approval that we received.

Here's the clubhouse difference now. This was the original clubhouse that was

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approved by the Planning Board. You'll see we had a hip roof and then it dropped down here. Now we have that little maintenance shed that I described earlier. Here is the new clubhouse building. It doesn't drop down as the original one -- the original approval was. It's more of a flat regular hip roof here. Then the architecture of the building pretty much stayed the same, kind of staying consistent to the architecture of the residential buildings.

With that, I'll turn it over to Richard Pearson who will review some of the traffic impacts.

MR. PEARSON: Good evening. Richard Pearson with JMC. I'm a professional engineer and a professional traffic operations engineer.

The project that was originally approved had an extensive traffic study prepared. That was based on 164 apartment units. There was no credit taken at the time for senior living apartments. Senior apartments generate substantially lower traffic volumes on a per unit basis as compared to standard apartments. There's data published by the Institute of

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Transportation Engineers based on studies of these types of developments as well as many other development types. ITE data is the standard for projecting traffic.

What this graph reflects is that the previously approved development analyzed 108 trips during the weekday afternoon peak hour and 84 trips during the weekday morning peak hour. The additional trips associated with the 21 senior units is only 4 trips in the peak a.m. hour and 7 trips in the peak weekday p.m. hour. So there is additional trips, but in the scope of the overall traffic in the area, and specifically for this site, it's not an additional volume of trips that will have a significant impact on traffic.

MS. GIDDENS: Could I ask a question?

CHAIRMAN EWASUTYN: Not at this particular time. We'll open it up to the public after the presentation.

MR. SARCHINO: With that, if there's any questions the Planning Board may have or the public, we would be happy to answer them.

CHAIRMAN EWASUTYN: At this point we'll

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turn the meeting over to the public.

Ma'am, if you'd give your name and your address.

MS. GIDDENS: My name is Sarann Giddens, G-I-D-D-E-N-S. My first name is Sarann, S-A-R-A-N-N. I live at 118 Meadow Hill Road which is right next to Meadow Hill School. I'm two doors down from the project.

In 1999 this was supposed to be an all 55 and older project, completely seniors. Then in 2011 it got changed to Golden Vista and it became 161 multi-family units with 18 affordable, which I'm assuming you're saying are seniors. Okay. So now it's 2016, you want to add 24 more units, 21 are to be seniors, plus a maintenance building. The Perger house is going to be taken down. It's a hundred year old house. It's one of the first houses up on Meadow Hill outside of mine. It's a shame that it can't be sold and refurbished. But you guys are going to tear it down.

Who is the DRA Meadow Hill, LLC and who is the money behind it? We'd like to know. Can you tell us that?

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CHAIRMAN EWASUTYN: Would you like to speak?

MR. MINOIA: I'm Nick Minoia, one of the managing partners at DRA Meadow Hill, LLC. We are the owners of the property.

I'm not sure the question specifically in terms of the money behind it, but it's a private company owned by myself and partners.

MS. GIDDENS: And who are your partners?

MR. MINOIA: I'm not sure that it's really germane, to be honest with you.

MS. GIDDENS: There's no way we can find out?

MR. MINOIA: I'm not sure that it's important.

MS. GIDDENS: If these units do not rent, what happens to this project then? Does it get put back to not affordable apartments?

MR. MINOIA: Let me just address the question in kind of a generic way. We are developers of multi-family communities. We've been doing it for probably thirty years. We

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haven't built one yet that hasn't rented.

MS. GIDDENS: We have a lot of rental units that weren't completely rented.

MR. MINOIA: Honestly it's a different product. We also have Summit Lane here in the Town of Newburgh.

MS. GIDDENS: And that's not totally rented.

MR. MINOIA: It's totally rented for everything that's been CO'd.

MS. GIDDENS: Not that I was told.

Has there been another environmental impact study done since 2011 as far as water, sewer, traffic, school? We already have 1,064 children in Meadow Hill School. Where are these kids going?

CHAIRMAN EWASUTYN: John, would you like --

MS. GIDDENS: Meadow Hill School is full.

MR. SARCHINO: We looked at water and sewer. We have a sewer acceptance letter from the City of Newburgh. We're going to be working on that. That will come after this hearing.

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That is required in order to get the plan approved.

The Town engineer has indicated -- we've been working with the Town on water connections and they are adequate as they were back when the original project was approved.

As far as the school children go, I understand that the Board circulates to the school district, and we have not received any comments from the school board that there would not be room in the school for school children.

MS. GIDDENS: All right. What about fire, ambulance and police? I understand we don't have enough to cover what we have and now you're going to add more people.

CHAIRMAN EWASUTYN: Jerry, do you want to speak on fire, please.

MR. CANFIELD: Sure. This is in the Orange Lake Fire District jurisdiction. The plan was presented to the Board of Fire Commissions for the Orange Lake Fire District. They have reviewed it. They have submitted no outstanding comments. The buildings will be fully sprinklered which will help and aid in fire

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suppression.

The police and fire, I have no response on that. I don't know what their involvement is.

MR. SARCHINO: We also -- one more thing. We also completed a fire truck analysis on our original submission to the Board. It shows how a fire truck can go through the property, go around the circle and make sure there's adequate room in the roadways for that.

UNIDENTIFIED SPEAKER: What about the traffic?

CHAIRMAN EWASUTYN: Ma'am, ma'am. Ms. Giddens is speaking. One person at a time.

MS. GIDDENS: I do have a problem with the traffic. I would like to know how many -- what is going to be the total occupancy of these units, because some are one bedroom, some are two bedrooms? What is the total occupancy going to be? Or what can it be?

CHAIRMAN EWASUTYN: What's your direct question as far as the occupancy as it relates to traffic?

MS. GIDDENS: Well, we already have

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many, many cars. That one traffic survey that you did where there was only 84 cars per hour, that was done in 2011 and it was done on a day that there was no school.

CHAIRMAN EWASUTYN: Mr. Pearson, do you want to address that?

MR. PEARSON: Yes. The 84 vehicles that were referenced is what vehicles would be generated by the site, not the existing traffic on the roadways. The existing traffic on the roadways was analyzed. There was additional traffic projected for various other developments including The Marketplace development which has not been constructed. So the traffic study is particularly considered conservative based on how those projections were made at the time. My understanding is those counts were conducted when school was in session for the 2010 traffic study.

MS. GIDDENS: It was not.

CHAIRMAN EWASUTYN: Ken Wersted, Traffic Consultant for the Town of Newburgh.

MR. WERSTED: There were a few counts. This goes back to the Golden Vista project. There was a traffic study done in 2010. As part

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of that that looked at the 164 some odd units. Following that there was at least a public hearing, there was a number of comments that came out and the traffic engineer at the time had gone back out and done a number of counts along Meadow Hill Road.

The one particular graph that they have demonstrates the difference between what was approved and what is projected to come out. The difference in the morning is an additional 4 trips, 4 vehicles coming and going from the site in the morning peak hour, and then in the afternoon an additional 7 trips.

MS. GIDDENS: So these people aren't going to work?

MR. WERSTED: They're going to work.

MS. GIDDENS: They're not coming out of the site, though? I mean where are you getting 4 cars coming out in the morning?

MR. WERSTED: That's the addition from what was approved previously to what's being proposed now. So --

MS. GIDDENS: So you're still not answering my question.

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MR. WERSTED: As you saw on one of the illustrations, they bought another parcel that they're expanding and putting in another building.

MS. GIDDENS: And more people. Yes?

MR. WERSTED: Correct. And that additional building will result in an additional 4 to 7 trips in the morning and the afternoon peak hours.

MS. GIDDENS: I don't think you want to live in our neighborhood. You can't get out of the driveways now. You have Elant that has 100 residents with ambulances and personnel that work three shifts; you have Brighton Green that has 184 units, people coming in and out; you have 90 driveways directly coming out onto Meadow Hill Road; plus Meadow Hill development that has no other access but to come out on Meadow Hill Road. I don't think your survey is correct. I think it needs to be addressed. I think it needs to be redone. There is no other access out of Meadow Hill development except Meadow Hill Road.

MR. WERSTED: Right.

MS. GIDDENS: You can come out Fletcher

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Drive, you can come out Pacer Drive, you can come out all the drives, but they all come out onto Meadow Hill Road.

MR. WERSTED: The surveys do reflect that if you go from Patton Drive -- Patton Drive has a relatively low traffic volume. As you steadily move to the east the traffic volumes increase substantially.

MS. GIDDENS: Do you want to come and sit on my porch?

CHAIRMAN EWASUTYN: Ms. Giddens, I think you have a question. You're not allowing him to speak. You're saying in fact he's incorrect. I think that's impolite to question an engineer as far as --

MS. GIDDENS: We live there.

CHAIRMAN EWASUTYN: Again, I understand that you live there. That's the purpose of a public hearing. He's also a licensed professional and it's his license, it's the license of Mr. Pearson that's put on the line based upon standards.

Again, John Cappello, do you want to speak?

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MR. CAPPELLO: I just want to clarify. I think there's a little bit of confusion here. We're here for -- the 161 units, that development is approved, it's under construction. We're here to analyze the additional 24 units, 3 of which are senior. The figures that were in the traffic study and the traffic projections are based upon studies done by the Institute of Traffic Engineers. I've been doing this now for 26 years. The Institute of Traffic Engineers is what is used to calculate trips for all types of developments. It reflects the peak hour traffic, not how many cars are going to be there overall the day. That's why it seems low. Every time I present it, people say no, that's not true, that's not true, but I have yet to see a study that comes up that contradicts it because, as you said, different people have different jobs. Some people get up at 5 in the morning because they drive into Manhattan to go to work. Some people will work at Meadow Hill School, they will walk to work. Some people will work the midnight shift. Some people will, you know, not work in the seniors. So what they are looking at is the

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peak hours, I believe it's 7 to 9 a.m., of how many cars will be there at the time there is the most traffic on that road and how many trips you're adding there.

So while viscerally you're going to say I sit on my front porch and I see it, it's not viscerally. People do counts, people examine them. People examine them throughout the United States, throughout the region, and those counts will be consistent. Nobody has yet to come up to me to show any scientific evidence that those counts are ever incorrect. That's what you base it on. You base it on the science. What that science shows is that based upon the number of units we have here and the mix of units, that those would be the additional trips that would be there at peak hour. It's science.

MR. WERSTED: To clarify, maybe there's a misunderstanding, the traffic I was quoting is coming in and out of the development. If you're actually --

MS. GIDDENS: I'm counting the ones that come in and out of everything on Meadow Hill Road, which you have to count. You can't ignore

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it.

MR. WERSTED: They have counted that. To give you an example, down on Patton Road there might be 60 to 70 cars at that intersection. As you move towards the east and you get near the school, it goes up to 470. As you get further down the hill, you get up to 700 vehicles. If those are the counts that you're talking about, those are the numbers that they counted and studied.

MS. GIDDENS: And then you're adding in this new development.

MR. WERSTED: Correct. That's how the study --

MS. GIDDENS: So your study and my study don't correlate at all.

MR. WERSTED: If you counted the numbers we'd be happy to look at them. These are the numbers that the engineer provided to us.

MS. GIDDENS: He's only doing the ones that are coming out of the new development.

MR. WERSTED: Their study is how much traffic is on Meadow Hill Road.

MS. GIDDENS: How many buses? How many

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school children? Busing in 1,064 school children with buses and teachers and parents, I don't know -- I don't know how you came up with your numbers.

MR. WERSTED: They were generated by counting the intersections, how many cars go through a particular intersection. They take that and say here's how much is going through the intersection today. When we build this how much traffic is this development going to generate. Let's take that and add that on top of what's there on Meadow Hill Road and then let's analyze the before and the after condition. So that's all been conducted as part of the original -- as part of the 2010 study. What they are presenting now -- and all that has been approved. The difference now is that they bought another parcel and they are adding in some additional units. So I think --

MS. GIDDENS: We weren't happy with the first parcel, so we're not happy with the second parcel.

MR. WERSTED: Understood.

MS. GIDDENS: That's all the questions

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I have except for what is this -- how is this going to affect our tax structure?

MR. DONNELLY: That's for the assessor to determine.

CHAIRMAN EWASUTYN: Thank you. Mike Donnelly.

MS. GIDDENS: And he's not here?

MR. DONNELLY: No. It's not part of this process.

MS. GIDDENS: That's all I have. I'm sure other people have something to say.

CHAIRMAN EWASUTYN: The lady in the back.

MS. RIVERA: My name is Mary Oliveri, M-A-R-Y O-L-I-V-E-R-A, I live on 59 Meadow Hill Road which is about two houses down where you're proposing to do this entrance.

The farmhouse that is there is a landmark. I moved here 15 years ago, and the attractive part of this Town was the wooded area, the wild animals that we saw around. And then all of a sudden we started getting overcrowded. If the study that you conducted was performed by the same agency that did the study on 300 going

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towards Wal-Mart, we all experience traffic at 4:00, 5:00, 12:00, it doesn't matter the time. You take at least a half hour from Stop & Shop all the way to the Wal-Mart store.

I have a very hard time getting out of my driveway. Cars, and not only cars but speeders. We could change the name of Meadow Hill Road to Meadow Hill Highway because if you stand on that road -- my mailbox, when I go to take my mail from the mailbox I have to be so careful and watch the cars coming down because if I go on the road to take my mail, I could probably get hit and not make it because of the speed.

There is a house right on the corner of Sycamore and Meadow Hill Road that has a fence built of stone that has been rebuilt over and over and over and over. Right now it is all down because nobody lives there. I would be -- the house is for sale. It's been empty for quite some time. I would be afraid to buy that house because you could be watching TV and a car could be in your living room.

My concern is we can't do anything

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about what you already have approved, but yet we can do something about that property that is there now for redevelopment. You could, like she proposed, recondition that house -- you're already leaving the building that is stone -- and make that a green area. Make something beautiful that all of us, not only the residents of the development can enjoy, but all of the residents of Meadow Hill Road.

We have experience of developments or developers coming in here and saying this is going to be for seniors. Stewart Avenue, that's not seniors any more. Anybody can go there and live. Because it's senior, you're not going to retire here. It's too expensive to live here in New York. So we go where? South or some other place. Buffalo they say is very inexpensive to live. So we need to make this place comfortable and nice for everybody who lives here. Yeah, develop. This looks nice. It looks almost like the south Bronx. Lots of houses, big houses, apartments. It looks like a project to me.

So my request to you is please reconsider this. We live here. We have to deal

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on a daily basis with this traffic, and the speeders, and the people who go by throwing the garbage in my yard every single day. This is going to add to that.

It's not going to be just seniors, it's going to be anyone and everyone who wants to live up here.

And then, you know, after that the water. I see a lot of cement, a lot of concrete in here. My driveway goes down under in to my house. I've had floods in there several times. With all this you're saying yeah, drainage is going there and all of your architectural whatever that you're considering, but I have to deal with the water. How is that going to prevent the water from going into my basement?

So thank you for listening and I hope you reconsider.

CHAIRMAN EWASUTYN: The gentleman there.

MR. FERGUSON: My name is Ben Ferguson, 65 Meadow Hill Road, F-E-R-G-U-S-O-N.

I had a question. The access road onto Meadow Hill, why not make that a full entrance?

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Just a question.

And second, are they going to be rentals or condominiums?

MR. CAPPELLO: It's a rental community.

MR. SARCHINO: I'm not sure -- are you talking about this access here?

MR. FERGUSON: Yes.

MR. SARCHINO: We're trying to limit the access to the project from the main entrance drive, which is in a straight portion of the road here. As you can see, it has a boulevard access point. This access point -- emergency drive is closer to this curb and we feel this is more appropriate as an access drive for the project for every day use.

MR. FERGUSON: It just seems like a long way around. But thank you.

MS. HENNESSY: Mary Hennessy, I live at 3 Sycamore Drive. What kind of rent are you going to be getting from these rental units? My concern is, of course, Section 8 or --

MR. CAPPELLO: This is a market rate.

MS. HENNESSY: What is market rate?

MR. MINOIA: We don't do affordable

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housing. This is all luxury rental housing.

MS. TIRADO: Who could afford that with the incomes up here? Really.

MS. HENNESSY: What is the rental?

MR. MINOIA: The average is 1,800 a month.

MS. HENNESSY: For a two bedroom?

MR. MINOIA: Mm'hm'.

MS. HENNESSY: I have to say I've lived there for 21 years and --

CHAIRMAN EWASUTYN: Ma'am, ma'am.

MS. TIRADO: Excuse me.

MS. HENNESSY: I've lived there for 21 years and I agree with everyone that the Perger house is a landmark. Although it is dilapidated and Tom had let it go, it's a hundred years old. That has to be taken into consideration.

UNIDENTIFIED SPEAKER: I live in a house that's --

CHAIRMAN EWASUTYN: Ma'am, ma'am. One person at a time.

Are you finished, Mary?

MS. HENNESSY: I just hope you would reconsider the Perger property.

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CHAIRMAN EWASUTYN: The property is zoned for what is being proposed.

MS. HENNESSY: When did that happen?

CHAIRMAN EWASUTYN: It was a farm but the zoning today allows for the use that is being proposed.

MS. HENNESSY: Commercial?

CHAIRMAN EWASUTYN: It's not commercial.

MS. HENNESSY: It's residential multi-family.

MR. SARCHINO: It's in the R-3 zone.

CHAIRMAN EWASUTYN: The lady in the back.

MS. TIRADO: Good evening. Vanessa Tirado. It's zoned -- is it zoned R-1, R-2, multi dwellings?

MR. DONNELLY: R-3 multiple family.

MS. TIRADO: When did that change? When they first came in with the first structure or was that --

MR. DONNELLY: I think it's been a long time.

MR. SARCHINO: It was already R-3 when

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we started the project. I'm not sure when it was --

MS. TIRADO: The additional parcel I'm talking about. Not your parcel.

MR. SARCHINO: The same thing. Perger had been zoned R-3 when we started on the project. We have not applied for any rezoning on this application.

MS. TIRADO: You know, listening to your plan, and it is lovely when you want to develop housing. Initially it was for seniors. That was back in 2010. In 2011 it came back again and then it changed. Now it's for residents and a portion for seniors. Initially when they purchased the property it was supposed to be for senior housing. Like Mary said, seniors are not going to stay up there because their income is limited. That's number one. They're going to look for places where the income that they're on once they retire can substantiate them. When you develop something like this and you say oh, it's luxury and it's \$1,800 a month to rent, I'm thinking no one has done an economic plan to see what income up here young adults can

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afford to move into that. I have a son that is 28 years old and he could not afford that, and he does work in the Town of Newburgh. He could not afford \$1,800 rent. So I want to know who are these people that are going to afford this particular housing and what seniors are going to move in there?

When you say luxury rentals, you know, that to me upsets me because I don't think we need luxury. We need affordable. That's my opinion. So that we want a developer to come up here. Maybe you should look at the people that live here and their income and what they can afford for themselves and their children that want to perhaps stay in the neighborhood, that have been brought up in this neighborhood. I keep seeing all this luxury stuff coming. Yeah, our kids can't afford it. My son can't afford it. I don't know if any of your children can. I'm sure they can't afford it either. It's all well and dandy we're building these homes but who are we building them for is my question?

Second to that, that parcel that is open that is also zoned for additional dwellings,

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which is nice, I think the developer should perhaps reconsider and make that open space for that whole community there.

I know a lot of these developers that come up, there's very limited open space for them. I kind of think you're missing out on that great opportunity to make some of these spaces, when you develop, open space for the community as opposed to chopping up every particular acreage you get. Maybe you want to reconsider that, too, as opposed to just being all about the money.

Thank you.

CHAIRMAN EWASUTYN: I think we'll put on the table one time for final comment as far as do you propose to turn this into green space? Do you propose to do a restoration and leave it as a hundred-year old home? What is your proposed use for it?

MR. MINOIA: Thank you, Mr. Chairman. I'd like to address a couple of the comments.

The property was zoned this way when we bought it in both cases. We didn't come here, into the Town of Newburgh, and ask for the zoning. We bought the property based on the

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zoning, based on whatever studies and analysis your community did. So that's on the basis we bought the property.

On that basis we designed the property, the units and the layout, that is conforming to the zoning with the specific number of units, the density, the open space, et cetera. So it's not like we've tried to put 10 pounds of stuff in a 5 pound bag, so to speak. This is the zoning for the property.

The Perger house, by the way, is probably beyond repair. Mr. Perger didn't even live in the house, he lived in the garage, just so that you know.

UNIDENTIFIED SPEAKER: It's still a hundred-year old house.

MR. MINOIA: If I may.

CHAIRMAN EWASUTYN: I have to remind you that we have to be polite. It's not a yelling match.

MR. MINOIA: We are a private company. We're a private developer. We're not the municipality, we're not the county, we're not the state. We don't buy open space for the benefit

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of the community. If the Town has the money and would like to buy the property for open space to serve the community, we'd be amenable to that discussion. We're a private company. We build luxury housing. That's what we do as a company. The property is zoned for that. We pay taxes in accordance with what that zoning is.

The Perger property is in a very, very bad state of disrepair.

I happen to live in a 165 year old farmhouse that I restored for 5 years, painstakingly did the work myself. I appreciate it very much. I have multiple barns, chicken coops, you name it. I have all those things on the property. I understand what you're saying more than the average person does. Most of it I painstakingly restored myself.

This property is probably beyond repair. I think if you even attempted to move the building it would probably collapse and turn into a pile of firewood. If there is somebody that comes out of the woodwork, so to speak, that has a use for the building and you can raise the funds or relocate it, we'd be open to that rather

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than just demolishing it. I would put that on the table as a potential option.

In terms of just buying the property and leaving it as open space, clearly not an option for us.

CHAIRMAN EWASUTYN: The gentleman in the back.

MR. McBRIDE: I have one question. You said --

CHAIRMAN EWASUTYN: Your name?

MR. McBRIDE: Tom McBride. You said that you built several of these properties in other towns. What are some of the other towns, to get an idea of what actually is going on?

MR. MINOIA: I've been doing this for forty years and have built over 10,000 multi-family units. The most recent example is Summit Lane on Stewart Avenue here in the Town of Newburgh.

MR. McBRIDE: Besides Newburgh, where else have you built?

MR. MINOIA: I don't know how far you'd like to go. 12,000 units is a lot.

MR. McBRIDE: In the past five years.

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MR. MINOIA: The past five years, probably 2,000 apartments. I have 1,000 under construction today. So there's a lot of them that you could look at. They're all the same quality and higher.

MS. McBRIDE: Do you have others in Orange County?

MR. MINOIA: We have 270 units under construction in New Windsor. We have multiple projects in master plan communities from Westchester through Dutchess. We own the psychiatric center across from Marist College. There's a master plan for 750 multi-family units, 350,000 square feet of retail in Sleepy Hollow, New York on the Hudson River.

MR. McBRIDE: You're still going right around the question. We're asking what other towns have you built this type of development?

MR. MINOIA: I'm giving you the answers but you're interrupting me.

CHAIRMAN EWASUTYN: Mr. Bride, let's keep a sense of order.

MR. MINOIA: I'm answering the question of the communities that we're building or have

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projects currently being developed. Hyde Park --

MR. McBRIDE: The question I asked is what other towns that you have built in already. That was the question. What other towns have you built in?

CHAIRMAN EWASUTYN: Initially we did a site inspection when this came before us. There's a project I believe in Wappingers, Hopewell Junction.

MR. MINOIA: There are projects we're involved in in Hopewell Junction, there are projects at Hyde Park, River Ridge Townhouses, New Jersey. I can give you twenty different projects that we've built over the last twenty years. Again, we are -- I built projects where President Nixon lived in New Jersey. Top of the line luxury housing, multi-million dollar townhouses. We are a luxury builder. We don't build Section 8 houses, whoever raised that question. Never have, never will. That's not our market. We take the properties that are zoned for use that the community intended them to be and we develop luxury communities. We manage them when we finish, which is a key component.

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GOLDEN VISTA

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We don't build it and leave.

MR. McBRIDE: You never resold any of the properties that you have?

MR. MINOIA: We still own them. Some have been sold. I'm not saying we haven't sold any. For the most part we are a community. We own them and we manage them.

MS. GIDDENS: What happens if --

CHAIRMAN EWASUTYN: Ma'am, again what I'd like to have happen is everyone who still has a question that hasn't had the opportunity to speak, that they have the floor and then we'll get back to you.

Is there anyone else this evening that has any -- the gentleman there, please.

MR. SELBY: Jermain Selby, 108 Meadow Hill Road. My question is right now we have a ton of pedestrian foot traffic along the roads. These roads aren't intended for it, especially going around the curve there. It seems like someone is supposed to get hit every day.

Is there any type of information you guys can provide on how many pedestrians this will add to the area and the foot traffic? And

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if it's going to increase it, is there something that we can do to protect pedestrians walking along these roads? Right now there's no shoulder. I don't think there's any real street lighting or anything of that nature.

CHAIRMAN EWASUTYN: Mike Donnelly, do you want to address that?

MR. DONNELLY: I don't know if there's any projection for pedestrian traffic in the study. Remember, we're only looking at the additional units here.

Ken, I don't know if you can give some estimate as to what this will produce.

MR. SELBY: So it's like 21 additional units that you guys are putting in?

MR. SARCHINO: 24.

MR. SELBY: 24 2-bedroom?

MR. MINOIA: They're 1 and 2 bedrooms.

MR. SELBY: So I mean after only adding 4 cars to the road in the morning, you've got to extrapolate a little bit here and say there's going to be quite a few people walking or taking a bus.

CHAIRMAN EWASUTYN: On and off there's

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been consideration to having sidewalks in the community. It's a balance between what the Town Board may want to do in reference to sidewalks, who is to maintain the sidewalks, the longevity of sidewalks, what happens after 15, 20 years when the sidewalks begin to deteriorate, who picks up the cost for that.

The Planning Board -- just recently the DOT has kind of finally giving consideration to sidewalks along Route 300. What you have happen is, and you could even see 17K, and I agree with you, you can see the footpath where people walk. Not everyone has a car. There are some people that have to ride, walk. The DOT just recently is saying okay to sidewalks on Route 300 because people stay in the local inns, they may want to go to Panera, they may want to go to Starbucks --

MR. SELBY: Stop & Shop.

CHAIRMAN EWASUTYN: Stop & Shop. So it's a long-term plan. Some examples, we have suggested on Route 300 sidewalks.

As a matter of fact, I think Brighton Green has a little bit of sidewalk. When that

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was being considered people said, so to speak, it makes no sense, there are sidewalks going nowhere. Tonight we have a person like yourself who has a vision. You would say well, maybe it doesn't, but in the long run we can link the Town together, make it more of a community. The question is do you want a community with sidewalks or do you want to have open space where you don't feel like everyone is walking across your front yard? Another concern people have is well if there's sidewalks people are going to walk off the sidewalk and look in my bedroom window, I don't want that kind of community. It's really a balance.

MR. SELBY: Yeah. I mean I hear what you're saying. The foot traffic is already there. So I mean the reason why I raise the question is it's going to add to it.

So now my question is how are we going to protect the people who are walking? The grocery store is right there. People walk from the community to the grocery store.

CHAIRMAN EWASUTYN: I don't think that's our responsibility or the applicant's

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responsibility to protect people who are walking.

MR. SELBY: Exactly. Just saying what they are planning on doing is going to add to the traffic.

CHAIRMAN EWASUTYN: Foot traffic.

MR. SELBY: Absolutely.

CHAIRMAN EWASUTYN: They would have to know better than we would.

MR. SELBY: What is their -- are they getting tax breaks? What's their -- are they getting incentives?

MR. MINOIA: I wish we were but we're not.

MR. SELBY: The taxes that's going to be imposed to the homeowners is going to be the same?

MR. MINOIA: It's the same if not higher than what everybody else here is paying. This is new construction so it's probably going to hit the highest level of what would be in the Town. We pay a lot of money in taxes which hopefully helps to increase services and add to everything else in the community. There are people that can afford these rents, I can assure

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you.

I'd like to kind of underscore some of the positives. We're talking about a lot of the negatives.

The positives are we took a project that was previously approved, we added a beautiful boulevard entrance, we created an emergency access out of the Perger property. We are saving the stone building to a point. It's a unique building. I happen to be a woodworker. I build furniture for a hobby. I'm that kind of person so I wanted to save the building, which we're anticipating doing. We've substantially enhanced the architecture over what was previously approved for the entire community, not just the new section. So there are a lot of things that have been done, including stormwater. I don't know about the engineering, but Mr. Sarchino can certainly talk about what's been done to enhance the stormwater and bio-retention and so on and so forth for the property. There's a lot that's been done to enhance it from the original approval which we didn't have to do. We looked at the project, we turned it like a Rubix

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Cube and figured what was the best we could do for the project because that's who we are as a company. Again, we look to save as many of the buildings as we can. We look to save the trees when we can. We do all those kinds of things because we are sensitive to the needs of the community.

The Perger property, I'm sure you all remember what it looked like. It was also a garbage dump for those that forgot. I cleaned up all that garbage on behalf of Perger. I got stuck with it because he wouldn't move it. That was a substantial eyesore. Let's be honest about it.

MR. SARCHINO: I want to also note, in addition to what Nick noted, we have sidewalks along the entire interior of the project. You're able to come out and walk throughout this project. What we want to get the people to is we have a clubhouse proposed here with a pool and there's a playground right next to it. So you will be able to walk internally to get to this internal space within the project. That's a big benefit to everybody.

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MR. MINOIA: There's one other thing I forgot to mention. The senior units are restricted by size. Whatever the zoning that was put in place, it was very creative. They're not the same size as market units. I forget who raised the point about affordability. They are restricted by size which in and of itself restricts the number -- the amount of rent you can charge. It's not like we can build a 2,000 square foot senior unit and think we can get \$2,000 a month for it. It's limited to a maximum of 1,000 square feet. So by design more than anything.

The zoning was given consideration to how do we keep it affordable without actually designating it affordable. So in my mind it was a very creative way to create an affordable unit.

CHAIRMAN EWASUTYN: Ma'am, you have a question?

MS. SELBY: Yes. Jennifer Selby, 108 Meadow Hill Road. I just have a question. I guess your apartments look beautiful. I understand why you want to put them in.

With the acquisition of the new land is

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there any chance that the driveway would be moved a little further from my property? I know that when I went to see the original plans before -- actually when demolition started, because we bought our house one year ago not knowing this was even going to go through. I woke up one morning and trees are being cut down and I had no idea what was happening. When I went to the Town and got the plans and got to see everything, I know that there was a certain barrier that wasn't supposed to be touched. It was outlined in the orange fencing. Everyone was very nice and went over the plans with me, which I appreciate. I was just wondering since then I know they have to put up a temporary barrier and I saw someone cutting my more trees.

MR. SARCHINO: Up there.

MS. SELBY: Yes. I was just wondering like is there -- now with the proposal of like the benches for like the busing, I mean that guy that was putting up that pole, I was in my house and I literally heard his whole conversation. We bought there thinking we were going to have this privacy. I guess what I grew up with. I grew up

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on 8 acres of land in Newburgh. We're both from Newburgh. We wanted to stay in Newburgh. Obviously this broke my heart. All the trees went. I'm accepting it.

I was just wondering if there's any way that we could possibly incorporate either sliding it, adding like a thicker barrier or even -- I just don't --

MR. SARCHINO: Unfortunately or fortunately this is located in the best location for the access drive. The grade is relatively flat. As you come down here, this gets steeper and you have to turn. We're trying to keep the sight line distance looking left coming out and right coming out in the flat area of the road. This is consistent to where the original approved plan had an access driveway. It really is the best location for it grade wise.

MR. MINOIA: That's not to say we can't look at it. We might be able to add more landscaping at the entrance, put more trees to try to screen it off to give you more protection. There's a pocket of wetlands there. There's some limitations and constraints. We can't just put

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it wherever we want. It's engineered that way for a reason. We can look at the landscape.

MR. SARCHINO: We have a stormwater management area here. This is wetland down in here. So we're trying to keep a buffer to the wetland. You can see the stormwater management area here. That's the landscaping that's proposed along here.

As Nick said, we will look at maybe increasing that amount of landscaping at that entrance to try to block your view in.

MS. SELBY: Thank you.

CHAIRMAN EWASUTYN: Is there anyone here this evening -- ma'am.

MS. McBRIDE: I'm Krista McBride, 79 Meadow Hill Road. I'd like to know beyond the senior units, the 1 and 2 bedroom units is my understanding. How many people by law or -- how many people do you expect to occupy the 1 and 2 bedrooms units? Can you come in with your 8 kids and a set up bunk beds? How many people by law per space are you allowed to have in each unit?

CHAIRMAN EWASUTYN: Jerry Canfield.

MR. CANFIELD: I don't have an answer

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for that.

MR. CAPPELLO: By law you can't restrict, except to restrict for seniors. Under HUD regulations you can't tell someone who moves into an apartment how many children they can have. I mean obviously there's noise requirements, but there is -- it's not anticipated. Most of these developments don't generate a lot of children. But you can't say -- you can not by law limit it and say you can only have X amount of children to move in there. You would violate HUD regulations.

MR. SARCHINO: What we can say, as indicated before, the units are small. The 1 bedroom is 830 --

MR. CAPPELLO: That's seniors.

MR. SARCHINO: -- 830 square feet and the 2-bedroom is 996 square feet. So it's not a large --

MS. McBRIDE: Okay. So based on your experience with all these other projects you've developed and you've had with -- how many, average, would you say based on your experience?

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MR. MINOIA: The studies are crystal clear on new construction for luxury apartments. they do not generate children. So for instance, of the 154 I believe that are rented at Summit Lane here in the Town of Newburgh, we have 13 children. So they do not generate children.

MS. McBRIDE: How many -- I'm trying to figure out in our community how many more people are we going to have living down the road. Is it going to be 3,000 people?

MR. MINOIA: There's a good chance these people are already living in your community. It's interesting how people --

MS. McBRIDE: I understand this, I'm assuming --

MR. MINOIA: People refer to those people like they're coming from somewhere else.

MS. McBRIDE: I'm assuming some people are going to be coming from --

MR. MINOIA: Your daughter, your son, that's who those people are.

MS. McBRIDE: I'm assuming people are going to be moving not from just up the road.

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There may be some retirees. I understand that.
I'm sort of --

MR. MINOIA: These are people who
aspire to have a sense of community and a
lifestyle that may not exist in your community
today, the clubhouse, the pool, the gym, the
computer access, the different things that we do.
High speed internet, whatever it might be.
That's why they want to live here. Typically we
come into communities that don't offer that type
of product and there's a demand for it. Young
people want it. Today homeownership is out.
Homeownership is down so far, it's the lowest
level since World War II. People want luxury
housing at a price, they want convenience and
they want it at the top of the market. They
want to be mobile. They want to move to Texas
or Florida or wherever they want to go, sign a
one-year lease and leave after that. It's more
of a mobile society.

These apartments do not generate
children. It's just not the -- it's not the
part of the demographic that lives here. It's
people who are selling their houses that are

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moving down because they don't want the big house. The kids are in college so they don't want the big house. They want an apartment, new furniture. This is a beautiful place to live. There are social aspects to it. Or it's the people who are new in the workplace, getting married, recently married and they are living in a high quality residential community. That's the demographic.

MS. McBRIDE: What you're telling me is you're expecting about 2 people per unit?

MR. MINOIA: It's 1 and 2. It's about sixty percent 2 bedroom and forty percent 1 bedroom.

MS. McBRIDE: What you're telling me is they don't generate children?

MR. MINOIA: We have a lot of 2 bedrooms that have one person.

MS. McBRIDE: I'll take it as 2 people per unit.

MR. MINOIA: You didn't listen to what I said. The two bedroom per unit we have a large percentage that are only occupied by one person because they use the second bedroom as

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an office.

MS. McBRIDE: I'll err on the side of

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MR. MINOIA: You don't want to err on

that side because that's not what the studies

show.

MS. McBRIDE: I should err to 1

person per unit?

MR. MINOIA: It's 1.5 probably.

MS. McBRIDE: Basically 185 people?

MR. MINOIA: That's not the math.

MS. McBRIDE: How many homes?

MR. MINOIA: 161 plus 24. It's 185

units. 1.5 would be about 270, roughly.

MS. McBRIDE: Okay.

CHAIRMAN EWASUTYN: Before I

acknowledge Mr. Selby, is there anyone else here

who hasn't spoken that would like to speak?

We'll do one more round and then we'll complete

the public hearing.

MR. SELBY: I'm just wondering. You

have a management office there and you're

going to rent it out yourself. What are your

qualifications for potential tenants? How do

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you screen potential tenants?

MR. MINOIA: There's a companywide screening process that's been put in place for decades. All the communities are run the same way. There will be a leasing office on site, there will be staff there on a permanent basis, there will be a property manager who is designated solely for that property. It will have it's own handyman or super. Everything will be run at a local level. There will be staff there full time.

MR. SELBY: Do you get a rental application?

MR. MINOIA: The application is based on a lot of criteria for credit scores, amount of time you've been at the job. There are certain standards you have to qualify for.

MR. SELBY: I was just asking what those standards are.

MR. MINOIA: I don't have it off the top of my head.

CHAIRMAN EWASUTYN: Anyone else before we close the public hearing that would like to speak?

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(No response.)

CHAIRMAN EWASUTYN: At this point I'll turn the meeting over to the Board Members. Frank Galli?

MR. GALLI: I just had two questions. Is there going to be any parking outside of the maintenance shed that you're keeping, the stone building? Is that --

MR. MINOIA: No. Just access.

MR. GALLI: No parking of trucks or anything?

MR. MINOIA: No.

MR. GALLI: And then what's the size of the new building on the outside? The pool. You said you were putting in a separate building on the outside of the pool. What size is that, roughly?

MR. CARFAGNO: The building adjacent to the clubhouse is not for maintenance. It's actually a shed to house the pool pump.

MR. MINOIA: It's probably 10 by 12.

MR. HINES: It's labeled 12 by 12 on the plans.

MR. MINOIA: I was close.

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MR. GALLI: That's all I needed to know.

Like I said, this lady's property, if she's right next door to the entranceway, maybe you can work with her a little and see --

MR. SARCHINO: We will add some landscaping.

CHAIRMAN EWASUTYN: Your name was Selby; is that correct?

MS. SELBY: Yes. Jennifer Selby.

CHAIRMAN EWASUTYN: Ken Mennerich?

MR. MENNERICH: Concerning the Perger house, is that listed on any of the registries for historic places?

MR. MINOIA. No.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: First I want to thank the residents for coming out tonight and expressing your concerns. It's something we'll definitely take into consideration. We understand where you're coming from.

I also want to thank Nick for being here tonight. I think you did a good job

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answering questions. We don't have access to some of that information. This is your project. Thank you for taking time out of your schedule.

The one question I had as far as the new property is the fire access road. Jerry, do you think that is in a good location? Is the turn proper for the jurisdictional fire department's ladder truck to turn into there coming up from their station?

MR. CANFIELD: It will be adequate. They'll be able to utilize it.

MR. DOMINICK: It looked like it turned too far to the west there I guess. A little more down toward --

MR. CANFIELD: They'll have to get out in the other lane to make the swing.

MR. DOMINICK: Exactly.

MR. SARCHINO: It's 20 feet wide. It's quite a wide turn.

MR. DOMINICK: I just think the angle should come more down instead of up.

MR. MINOIA: I think we tried to stay away from the driveway across the way, if I'm not mistaken.

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MR. CANFIELD: They can include that in the truck turning radius and run it through the models and make sure that it is adequate.

MR. DOMINICK: I think that's going to be a problem.

MR. PEARSON: We can adjust it if it's required.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I have a question from previous. Did they ever do a walkway to the school? I remember once we --

MR. HINES: It was proposed on the previous plans and the school district did not want it.

MR. WARD: Okay. So what I'm asking you would be on that property going out where the fire lane will be, possibly a sidewalk access to the apartments, walk around the curb up to the school to make it safer for the children.

MR. MINOIA: At the northern end?

MR. WARD: Right down below. Where you have the house. Where you're putting the fire lane, have an entrance going out with the sidewalk going around the curb up to the driveway

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GOLDEN VISTA

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you enter.

MR. SARCHINO: This way?

MR. WARD: Yeah, going up there.

MS. GIDDENS: So you're going across
three yards.

MR. MINOIA: Then I think we're forcing
foot traffic out of our community onto Meadow
Hill Road that otherwise wouldn't do that.

MR. GALLI: You have the wetlands
there.

MR. MINOIA: And you're in the
wetlands. We have a continuous walk on the side.

UNIDENTIFIED SPEAKER: There isn't
going to be any children.

CHAIRMAN EWASUTYN: I don't think we
have to be wise about it.

MR. WARD: Anyway --

MR. SARCHINO: We can look at it.

CHAIRMAN EWASUTYN: For that matter,
there shouldn't be a bus stop there because what
they are doing is they're anticipating there will
be a certain amount of children, they would wait
at the bus stop.

Go ahead.

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MS. TIRADO: It is about the little housing for children to wait for the bus. They'll not be bused from this location. They're too close. It might be beneficial for them to look into something where they can walk. They'll not be bused.

MR. McBRIDE: Everybody gets a bus from school.

CHAIRMAN EWASUTYN: I can't answer that question but he is proposing something for children.

MR. WARD: I have the floor.

CHAIRMAN EWASUTYN: We have someone who has the floor.

MR. WARD: I have the floor. My other question, which, you know, I know you changed it, I asked for the gazebo to be bigger for the children. If you're going to do that, make it bigger because in the winter conditions you're going to have people standing there for the bus.

MR. MINOIA: The gazebo?

MR. DONNELLY: They have a covered --

MR. WARD: I'm talking more people being there in the winter.

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MR. MINOIA: There may be a larger version of what we're showing. Are you particularly -- you like the look of the gazebo?

MR. WARD: Both ways. The character. You can make it longer or two of them. What I'm saying is you have to have more than three people sitting there or standing.

MR. SARCHINO: It's proposed for two benches. It is bigger than that. That's the style.

MR. MINOIA: That's not the size.

MR. WARD: I catch a bus to the city. There's places that have shelter but they're for a lot of people. Here you have people going to catch a bus. Just something to look at.

CHAIRMAN EWASUTYN: Jerry Canfield? We're getting ready to close.

MR. CANFIELD: One question procedurally. How are we going to handle the proposed landscape changes? How will that be handled?

MR. HINES: We have outstanding technical comments.

MR. SARCHINO: We have to come back to

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GOLDEN VISTA

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the Board.

MR. CANFIELD: They can be covered on a resubmission.

MR. SARCHINO: It will be part of that next submission.

CHAIRMAN EWASUTYN: Pat Hines, final questions?

MR. CAPPELLO: Or a condition on the plan that we provide it to the satisfaction of --

MR. HINES: As just stated, we have some technical comments based on the applicant's last submission that must be addressed.

There's a City of Newburgh flow acceptance letter for the increased hydraulic loading.

The Board can't take any action tonight because of that outstanding procedure. Again, we have technical comments and they will need to be addressed.

CHAIRMAN EWASUTYN: Ken Wersted, Traffic Consultant?

MR. WERSTED: I reviewed the proposed additional buildings and the traffic increase and find that the addition is negligible compared to

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what was already studied. We feel that aspect has been covered.

There are some signing improvements that are proposed as part of the original project, and those will continue to be applicable here.

I would note as I looked further -- more closely at this property, there's a gravel driveway that kind of comes out next to the shed. It's really almost like a pull off. There's a number of large kind of boulders there. The Town may have an interest in moving those perhaps out of the area where a car might inherently hit those and maybe put them back on the property and landscape that area just with probably lawn seed. That basically would give drivers a little bit more of a recovery area if they happen to slide off the road in a winter condition.

Other than that, we don't have any other outstanding comments.

CHAIRMAN EWASUTYN: I'll move for a motion to close the public hearing on the Golden Vista amended site plan.

MR. GALLI: So moved.

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MR. MENNERICH: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

All right. Thank you for attending.

(Time noted: 8:45 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 18th day of July 2016.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

PROPOSED LOCAL LAW

To Allow Multi-Family and Townhouses in the
IB Zoning District

----- X

BOARD BUSINESS

Date: July 7, 2016
Time: 8:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

----- X

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

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CHAIRMAN EWASUTYN: We have one
item of Board Business.

MR. DONNELLY: The Town Board has
referred to you a proposed local law to allow
multi-family dwellings and townhouses in certain
qualifying parts of the IB Zoning District.

Under Section 185-60(b) of the Town of
Newburgh Code, the Planning Board has been
requested to prepare a report on four particular
factors of it's recommendations in regard to that
proposed local law.

The Planning Board Members discussed
those factors during the work session. I've
taken notes and I'm prepared to address a letter
to the Town Board that will report as follows:

Under the first factor, whether such
change is consistent with the aims and principles
embodied in the zoning chapter and to the
particular districts concerned. The Planning
Board will report that although it is
inconsistent with the current IB zoning
prohibition on residential housing, it is in
other ways consistent with the residential
housing provisions of the code.

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Secondly, which areas and establishments in the Town will be directly affected by the change and in what way they'll be affected. There are no existing shopping centers of a qualifying size, other than The Marketplace which itself is not built, that would qualify for the zone change. It is difficult to determine whether any other properties might qualify. The possibilities include the Newburgh Mall, the Brookside Drive-In, although there's significant implications there, the big site by Target. It's always possible that a developer could consolidate a bunch of individual parcels to qualify. I think the bottom line is there are not a large number of sites that would qualify based upon the minimum shopping center size of 250,000 square feet.

Next, the indirect implications of the change and it's affect on other regulations. The Planning Board does not see any indirect affect on other regulations under the code.

Lastly, whether the amendment is consistent with the aims of the master plan of the Town. In the sense that the IB zoning

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district prohibits residential use, and that's announced within the master plan, it is inconsistent with the plan itself. However, the Planning Board notes it is frankly consistent with the aims of the master plan which is to allow retail shopping centers to be in reasonable proximity to residential neighborhoods to minimize traffic impacts.

CHAIRMAN EWASUTYN: I'll move for a motion from the Board for Mike Donnelly to send that letter to the Town Board in consideration to the proposed new local law.

MR. GALLI: So moved.

MR. DOMINICK: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye myself. Motion carried.

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I'll move for a motion from the Board
to close the meeting of the Planning Board of
July 7th.

MR. MENNERICH: So moved.

MR. GALLI: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 8:48 p.m.)

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Michelle Conero

MICHELLE CONERO