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

----- X

In the Matter of

LANDS OF MANN (Formerly Martin)  
(2009-04)

East Road  
Section 2; Block 2; Lot 22.1  
RR Zone

----- X

TWO-LOT SUBDIVISION

Date: July 21, 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  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DARREN STRIDIRON

----- X

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

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MR. BROWNE: Good evening. Welcome to the Town of Newburgh Planning Board meeting of July 21, 2016.

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

MR. GALLI: Present.

MR. BROWNE: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. BROWNE: The Planning Board has professional experts that provide reviews and input on the business before us, including SEQRA determinations as well as code and planning details.

I would ask them to introduce themselves at this time.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney.

MS. CONERO: Michelle Conero, Stenographer.

MR. CANFIELD: Jerry Canfield, Town of

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LANDS OF MANN

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Newburgh Code Compliance Supervisor.

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

MR. BROWNE: Thank you. 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.

MR. BROWNE: Before we start I would  
like to ask when you speak, please speak up. We  
have the AC going and it's making some noise.  
Just so we can all hear and stay cool in the  
process.

The first order of business is Lands of  
Mann, formerly Martin, project number 2015-09.  
This is a two-lot subdivision being presented by  
Heritage Land Surveying.

Please introduce yourself.

MR. STRIDIRON: My name is Darren  
Stridiron, I'm a professional land surveyor  
representing my client, the Mann family.

The proposed action is a two-lot

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subdivision up on East Road. The lot is currently eleven acres.

The existing dwelling is going to be located on the proposed lot 2, and that lot will be eight-and-a-half acres. The two-acre proposed lot will be on the western side up against a private road on Tiffany but with no access onto Tiffany. The proposed access is off of East Road at a driveway entrance directly opposite an existing driveway on East Road.

The biggest change that we had from the first time you saw this application was the septic design was changed from a three-bedroom to a four-bedroom, and that was submitted with this latest set of plans.

There were some other modifications to details.

We did get a variance on May 26th for -- there was a variance requested and needed for a front yard because of the proposed taking along East Road. We were granted that variance at the last Zoning Board meeting.

CHAIRMAN EWASUTYN: Pat Hines.

MR. HINES: Our first comment just

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acknowledges that the variance has been granted for the front yard setback.

The project does have a gratuitous dedication for highway purposes, which will need to be a condition of approval, to have that completed.

The septic note has been added.

A map and as-built plan will be submitted with the certification.

We noted the four-bedroom septic modification.

The highway superintendent signoff on the driveway and culvert should be received. I notice the culvert is a 24-inch culvert. That may be larger than needed.

MR. STRIDIRON: There is a big drop off on the road. We'll go over it. Do I set up that meeting?

MR. HINES: You can go to them direct. He has copies of all of our comments. He should be aware when you contact him.

A public hearing is required.

We are recommending a negative declaration for the two-lot subdivision.

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At the work session we discussed the access to Tiffany. Apparently there was some concern at the ZBA regarding access to Tiffany.

MR. STRIDIRON: There is no access onto Tiffany as per the filed map.

MR. HINES: We're just suggesting possibly putting a note on this as well, that there will be no access.

MR. STRIDIRON: I have it on general note number 1, sheet 2.

MR. HINES: Great. That's all we had.

MR. STRIDIRON: I also have a note -- there was a question about parking during construction. I did put a note during construction no parking of any vehicles is permitted on any portion of Tiffany.

MR. HINES: Okay.

MR. STRIDIRON: That was a concern from the neighbors.

CHAIRMAN EWASUTYN: Comments from Board Members. John Ward?

MR. WARD: No.

MR. DOMINICK: Nothing at this time.

MR. MENNERICH: Nothing.

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MR. BROWNE: Nothing more.

MR. GALLI: No.

CHAIRMAN EWASUTYN: I'll move for a two-part motion, the first part being to declare a negative declaration and the second being having a public hearing on the 18th of August for the lands of Mann. I'll move for that motion.

MR. MENNERICH: So moved.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself.

You'll work with Pat Hines as far as the circulation for the public hearing.

MR. STRIDIRON: Yes.

CHAIRMAN EWASUTYN: And you're familiar with the procedure because with the ZBA you did

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LANDS OF MANN

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that.

MR. STRIDIRON: Right. Thank you very  
much.

(Time noted: 7:04 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 4th day of August 2016.

*Michelle Conero*

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MICHELLE CONERO



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

----- X

In the Matter of

CUMBERLAND FARMS  
(2016-05)

270 Route 17K  
Section 86; Block 1; Lots 14 & 15  
IB Zone

----- X

SITE PLAN

Date: July 21, 2016  
Time: 7:05 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: RICHARD OLSON  
DAVID GILLESPIE

----- X

MICHELLE L. CONERO  
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MR. BROWNE: Our next item of business is Cumberland Farms, project number 2016-05. It's a site plan being represented by Bohler Engineering.

If you gentlemen could introduce yourselves.

MR. OLSON: Good evening, Mr. Chairman. My name is Richard Olson with the law firm of McCabe & Mack representing Cumberland Farms. Mr. James Gillespie is from Bohler Engineering. Mr. Don Anderson is the regional sales manager of Cumberland Farms.

As you'll recall, we were here before you in April. Cumberland Farms has operated this site since 1980. It's a small convenience store with four gas pumps. We have acquired contract rights to the parcel to the rear which will give us a full 1.2 acre parcel.

Since we were here we did go to the Zoning Board of Appeals. We have been granted all the variances necessary to proceed with this proposal.

Some modifications have been made based upon the suggestions of the Planning Board at the

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last meeting. Mr. Gillespie can go over those for you in detail.

MR. GILLESPIE: Good evening, everybody. If you remember, when we were here last the Board had some questions with the right in/right out as well as the traffic consultant, Ken Wersted. So we talked to Cumberland and they had no problem with getting rid of that. We've eliminated that.

There was also some suggestions or recommendations to dress up the frontage of this property which were not completely compliant with your design guidelines. The Board said they would consider a waiver if we were to put a stonewall along the frontage of the property. We've proposed that stonewall. One of the comments was to add to the plan set the detail of the stonewall. I've since added that to the plan set, and I've also brought some pictures of that stonewall that I can pass out. This is an actual site that Cumberland has built recently. This is a cultured stone, three-foot high cultured stonewall with some beefier pillars on each end, and we can put some in the middle as well. This

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stone matches the canopy. If you look in the background, it's the exact same cultured stone as the canopy columns and along the base of the proposed building. It kind of makes it a very nice presentation.

CHAIRMAN EWASUTYN: The height you're proposing for the wall?

MR. GILLESPIE: It's three feet. Thirty-six inches. If you look at the picture of an actual shot here, you'll see that this is exact. It ties in very nice with the canopy columns and the base of the building. It really kind of worked well together.

There were also some comments on landscaping. We placed the trees along Rock Cut Road, which we've done, and added another tree along this side of the building. We have also a stone planter which will be around the freestanding sign in the front, and some landscaping on each end of the wall and around the entrance to the building, around this patio area and around the side at the end of the wall, and at this entrance as well -- these entrances as well.

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We did receive some comments from McGoey, Hauser. I didn't see anything in there that -- I'm certain we can work through it with them. We'll have those addressed in our next submittal.

We have submitted to the DOT. We submitted to the County. We'll follow up with them. Hopefully we'll have some progress at the next meeting.

CHAIRMAN EWASUTYN: Mr. Gillespie, the only question I really have in reference to the landscaping, the Crimson Azalea that you have on the entryway along 17K, do you think that's salt tolerant and tolerant also of snow loads?

MR. GILLESPIE: These are -- I know that our landscape architect proposed some hardy plants at the entrances.

CHAIRMAN EWASUTYN: Would you confirm that?

MR. GILLESPIE: I'll double check with him for sure.

CHAIRMAN EWASUTYN: 17K, I'm not so much concerned about this island, although you have the same plants. It sets back a greater

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distance than what we have with people coming in and plowing. Look into that.

MR. GILLESPIE: I'll double check that.

CHAIRMAN EWASUTYN: Comments from Board Members. Frank Galli?

MR. GALLI: Do you have a plan B in case the County doesn't give you two entrances on Rock Cut Road?

MR. GILLESPIE: Well we're hoping that they can understand that, you know, truck circulation is important for the deliveries. I don't have a plan B. We're anticipating that, you know, we have sufficient distance and that they'll give us that entrance.

MR. GALLI: A lot of times they don't give you two on a County road.

MR. GILLESPIE: You're saying if we -- well, yeah. The plan B here -- you know, we tried to avoid dead end parking. This would really help out our deliveries and our dumpster access. If we were to lose that, you know, it wouldn't be as good a layout. We're hoping that -- you know, there's good separation between here. Hopefully they can see the reasons why we want that, but --

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MR. GALLI: How long ago did you submit to them?

MR. GILLESPIE: It has been a little more than a week. We haven't had plans finalized. Yeah, it's probably going to take awhile.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: Nothing more.

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Thank you for eliminating that second entrance on 17K. I think that cleans that up.

MR. GILLESPIE: Yeah. That was definitely an improvement. I agree.

MR. DOMINICK: The only question is now with that stonewall, where is that going to run toward the entrance? That's not going to be any type of barrier or obstruction for point out of the store onto 17K?

MR. GILLESPIE: No. It runs right along here.

MR. DOMINICK: Okay.

MR. GILLESPIE: So it's not -- it doesn't conflict with that and it's not high

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enough to block any sight distance.

MR. HINES: Cars pulling out of there will be well ahead of the wall by the time they get to the stop.

MR. DOMINICK: That's what I was concerned about. Thank you.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: I do. What Dave says in reference to the entrance going in, eliminating it and making it landscaped there. Thank you.

CHAIRMAN EWASUTYN: Once this is converted it will be a 24-hour operation? Currently it's only open until what time?

MR. ANDERSON: I'm sorry. Say that again.

CHAIRMAN EWASUTYN: Currently it's open until what time?

MR. ANDERSON: Currently it's open until midnight.

CHAIRMAN EWASUTYN: And it will be open 24 hours a day?

MR. ANDERSON: That's correct.

MR. WARD: It opens at 5?

MR. ANDERSON: Currently it opens at 5.



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CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: Just one question. You have a signage analysis table on the plan but we don't actually see the signage. At some point you'll submit that?

MR. GILLESPIE: Yes.

MR. CANFIELD: It appears it does comply with the allowable square footage but we're going to need to see a signage plan.

MR. GILLESPIE: Sign details. Yup.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: We've received the stormwater pollution prevention plan. It is under review. Initially we don't have any comments on it. It appears to meet the requirements of the Town of Newburgh and the DEC.

The one comment we do have is the majority of the stormwater from the site enters what appears to be a private culvert on the adjoining property. The ownership and maintenance of that culvert, I know it was an issue at the ZBA, so we're looking to make sure that you have rights to discharge there and see if you can figure out who maintains that. I know it was an

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issue at ZBA.

MR. GILLESPIE: Yeah. This is -- I mean we're maintaining the flow patterns that exist currently. So again, I don't -- I don't know exactly who owns it. I just know that that's where the water goes out.

MR. HINES: I know there were some comments. The maintenance of that has been an issue. I don't know if you were at the ZBA meeting.

MR. GILLESPIE: Yes.

MR. HINES: There were some concerns by some of the residents actually across from 17K that receive the flow from this property in that pipe. If you can --

MR. GILLESPIE: Yeah. I mean all I can speak to that is we're going to reduce flows, peak flows coming off the site. We're going to improve the condition from the existing condition. You know, I mean you could follow stormwater forever and -- you know, to speak to who owns what culverts and what. I mean we're discharging to where it discharges now.

MR. HINES: What I'm getting at is we

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need a definitive answer at the public hearing for this project. We don't want to tell them your answer right now. So if you could take a look at that, the ownership, the maintenance of that. What it if collapses, who maintains it. You're putting a point discharge into that culvert at your property line, so that's the concern.

An Orange County Planning referral is required. Since we have the SWPPP now we'll need an additional copy of the plans and the SWPPP to circulate to Orange County to start that process.

The DPW from Orange County as well as the DOT approvals are required.

We'd like to hear from Orange County sooner rather than later regarding the two access points. It's contrary to their current standards of allowing two. They may. I think someone from your organization should get in touch with them sooner than later to make sure that they're going to approve this, otherwise it will result in significant changes.

We talked about the landscaping plan at work session and you heard the comments.

The sanitary sewer pump station and

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design details you said are going to be submitted in the future. We'll review those.

The Town of Newburgh has a standard for the water service where the sprinkler line and the potable water line are valves such that if the sprinkler line is terminated the potable water line is also terminated. Your office may have that. If you don't I can send you the typical detail that's needed there.

The water service lateral doesn't appear to meet the separation distances for the stormwater where it parallels the rear of the building there. They're very close together.

MR. GILLESPIE: Yup. We can adjust that.

MR. HINES: Again, our next comment has to do with the DOT and the County.

The details of the hydrodynamic separator and the drainage manhole outlet control structures need to be added to the plans.

CHAIRMAN EWASUTYN: So from the time we send the plans to the County, we have to wait thirty days for the County to respond?

MR. HINES: Yes.

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CHAIRMAN EWASUTYN: So at this point we're not in any position to make any SEQRA determination.

MR. DONNELLY: You could issue a notice of intent.

MR. HINES: We need to circulate to those other agencies now that we have the stormwater. I'll actually need additional copies of the SWPPP and the plans. County, DPW and DOT are also involved agencies, so I'll need three complete sets.

CHAIRMAN EWASUTYN: All right. Following the recommendations of our Attorney, Mike Donnelly, and our Consultant, Pat Hines, I'll move for a motion to declare our intent for lead agency for the Cumberland Farms, Route 17K site plan.

MR. WARD: So moved.

MR. DOMINICK: Second.

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

(No response.)

CHAIRMAN EWASUTYN: I'll move for a

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roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. Motion  
carried.

Anything else?

MR. GILLESPIE: No.

MR. GALLI: The public hearing, are you  
going to set that or do you have to wait?

CHAIRMAN EWASUTYN: We can poll the  
Board Members now. We can't really set -- I mean  
we can't really set a date.

MR. GALLI: We don't have all the --

CHAIRMAN EWASUTYN: I'll poll the Board  
Members now to see if they would like to have, in  
the future, a public hearing on the Cumberland  
Farms, Route 17K site plan.

MR. GALLI: Yes.

MR. BROWNE: Yes.

MR. MENNERICH: Yes.

MR. DOMINICK: Yeah. This project --

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this store, both inside and out, needs an overall. If it's going to appear anything like your Latham store, I think the public would want to see that. Plus you're increasing your operations forty percent per day. I think the public would want to weigh in on that.

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Let the record show that when we are in position to set a public hearing, we will be having a public hearing.

I don't know if there's any benefit in you asking the assessor's office for a mailing list now.

MR. HINES: We will do that because we need to -- although it had a ZBA public hearing, we have to do the notice now that we have the complete application. So there is that required mailing.

CHAIRMAN EWASUTYN: I guess if all goes well with the coordinated review, sometime in September there will be a public hearing. Reasonable?

MR. HINES: Yes.

CHAIRMAN EWASUTYN: Anything else?

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MR. OLSON: Will we be resubmitting for next month's meeting so you can determine if you're ready to set the public hearing?

CHAIRMAN EWASUTYN: Michael, how would that work? We still won't have the response back --

MR. DONNELLY: You could set the hearing without the response, you just can't take action.

CHAIRMAN EWASUTYN: I guess we could set you up for the meeting of the 18th.

MR. DONNELLY: I think more important is what Pat is saying, we'd like to hear whether the DOT and County DPW are suggesting changes. That's more important than the County report. That can be informal.

CHAIRMAN EWASUTYN: So you have approximately thirty days to accomplish that. A little less than that.

MR. OLSON: Okay. Thank you.

MR. GILLESPIE: Thank you.

(Time noted: 7:19 p.m.)



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

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IN WITNESS WHEREOF, I have hereunto  
set my hand this 4th day of August 2016.

*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

MOZO PROPERTIES  
(2016-11)

NYS Route 32  
Section 34; Block 2; Lot 55  
B Zone

----- X

INITIAL APPEARANCE  
SITE PLAN

Date: July 21, 2016  
Time: 7:20 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JONATHAN CELLA

----- X

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

MR. BROWNE: Our next item of

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business is Mozo Properties, project number 2016-11. It's an initial appearance, a site plan, being represented by Talcott Engineering.

MR. CELLA: I'm Jonathan Cella filling in for Charlie Brown. We're here for Mozo Properties.

It's a three-acre parcel located in a B Zoning District. It currently has a single-family residence on it, a garage and several structures for landscaping supplies.

We're proposing to relocate three of the structures in the rear from the eastern side of the property to the western side and convert the existing detached garage into an office building.

This application was before the Planning Board in July 2015 represented by another consultant. We received Pat's comments from that meeting.

We would like to request Jerry Canfield's classification for the use in the B Zone. He's requesting your comment number 9.

MR. HINES: I think we're going to

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request that your client address that question.  
We're not really sure what that use is, too.  
There are quite a few uses going on on the  
property at this time. I think maybe we should  
suggest that your client, or Charlie's client  
come the next time they're on for a meeting and  
maybe we can identify --

MR. CELLA: That would make sense.

MR. CANFIELD: Are you prepared to  
speak on behalf of your client --

MR. CELLA: No.

MR. CANFIELD: -- as to what's going on  
there?

MR. CELLA: Not exactly I couldn't.  
They were planning on coming tonight but they are  
away. They had a prior arrangement.

CHAIRMAN EWASUTYN: So at this point we  
have to refer them to the ZBA?

MR. HINES: They do need ZBA for a  
front yard and a side yard variance.

CHAIRMAN EWASUTYN: Would this be the  
proper time?

MR. DONNELLY: We don't want to slow it  
down.

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MR. GALLI: John, I just have a question. Are we ready to send them to the ZBA? We really don't know what's going on here.

MR. HINES: We do know they need those variances regardless.

MR. GALLI: For any use they still need it?

MR. HINES: Yeah. For the bulk area.

MR. DONNELLY: An area variance for an existing building?

MR. HINES: Two existing buildings.

MR. BROWNE: If there is a new use, is that possible?

MR. CANFIELD: It's a possibility once we identify what's there.

MR. CELLA: Then it would be a use variance as well.

MR. BROWNE: My understanding from what I'm hearing here is -- I'm not really clear about what's going on or whose doing what to who and all that kind of stuff. It's kind of like we need to know what's going on.

MR. CELLA: Yes. You want to wait to give us the referral? Would you be more

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comfortable with that?

CHAIRMAN EWASUTYN: Michael, we don't need to wait?

MR. DONNELLY: It's tied to the buildings and the buildings aren't changing.

MR. CELLA: All right.

CHAIRMAN EWASUTYN: Michael, would you -- would someone give us the language that would be -- Mike Donnelly will be preparing a letter.

MR. DONNELLY: Existing side yard for the garage and existing --

MR. CANFIELD: For the single-family dwelling.

MR. HINES: Right now the garage is an accessory structure, but when it gets converted to the office use it doesn't meet the setbacks anymore.

MR. DONNELLY: Okay.

CHAIRMAN EWASUTYN: Michael, would you then give us the language and we'll move for a motion to have you prepare a letter to send to the ZBA?

MR. DONNELLY: I will send a letter referring this applicant for consideration of a

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front yard variance for the existing single-family dwelling and for consideration of a side yard variance for the framed garage upon it's conversion to an office.

CHAIRMAN EWASUTYN: Having heard the language that's going to be proposed for a letter to the Zoning Board of Appeals for the variances required for Mozo Properties by Mike Donnelly, I'll move for a motion that he prepare that.

MR. MENNERICH: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich. I have a second by Cliff Browne. Any further discussion?

(No response.)

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Thank you for covering for Charlie. It

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would be good if Mr. Mozo was here so we have an understanding of what materials he's looking to store, if he's looking to rent equipment also. The total use of the site.

MR. CELLA: I'll ask Charlie to have Mr. Mozo come in, and also maybe he can prepare some type of narrative on his next submission. It's cut and dry. I'll ask him to expand on that. We'll come back after the Zoning Board.

CHAIRMAN EWASUTYN: Good to see you.

MR. CELLA: Thank you. You, too.

(Time noted: 7:24 p.m.)



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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD  
----- X  
In the Matter of

DLE HOLDINGS

Field Change - Decorative Wall

----- X

BOARD BUSINESS

Date: July 21, 2016  
Time: 7:26 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

----- X

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

MR. HINES: For Board Business we

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DLE HOLDINGS

have listed DLE Holdings, the bus company on Route 9W. They constructed a decorative wall not shown on the plans along the 9W frontage.

The Board discussed that at work session and was okay with considering that a field change.

(Time noted: 7:26 p.m.)

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DLE HOLDINGS

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

----- X

In the Matter of

DUNKIN DONUTS  
(2014-02)

Site Plan Modifications

----- X

BOARD BUSINESS

Date: July 21, 2016  
Time: 7:27 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

----- X

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

MR. BROWNE: Next is the Dunkin

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DUNKIN DONUTS

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Donuts drive-through on Route 300 across from the proposed Mavis and Buffalo Wild Wings site.

MR. HINES: They're proposing to modify the location of their drive-in window, add some additional curbing on the site and widen the drive-in window access drive to allow for a pass through. Those are the only changes on the site. It doesn't change the parking. It won't have any impacts on the operation of the site. It does give them a little more cueing, which I think is the reason they're doing it. I think it cues two more vehicles in the drive-through lane.

CHAIRMAN EWASUTYN: Makes for a safer operation overall.

MR. HINES: And the Board can consider that as a field change as well.

(Time noted: 7:28 p.m.)

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

----- X  
In the Matter of

RESTAURANT DEPOT  
(2015-33)

Modification to the Access Drive

----- X

BOARD BUSINESS

Date: July 21, 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  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

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

----- X

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

MR. HINES: The third item we

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discussed at the work session was a modification to the proposed Restaurant Depot's main access drive. It was originally approved with a typical crowned cross section. They are looking to modify that grading to slope the driveway all to the, it would be the south side, in order to provide some additional room for utilities on the north side of the driveway. Previously there was drainage on both sides of the road. By changing the grade on the road it will allow them to put drainage on one side and those utilities to the north of the drainage.

CHAIRMAN EWASUTYN: Then I'll move for a motion, for the record, that the Planning Board considered all three site plans and agreed that they were all minor field changes and they were approved.

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.



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MR. GALLI: Aye.

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MR. BROWNE: Aye.

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MR. MENNERICH: Aye.

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MR. DOMINICK: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Aye.

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And the last item of business, I'll

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move for a motion to close the Planning Board

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meeting of the 21st of July.

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MR. GALLI: So moved.

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MR. MENNERICH: Second.

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CHAIRMAN EWASUTYN: I have a motion by

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Frank Galli. I have a second by -- I want to

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remind everyone, just let me know what meetings

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you may not be able to attend.

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I have a motion by Frank Galli. A

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second by Ken Mennerich. I'll ask for a roll call

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vote starting with Frank Galli.

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MR. GALLI: Aye.

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MR. BROWNE: Aye.

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MR. MENNERICH: Aye.

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MR. DOMINICK: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Aye.

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(Time noted: 7:29 p.m.)

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