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

----- X

In the Matter of

HUDSON VALLEY CHRYSLER DODGE JEEP RAM
(2015-01)

200 Auto Park Place
Section 97; Block 2; Lot 11.2
IB Zone

----- X

SITE PLAN

Date: February 5, 2015
Time: 7:24 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JOSEPH SARCHINO

----- X

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

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CHAIRMAN EWASUTYN: Number two on the agenda is Hudson Valley Chrysler Dodge Jeep Ram. It's the initial appearance for a site plan. It's at Auto Park Place in an IB Zone. It's being represented by Joe Sarchino from John Meyer Consultants.

MR. SARCHINO: Thank you very much, Mr. Chairman. I have tonight with me Mike Ostrow, the owner of the property, and also Phil Clark, the architect.

I'll start off just by giving a quick overview of what's proposed and we'll get into the architecture after that.

The site is located off of Auto Park Place here, Route 17K, the existing Hudson Valley Chrysler dealership here. The existing building is 14,092 square feet. There's 336 cars presently provided for in the parking lot. The parcel line basically is this red line here. The parking is the gray area.

The proposal -- I'll take this down here so you can see exactly what's proposed. This is a 7,831 square foot addition to the building. So basically we're filling in these

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2 voids in the square in this location and this
3 location. So the entire building, upon
4 completion, will be 21,923 square feet. Basically
5 it's being completed to improve the experience
6 for the existing customers. So there's not an
7 additional dealership proposed or anything like
8 that. The architect will get into what the
9 increases in the spaces are exactly.

10 The existing entrance to the building
11 is located on the side of the building here now.
12 The proposal will bring us up to Chrysler's
13 standards which will be having the entrance point
14 in the center of the building.

15 Presently the access point into the
16 parking lot is in this location which brings you
17 kind of into a storage area which has one-way
18 traffic circulation here. So it's a little
19 awkward. What we're proposing is to shift this
20 driveway down a bit so it lines up exactly with
21 the customer parking areas here and where the
22 handicap parking spaces are located. So that will
23 be a little improvement in the site circulation.

24 In addition, there's the pylon sign
25 located in the parking lot here. It kind of goes

1
2 into the travel aisle. So we're proposing, when
3 we shift this driveway, to take the pylon sign
4 and locate it by the front entrance. We think
5 that will be a better location anyway.

6 We have a slight decrease in impervious
7 surfaces because we're proposing some additional
8 landscaped islands for the property now. So we're
9 decreasing impervious surfaces overall. The
10 locations where the building is being expanded is
11 an existing paved surface now, so it's within an
12 already impervious surface location.

13 Actually, the existing parking is 336,
14 the proposed is 337. So we're basically exactly
15 where it is today. We're not proposing to revise
16 any of these perimeter parking areas. They can
17 stay as is. The front parking area here will just
18 be modified grade wise just to accommodate the
19 front entrance point and the realignment of the
20 parking there.

21 Again, the site is located in the IB
22 Zone.

23 That's basically a summary of what's
24 proposed. I'll let Phil fill you in on the
25 architectural changes.

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2 MR. OSTROW: This is the old -- it's
3 Newburgh Park Motors.

4 CHAIRMAN EWASUTYN: Your name is Mike?

5 MR. OSTROW: Mike Ostrow.

6 MR. CLARK: I am Phil Clark, licensed
7 architect in the State of New York. I'm with
8 Claris Construction with a home office in
9 Newtown, Connecticut.

10 The dealership is under the ownership,
11 and Mike introduced himself, and Bob Camastro
12 sits next to him. They're the owners of the
13 facility. They do own -- operate other
14 dealerships in the area.

15 They are planning on spending multi-
16 million dollars on renovations and additions to
17 the facility. It is a very tired facility. If
18 you've been by it or in it, I don't think it's
19 been updated since the '70s. It's going to be
20 brought up to the new standards for Chrysler,
21 which includes this front portal piece that's
22 supposed to represent the Chrysler tower in New
23 York. I didn't design that. That's what they told
24 me to do.

25 It includes two additions. One is an

1
2 addition to the left of the building as you're
3 facing it which will expand the showroom to
4 roughly 6,500 square feet. The whole showroom
5 gets blown up and two bathrooms get blown up and
6 redone. Everything in the showroom will be brand
7 new. Again, it's just for the customer
8 experience. There's room for eight more customers
9 to sit at the lounge right now, so that will be
10 tripled.

11 The back -- the addition in the rear is
12 a customer service write-up area so they can drop
13 their cars off now in a space. That expansion is
14 roughly 4,800 square feet.

15 Every room in the facility gets
16 touched. The existing service bays are going to
17 be new epoxy floor paint, new lighting.

18 There's new lighting throughout.

19 The facade is a white metal panel.
20 It's a Chrysler color white. There will be lots
21 of glass. The existing glass will be changed out.
22 That's all thermal pane windows and lots of
23 glass, as for any car dealership.

24 In the back there's all -- the existing
25 masonry structure will be painted a light gray.

1
2 On top will be a stucco gray ribbon announcing
3 the area where the entrance is of the service
4 write-up. The facility will be -- it's going to
5 sit basically right where it's at on the existing
6 lot.

7 Any questions?

8 CHAIRMAN EWASUTYN: John Ward, any
9 questions?

10 MR. WARD: I'm enjoying your picture
11 with just two, three cars on the front compared
12 to what it is now.

13 MR. SARCHINO: I think this is at
14 nighttime.

15 MR. WARD: Your sign that's going to be
16 removed, just make sure for eyesight with traffic
17 and everything, because to me I thought the sign
18 where it is isn't bad. You see it when you come
19 over the ridge on the left. At the same time, if
20 you have traffic and all the people coming over
21 the ridge, it might block them coming out.

22 MR. OSTROW: What we're talking about
23 doing, and I don't know -- Bob and I have two
24 Mercedes Benz dealerships, one in Wappingers
25 Falls if you guys want to drive by it. We built a

1 facility there a couple years ago. Phil built it
2 for us. He also built us a new facility in
3 Danbury, Connecticut.
4

5 What we found is the inside service,
6 although a lot of domestic dealerships don't do
7 it, we decided to do it. It's a lot more
8 convenient for customers to drive their car in.
9 Right now in the snow you can just drive in,
10 stand outside, look at the car. In the summertime
11 when it's hot as hell, the same thing. It's air
12 conditioned space, customers can pull in.

13 Basically what we've done is we've
14 changed the traffic flow so that now people --
15 currently, currently if you look at what's there
16 -- if you don't mind I'll show you. Currently
17 what's there is when the customers come in, they
18 drive across the front of the showroom because
19 the entrance to the service department is over
20 here. What that does is prevents the new car
21 customers who want to come in to look at a car
22 have a place to park. When we're busy nobody can
23 get in or out. By moving it to the back, people
24 come in, the service customers will go around
25 back, there will be room for four cars inside to

1
2 be written up, and then we'll have back doors and
3 they'll be parked in the back. It leaves the
4 front space open for retail customers to come in
5 and park their car, look at a car or talk to
6 somebody. Chrysler actually wanted us to do it
7 where we have the driveway in the front. I fought
8 them. I said guys, this isn't going to work.
9 When we get busy -- you know, we've tripled the
10 sales there since we took over in June. When we
11 get busy what's going to happen is you're going
12 to have a line of service customers across the
13 front, nobody is going to be able to get in,
14 they're going to be backed up to 17K. So we
15 needed to change the traffic pattern. That was
16 our thought process to make it a lot easier for
17 the customers and not to have the traffic
18 situation.

19 MR. WARD: Very good.

20 MR. OSTROW: I don't know if that
21 answered the question but that's why we did it
22 that way.

23 MR. WARD: Thank you.

24 CHAIRMAN EWASUTYN: Dave Dominick?

25 MR. DOMINICK: This is a working

1 dealership. Will there be any type of temporary
2 trailer for the customers, for the salesmen
3 during the remodel construction phase?
4

5 MR. CLARK: What we usually do with the
6 dealership is we'll take half -- we'll build the
7 pieces we have to build, move them into the new
8 pieces and then refurbish the existing piece.
9 There will be no construction -- I don't believe
10 there will be a construction trailer right now
11 for the salespeople. There will be a construction
12 trailer.

13 MR. DOMINICK: Right. I just meant for
14 the salesmen.

15 MR. OSTROW: In our other store when he
16 did Wappingers Falls, that was an old facility
17 and we didn't have a construction trailer. We
18 went from 12,000 square feet to 30,000 square
19 feet there. When he did Danbury we had to take
20 the showroom down because it was just an old
21 terrible metal building. In that instance we did
22 have salesmen in trailers. We don't want to do
23 that. It's very inconvenient for the customers.
24 It's a pain in the ass. I mean you only do it if
25 you absolutely have to.

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MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: Ken?

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: Frank?

MR. GALLI: I have no questions.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: The site issues I think Pat will cover.

I have a question just so we're on the same page. As far as the layout, there's a threshold in the fire code that if the service department is at 12,000 square feet or more it requires the building to be sprinklered. I know that currently you have a one-inch service to the building. It could impact if you need to bring in a larger main. As I calculate it, I only see 9,800 square feet of service area and you're classifying this as an S-1 occupancy. Am I on the right track here?

MR. CLARK: I believe so.

MR. CANFIELD: Okay. Then that's all I have, just at this point.

CHAIRMAN EWASUTYN: Okay. Pat Hines?

MR. HINES: We have some comments on

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the site plan. The zoning boundaries along the parcel need to be shown to the east of the parcel. There is, I believe, an R-2 Zone which abuts this from the IB Zone. The significance of that is Section 185-21, buffer strips and screening, would apply. So you need to take a look at that section and see how you're complying with that. The Planning Board does have some flexibility to take into account existing vegetation, but the size of that should be delineated on the plans, and possibly a submission of some renderings or photos of what's actually in that area could be provided in order to -- in order to show compliance with that section of the zoning.

You're going to need to go to the ZBA anyway because the requirement of a 35 foot buffer on the frontage of Route 17K exists. Because you're changing or expanding the use and changing the use on the site, that's going to kick in. That front parking -- that 35 foot buffer which I'm sure you're familiar with, you've done other dealerships, there was some talk about that being removed from the zoning.

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2 That has not been completed and I don't think
3 it's going to be. That's going to need to be
4 taken to the ZBA. I'm sure your client is not
5 looking to landscape that 35 foot strip in front
6 of his dealership.

7 An evaluation of the sewer flow will be
8 required to determine if we need a City of
9 Newburgh sewage flow acceptance letter. If
10 there's going to be additional flow, more
11 employees on the site. We'll be looking for that.

12 The inventory parking on the gravel to
13 the rear of the site, we just -- I see you're
14 proposing a gate. We're going to want some signs
15 there restricting public access. It's okay to
16 keep it gravel as long as it's employee access
17 only, which I believe is the intent. If you can
18 appropriately sign that and provide some details
19 on the gate, as to how that's going to operate.

20 There's an existing encroachment, a
21 fence, I believe on the Time Warner parcel.
22 You're showing parking on there. It's to the
23 rear of the site on the west side. It's kind of
24 right behind the Time Warner building. It says
25 existing fence to remain and you're showing the

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parking spaces coming off the site there.

MR. SARCHINO: That's an existing condition but we'll take a look. Right here?

MR. CANFIELD: Right there.

MR. SARCHINO: I mean it's existing but we'll take a look at it.

MR. HINES: That's all we have on it right now. The referral to the ZBA. You may want to take a look at your landscaping existing and proposed on that buffer strip to see if that needs a referral, too.

MR. CLARK: For the 35 foot buffer, can you just --

CHAIRMAN EWASUTYN: Mike, do you want to elaborate a little bit on 185-1?

MR. HINES: 185-21.

MR. DONNELLY: 185-21 says that -- it talks about the purposes of the code but then it goes on to particular requirements. It says, "Where vacant land is proposed or a reuse is proposed, buffers shall be required between dissimilar districts or uses. A buffer must be provided between any non-residential and residential use and between single-family and

1 multiple-family types." It describes the buffers,
2 where they're relocated, the width. There is some
3 flexibility that if existing vegetation exists
4 within the buffer area you may not need to plant
5 it, it may be better not to disturb it. There may
6 be exceptions where there are wetlands where
7 disturbance and planting wouldn't be allowed.
8 The width requirements and the actual buffering
9 are mandatory and can not be altered by the
10 Planning Board. If you can't satisfy those
11 provisions, you'll need to go to the Zoning Board
12 of Appeals for a variance.
13

14 MR. SARCHINO: Yeah. I mean this is
15 what's here now. We weren't proposing to touch
16 that but we'll still have to comply?

17 MR. DONNELLY: Yes. I believe it says
18 reuse.

19 MR. CANFIELD: If I may. Joe, the code
20 has been updated on two different occasions with
21 respect to buffer strips, in 2000 and 2008.
22 Because of the site plan, it does apply. We feel
23 that it does. At the work session we extensively
24 discussed it. The table calls for a 75 foot
25 buffer between an IB and an R, and we're asking

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2 you to either display that you comply. If not,
3 then we're going to have to refer it to the ZBA,
4 at least for an interpretation. It's our feeling
5 that you do need to apply for that in addition to
6 the 35 feet on 17K. It's two separate areas.

7 MR. SARCHINO: Okay. We will
8 definitely look into that.

9 Again with the front, since we weren't
10 changing that, the hope was we didn't have to
11 comply with it. It looks like we will. We may
12 have to go to the ZBA for it.

13 MR. DONNELLY: You could ask the ZBA
14 what reuse means. It says vacant land and reuse.
15 Try to argue that it does not apply. If they
16 don't agree with that I would recommend you also
17 apply for the variance. As Jerry said, they are
18 two different things. The 35 foot one,
19 conceivably if it's existing vegetation or
20 sufficient width, you can satisfy.

21 MR. SARCHINO: I think we'll be okay
22 here. We'll look into that. I don't think that
23 will be too much of an issue, even if it's gravel
24 spaces. We can look at maybe pulling that back.

25 The front of course we would like to

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leave as is today. We'll work with the ZBA.

MR. HINES: If that's heavily screened as of now, you may be able to display to the Board that it meets the intent.

MR. SARCHINO: We will definitely look into that.

MR. DONNELLY: It makes more sense not to send it to the Zoning Board until you determine whether you need two variances or one.

MR. SARCHINO: Absolutely. We'll be in touch with the Board.

CHAIRMAN EWASUTYN: Thank you.

Ken Wersted, Traffic Consultant?

MR. WERSTED: I think to clarify John Ward's point, were you concerned that the pylon sign would block the sight distance of the travel --

MR. WARD: Both that plus the driveway.

MR. WERSTED: Okay. And I think to clarify, the location of the pylon sign is going to be approximately 40 feet back from where a car would stop on Auto Park Place to turn onto 17K. I don't think it would impact it in that sense. If it's the same kind of sign that's there now, it's

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2 probably a 12 or 24 inch post. As it gets 30 feet
3 high in the air, then it widens out to have all
4 your lettering. So the actual part that would
5 block your sight distance is way up high. I don't
6 think it would impact.

7 MR. SARCHINO: And the problem with it
8 right now, and my wife and I were shopping for a
9 car not too long ago. As we were coming out I was
10 talking to her about the car, and the sign is in
11 the middle of the travel aisle. Believe it or
12 not, I almost knocked it over. It's not in a
13 great spot right now. Anyway, that's why we
14 really would like to shift it right over toward
15 the entrance where it's out of the way of
16 everything. It's a much better location.

17 MR. WARD: I appreciate you explaining
18 the traffic going in with the entrance.

19 MR. OSTROW: Do you want me to explain
20 it again?

21 MR. WARD: No, no.

22 MR. DONNELLY: He didn't like it that
23 much.

24 MR. OSTROW: It was pretty good,
25 though; right?

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2 MR. WERSTED: Our other comments
3 include the parking lot to the rear of the site
4 seems to have two access points over to the
5 Enterprise entrance. It seems to -- I think
6 that's the entrance for them. Is there any like
7 shared access agreement to use that?

8 MR. SARCHINO: We're going to look into
9 that as well. Thank you for mentioning that,
10 though, Ken.

11 MR. WERSTED: Without that it does
12 inhibit kind of the circulation around the site.
13 You can kind of make a horseshoe pattern and then
14 you -- if there was ever a barrier there you
15 would have to turn around and come back to the
16 other side.

17 MR. SARCHINO: We would be looking to
18 maintain these two access points that exist
19 today, here and here. So we will look to make
20 sure we have that access -- the easement
21 agreement.

22 MR. WERSTED: Another concern is
23 delivery truck circulation. When your vehicles
24 are brought to the dealership, where does that
25 truck park to unload or pick up vehicles and how

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that affects kind of the general operations.

MR. SARCHINO: We'll graphically show that at the next submission.

MR. WERSTED: We just had a comment, more of a clarification on the front of the building. If the parking lot was sloped up to the same level as the sidewalk and then you have your bumper blocks there, is that all one elevation there or is there a curb separating?

MR. SARCHINO: The way the plan is, you'll see the pressed curb indication. So it is all one elevation along the front and it will come up. That's where the bumpers are, too.

MR. WERSTED: You want to protect all that glass you have there.

That was the extent of our comments.

MR. CANFIELD: John, I have one other question.

Joe, in your application you submitted a clearing and grading permit.

MR. SARCHINO: Right.

MR. CANFIELD: If and when the site plan is approved, there would be no need for a clearing and grading permit unless you propose to

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start that clearing before the approval process.

MR. SARCHINO: Oh, okay.

MR. CANFIELD: So we're not sure, you know, why you submitted and what your intention is.

MR. SARCHINO: Maybe it was an error. I know we were disturbing a certain amount of the area and we thought we needed the clearing and grading application.

MR. CANFIELD: The site plan approval will cover that.

MR. SARCHINO: Okay. Very good.

CHAIRMAN EWASUTYN: Mike Donnelly, at this point we could circulate to the Orange County Planning Department?

MR. DONNELLY: I believe we could.

MR. HINES: These plans have that level of detail. That's fine.

CHAIRMAN EWASUTYN: We'll circulate to the -- declare our intent for lead agency.

MR. HINES: Yup.

CHAIRMAN EWASUTYN: Then we'll communicate back and forth on what you may want to be referred to the Zoning Board for.

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MR. SARCHINO: Yes, we will. We'll be in touch with that.

CHAIRMAN EWASUTYN: Thank you.

At this point I'll move for a motion to declare our intent for lead agency and circulate to the Orange County Planning Department.

MR. MENNERICH: So moved.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Thank you. Nice meeting you.

MR. OSTROW: Thank you very much.

Thanks for your time, gentlemen. I appreciate it.

(Time noted: 7:49 p.m.)

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7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.
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19 Michelle Conero
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23 DATED: February 19, 2015
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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X
In the Matter of

HUDSON VALLEY CHRYSLER DODGE JEEP RAM
(2015-01)

200 Auto Park Place
Section 97; Block 2; Lot 11.2
IB Zone

----- X

SITE PLAN

Date: March 19, 2015
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
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JOSEPH SARCHINO

----- X

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

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2 MR. BROWNE: The next item of business
3 we have is Hudson Valley Chrysler Dodge Jeep Ram,
4 project number 2015-01. This is a site plan
5 being represented by John Meyer Consulting.

6 MR. SARCHINO: Good evening. Joe
7 Sarchino with John Meyer Consulting. I'm here
8 tonight for Hudson Valley Chrysler Dodge project.
9 We made a resubmission to the Board based on the
10 comments we received at the last Planning Board
11 meeting.

12 Some of the modifications that we've
13 made to the plan include showing a truck turning
14 analysis which you have in your package. It
15 shows the trucks coming in from Auto Park Drive
16 here, coming into the site, unloading here,
17 backing out and coming back out Auto Park Drive.

18 A couple other things that we added to
19 the plan was a sign here in this location
20 indicating that only ownership or employees are
21 able to go into this portion of the parking lot
22 because it was gravel.

23 We were requested to get a sewer
24 approval letter from the City of Newburgh. We
25 requested that. The town engineer sent a letter

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2 to the City requesting that letter. That has
3 been completed, so we're waiting to get a
4 response from the City on that.

5 There's also a buffer requirement. We
6 were asked to locate the residential zoning
7 district adjacent to the IB district which the
8 project is in, which you'll see is in this
9 location. There's a requirement that a buffer
10 strip be provided in Section 185-21 C that the
11 Planning Board needs the review of. I've
12 included in the submission photographs of the
13 buffer that exists in this location. There's
14 three photographs in your package. There is a
15 substantial evergreen buffer along this perimeter
16 of the property now. Even in the winter it's
17 very substantial. We feel it's adequate. In
18 addition, this crag rises as you get off the site
19 which provides additional buffer to the parking
20 lot that's in this location.

21 Again, we're not proposing expanding
22 anything. That's the existing parking lot to
23 remain.

24 There's also two variances that still
25 remain that we were looking for a referral to the

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2 Zoning Board tonight from the Planning Board.
3 That will be to keep the parking where it's
4 located along Route 17K and not provide the 35
5 foot buffer. And also there's a requirement of
6 100 foot setback from the residential zone that
7 we would have to get a variance on as well to
8 keep the existing parking within the limits that
9 are presently shown.

10 That's basically the summary of what
11 the submission -- resubmission took into account.

12 We received comment letters from the
13 Board. I'm not sure if the consultants, if you
14 want them to review them themselves, Mr.
15 Chairman.

16 CHAIRMAN EWASUTYN: Ken Wersted is here
17 this evening. We'll take the opportunity of
18 hearing from Ken and the others, please.

19 MR. WERSTED: Thank you. We've
20 reviewed the revised site plan. All of our
21 comments have been addressed. The truck delivery
22 route has been proposed and provided, and it
23 demonstrates that a car carrier can pull into the
24 site, mainly from the rear, and then pull in,
25 deliver vehicles and then exit. We note that

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2 it's on the lot 5 property that the action kind
3 of takes place. The vehicles coming in or the
4 truck coming in and out will use that driveway.
5 So as long as that property owner is okay with
6 the use of it, then --

7 MR. SARCHINO: I expect the next time
8 we come to the Board after the Zoning Board we'll
9 have that easement in place.

10 MR. WERSTED: And the only other
11 comment was about the plantings around the main
12 driveway in the front. As long as they're below
13 sight distance level, then --

14 MR. SARCHINO: Those plants only get to
15 about two feet high.

16 MR. WERSTED: Great. Those are all the
17 comments that we had.

18 CHAIRMAN EWASUTYN: Pat Hines?

19 MR. HINES: The applicant's
20 representative has submitted the photos of that
21 buffer. The Board should evaluate those to
22 determine if they are acceptable as the buffer
23 plantings. It does show a very dense evergreen
24 buffer between the exist -- in the existing
25 condition. It's many years old, probably as old

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as the dealership itself. I think the Board should go on record if they feel that's acceptable.

CHAIRMAN EWASUTYN: Let's stop for a moment and poll the Board Members. Do you find the rendering that was shown acceptable?

MR. GALLI: The plantings and everything are acceptable. He's still going to the Zoning Board.

MR. HINES: They still need the 100 foot buffer waiver between the IB and the R-2.

MR. GALLI: It's all grown so it's there. It's mature.

MR. DONNELLY: What the code says on the residential buffer is provided that there's 35 feet, you don't need to require the applicant to plant it if you determine that the vegetation currently exists is adequate to meet the intent of the code.

MR. GALLI: It's adequate I think.

MR. HINES: The other section for the variance is the 100 foot. That's different from the one we're discussing now.

CHAIRMAN EWASUTYN: What's existing

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now, does the Board find it to be adequate?

MR. GALLI: Yes.

MR. MENNERICH: Based on the pictures that they have presented, yes.

MR. DOMINICK: Yes.

MR. WARD: Yes.

CHAIRMAN EWASUTYN: Let the record show that the Board found the existing vegetation to be adequate.

MR. HINES: The next comment has to do with both the fence and the access from the -- I got a call from Time Warner I believe it is under the same ownership. That needs to be granted.

The City of Newburgh flow acceptance letter which was discussed.

I believe we had a County Planning referral on this. We received back a local determination. They commented on the gravel parking area and some landscaping.

Just at this point we're at a referral to the ZBA.

CHAIRMAN EWASUTYN: Any additional questions or comments from Board Members?

MR. GALLI: No.

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2 CHAIRMAN EWASUTYN: Mike, you had
3 suggested during the work session that for the
4 benefit of the ZBA, this might be the appropriate
5 time to make a SEQRA determination.

6 MR. DONNELLY: Yes. You had issued a
7 notice of intent to serve as lead agency on
8 February 5th. More than thirty days have passed.
9 You can finalize your lead agency status. We
10 discussed at work session that there are no
11 significant environmental impacts likely possible
12 from the project, therefore a negative
13 declaration would be in order.

14 CHAIRMAN EWASUTYN: Thank you. At this
15 point then I would move to declare a negative
16 declaration for the Hudson Valley Chrysler Dodge
17 Jeep Ram site plan.

18 MR. MENNERICH: So moved.

19 MR. DOMINICK: Second.

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

24 MR. GALLI: Aye.

25 MR. BROWNE: Aye.

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MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion
carried.

Mike Donnelly, at this time would you
give the wording for the referral to the Zoning
Board of Appeals?

MR. DONNELLY: Yes. The referral we
discussed earlier is the possibility of two but
now it appears only one variance will need to
be --

MR. HINES: It is still two. The front
yard one -- it is two. It would have been three
but the front yard one was handled under the
previous subdivision for the entire auto park.
The variances that are required are the 35-foot
strip along 17K to be landscaped and then that
100-foot buffer with the newest of the Town
buffer regulations.

MR. DONNELLY: Where only 75 feet is
provided?

MR. HINES: Yeah. Not even. It's less
than that. 100 is required.

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MR. SARCHINO: It's section
185-18 (5) (a).

MR. HINES: There's parking depicted in
that buffer within the 100 feet.

MR. DONNELLY: So the 100-foot buffer
and the 35 front yard. Very good.

CHAIRMAN EWASUTYN: Okay.

MR. SARCHINO: Thank you very much.

CHAIRMAN EWASUTYN: I'll move for a
motion to approve the letter referral to the
Zoning Board of Appeals.

MR. GALLI: So moved.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye myself.

Thank you.

(Time noted: 7:49 p.m.)

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

DATED: April 9, 2015