

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

-----X
In the Matter of

CUMBERLAND FARMS
(2016-05)

Section 86; Block 1; Lots 14 & 15
IB Zone

-----X

Date: December 15, 2016
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JIM GILLESPIE

REPORTED BY: STACY ZAGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. EWASUTYN: I'd like to welcome you to the Town Planning Board meeting of December 15, 2016. It's the last Planning Board meeting of the year. We have three items on the agenda and one item under Board Business.

At this time we will call the meeting.

MR. GALLI: Present.

MR. MENNERICH: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. EWASUTYN: The Planning Board has consultants that are here this evening. They will introduce themselves.

MR. DONNELLY: Michael Donnelly, Planning Board Attorney.

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

MR. WERSTED: Ken Wersted, Creighton Manning Engineering.

MR. EWASUTYN: At this time I will turn the meeting over to John Ward.

(Pledge of Allegiance).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CUMBERLAND FARMS

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

MR. EWASUTYN: The first item of business we have is Cumberland Farms. It is a site plan and lot line consolidation located on Route 17K in an IB zone. It's represented by Bohler Engineering and Mr. Gillespie is the engineer.

MR. GILLESPIE: Good evening everybody. I would just like to update the Board. We made quite a bit of progress since the last time we were here. We met with staff, had a workshop with staff, very productive. We went through the plans and went through all of the comments. We made modifications to the plans. We put together a response, and I believe we addressed all of the outstanding Town and Planning Board staff comments.

We met with DOT on site. I believe DOT is happy at this point. They had a couple of comments. We incorporated those into our response letters. We are going to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

incorporate those into the plans. They want some curb replacement -- additional curb replacement out here. One of these catch basins, they want some protection for this head wall along here, which we had proposed guardrail for originally.

We also put together a response to the Orange County Department of Public Works' comments. We had resubmitted to them. They came back with some additional comments, which we have been working through over the past couple of days. They would like to see something a little different for protection for this head wall. They prefer not to see guardrail. They would like to see us add a structure and a pipe and lessen that grade in that area so that it's not a hazard, which we are certainly willing to do. It's a good idea. That way it will not be an obstruction of The guardrail there. There will just be a lesser slope and it will be a much more favorable situation. They have forwarded some

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

additional correspondence. So both DOT and Orange County have given us conceptual approval contingent on reviewing final plans and making sure that all of their comments have been addressed.

So at this point, you know, we are here to answer any other questions and hopefully move forward with the project.

MR. EWASUTYN: Ken Wersted, Traffic Consultant?

MR. WERSTED: The most significant change is the removal of the driveway on Rock Cut Road closest to the signal. So with the removal of that, one of the sheets that are provided on the back of the plans say the truck turning movement, and it demonstrates that the truck can come in on Rock Cut Road, circulate to the underground tank fueling area and then back out onto Route 17K to the other driveway. There is a little area at the north entrance on Rock Cut Road where the trailer will off track, but they are showing that it

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CUMBERLAND FARMS

is concrete for the back wheels of the truck, so that the truck will be able to traverse over it.

MR. GILLESPIE: There is a small section of mounted curb and a concrete apron.

MR. EWASUTYN: Thank you. Any questions from Board Members for Ken Wersted?

MR. GALLI: No.

MR. MENNERICH: No.

MR. DOMINICK: No.

MR. WARD: No.

MR. EWASUTYN: Pat Hines?

MR. HINES: The final approval from DOT and Orange County DPW are outstanding and will be condition of approval. Their comment letters are both technical in nature, which Mr. Gillespie has just identified their concerns.

Landscaping and stormwater securities will be required to be posted.

A stormwater maintenance agreement will be required to be filed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CUMBERLAND FARMS

There is a lot consolidation involved with this project that will also need to be filed as a condition of approval.

There are demolition permits for the building and the removal of the tanks that are also required post-approval but before that work is done.

But otherwise, our previous comments have been addressed. There is just some housekeeping and technical items outstanding.

MR. EWASUTYN: Mike or Pat, do you know if we granted ARB approval for the building?

MR. HINES: I don't believe so.

MR. EWASUTYN: Does the Board want to look at the rendering for the building itself one more time or are there any concerns?

(No response.)

CHAIRMAN EWASUTYN: Mike Donnelly, Planning Board Attorney?

MR. DONNELLY: The resolution will

1
2 be for a post site plan ARB approval.
3 We will need a sign-off letter from Pat
4 on the outstanding issues in his memo.
5 We will need, conditionally, the
6 approval of both the Orange County DPW and
7 the DOT. We will reference the Zoning Board
8 granted a variance in June. The applicants
9 have obtained approval from the City of
10 Newburgh for the City flows, and we will
11 reflect that in the resolution. The lot
12 consolidation will require the filing
13 of a map with the Orange County Real
14 Property Map Service, so you will have to
15 submit copies of that. You will file it. You
16 will need a deed to convey the two parcels into
17 one. We would like a copy of the document.
18 Those conditions will be set forth in
19 the resolution. The Standard ARB
20 approval condition. There will be a
21 need for landscape security and inspection
22 fee, a stormwater improvement
23 security and inspection fee, together with
24 a stormwater control facility
25 maintenance agreement, and the standard

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

condition that says that nothing will be built on the site that is not shown on the plans.

MR. EWASUTYN: Any questions or comments as far as Mike Donnelly's statements with the resolution for the site plan approval?

MR. HINES: If it has not been done, the ARB form that identifies the actual materials that are shown in your rendering will need to be submitted as well to Jerry's office.

MR. EWASUTYN: That is part of the original application. You can get it online.

MR. DONNELLY: There is a condition that it get's approved as part of ARB.

MR. EWASUTYN: Then I'll move for a motion to grant final site plan approval for the Cumberland Farms, subject to the conditions of the Planning Board Attorney, Mike Donnelly.

MR. WARD: So moved.

MR. GALLI: Second.

MR. EWASUTYN: Motion by John.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CUMBERLAND FARMS

Ward. Second by Frank Galli. Roll
call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. EWASUTYN: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time Noted: 7:07 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

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

That the witness whose examination is
hereinbefore set forth was duly sworn and that such
examination is a true record of the testimony given
by that witness.

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

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

STACY ZAGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

-----X
In the Matter of

RAM HOTELS
(2016-21)

Section 97, Block 2, Lot 37
IB Zone

-----X

Date: December 15, 2016
Time: 7:08 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: LAWRENCE MARSHALL

REPORTED BY: STACY ZAGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. EWASUTYN: The second item this evening on Board business is Ram Hotel. It's a two-lot subdivision and site plan located on Unity Place in an IB zone. It's being represented by Charlie Marshall.

MR. MARSHALL: Mr. Marshall.

MR. EWASUTYN: Good evening.

MR. MARSHALL: As the Chairman stated, this is a two part application with the proposed subdivision of the existing 8.5 acre parcel located along the westerly side of Unity Place, with a two-lot subdivision subdividing approximately 6.4 acres off of the barren parcel, leaving a remainder of approximately 2.05 acres for the site.

Proposed lot 2 will remain vacant and actually be retained by the current landowner.

Proposed lot 1, we show a sketch plan for a five-story, 112 room hotel, with all of the appropriate parking spaces, as well as the proposed expansion of the storm basins.

This application was previously

1
2 before the Town of Newburgh Zoning Board of
3 Appeals. At the time of the October 27th
4 meeting we received variances for the
5 height of the building, as it exceeds the
6 maximum 50 feet, as well as the hotel being
7 located with principal frontage on a Town road
8 and not having any frontage on a State or
9 County highway. We received both of the
10 variances on the 27th.

11 This is a sketch plan. The
12 applicant requested we submit to the Board
13 and receive any preliminary comments, make sure
14 that any major items can be remedied right
15 away.

16 The full survey, as well as
17 topography and associated studies, are
18 being completed, are in the works now,
19 and will be completed shortly.

20 Following those we will develop a
21 preliminary plan, but we appreciate the
22 consultants' reviews that it was a
23 sketch plan. We do have a rendering of
24 what the building is going to look
25 like. That is pretty standard Hilton

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Garden Inn look. It's a little different than the previous Hilton Garden Inn that was in the Town of Newburgh. This is a a couple of generations forward. We also have a view of the way that the building looks at night. Those were both included in your packet, I believe sheet 2 or 3. Not quite as vibrant.

We are really here this evening to receive the Board's and the consultants' preliminary comments.

MR. EWASUTYN: I'm going to start with questions or comments by Planning Board Members.

MR. GALLI: In the future, when you bring pictures, can you bring one of the back of the building also, so it's visible from all of the roads? I'm just curious what it's going to be like when you are driving back there, coming up. That's all I have.

MR. EWASUTYN: Thank you.

Ken Mennerich?

MR. MENNERICH: I have nothing at

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RAM HOTELS

16

this point.

MR. EWASUTYN: I have nothing at
this point either.

Dave Dominick?

MR. DOMINICK: Larry, because of
the height and proximity, will you need
FAA approval?

MR. MARSHALL: We actually already
submitted. That was a concern of the
ZBA. We have submitted to the FAA, and we
actually have already received
clearance from them. We will submit
that letter of clearance to the Board,
but we already received clearance for
that.

MR. DOMINICK: Thank you.

MR. EWASUTYN: John Ward?

MR. WARD: At work session we
were talking. Ken, our traffic
consultant, mentioned having one
entrance down by the curb instead of
having two. So, the south one.

MR. MARSHALL: So elimination of
that entrance?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. WARD: Yes.

MR. MARSHALL: I would have to consult
With my client to see the reasoning for the two
entrances and to see if that is doable.

MR. WARD: Thank you.

MR. EWASUTYN: Ken Wersted,
Traffic Consultant?

MR. WERSTED: We reviewed the
project in the context that it's just a
sketch plan. As John had mentioned,
there is not a lot of traffic that will
be coming to and from the site, so I think a
single driveway would work, particularly with
the volume that is on Unity Place. It's not
directly onto 17K, on Route 300. So the
driveway furthest to the north, the right hand
side of the page, is in a better position to
look up and down Unity Place in both
directions. So if you eliminated the other
entrance, you will be able to preserve some of
the trees that are there and I think it will
function just as well.

I looked at the site from the
perspective of a garbage truck just

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

kind of circulating and it seemed fine.
The dumpster was in a good location for
them to do their operations.

And then we looked at the
proximity of the site to the Newburgh
Plaza, and I would suggest on future
submissions maybe showing where the
Ring Road is for the Newburgh Plaza. I
believe it's following --

MR. MARSHALL: Oh, up here?

MR. WERSTED: Correct.

MR. MARSHALL: That will be part
of the survey. We will include, locate
that as part of the survey.

MR. WERSTED: Great. In my review, I
overlaid an area with the property lines and
you can see kind of the proximity of where it
is, and then we offered, if there was any
opportunities, to connect this site and
the proposed lot 2 together, and then
also to the Newburgh Plaza, as a way to
increase the access. Something to look into.
I can't fully appreciate the grades through
there, it was dark when I visited, but there

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

may be an opportunity in there.

You had included some trip generation information in your submission, noting that it is based on full occupancy of the rooms, and that was about 75 to 80 trips during the peak hours. When you account for some of the vacancy rates that hotels often have, it will likely be closer to 60 or 70 trips during the peak hours. That is not a significant amount, but we did have the Webb property proposed a year, two years ago which will have a car dealership, restaurant and a bank, and we had some discussion at work session that maybe that is not -- that application has been rescinded or removed. I don't know if that is still a current application or not.

MR. EWASUTYN: For the record, give your name before you speak.

MR. BARTON: Ron Barton. There is nothing going forward on the proposed dealership that the Board had approved a year or two ago. So since the General Motors has modified their demands and we redid the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

existing showroom with a separate application to the Board, which was completed. We are done with that now. And right now even Cadillac doesn't know exactly what they are looking for, but that will be years away.

MR. WERSTED: So in the context of that, that traffic study had looked at a couple of the developments up on the front parcel and identified improvement on Route 17K as being a right turn, eastbound right turn onto Unity Place. So as this moves forward, I wanted to explore the context of the traffic from this site relative to that. It sounds like the development of the Webb Property has been pushed off.

At this point, that was all of our comments.

MR. EWASUTYN: Pat Hines?

MR. HINES: Our comments -- realizing that this is a sketch plan, we will give some comments regarding future submissions. The survey will be required. The five story hotel will require 26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

foot wide access roads based on the fire code. So those will need to be dimensioned on the site to make sure the access is there. A City of Newburgh flow acceptance letter will be required and a letter report to the Town Engineering Department for submission to the City of Newburgh should be provided.

There is an existing stormwater pond on the site that is going to be modified. We will be looking for the stormwater pollution prevention plan to address that.

Zoning compliance for each of the lots after the survey is done to show the buildable area on the lots.

Just a heads up to the applicant and the representative, the resulting 2.05 acre parcel being in that IB zone doesn't have a lot of uses permitted. There is a lot of uses in the IB zone that have greater than 2 acres required. So you are limiting -- by creating a lot that size you are limiting the uses for that lot. Just a heads up on that. The majority of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

uses in the IB zone require 2 acres or greater than 2 acres. There are uses that allow down to 1 acre. So there is uses on the lot, just not the whole in the IB zone.

The accessory floor area or the accessory area for restaurants, conference rooms and banquets, you have adequate area. Just looking for that calculation as well. They are deducted from the lot size. You have over an acre and a half in excess of what you need, so just if you have that calculation, show that.

And the location map should be updated. Unity Place doesn't show up on the location map, so they are just kind of out there in the air. So, if you have a more updated map for when this goes to a public hearing.

The parking areas have to be screened and in compliance with Section 185.21. The Board did talk at work session regarding screening of the rear parking lot because it

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

will be visible from Unity Place and the adjoining properties.

Also, the design guidelines for parking in front of the structure, there may be some additional landscaping required, or some other method, to allow you to grant you the waiver for the parking in front of the building. And some of the parking is encroaching into the front yard setback. It's permitted but with a waiver from the Planning Board for that use.

There is a - in your bulk table analysis in the lower right hand corner of the plans there - there is a provision that allows rental car uses for hotels in the IB zone. Less than ten vehicles. The parking calculation you have now only supports the hotel use. So there is no provisions for that.

So, if in fact you were going to take advantage of that rental car provision, you will need show where on the plans they will be and provide parking for that set number. I don't know if it's

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

even in the thought process right now.
You will have to talk to your client,
but if it is, then additional parking
will be required to be shown.

That's all we have on the sketch.

MR. EWASUTYN: Larry, any
questions or comments?

MR. MARSHALL: No.

MR. EWASUTYN: Pat, is this within
500 feet of a State or County road?

Larry, would you know?

MR. MARSHALL: The front of the
property is approximately 1,000 feet
away from 17K and probably about 700
feet away from Route 300. I can confirm
that, though.

MR. HINES: Yeah.

MR. EWASUTYN: Mike Donnelly,
would that be required?

MR. DONNELLY: Not at those
distances. No.

MR. EWASUTYN: We will then,
tonight, declare our intent for lead
agency.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. DONNELLY: Sure.

MR. EWASUTYN: Any additional questions or comments from Board Members?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a motion to grant conceptual approval and to declare our intent for lead agency.

MR. DOMINICK: Motion.

MR. GALLI: Second.

MR. EWASUTYN: Motion by Dave Dominick. Second by Frank Galli. I'm going to ask for a roll call vote, starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. EWASUTYN: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

MR. EWASUTYN: Motion granted.

MR. BARTON: Thank you very much.

(Time noted: 7:22 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

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

That the witness whose examination is
hereinbefore set forth was duly sworn and that such
examination is a true record of the testimony given
by that witness.

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

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

STACY ZAGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

-----X
In the Matter of

BROPHY LOT LINE CHANGE
(2016-22)

Section 4, Block 3, Lot 58.3 and part of Anchor
Drive R.O.W Section 121, Block 1, Lot 22
R-1 Zone

-----X

Date: December 15, 2016
Time: 7:24 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

REPORTED BY: STACY ZAGON

MR. EWASUTYN: The third and last

1
2 agenda item this evening is the Brophy
3 lot line change. It's located on River
4 Road and Anchor Drive. It's the Anchor Drive
5 right of way, R1 zone. It's being represented
6 by Charles Brown, Talcott Engineering Design.

7 MR. BROWN: Thank you, John. My
8 client came to me, originally he owned
9 a 3.6 acre piece of property on River
10 Road and I contracted with him to do a
11 subdivision. While we were designing
12 the subdivision and what not, the Town
13 took over Anchor Drive and left a strip
14 of right-of-way they didn't want. So
15 the former owner of the right-of-way sold that
16 to my client for \$10, or something like that.
17 So I decided, what the heck, we will do a lot
18 line instead.

19 I did get the memo, so I
20 understand that a lot line in this case is not
21 the approach to take. This would be a
22 subdivision. Regardless of that, both lots,
23 when they are done, would have frontage on both
24 roads. The driveway for lot 1 would be off of
25 Anchor Drive across from Mariners

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Court. The driveway for lot 2 would be off of River Road. We are in the R1 zone, as you stated. They are serviced by in-ground septic and wells. The soil is very, very good over there.

We are here to get comments and hopefully proceed.

MR. EWASUTYN: You want to take the ball on this, Mike Donnelly?

MR. DONNELLY: I did talk to Charlie, and we discussed it at work session.

The definition of a lot line change disqualifies this project because the lot line change definition says that lot line changes shall not make an unimproved nonconforming lot into a conforming lot; and assuming we treat that strip of land then as a lot, then it is a nonconforming one; and this lot line change, or this proposal, would make that lot, currently nonconforming, into a conforming lot. So it doesn't qualify. It's not eligible. It's certainly eligible

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

for subdivision approval, and Charlie will amend the application.

MR. BROWN: And supplement the fees and provide the \$150 for the public hearing.

MR. EWASUTYN: Anyone? Thank you. That's it.

MR. DONNELLY: You can use my comments as a guide.

MR. BROWN: We took care of a great majority of them already. We would be prepared -- can just supplement the application fee.

MR. EWASUTYN: Sure.

MR. BROWN: We would be prepared to submit the checks on Monday with the revised plans. Is it too far to ask for a public hearing at this point?

MR. DONNELLY: I think we would have to issue a declaration of significance first, before we held it anyway. I don't know if there are any violations.

MR. HINES: I think we need a new EAF, and it's a lot line change.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BROWN: Okay. I will revise the subdivision narrative and forward it to you, John. Thank you.

MR. HINES: I anticipate some input at the public hearing from the neighbors.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

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

That the witness whose examination is
hereinbefore set forth was duly sworn and that such
examination is a true record of the testimony given
by that witness.

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

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

STACY ZAGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

-----X
In the Matter of

LANDS OF ZAZON
(2004-29)

Six-Month Extension

-----X

Date: December 15, 2016
Time: 7:26 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JOSEPH ZAZON

REPORTED BY: STACY ZAGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. EWASUTYN: Under the Board
Business we have the Lands of Zazon.

It's a six-month extension.
And you are?

MR. ZAZON: Joseph Zazon.

MR. EWASUTYN: Why you are here
this evening, We are trying to get an
understanding of the Town with older
applications. As you heard earlier
where with the Ram Hotel and this
commercial area, we are trying to
compare what was originally proposed. Is it
still active and how it may affect the overall
area that is being proposed for development.

In your case, your project dates
back to 2004. Being quite honest with you,
there is not a lot of residential activity
going on in most parts of the Town, but
we still like to know, do you plan on
moving forward? I know people write
that they are in the final throes of
getting everything approved based upon
the conditions. It kind of reaches a point in
time where ten years have passed and everyone

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

is just about there. We are just curious,
just to get an honest answer. It's not
going to affect your subdivision but
we would like to know what might be going on in
the Town and when that might occur.

MR. ZAZON: The main reason is
because the economy. Banks are selling
houses. I can not produce a house to sell when
the bank is selling the houses. So if I build
a house, it will cost me about 250, 300.
Depending where they are selling a house,
foreclosures for a 150,000. So what is
the point to start working, then lose
money. Too many places. That's one of
the reasons I didn't want to start. I
was afraid to start. So, waiting for
better time. Hopefully we are going to
see a better time. Always the way life
goes, up and down. We were -- the last
eight years they were pretty down, so we hope
the next years they will be better for us and
we will be more than happy to start working
over there.

MR. EWASUTYN: I can understand.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Any questions from Board Members?
(No response.)

CHAIRMAN EWASUTYN: Thank you, Mr.
Zazon.

I'll move for a motion to grant a
Six-month extension for the Lands of Zazon,
from December 15, 2016 through June 15,
2017.

MR. MENNERICH: So moved.

MR. GALLI: Second.

MR. EWASUTYN: Motion by Ken
Mennerich. Second by Frank Galli. I
ask for a roll call vote, starting with
Frank Galli

MR. GALLI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

MR. EWASUTYN: Thank you for
coming, sir.

I would like to wish everyone a
Merry Christmas and a Happy New Year.

I will call the Planning Board

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

meeting of December 15th to a close.

MR. GALLI: Motion.

MR. WARD: Second.

MR. EWASUTYN: Motion by Frank Galli.

Second by John Ward. Any discussion?

(No response.)

CHAIRMAN EWASUTYN: Roll call vote.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

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

That the witness whose examination is
hereinbefore set forth was duly sworn and that such
examination is a true record of the testimony given
by that witness.

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

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

STACY ZAGON

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25