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

----- X

In the Matter of

POLO CLUB
(2018-12)

Route 300 & Jeanne Drive
Section 39; Block 1; Lots 1 & 2.12
R-3 Zone

----- X

AMENDED SITE PLAN

Date: December 20, 2018
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JAYNE WEINBERG

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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POLO CLUB

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CHAIRMAN EWASUTYN: We'd like to welcome you to the last meeting of the year, December 20th. This evening we have four items on the agenda and one matter of Board Business.

We'll call the meeting to order with a roll call vote.

MR. GALLI: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. DONNELLY: Michael Donnelly,
Planning Board Attorney, present.

MS. CONERO: Michelle Conero,
Stenographer.

MR. CANFIELD: Jerry Canfield, Code
Compliance Supervisor.

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

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to Dave Dominick.

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POLO CLUB

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MR. DOMINICK: Please stand for the
Pledge of Allegiance.

(Pledge of Allegiance.)

MR. DOMINICK: Please silence your cell
phones.

CHAIRMAN EWASUTYN: The first item is
the Polo Club. It's an amended site plan and
it's located on Route 300 and Jeanne Drive. It's
in an R-3 Zone. Engineering & Surveying
Properties have done the engineering work.

I know Jay Samuelson isn't here this
evening. Who is representing them?

MS. WEINBERG: I am.

CHAIRMAN EWASUTYN: Thank you. And you
are?

MS. WEINBERG: I am Jayne Weinberg, I'm
the attorney for the applicant. I am Ross
tonight. I'm his fill-in.

As the Chairman said, the Polo Club
property has been redesigned. It's 256
apartments, 28 of which are designated for
seniors. There are 64 one-bedroom apartments and
192 two-bedroom apartments in 16 buildings.
The project had previously been approved for 138.

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When we were last here in July, based on the Board and the consultants' comments we did some redesign to the plan, added some detail to this level of sketch. We added sidewalks throughout the site. There's a playground that we've added over here. Just to orient you, this is Route 300 here.

The Board asked us to think about where we would put a shelter for school kids. What we're proposing is this as an emergency access here. We're putting a gazebo on one of these two sides for the school children. They could then access the school bus by walking through here. The other good thing about this location is that there's a lot of parking here, so it would allow the parents to park here instead of cueing on the boulevard entrance for arrivals and dismissals. If that's something that you think is a good spot for it, we will add that to the plan as we move forward.

The other issue that was raised was identification of the senior buildings. We're proposing these two units on the north side of the boulevard entrance to be the two senior

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units.

A couple of other issues that were discussed at the last meeting that we followed up on was the applicant and the engineers met with the fire department, with Chief Murano at Cronomer Valley, particularly to discuss the single access boulevard entrance and to see if at this stage in the plan, if this was something that was acceptable to them. They indicated that they didn't have a problem with the single access here. They did request the secondary access off 300, which will be a blocked access, for emergencies only.

They wanted to make sure that the template that the engineers were using met with the requirements for their extra large fire ladder truck.

They marked up the plan to show where they wanted the fire hydrants, and we'll put those in as we get to the later details.

They had a concern with this area of the parking which was redesigned. Originally it was a long parking lot. They wanted to be able to back up the truck to turn it around. That's

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why that's been redesigned.

They asked us to break up the median along here so that this -- this previously had been one long median. They asked for breaks in the median, if people needed to turn around.

All of this is predicated on the fact that the buildings will be sprinklered.

They requested to meet again, both to review further plans but also to review the architectural plans so that they could actually look at the design of the building, the trusses and the building components.

They had some questions about chemical storage, both for the pool, which has been added. The detail of the pool has been added to the plan. For the treatment plant, what kind of chemicals, how much is going to be stored there so they can be adequately prepared for that. Those were the fire department's comments.

For us the big take-away was they were okay with that single access design so that we could move forward on the plan as we develop that.

Another issue that was raised was the

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wetlands. Our JD did expire. We have flagged the wetlands. They have been survey located. The map is being prepared for submission for the JD. According to Ross today, the new survey shows no appreciable difference from the previous location of the wetland boundaries, so we'll proceed on that.

The traffic. We had our traffic consultant do a new preliminary review letter, which was sent to Ken, comparing the various different traffic levels. I think you've seen Ken's review letter on that.

Finally, the other issue that was requested by the Board, which we've begun work on, was the comparison between the impacts of the old plan and the new plan. We started that. I believe a copy of it was sent to Pat Hines. As that progresses in it's format we'll submit it to the Board when it's ready for your review.

CHAIRMAN EWASUTYN: Thank you.

Questions from Board Members. Frank?

MR. GALLI: Nothing.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: Not at this time.

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POLO CLUB

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MR. MENNERICH: Not at this time.

CHAIRMAN EWASUTYN: When you said Ross -- based upon the recent survey of the wetlands and working on the JD determination, was Ross saying he thinks the area is less than originally thought?

MS. WEINBERG: No. He said the flags were about where the previous boundaries were.

CHAIRMAN EWASUTYN: Thank you.
Cliff?

MR. BROWNE: For now I'm good.

MR. DOMINICK: I have a question. Jayne, could you elaborate further on the emergency access road? Is there going to be any type of fence or chain link across that to restrict common traffic?

MS. WEINBERG: Yes.

MR. DOMINICK: There is?

MS. WEINBERG: It will be blocked at the end here.

MR. DOMINICK: What will be there?

MS. WEINBERG: It's up to the engineers and the fire department if they want a breakaway or a chain link. Different departments want

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different blockage.

MR. DOMINICK: That leads to my second question. If that's where you're going to put the shelter for the school kids, how are they going to get around the chain-link fence?

MS. WEINBERG: We do a sidewalk access next to it so they can get through there. What I understand from the buses is that they want to just pull in. They don't want to pull off to the side of the road. They would just pull in. We'll give them access around it. They won't have to climb over the chain link.

MR. DOMINICK: So it will be a sidewalk that whole length or just in the one section?

MS. WEINBERG: Probably just around the ends here.

MR. DOMINICK: Okay.

MS. WEINBERG: Or it would be another thing that needed to be cleared. This way the area will be maintained and cleared and the school kids can use that. It might make more sense to put it on this side. Depending how the grading works, it will either be on one side or the other.

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POLO CLUB

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MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: It really should run the length of that emergency access. I would assume people park their cars, like you said, in that parking lot. The child gets out and they would walk from that parking lot on the sidewalk down to the end of the road, Jayne.

MS. WEINBERG: Okay. So you want a sidewalk along the emergency access?

CHAIRMAN EWASUTYN: I think that's only logical.

MS. WEINBERG: Where the gazebo is?

MR. WARD: It could be mothers with babies or whatever in a stroller.

MS. WEINBERG: Well if this is -- I was assuming that this might be paved. If it's not, we can certainly add a sidewalk there.

CHAIRMAN EWASUTYN: I know it will be finished but I still think it would be a good idea.

MR. BROWNE: To designate it.

CHAIRMAN EWASUTYN: John Ward?

MR. WARD: Not right now.

CHAIRMAN EWASUTYN: Jerry Canfield?

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MR. CANFIELD: Basically what we have is a concept plan. As details become available we can comment on that.

I commend you on your thoroughness interfacing with the local fire department. Good job. Receptive to their request.

Was there a list created? If you could forward that to our office, that would be greatly appreciated.

One thing that I'm certain we'll be looking for; with respect to one of their comments, we're going to be looking for a fire truck access turning radius plan.

MS. WEINBERG: That will be provided.

MR. CANFIELD: It sounds like they may have provided you with the dimensions of their vehicles.

Initially I had some concerns as well with the center median. Will that be a mountable curb or blunt block? How ever that is, we can discuss that as details become available.

Again, you hit on the buildings are required to be sprinklered, so that's very good.

Building numbers, building unit numbers

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POLO CLUB

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and all of that, as the plan develops we can address that.

MS. WEINBERG: Okay.

MR. CANFIELD: That's all I have, John, at this time.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: Our first comment has to do with the jurisdictional wetlands determination. We'll be looking for that to confirm the location of that. That's important because those areas are deducted from the usable land area.

We're looking for compliance with Section 185-48, the senior housing. There are certain components in there. We want them listed as part of the bulk tables, the size of the units and other requirements there.

We have a comment regarding the public sewer. The project, according to the Zoning Code, shall be served by public sewer and water facilities. The Town's definition of public sewer is any sewer disposal system approved by the Town Board as meeting standards required for municipal operation. That's the verbatim definition. The Town Board is going to have to

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review and approve the public sewer. They're going to be looking for a sewage treatment plant that meets 10 States Standards, the municipal sewage standards, rather than the developer grade sanitary sewer system. As you design that system we'll be working with the Town engineer's office, my office and your engineer's office to come up with that level of improvement.

I think the Board should re-declare it's lead agency. I know this project was reviewed but this project is substantially different than the previous project. The previous project was 143 condominium units. This is 256 apartments. It has the private sewer, or the component to it. The stormwater regulations have changed.

The new EAF that was filled out off of the DEC's website identifies the site as a potentially archeological sensitive area. That's new. The other EAFs weren't filled out off the DEC's database. That's something we'll be looking for.

Moving forward we're going to want to see the issues of blasting and rock removal

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addressed on the site. We've had similar projects and had some issues with blasting and rock. We're going to need to know that as part of the environmental review.

I know Ken Wersted had some comments on the traffic. Generally they're favorable and it looked like he was okay with the supplemental information you've sent to date.

I think the Board could declare lead agency. We will circulate to the interested and involved agencies to begin getting their comments on that.

MR. DONNELLY: Do you want to send it to the Orange County Planning Department as well?

MR. HINES: They're going to look for a higher level of detail. We could send it at this time for concept but they're going to want the whole lighting plan, landscaping and the whole package. I do copy them on the lead agency as an interested agency.

CHAIRMAN EWASUTYN: Jayne, you did receive comments from our landscape architect to give consideration to?

MS. WEINBERG: I have not received

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POLO CLUB

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them.

MR. HINES: I received them. I can forward them tomorrow.

MS. WEINBERG: Thank you.

MR. CANFIELD: John, just one other thing.

There's a lot consolidation here that's in process.

MS. WEINBERG: It's two lots. It's not a consolidation. It's still two lots.

MR. CANFIELD: It's going to remain two lots?

MS. WEINBERG: It can be consolidated.

MR. HINES: Otherwise the bulk table and setbacks will be an issue.

CHAIRMAN EWASUTYN: Fine.

MR. DONNELLY: I think she actually has two. Karen has two letters the same date I think.

CHAIRMAN EWASUTYN: That's right. I think the comments were almost identical.

MR. HINES: I think they were just sent twice.

MR. DONNELLY: I looked at the first

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POLO CLUB

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paragraph a minute ago and I thought they started differently.

CHAIRMAN EWASUTYN: We'll reconfirm that.

Any additional questions or comments?

(No response.)

CHAIRMAN EWASUTYN: Would the Board move for a motion to declare our intent for lead agency?

MR. MENNERICH: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: Ken Mennerich moved for a motion. Frank Galli seconded it. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion carried.

MR. HINES: At some point this project has to go back to the Town Board. The Town Board

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actually approves the senior bonus density on the site. They usually don't make that decision until this Board concludes it's SEQRA review. You should start that conversation with them so we don't get too far along and find out that that's not acceptable to them.

(Time noted: 7:15 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 2nd day of January 2019.



MICHELLE CONERO

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

----- X

In the Matter of

LANDS OF DICKINSON
(2018-22)

Tarben Way
Section 6; Block 1; Lot 12
AR Zone

----- X

LOT LINE CHANGE
OPEN DEVELOPMENT AREA

Date: December 20, 2018
Time: 7:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

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CHAIRMAN EWASUTYN: The second matter of business this evening is the Lands of Dickinson. It's an initial appearance for a lot line change and open development area. It's located off of Tarben Way in an AR Zone. It's being represented by Charles Brown of Talcott Engineering.

MR. BROWN: Thank you, John.

This is a 12-acre lot. My client wants to build a single-family residence on it.

Back in the summer of 2016 we had a 50-foot right-of-way to Still Hollow Road. We went to the Zoning Board to get permission to use that. Still Hollow Road is a private road. All the property owners showed up and said they didn't want anybody else on their road and they wouldn't allow my client to enter into their maintenance agreement.

We took another approach and we went to the engineer that was working on the Tarben subdivision and asked them for a right-of-way, which we got. We had the final meeting on that project. I was actually representing Ron Colandrea who owns the parcel in the back. We

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got them to extend it all the way in the back.

What we're proposing to do is put a single driveway in for the single-family residence.

We've been to the Zoning Board six times on this and finally Dave Donovan said the authority for this action goes to the Town Board. We went to the Town Board and they referred us to you for input.

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to Mike Donnelly to explain to us all and the public what this is.

MR. DONNELLY: We discussed this at work session, Charlie.

So we're all on the same wave length here, Section 280 of the Town Law of the State of New York is a section that prohibits the issuance of building permits unless the roadway providing access satisfies two requirements. The first is a formal status. That usually means the County, Town or State highway or a roadway shown as a roadway on a filed map. The second requirement is that the roadway be suitably improved. If it's improved to the Town road spec or to the

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private road spec, it satisfies that requirement as well, and then Jerry's office can issue a building permit. If the roadway satisfies the formal status requirement but the developer or property owner does not want to improve it to the Town road or private road specification, then they can go to the Zoning Board and get what is commonly called a 280-A variance which is a determination of an appropriate roadway specification. That the Zoning Board will issue. It's based upon making sure that it's safe for emergency vehicle access. If you don't satisfy the formal status requirement you're not eligible to get a 280-A variance. I think that's what happened to you when you were before the Zoning Board.

MR. BROWN: Well, Dave actually said the Zoning Board didn't have the authority to grant that.

MR. DONNELLY: Right. That's what I mean. If you don't satisfy the formal status requirement you can't get at 280-A variance. However, 280-A also has another section which enables the Town Board, when access is by

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easement, to create an open development area.
You have that application before the Town Board.
Before the Town Board can act on that
recommendation it needs to -- on that application
it needs to obtain a report from the Planning
Board. The Planning Board is permitted to
recommend rules or limitations on the approval.

At work session what was discussed is
the possibility here that we're not talking about
a single lot and a single home but the
possibility of the other lots that might in the
future, if the easement were extended, also
obtain service. Therefore, the Board discussed
at work session, we'll throw it on the table here
now, the possibility of making a recommendation
to the Town Board that if it is inclined to grant
the open development area application, that it
require that that roadway be built -- the
easement area and any extension of it through the
lot, be built to the private roadway
specification of the Town, and that not more
than, and the number was not discussed, some
limited number of lots be permitted. The reason
for that is some of these parcels are fairly

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large and are capable of further subdivision in the future and it may not be appropriate for there to be more than -- throw out a number -- four, six. I don't know what the Planning Board might have in mind. No vote was taken. That was discussed at the work session. Pat may have some more information on that but that's what transpired earlier today.

MR. BROWN: Okay. Just to clarify this a little bit, one of the four lots, Mazzola, has access, a right-of-way on the other side. She said that she is probably going to use that and not this if she ever develops. That would drop this down to three. I have gone to the Town Board and gotten three houses on a common driveway, a waiver for that. I mean my client has been through a lot. He just wants to build a house and, you know, to require him to bring this section up to private road specs is pretty much cost prohibitive.

CHAIRMAN EWASUTYN: Colandrea's intention?

MR. BROWN: He hasn't said. He hasn't said. I mean I could call him and ask him.

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CHAIRMAN EWASUTYN: He was at the public hearing that we had on this way back when.

MR. BROWN: I was actually representing him that night.

CHAIRMAN EWASUTYN: He did seem to have an interest in having access.

MR. BROWN: He's totally landlocked. Anything to improve his situation he was looking to do if he had the opportunity to do it.

MR. DONNELLY: Is he beyond?

MR. BROWN: He's the one here in the back.

CHAIRMAN EWASUTYN: The size of his property is?

MR. BROWN: I think it's roughly the same. 10 acres roughly.

CHAIRMAN EWASUTYN: So if you take Colandrea's property into consideration, how many additional lots would, if not today, tomorrow, be looking for access off this, whether it be a driveway or a private road?

MR. BROWN: Well again, at that point -- any subdivision is going to have to come to this Board. At that point this Board would say

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it's got to be a private road. That's how the Town works; right?

CHAIRMAN EWASUTYN: I don't know.

MR. DONNELLY: Not once you create an open development area. That requires that all of those things be decided upfront and the rules and restrictions. That's the whole purpose. You're no longer working within the confines of roadways, you're talking about this open development area that could have an easement access. In the past we've recommended limits on the number of building permits that can be issued inside an open development area.

Arguably, if the limitation was X and later on somebody wants more, the Town Board would have the authority to amend the open development area and get a further report from the Planning Board. It's very common to limit the number of lots when you create an open development area.

MR. BROWN: That makes sense. If you want more lots you're waiving the open development area.

Okay. So what do we do? Where do we

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go?

MR. HINES: This Board is going to make a referral to the Town Board. Based on our discussions at work session, the Board seemed to be in favor of the private road. It's going to tend to domino here. Once you give access to one lot, the next lot is going to come in and say I'm going to use this driveway, and then the next lot is going to want to use the driveway, and then the Colandrea lot is going to want to use the driveway. It's really inconsistent with the Town's policy regarding the number of lots on a driveway. You said the one has an easement. Once someone builds a driveway along the front of it, they're probably going to want to use that. There's the potential for a minimum of four lots and potentially future subdivision.

MR. BROWN: If we put in the private road we don't need --

MR. HINES: Correct. I'm recommending to the Board the private road. That's the gist of my comments because the amount of property and the number of lots it serves.

MR. BROWN: We wouldn't need an open

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development area?

MR. HINES: You would not need an open development area then.

MR. DONNELLY: What about a recommendation that not more than one building permit could be issued in the open development area and any further access across that easement area would require construction of a private roadway?

MR. HINES: Right now we only have application for one lot for an open development area. It's not the other parties before us.

MR. DONNELLY: You're closing your eyes by not recognizing that possibility.

MR. HINES: Correct.

MR. BROWN: I'd be fine with that.

MR. HINES: I don't know that we can grant an open development area on people that aren't an applicant. I'll defer to you on that.

MR. DONNELLY: In this scenario you just make it here. You just make this lot the open development area, and not more than one building permit can be issued. If there's a further application for a building permit, either

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because of a subdivision or something else, then the applicant has to build it to a private road spec.

MR. GALLI: That's what I brought up at workshop, if they build -- if you limit it to one building permit, one house, one driveway and that's all they get. Anything in the future would have to be brought -- before anybody could get anything, they would have to be brought up to private road specs and that's where everybody can chip in and build a private road or a Town road or whatever road they want to build instead of sticking just one homeowner to get into the lot. This way he's locked in. If you've got 10 acres, you've got one house on 10 acres.

MR. DONNELLY: Charlie, I haven't looked at the easement yet. Does the easement also provide access to the lots beyond this one, above this one?

MR. BROWN: This one.

MR. HINES: Yes.

MR. BROWN: Yes.

MR. HINES: The easement provides access to all four.

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MR. DONNELLY: Without a particular location, just a right of access?

MR. BROWN: Right.

MR. DONNELLY: No metes and bounds.

MR. BROWN: It has metes and bounds.

MR. HINES: It has metes and bounds.

MR. DONNELLY: Through all the other lots?

MR. BROWN: It exists all on the original Tarben parcel. It's defined within the Tarben parcel.

MR. DONNELLY: Okay. Let me look at the map.

CHAIRMAN EWASUTYN: Just as a matter of conversation, the improvement to the driveway, is it going to be a subbase of something? Is there going to be any binder or --

MR. BROWN: Yes.

CHAIRMAN EWASUTYN: What might be the standard for the driveway?

MR. BROWN: We've got four inches of item 4 and two inches of blacktop. It's 50 foot wide where we have the culvert crossing for the wetland. There's a 50 by 20 foot pull off over

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here for a fire truck.

We actually talked to the fire department. They wanted a turnaround for the fire truck on the site. That's all been provided. The rest of the driveway is 12 foot wide.

CHAIRMAN EWASUTYN: Jerry, any questions or comments?

MR. CANFIELD: No.

MR. DONNELLY: Where is the lot line change?

MR. BROWN: The what?

MR. HINES: It's not a lot line change. We just called it that because we don't have a fee for an open development area.

MR. DONNELLY: Who owns the land encumbered by the easement? Tarben?

MR. BROWN: Tarben.

MR. HINES: That's just the name of the subdivision, though. Some other entity --

CHAIRMAN EWASUTYN: Tony Tarsio?

MR. BROWN: Yes, Tony Tarsio. Sorry. Tony actually got involved while we were going through the process with the Zoning Board because

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they wanted him to sign off on it and because the road -- Tarben Way hasn't been dedicated yet. He had Dan sign into the maintenance agreement on Tarben Way until it is dedicated. So Dan is now party to that maintenance agreement for Tarben Way.

CHAIRMAN EWASUTYN: Just recently they topped that road. I guess they're getting ready for dedication.

MR. BROWN: They are, yes.

CHAIRMAN EWASUTYN: Does the Board want to just voice their comment on what they would like to see so Mike Donnelly can prepare a letter?

MR. GALLI: I gave you my thoughts before and the same now. If you limit it to one driveway, one house and anything future would have to go to -- come back and do the private road, like Pat said. It would have to come back before any decision is made on anything else.

CHAIRMAN EWASUTYN: Mike Donnelly would prepare a recommendation letter. Michael?

MR. DONNELLY: Yes. Number one, we would report, so the Town Board is aware of it,

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multiple lots have access rights across this
easement. All that is being sought at this point
is a building permit for one. The Planning Board
would recommend creation of the open development
area for that purpose alone and no more than a
single building permit could be issued. Any
further use of that right-of-way would require
improvement of it to a private road or Town road
specification.

MR. BROWNE: I'm inclined to go with
that.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: Yes.

MR. MENNERICH: I agree.

CHAIRMAN EWASUTYN: Dave?

MR. DOMINICK: Yes.

CHAIRMAN EWASUTYN: Ken Mennerich has a
question.

MR. MENNERICH: Charlie, on the
crossing of the wetlands, do you have any
improvements for that?

MR. BROWN: The original subdivision
and the flagging was over five years ago. My
client contacted -- what's his name? Dan?

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MR. HINES: Dan Bloom?

MR. BROWN: No, no. The guy down in New York City for the Federal wetlands.

UNIDENTIFIED SPEAKER: Brian Orzo.

MR. BROWN: Brian Orzo. We have an e-mail we can forward to you from Brian that says he's so overloaded. He has no problem with this and he essentially signed off in the e-mail.

MR. HINES: It would only require a notification to them based on the size of it. Within 45 days after you provide them notice, if they don't respond it's a default approval.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: Then I'll move for a motion from the Board to have Mike Donnelly prepare a letter outlining our approval and also subject to one lot off a private driveway.

MR. WARD: So moved.

MR. DOMINICK: Second.

MR. DONNELLY: I'll note that this is a type 2 action under SEQRA, so there's no further SEQRA compliance required.

CHAIRMAN EWASUTYN: I have a motion by John Ward. I have a second by Dave Dominick.

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Any questions?

(No response.)

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

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion carried.

MR. BROWN: Thank you very much.

(Time noted: 7:30 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 2nd day of January 2019.

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

317 NORTH PLANK ROAD
(2018-23)

317 North Plank Road
Section 35; Block 3; Lots 6 & 7
B Zone

----- X

INITIAL APPEARANCE
SITE PLAN

Date: December 20, 2018
Time: 7:30 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ADAM GASPARRE

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: The next item of business is 317 North Plank Road. It's an initial appearance for a site plan. It's located in a B Zone and it's being represented by Hudson Land Design.

MR. GASPARRE: Good evening. I'm Adam Gasparre along with Mr. Mike Bodendorf, Hudson Land Design, on behalf of the applicant, 317 North Plank Road.

The applicant is proposing to turn an existing two-story framed building into an office for his construction company. He currently owns both parcels. The parcel containing the existing building is .40 acres and the vacant parcel is .49 acres.

We are requesting to renovate the existing building, add some parking, install a new sewage disposal system to today's standards. The existing sewage disposal system was a septic tank with one seepage pit.

We are requesting to consolidate both lots to fit both the parking and the sewage disposal system for the renovated

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317 NORTH PLANK ROAD

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building.

We understand that we're off of North Plank Road which is a State route so we will have to get New York State DOT approvals for the entrance.

We are in receipt of Creighton, Manning's review letter from December 14th as well as McGoey, Hauser & Edsall's letter from the 14th as well.

CHAIRMAN EWASUTYN: Frank, do you have a copy of Karen's available that you can give them?

MR. GALLI: Yes, I do. There's two pages.

MR. GASPARRE: Thank you. We are also in receipt of Karen's review letter.

CHAIRMAN EWASUTYN: Pat, do you want to bring us --

MR. HINES: I'll run through mine. The project is located in the Town's water district. It's currently served by a well. We're recommending that that well be abandoned and the project connect to the Town's water system. We can work through that with the Town engineer as

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well based on their requirements.

The existing building has some bulk requirement deficiencies. The front yard setback is identified as 40 feet minimum where 10.1 is provided. Section 195-18(4)(B) states that front yards abutting all County and State highways shall be at least 60 feet in depth, and then it goes on to some exceptions where there's other buildings. I think that front yard setback should be 60 unless there are other buildings consistent with that section of the code. I believe the variance would be for 60 feet required where 10.1 is provided.

There's a side yard deficiency where 15 feet is the minimum required. There's also a 10.1 distance provided. So those two variances are required. By changing the use it loses it's protection under the pre-existing, nonconforming.

The driveway must be in compliance with DOT standards. I notice that there's some painting of the driveway proposed. I think DOT is going to require curbing at that location rather than painting. That will be up to them. When we circulate for lead agency they'll receive

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these plans as well.

The deep test pits identify constraints in the soils at less than 48 inches. We're going to ask you to take a look at those soil testings and provide adequate soil for the new septic system.

The septic system notes identify a 1,000 tank while 1,500 is in the details. That needs to be cleaned up.

Access to the existing garage. DOT typically only allows one access point to commercial lots. Two of the parking spaces are shown at the existing garage. I believe that those are probably going to be required to be eliminated by the DOT, and you'll have to expand the proposed parking to do that.

DOT details for the minor highway access should be added to the plans.

Parking lot striping needs to conform to Town of Newburgh specifications of a double stripe. We can provide you with that detail if you need it.

Bulk table compliance should be labeled on the plans, the dimensions on the plans for

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this Board as well as when you go to the ZBA.

Curbing should be clearly shown on the plans. The Town does require curbing for commercial parking lots. We do note you have some drainage improvements that are relying on a stone diaphragm. The curbing needs to be adjusted to allow for that.

The project doesn't have sufficient area to require a drainage review.

While the stormwater management is provided, the curbing should be adjusted.

Those are our comments to date.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: I read in the narrative I believe that this is, and you had stated, an office for a construction company.

MR. GASPARRE: Yes, sir.

MR. CANFIELD: A single occupancy?
Just one?

MR. GASPARRE: Yes, sir.

MR. CANFIELD: Will there be any parking of any construction vehicles?

MR. GASPARRE: Not at this time, no.
It's mostly for the office secretary. It's just

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317 NORTH PLANK ROAD

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going to be pretty much passenger cars.

CHAIRMAN EWASUTYN: Can I make a suggestion? I'm always hesitant when I hear people say not at this time --

MR. GASPARRE: Yes, sir.

CHAIRMAN EWASUTYN: -- because that time sort of ends when people walk out the door.

MR. GASPARRE: Understood.

CHAIRMAN EWASUTYN: I think for the benefit of -- number one, it's always nice to hear from the applicant. It would be nice maybe when you come back from the ZBA that the applicant can be with you and discuss his future use.

I would also suggest that you show an area on the site for spotting of steel along with other construction-related -- whether the compressors. You know the business much better than I do.

MR. GASPARRE: Yes, sir.

CHAIRMAN EWASUTYN: I think we should delineate that on the site.

MR. HINES: Just in looking at the plan again, the side yard setback distance, it looks

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317 NORTH PLANK ROAD

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coincidentally the same. 10.1 is mentioned twice. The side yard looks less than the front yard setback.

MR. BODENDORF: I believe the front yard dimension is incorrect. I think it's a little bit more than 10.1.

MR. HINES: We'll have to clarify that for the record.

MR. DOMINICK: What is your name, sir, for the record?

MR. BODENDORF: My name is Michael Bodendorf.

CHAIRMAN EWASUTYN: You have Karen's comments to review.

Any other questions from the Board Members?

MR. GALLI: Just the one tenant? That's it?

MR. GASPARRE: Yes, sir.

MR. GALLI: What type of construction business is it?

MR. GASPARRE: He's a general contractor.

CHAIRMAN EWASUTYN: Is there an area

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where they're going to store pipe?

MR. HINES: There's no outdoor storage proposed.

MR. GALLI: Unless he has a yard someplace else.

MR. HINES: Actually, the proposed grading is going to prohibit anything getting down in back. The parking lot brings it up.

I think maybe a note that no outdoor storage could be added to the plans as we move forward.

CHAIRMAN EWASUTYN: That might be the easiest way to do it.

Pat, would you speak out loud on the referral letter that Mike Donnelly will be preparing to go to the ZBA for the requirements?

MR. DONNELLY: I have it from Pat's notes. The letter would be a variance is required for a front yard setback variance wherein 60 feet is required. 10.1 feet is shown on the plan but that dimension appears to be incorrect. The actual dimension will need to be provided to the Zoning Board as part of the application. Second, the side yard setback where

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317 NORTH PLANK ROAD

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15 feet is required and 10.1 is provided.

MR. HINES: Yes.

CHAIRMAN EWASUTYN: I'll move for a motion from the Board to refer this to the ZBA for the front yard and side yard deficiencies that Mike Donnelly just spoke of.

MR. MENNERICH: So moved.

MR. GALLI: Second.

CHAIRMAN EWASUTYN: Motion by Ken Mennerich. Second by Frank Galli. Roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Pat, there's no circulating on this?

MR. HINES: I believe we should circulate for lead agency. The DOT is an involved agency here.

CHAIRMAN EWASUTYN: I'll also move for a motion to declare our intent for lead agency.

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317 NORTH PLANK ROAD

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MR. DOMINICK: So moved.

CHAIRMAN EWASUTYN: Motion made by Dave Dominick.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: Second by Ken Mennerich. I'll ask for a --

MR. DONNELLY: I'm sorry.

MR. HINES: It might be type 2.

MR. DONNELLY: It's a type 2 action under the new regulations.

CHAIRMAN EWASUTYN: That's fine.

MR. HINES: It's an existing building.

MR. DONNELLY: It is the reuse of a residential commercial structure where the use is permitted under the Zoning Code. It's a type 2. There's no need for a notice of intent.

CHAIRMAN EWASUTYN: Let the record show that we rescinded the motion to circulate, our intent to circulate that was made by Dave Dominick and seconded by Ken Mennerich.

Thank you.

MR. GASPARRE: Thank you.

MR. HINES: That's going to fall on you to circulate to DOT at this point.

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317 NORTH PLANK ROAD

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MR. GASPARRE: Okay.

(Time noted: 7:40 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 2nd day of January 2019.



MICHELLE CONERO

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CABRERA SUBDIVISION MODIFICATION

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

----- X
In the Matter of

CABRERA SUBDIVISION MODIFICATION
(2018-24)

520 & 522 Fostertown Road
Section 17; Block 2; Lots 31.2 & 31.3
AR Zone

----- X

AMENDED SUBDIVISION

Date: December 20, 2018
Time: 7:40 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: Our fourth and last item of business is the Cabrera Subdivision Modification. It's an initial appearance for an amended subdivision located on 522 Fostertown Road in an AR Zone. Charles Brown of Talcott Engineering is making the presentation.

MR. BROWN: Thank you, John.
It's actually 520 and 522.

This is a subdivision that was filed in 2003. It shows a very small common driveway easement and it had a driveway for lot 3. Lot 3 is coming straight down this embankment, which is actually very steep. It's actually steeper than shown on the topography.

John Richichi owns both lots and asked me if I could rework the driveways. I did that. In doing so we brought the common driveway down the property line. It was actually shoved all the way up against the stonewall in the original subdivision. We peeled off the driveway for lot 3 further down the hill to make the grades work.

We filed the easement with the assumption that since he owns both lots we wouldn't have to amend the subdivision. I was

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incorrect and we're here to rectify that.

CHAIRMAN EWASUTYN: Pat, can you explain it to the Board, please?

MR. HINES: The original subdivision, actually the driveways kind of came together at the point of the County roadway. As Charlie mentioned, they revised it to be a longer common driveway. The original lot number 3, 31.3, came up very close to where it came off of Fostertown Road.

The only way to rectify this is to refile the subdivision map with the different easement on there. I don't really have a concern about the easement area but the original map I took a look at had some additional drainage improvements from the County right-of-way. I just think this map should go back to County DPW to get their approval of it. It doesn't look like they're proposing those improvements any more.

MR. BROWN: The surveyor didn't pick those up. I will talk to him. We will get those on the map.

MR. HINES: They were done?

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MR. BROWN: I don't know. The surveyor didn't pick them up. I will determine that and make sure it gets done.

MR. HINES: There's a pipe north of Hingecliff Road that comes across the County roadway. The original subdivision had a whole network of piping picking that up and running it across this subdivision, picking up the County drainage. So that's the only real issue.

There is a proposed swale that needs to be -- the new pipe location on lot 31.3 kind of puts the drainage towards the sanitary sewer disposal system. That soil is going to be critical as well. If you'd take a look at that original approval related to the drainage that was originally proposed.

It is a County roadway so I think the County should weigh in on the driveway location as well.

MR. BROWN: Okay.

MR. HINES: I think it requires a public hearing as well.

MR. DONNELLY: It does.

CHAIRMAN EWASUTYN: I think the notice

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went out, did it not? We had this scheduled for the 3rd?

MR. BROWN: Not this one.

MR. HINES: No. This is the first we've seen this. The 3rd is too close.

CHAIRMAN EWASUTYN: All right.

MR. BROWN: We have to send it to County Planning, too?

MR. DONNELLY: Yes.

MR. HINES: It does need to go to County.

MR. BROWN: Do you need another set of drawings for that, Pat?

MR. HINES: I can print it. I have one.

MR. HINES: The second meeting in January is the 17th which wouldn't give us the time for the County. I don't know if we want to do it at the first one in February.

CHAIRMAN EWASUTYN: That sounds reasonable. You'll have a new calendar and the new schedule and all that. I have it all done, I just haven't printed it out, the work sessions and all. I'll get that done on either Monday or

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Wednesday and it will be in your boxes by the end of the week.

MR. DONNELLY: Because the DPW may be an involved agency, we should do a lead agency notice of intent as well.

MR. HINES: We can do that as well.

CHAIRMAN EWASUTYN: The date for the public hearing?

MR. HINES: February 7th would be the first meeting in February.

CHAIRMAN EWASUTYN: So we'll make two motions. We'll declare our intent for lead agency and also to set February 7th for a public hearing on the Cabrera Subdivision Modification.

MR. MENNERICH: It's two motions or one?

CHAIRMAN EWASUTYN: Two actions under one motion.

MR. MENNERICH: So moved.

CHAIRMAN EWASUTYN: Thank you. I had a motion by Ken Mennerich.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: A second by Cliff Browne. Any questions?

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(No response.)

CHAIRMAN EWASUTYN: We'll ask for a
roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWN: Thank you. Merry
Christmas.

(Time noted: 7:47 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 2nd day of January 2019.

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

MEADOW HILL EXPANSION
f/k/a GOLDEN VISTA
(1999-33)

Field Change Review

----- X

BOARD BUSINESS

Date: December 20, 2018
Time: 7:48 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ANTHONY NESTER

----- X

MICHELLE L. CONERO
PMB #276
56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: There's one other item that we have that Pat Hines will discuss with us. It's a field change to the Meadow Hill Expansion.

MR. HINES: I note that the applicant's representative is in the audience and has a big plan. We might take advantage of him showing up tonight.

We have a request for the Golden Vista project. Some utilities were put in prior to the foundation for building 9. Those utilities, the gas mains, now conflict with the location. They're looking to move the building 10 feet. The same footprint, just moving it 10 feet. It does change the location of two parking spots. It flip flops them from one side of the building to the other. It eliminates one and moves it to the other side.

In addition to that, this week we also got contacted by them. They have a permit to -- an application in to take the former Perger garage structure that was originally saved on the plan, it was going to be used for a stone building there to store some lawnmowers and such.

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They've evaluated that and now want to take that down. It changes the grading a little bit.

I think if Mr. Nester has a large plan, it may be better shown to the Board.

CHAIRMAN EWASUTYN: Just for the record let us have your name and who you represent.

MR. NESTER: Good evening. My name is Anthony Nester with the firm of JMC. We represent the applicant, Meadow Hill.

You can see here, this is building 10 and this, as Pat just mentioned, is shifting 10 feet north, just straight in line.

Right here is the existing structure, the stone structure, which I believe they did receive the demolition permit to take down. I believe it's been issued. What they'd like to do is right now behind the building there's a short space, I believe it's like 8 feet, and then it's a two-and-a-half on one slope that goes straight down here, which we needed to do to try to save the existing structure. Since it's in such disrepair they decided it needed to come down. What we'd like to do is just kind of create a larger, more user friendly back of building area

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just for maintenance and access around the building, and just soften the slope down through here. The proposed grading will not go into any of the existing wooded area. It's all within the cleared area. It's I think a five-on-one slope is what we're proposing.

Also as part of the approval there was some substantial landscaping that was to be placed here which will still be placed throughout the slope.

The stormwater, similar runoff from the grade was collected from the swale. We are actually flattening the grade down and still collecting it. It's all going back in the same direction. There's no additional impervious surfaces that we need to handle or treat.

We're just trying to create a little bit nicer condition behind the building.

MR. GALLI: Which building are you moving 10 feet?

MR. NESTER: Building 9. I have it right here.

MR. GALLI: Is that on Sycamore Drive?

MR. HINES: It's more central to the

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site.

MR. NESTER: I didn't bring the site plan. Here's the entrance. There's an emergency access drive through here. So building 9 is this building right here.

MR. GALLI: So it's in the middle?

MR. NESTER: It's in the middle and building 10 is here. Here is the existing stone structure.

MR. GALLI: Are you going to bring fill in?

MR. NESTER: I believe there's fill already on site.

MR. GALLI: To use?

MR. NESTER: To use, yes. Which would kind of limit some of the hauling off of material from the site.

MR. BROWNE: Your new slopes are depicted?

MR. NESTER: The proposed slopes are what I had drawn in red. These are two foot contours, these black lines, so you can see the space.

MR. HINES: The reduction in the slope,

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the five-on-one from the two-and-a-half on one is much better. They're having some difficulties on the site with some of the steeper grades.

I don't know if you've been out there, Anthony, but one of them slid down towards the bottom the other day. Modifying these slopes to shorter grades is a good thing. It's within the original disturbance footprint. There's no additional disturbance.

Again, they were working around trying to save that stone building. Without it there this change in grade makes perfect sense to reduce it wherever they can.

MR. NESTER: Actually it does help, for what it's worth, to screen the buildings a little bit better because the proposed landscaping was down in here. We are kind of raising some of that. We're also buffering the view from this side where there was none proposed before. So most plants would be distributed up higher on the slope.

MR. GALLI: Where are you going to have storage now?

MR. NESTER: I don't think they were

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really ever planning on using that area. I don't think anybody ever goes in there.

This is just a little sketch that shows the red is the shifted building and the gray below. These are the parking spaces that Pat was referring to. So it was one here and it's being added here. It's just a straight shot because the utility, the gas main is on this side.

MR. CANFIELD: John, I have a question.

The new distance with the relocated building, between side to side is what?

MR. NESTER: Let me get my scale.

MR. HINES: There's a section of the code that requires it to be at least the height of the building.

MR. NESTER: The height of the building.

MR. HINES: I guess it's more of a building code issue at this point. If the Board is okay with moving it 10 feet, it still has to comply with that section of the code.

MR. CANFIELD: 185-25.

MR. NESTER: Is 35 feet the maximum? Right now it is 40 feet. So it would be down to

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30. If I have to I guess push it back it's still going to be tough. 5 feet. I'd have to check to see if the 5 feet would be enough to avoid the gas main with the foundation.

MR. CANFIELD: You may want to research that and maybe come back.

MR. NESTER: Okay. I can give the information to Pat.

MR. HINES: As long as the Board is okay with these field changes, I think we can do the details. I wanted to present these details to the Board. We do call them field changes.

CHAIRMAN EWASUTYN: Jerry, are you in agreement with that, you and Pat could work on the field changes?

MR. CANFIELD: Once we know the exact numbers. I know we put you on the spot.

MR. HINES: We were talking and --

MR. DONNELLY: I usually have a scale.

MR. HINES: I usually have one.

MR. NESTER: I could have sworn I had one in my bag.

MR. WARD: The buffer; when you take down the garage, when you come up Meadow Hill --

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you're doing a great job, but when you take down the garage and level it out, whatever you're doing, if you can make the buffer more dominant there. That turn, you see everything. You saw the garage there, you know.

MR. NESTER: What I can do, if it's okay with the Board, is on a previous version of this sketch I did place the landscaping that was on there. I can provide that to Pat and Pat can distribute it to the Board. I do plan on using -- it actually feathers out closer as it goes to Meadow Hill. The plan is to take the evergreens and plant them up the hill to soften that.

MR. WARD: That's why I'm asking. Everything looks great, what you're doing. You saw the stone there.

CHAIRMAN EWASUTYN: That's building number 9?

MR. NESTER: No. The grading is building number 10.

CHAIRMAN EWASUTYN: The relocation is --

MR. NESTER: The shifting is building 9.

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CHAIRMAN EWASUTYN: That's what is
before us.

I'll move for a motion for the Board
to --

MR. HINES: You're just authorizing the
field change.

CHAIRMAN EWASUTYN: -- to authorize the
field change subject to a sign off by Jerry
Canfield and Pat Hines.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by Frank
Galli. Second by Stephanie DeLuca. I'll ask for
a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion
carried.

MR. NESTER: Thank you very much. You
all have a very happy holiday.

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CHAIRMAN EWASUTYN: I'll move for a motion to close the Planning Board meeting of the 20th of December.

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Frank and seconded by John Ward. Roll call vote starting with John Ward.

MR. WARD: Aye.

MS. DOMINICK: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

MR. GALLI: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 7:58 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 2nd day of January 2019.

Michelle Conero

MICHELLE CONERO