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TOWN OF NEWBURGH  
TOWN CLERKS OFFICE

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

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In the Matter of

261 NORTH PLANK ROAD  
(2014-18)

261 North Plank Road  
Section 34; Block 2; Lot 23.2  
Zone: IB

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SITE PLAN & CHANGE OF USE

Date: August 7, 2014  
Time: 7:05 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
FRANK S. GALLI (Not present)  
CLIFFORD C. BROWNE  
KENNETH MENNERICH  
JOSEPH E. PROFACI  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DAWN KALISKI

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

1  
2 MR. BROWNE: Good evening, ladies and  
3 gentlemen. I call the meeting of August 7, 2014. At  
4 this time I'll call the meeting to order with a roll  
5 call vote starting with myself, present.

6 MR. MENNERICH: Present.

7 CHAIRMAN EWASUTYN: Present.

8 MR. PROFACI: Here.

9 MR. DOMINICK: Present.

10 MR. WARD: Present.

11 MR. BROWNE: The planning board has  
12 professional experts that provide reviews and input  
13 to us on the business before us, including SEQRA  
14 determinations as well as code and compliance  
15 details. At this time I would ask them to introduce  
16 themselves.

17 MR. DONNELLY: Michael Donnelly,  
18 Planning Board Attorney.

19 THE COURT REPORTER: Patrick DeGiorgio,  
20 Court Reporter.

21 MR. CANFIELD: Gerald Canfield, Code  
22 Compliance Supervisor.

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

25 MR. BROWNE: Thank you. At this time

1  
2 I'd like to turn the meeting over to John Ward.

3 MR. WARD: Please stand.

4 (Pledge of Allegiance).

5 MR. WARD: Please turn your cell phones  
6 off or leave them on vibrate.

7 MR. BROWNE: First item of business we  
8 have this evening, 261 North Plank Road, project  
9 number 2014-18. This is a site plan change of use.  
10 It's an initial appearance and will be presented by  
11 Lanc & Tully.

12 MS. KALISKI: Good evening. I'm Dawn  
13 Kaliski. I'm here this evening with Steven Gaba.  
14 He's a member of the 261 North Plank Road, LLC.

15 What we have here is -- this is the old  
16 Whinnies & Knickers Shop located on Route 32 North  
17 Plank Road. I'm sure everybody is quite familiar  
18 with that.

19 261 North Plank Road Associates has  
20 purchased this and would like to do a change of use  
21 from an existing retail to a professional office.  
22 It's in the IB zoning district. Both are approved  
23 uses in the zoning district.

24 There's no proposed changes to the site.  
25 Just enough changes to the building as well. Just

1  
2 conversion to a professional office. However, since  
3 the site is a preexisting nonconforming with front  
4 yard, side yard setbacks and lot area, front --  
5 excuse me, front yard, rear yard and lot area, we  
6 would need a referral for the ZBA to memorialize the  
7 preexisting nonconforming use or lot, excuse me,  
8 area.

9 CHAIRMAN EWASUTYN: Pat Hines, planning  
10 consultant.

11 MR. HINES: Your Honor, our first  
12 comment just concurs with the three zoning variances  
13 that are required. When it comes back from there it  
14 needs to be referred to county planning and DOT  
15 because of proximity to the state highway. That's  
16 all we have at this time.

17 CHAIRMAN EWASUTYN: Jerry Canfield.

18 MR. CANFIELD: At the work session we  
19 had a discussion about the existing shed. Further  
20 review of the IB tables it is permitted. Storage  
21 buildings are permitted with that office occupancy,  
22 so that's not an issue.

23 CHAIRMAN EWASUTYN: Mike Donnelly, since  
24 you prepared the letter to the ZBA, at this time  
25 would you make mention of that.

1  
2 MR. DONNELLY: Sure. It would be the  
3 letter followed by an application by the applicant  
4 for consideration of area variances for rear yard,  
5 front yard and lot area due to the change in use and  
6 the loss of protection upon the changes.

7 CHAIRMAN EWASUTYN: Any other questions  
8 from the board? I move for a motion to refer the 261  
9 North Plank Road site plan to the ZBA with the  
10 outline that was presented by planning board attorney  
11 Mike Donnelly.

12 MR. PROFACI: So moved.

13 MR. WARD: Second.

14 CHAIRMAN EWASUTYN: Motion by Joe  
15 Profaci, second by John Ward. Any discussion?

16 (No response)

17 CHAIRMAN EWASUTYN: Roll call starting  
18 with Cliff Browne.

19 MR. BROWNE: Aye.

20 MR. MENNERICH: Aye.

21 CHAIRMAN EWASUTYN: Aye.

22 MR. PROFACI: Aye.

23 MR. DOMINICK: Aye.

24 MR. DONNELLY: Do you want to issue a  
25 lead agency designation? I will tell the ZBA that we

1  
2 had no objection to them handling the variance  
3 application on an uncoordinated review basis.

4 CHAIRMAN EWASUTYN: Would the board  
5 members like to do that?

6 MR. BROWNE: Yes.

7 MR. DONNELLY: Because the DOT is  
8 involved.

9 CHAIRMAN EWASUTYN: I'll move for a  
10 motion to declare lead agency.

11 MR. DOMINICK: Make a motion.

12 MR. MENNERICH: Second.

13 CHAIRMAN EWASUTYN: Motion by Dave  
14 Dominick, second by Ken Mennerich. I'll ask for a  
15 roll call starting with Cliff Browne.

16 MR. BROWNE: Aye.

17 MR. MENNERICH: Aye.

18 MR. PROFACI: Aye.

19 MR. DOMINICK: Aye.

20 CHAIRMAN EWASUTYN: So carried. Thank  
21 you.

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STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

I, PATRICK M. DeGIORGIO, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing is a true and accurate record of the minutes having been stenographically recorded by me and transcribed under my supervision to the best of my knowledge and belief.

x Patrick DeGiorgio

PATRICK M. DeGIORGIO

Dated: August 20, 2014