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

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In the Matter of

MATRIX BUSINESS PARK AT NEWBURGH  
(2015-26)

Route 17K  
Section 95; Block 1; Lot TBD  
IB Zone

----- X

SITE PLAN

Date: September 17, 2015  
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  
KENNETH MENNERICH  
DAVID DOMINICK  
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DAVID EVERETT

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

2 MR. BROWNE: Our next item of  
3 business is Matrix Business Park at Newburgh,  
4 project number 2015-26. This is an initial  
5 appearance for a site plan, being presented  
6 by Langan Engineering, Environmental.

7 MR. EVERETT: Good evening. My name is  
8 Dave Everett, I'm legal counsel for Matrix  
9 Development in this matter. I'm with Whiteman,  
10 Osterman & Hanna in Albany, New York.

11 I thought we could do some brief  
12 introductions. We have with us tonight Ken  
13 Griffin who is a principal with Matrix  
14 Development. Sitting behind him is Ray Aquino  
15 who is the director of development with Matrix.  
16 From Langan Engineering we have Chuck Utschig who  
17 is going to be presenting the site plan tonight  
18 for you folks. We have Jerry Sigaris, also from  
19 Langan Engineering as well.

20 We're here tonight for site plan  
21 approval, or at least to begin the process of  
22 site plan approval for --

23 MR. DONNELLY: I appreciate that  
24 correction.

25 MR. EVERETT: -- for a warehouse

1  
2 distribution center on Route 17K across from Orr  
3 Road.

4           What we'd like to do, if it's okay with  
5 you, is I'd like to have Ken get up and maybe  
6 give a brief overview of Matrix and his company  
7 and then the project and the proposed tenant for  
8 the project. I think it would be helpful to  
9 provide some background information to the Board.  
10 Then we'd like to have Chuck get up and present  
11 the site plan to you folks and answer any  
12 questions you might have. At the end, you know,  
13 if the Board is amenable, we'd like you to  
14 consider issuing a notice of intent to be the  
15 lead agency under SEQRA. We're also going to be  
16 requesting a handful of area variances related to  
17 the project, which Chuck will go over when he  
18 does his presentation. We'd like to get a  
19 referral from you folks, if you are amenable to  
20 that, to the Zoning Board of Appeals so we can  
21 begin that process with the Zoning Board. We'd  
22 also, I guess, like to provide the notices to the  
23 neighbors within 500 feet if you think that's  
24 appropriate at this time.

25           So I guess with that introduction I'd

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like to turn it over to Ken and let him talk about Matrix Development.

MR. GRIFFIN: Matrix is a private real estate development company. We were founded in the late '70s in central New Jersey. We have a lot of different types of projects. We have high rise office, residential, golf courses, distribution facilities and a little bit of retail. Really over the years distribution facilities have been the bulk of our business. We have facilities similar to this up and down the Turnpike in New Jersey, in Pennsylvania. Obviously we're trying to develop this here in Newburgh. We have properties in basically Pennsylvania, New Jersey and New York.

We acquired this piece about six years ago. We were fortunate enough to sign a lease with a company, AmerisourceBergen, which is a Fortune 20 pharmaceutical distributor.

The proposed building is a typical distribution facility in many ways, however the interior is proposed to be highly sophisticated for a distribution facility, AmerisourceBergen, and we'll be spending a lot of money on the

1 interior, highly mechanized conveyors and  
2 sophisticated air control systems and HVAC  
3 systems because of the nature of their product.  
4

5 Essentially it's boxes in, boxes out.  
6 No manufacturing. It's kind of a straightforward  
7 operation.

8 The building is proposed to be 565,000  
9 feet. AmerisourceBergen has committed to take  
10 over two-thirds of it. We have an additional  
11 150,000 feet for either AmerisourceBergen to  
12 expand into or lease to a different distribution  
13 facility. We are very familiar with them. We  
14 have done many of these buildings, so we  
15 understand how to build them for the prospective  
16 tenants. That's been factual in the design.

17 So that may be -- unless you have any  
18 questions, Chuck can talk about more details on  
19 the application.

20 CHAIRMAN EWASUTYN: Any questions up  
21 front from Board Members?

22 MR. GALLI: I'm good.

23 MR. BROWNE: Not yet.

24 MR. UTSCHIG: Good evening. Chuck  
25 Utschig with Langan Engineering. I'm going to

1  
2 try to quickly walk you through and give you an  
3 overview of the site plan and what we see to be  
4 the major components to it.

5 First I think I'd like to get you  
6 orientated to the site and the surrounding areas.  
7 Route 17K is to the south of our site. I'm  
8 guessing most of you are familiar with this but I  
9 figured I'd walk through it real quickly.  
10 Interstate Route 84 is to our east, 84 is to our  
11 north, the ramp to 87 is kind of carved out in a  
12 corner of our property, then you've got Corporate  
13 Boulevard and the related development that exists  
14 there to our west.

15 Access to the site is from Route 17K.  
16 We have aligned our driveway across from Orr  
17 Avenue. We have started initial discussions with  
18 DOT. It's a State road so we'll need a State  
19 road permit. Those discussions are just starting  
20 to move along. The access drive into the site is  
21 approximately 1,800 feet in length and it slopes  
22 up to the site at about 5 percent. It's a fairly  
23 gradual slope but it is a long driveway.

24 Once you get into the site, the  
25 building, which is one building as Ken described,

1  
2 there's a current tenant that's going to occupy  
3 about two-thirds of it and their footprint is  
4 pretty set. This line identifies kind of the  
5 additional space. We called it area -- I think  
6 it's area A and B.

7           The circulation around the site. It's  
8 got full circulation. We have a circulation  
9 drive that goes around the entire perimeter of  
10 the building. There's a total of about 365  
11 parking spaces. That accommodates not only the  
12 tenant but the expanded space.

13           There's about 85 or so truck loading  
14 spaces as part of that. The way the parking is  
15 divided up, there is about 200 or so spaces that  
16 are assigned for the employees of the tenant, and  
17 that's a controlled parking area. There's  
18 another 35 or so parking spaces that's allocated  
19 for visitors. The rest of the parking spaces are  
20 distributed around the building.

21           For the tenant, all of the loading  
22 spaces are located on the west side of the  
23 building. We've designed the circulation so that  
24 the tractor trailers can circulate the entire  
25 site. Each of these spaces have been designed so

1                   the tractor trailer can make the maneuver  
2  
3                   necessary and come back out the way they came in.  
4                   A lot of the pavement areas are fairly wide.  If  
5                   you look at the details of the site plan you'll  
6                   see they accommodate the movements that are  
7                   necessary for this type of operation.

8                   There's also nothing really special  
9                   about this building other than those components.  
10                  It's a fairly straightforward operation.  It's  
11                  boxes in in bulk and it's redistributed inside  
12                  and then it goes out as it's been redistributed.  
13                  It's not a really complicated process as part of  
14                  this building.

15                  The other space is really just  
16                  currently designed to be a similar type of  
17                  warehouse distribution facility.  With no tenant  
18                  specific yet, we basically designed the space to  
19                  meet your code requirements, the right number of  
20                  parking spaces, adequate number of loading  
21                  spaces.

22                  The other thing that I'd like to point  
23                  out about this plan is you can see the darker  
24                  green areas are our stormwater management  
25                  facilities.  They're fairly extensive.  We do

1  
2 have about 51 acres of disturbance and we've got  
3 about 25 acres of impervious area on this site.  
4 We have a fairly extensive stormwater management  
5 system. We've submitted a SWPPP to your  
6 consulting engineer for his review. We're  
7 conscious of the fact that we drain towards the  
8 City of Newburgh and their drinking water supply,  
9 and we have designed our system to be a little  
10 bit more controlled for water quality purposes  
11 than say the standard New York State DEC  
12 criteria, which I believe is a goal of this  
13 Board, to accomplish that kind of additional  
14 stormwater quality treatment.

15 Utilities into the site come from Route  
16 17K. We bring our water into the site. There's  
17 a full distribution system around the building  
18 with the appropriate fire hydrant spacing. We  
19 bring sanitary sewer in from Route 17K. We also  
20 bring in the rest of our kind of overhead  
21 utilities. The power is coming in overhead up to  
22 the main point in the site along with the rest of  
23 the telephone, communication, cables at which  
24 point it's then distributed into the building.

25 We do have some minor variances that

1  
2 we're hoping to be considered for. The maximum  
3 building height permitted in this zone is 40 feet  
4 and our building height is 45 feet. That's  
5 really driven by the nature of the operation  
6 inside the building. The equipment that they use  
7 inside of these buildings is very complicated,  
8 and that's one of the reasons it drives the  
9 height of this building. So we are 5 feet above  
10 the allowable height, and we'll be asking for  
11 that variance.

12 We also are looking for a variance from  
13 your sign regulations. We're allowed a little  
14 over 200 square feet of signage for this fairly  
15 large facility. I think if you kind of look at  
16 what signs we are proposing and where we are  
17 proposing them, they're not necessarily  
18 excessive, it's just the size of this facility.  
19 We have a single entry sign at our driveway, we  
20 have a directional sign when you come up into the  
21 site, and then there's signs proposed on the  
22 corners basically of each of the buildings. We  
23 do have a series of signs. It's just when you  
24 start to add it up, we do exceed your criteria.

25 There's also a provision in your code

1 that deals with grading on slopes in excess of 25  
2 percent. We do have slopes on this site that  
3 fall in that category and we are creating slopes  
4 that are steeper than that. We need relief from  
5 that code criteria.  
6

7 That's kind of a general overview. I'd  
8 be glad to answer any questions about the site  
9 plan itself, if there are any.

10 CHAIRMAN EWASUTYN: Questions from  
11 Board Members?

12 MR. GALLI: Not yet.

13 CHAIRMAN EWASUTYN: We'll open up the  
14 comment period from our consultants with Pat  
15 Hines.

16 MR. HINES: I have numerous comments.  
17 I'll just hit the highlights. I know the  
18 applicant's representative has them.

19 The first one being that the Board  
20 should declare it's intent for lead agency to  
21 begin the SEQRA process. Lead agency  
22 coordination should include DEC as a Type 1  
23 action, the New York State DOT, the Thruway  
24 Authority, the FAA/Port Authority as it's in the  
25 airport overlay. In addition, the City of

1  
2 Newburgh has it's flow acceptance letter that  
3 will be required. There's an Orange County  
4 Planning referral and the Health Department will  
5 need to approve the water mains. I believe those  
6 are all the agencies, unless the applicant's  
7 representative knows of additional ones. We'd  
8 recommend that.

9           The long form EAF identifies, through  
10 the Natural Heritage Foundation, the multiple  
11 threatened or endangered species potentially  
12 using the site. It references a report done by  
13 Langan Engineering regarding those. I would like  
14 to include that in the circulation to the lead  
15 agencies so we can address that comment early on.

16           A design comment is the need for  
17 emergency access and water main, if there's a  
18 potential to provide an emergency access and a  
19 water main from the Corporate Boulevard  
20 cul-de-sac. I'm not expecting an answer now.  
21 Just as a design consideration, if that could be  
22 provided it may benefit the water flow to the  
23 site and the jurisdictional emergency services as  
24 well. Just to put that out there as a  
25 discussion.

1  
2 We do need the jurisdictional  
3 determination from the Army Corp of Engineers. I  
4 know it's dated December 2011. We don't have  
5 that for our files. If we can get that.

6 At work session the Planning Board  
7 discussed the need for construction phasing. If  
8 warehouse A, as it's depicted on the plans, is  
9 constructed first prior to warehouse B, we'll  
10 need to know what that area for warehouse B is  
11 going to look like. We also need a definitive  
12 construction phase for the Code Department to  
13 know what they are issuing a CO for, what  
14 improvements are going to be constructed for  
15 warehouse A and what improvements will be only  
16 required should warehouse B -- I know there may  
17 be a potential that they're both constructed at  
18 the same time. We need to make sure if warehouse  
19 A comes first and it's going to be constructed  
20 and get the CO first, the site can stand alone,  
21 and also what the site is going to look like  
22 should warehouse B come whenever down the road.

23 You mentioned a height variance. Also  
24 in the lead agency coordination the FAA and Port  
25 Authority are going to be important agencies here

1  
2 due to the proximity of the airport and the  
3 height of the building.

4 The City of Newburgh flow acceptance  
5 letter is going to be required. They've shown  
6 some interest in this project already being it's  
7 in their watershed. We did receive the slip and  
8 did note that there is the provision, as the  
9 Board often requires of projects within the  
10 watershed, of the 110 percent treatment of the  
11 water quality volume. That has been incorporated  
12 into the stormwater pollution prevention plan and  
13 that is under review by my office.

14 I have some other technical comments  
15 but those are the highlights for this schematic  
16 phase.

17 CHAIRMAN EWASUTYN: Okay. Chuck, do  
18 you have any questions or comments?

19 MR. UTSCHIG: No. We were lucky enough  
20 to have privy to the comments ahead of time. For  
21 example, we have contacted the FAA, we have  
22 started that discussion with them. We would like  
23 to discuss some of the idiosyncrasies or the  
24 nuances that go with access to Corporate Drive.

25 I think the answer is we've gotten the

1  
2 comments. I think we'll be able to address them  
3 all.

4 CHAIRMAN EWASUTYN: Thank you.

5 MR. DONNELLY: You mentioned the need  
6 for a variance for slopes. We were, at the work  
7 session, trying to figure out where that code  
8 provision is and whether it's part of the design  
9 guidelines, which is waivable by this Board, or  
10 whether it requires a variance. Do you have the  
11 section number or --

12 MR. UTSCHIG: It's part of the design  
13 guidelines I'm pretty sure. I've raised it as a  
14 variance. It may be a waiver that this Board can  
15 grant.

16 MR. DONNELLY: I think if it's part of  
17 the design guidelines it can be waived by this  
18 Board.

19 MR. UTSCHIG: We'll have to verify  
20 that.

21 MR. HINES: You had me stumped. I can  
22 tell you that.

23 CHAIRMAN EWASUTYN: Mike, while you're  
24 speaking would you outline, I believe at this  
25 point it's two variances that we know that you'll

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be preparing a referral letter for.

MR. DONNELLY: Sure. The maximum building height, you mentioned 45 feet where 40 is the maximum allowed. A sign area variance, and I thought I saw the need for two freestanding signs but I think I heard you only mention one.

MR. UTSCHIG: Two. There's one freestanding sign and there's one directional sign.

MR. DONNELLY: The directional signs I don't think --

MR. HINES: If it's truly directional. If it has advertising -- if it says load and deliveries, that kind of directional. If it has your tenants' names on them, then it could be construed as a second freestanding sign. I don't know what that sign looks like. I haven't seen it.

MR. UTSCHIG: The signs will likely be such that they'll identify a tenant and the direction. I guess we need an interpretation if that is truly a directional sign or if that falls under the category of a freestanding. If it does, then we would have two freestanding signs

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where one is allowed.

MR. HINES: It sounds like two.

Directional signs have a limited size.

MR. UTSCHIG: Probably for purposes of this discussion we should --

MR. DONNELLY: We'll refer it for two freestanding signs where one is permitted. If you're successful in also applying for an interpretation that it is not a second one, that's something you can discuss with the Zoning Board. We'll send you there for two.

MR. UTSCHIG: Very good.

MR. MENNERICH: Can I ask a question? The intent of the directional signs with the name on it, is that just for the trucks that are going in or is that for people on 17K to be able to see it?

MR. UTSCHIG: No. This is for people -- we're 1,800 feet into the site.

CHAIRMAN EWASUTYN: Why don't you show where that is on the plan so we have a better understanding.

MR. UTSCHIG: I'll use this one. The freestanding identification sign at 17 sits out

1 right in the driveway. The directional sign that  
2 we're talking about sits up here at the  
3 intersection of our driveway, in essence the loop  
4 around. The intent really is to say Amerisource  
5 trucks to the left, visitors straight ahead.  
6 It's that kind of a sign. So it will have names  
7 on them, because a new tenant will be listed, and  
8 it will say go straight ahead for a new tenant  
9 potentially. That's the intent of it. It's if  
10 somebody gets to that intersection, it's to help  
11 them understand which way they should be going.  
12

13 MR. HINES: It exceeds your directional  
14 sign sizes. It's 80 square foot there. I think  
15 it's going to be considered a freestanding.

16 MR. CANFIELD: Directional signs are 3  
17 square feet is what's permitted.

18 MR. UTSCHIG: We're a little bit bigger  
19 than that.

20 MR. CANFIELD: Also the sign on 17K,  
21 you should calculate -- it's double faced so it  
22 would be 160 square feet as opposed to 80.

23 MR. EVERETT: To address your comment  
24 before about the steep slopes. I was thumbing  
25 through the code quickly. Section 185-31,

1 stripping and filling of land. It says slopes  
2 greater than 25 percent shall be terraced. We  
3 have slopes that are greater than 25 percent that  
4 aren't terraced. We're not sure if this  
5 provision is actually applicable. We were  
6 looking for some guidance from you as to whether  
7 or not that is relevant.

8  
9 MR. DONNELLY: That's not a design  
10 guideline section.

11 MR. EVERETT: It is in the Zoning Code.

12 MR. DONNELLY: All right. We'll  
13 include that so jurisdictionally you can take  
14 that up. If we look and see it applies, you  
15 won't need to do that.

16 MR. HINES: You do have one retaining  
17 wall into that slope.

18 MR. EVERETT: If you guys interpret it  
19 that way and you don't think we need a  
20 variance --

21 MR. HINES: If it's going to be a  
22 question, we can refer it and have the Zoning  
23 Board interpret it.

24 MR. DONNELLY: I'll include that.

25 MR. CANFIELD: That section also,

1  
2 though, refers you to Chapter 86 which deals with  
3 clearing and grading, which I believe that's also  
4 a part of your request at some point in the near  
5 future. I think it's going to still refer us to  
6 the clearing and grading section which will  
7 address that.

8 MR. EVERETT: If your position is that  
9 it relates to that section, that section is  
10 outside the Zoning Code. There wouldn't be a  
11 variance needed for that section because it's  
12 outside the Zoning Code. Again, we're looking  
13 for some direction from you guys on how you want  
14 to handle that.

15 MR. DONNELLY: I'll include it in the  
16 letter and we'll see if we can give you some  
17 clarification.

18 MR. CANFIELD: Let us research that.

19 MR. EVERETT: Thank you.

20 CHAIRMAN EWASUTYN: Jerry, while you  
21 have the floor would you like to make any  
22 comments?

23 MR. CANFIELD: No. I have nothing  
24 additional.

25 CHAIRMAN EWASUTYN: Ken Wersted,

1  
2 Traffic Consultant?

3 MR. WERSTED: Continuing with the sign  
4 discussion. As you guys were speaking about it,  
5 you have that directional sign at the top of your  
6 driveway and you split to the left around the  
7 building. You may want an additional sign after  
8 that second parking lot to describe that this is  
9 for the first tenant employees and if you're  
10 going to the back tenant, to continue straight  
11 around to the back section of it.

12 In addition to that, I sent my memo  
13 over, there are some details that will get added,  
14 obviously, as the plans are progressed. One of  
15 the comments was just a little more description  
16 about how the tenant will operate, and Ken  
17 discussed that a little bit.

18 One of the comments we had, are you  
19 bringing in say large boxes that are then broken  
20 down into smaller boxes and then distributed out  
21 to local places?

22 MR. UTSCHIG: That's the basic program.  
23 They're large boxes of aspirin or whatever kind  
24 of drugs they're distributing. They break it  
25 down into small boxes and then they go off to

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drug stores or hospitals.

MR. WERSTED: We theorized about that a little bit. It sounds like it's consistent.

One of my questions was the hours of operation. I think in the EAF it talked about being a twenty-four hour operation. Will you have shift changes? Will you have a heavy day crowd and lighter overnight? What are some of those kind of characteristics?

MR. UTSCHIG: There's obviously two spaces for the expansion space. We don't know the tenant. We have to assume, you know, twenty-four/seven. There could be shifts for AmerisourceBergen. I believe there are two shifts. I don't think they operate Sundays but I can get those details.

MR. WERSTED: Thank you. We had talked about -- obviously you're involved in discussing the operation with DOT. There's a concept plan included in the preliminary traffic study with some improvements out there to gain access to the site. With that in mind, you had identified two intersections as preliminary intersections, that being Route 17K and Orr Avenue and Route 17K.

1                   MATRIX BUSINESS PARK AT NEWBURGH                   23  
2                   The study calls it McDonald Avenue but I think on  
3                   the actual official title it might be McGuire  
4                   Avenue or McGuire Way. Google Maps might have it  
5                   wrong.

6                   In the context of that, sixty percent  
7                   is estimated to go to the east. As we get  
8                   involved with the discussions with DOT we'll want  
9                   to look at those intersections.

10                  We also noted that there's another  
11                  project on later tonight and they're kind of two  
12                  doors down to the west, which is the Kia  
13                  dealership. They're going to have access out to  
14                  Route 17K, the existing traffic light. There's a  
15                  parcel in between you guys, then you have your  
16                  site and then you have another couple of parcels  
17                  down to the east. Opposite the gas station is  
18                  Crossroads Court which has a couple projects  
19                  located in there. They are monitoring the  
20                  traffic in terms of whether they'll need a  
21                  traffic signal or not. With all of this  
22                  development in mind along this corridor, it  
23                  probably would be prudent to look at how all  
24                  these driveways could possibly access this road  
25                  and how the striping and improvements would all

1 kind of measure together so we're not looking at  
2 it here's one entity, this is what we'll do,  
3 here's your entity, but looking at it in the  
4 context of the whole corridor.  
5

6 To that extent, that addresses all of  
7 our comments.

8 CHAIRMAN EWASUTYN: Thank you. Any  
9 further comments or questions from Board Members?

10 MR. GALLI: No.

11 MR. WARD: John.

12 CHAIRMAN EWASUTYN: John Ward.

13 MR. WARD: At the work session it was noted  
14 about forty-foot poles for the lights and all.

15 MR. HINES: We discussed about the  
16 overhead -- bringing the utilities overhead, the  
17 electrical utilities. That's interesting. We  
18 haven't seen overhead utilities new being put in  
19 anywhere in Town. If you can discuss that.

20 MR. UTSCHIG: The proposal is to bring  
21 in overhead lines for our utilities on a  
22 conventional pole line up into the site to a  
23 point where they'll then go underground. In the  
24 case of the electric, they'll go down the pole to  
25 a transformer and underground from the

1  
2 transformer into the building. Similar for the  
3 other utilities. We currently are proposing that  
4 as to how we're going to get our electric, our  
5 phone, our communication lines into the site. As  
6 part of those poles we are proposing to mount  
7 light fixtures to light the road coming up.

8 One of the things that comes along with  
9 this kind of an operation, the security part of  
10 it, the movement of the tractor trailers, the  
11 lighting requirements are fairly substantial. We  
12 are proposing forty-foot poles around the site  
13 that point basically in towards the building.  
14 The other thing that happens is these are not  
15 conventional twenty-four foot wide aisles with  
16 eighteen-foot parking spaces. These are deep  
17 loading spots with fairly wide drive aisles that  
18 allows the trucks to make the movements. When  
19 you create that expanse of pavement you start to  
20 run into an issue of trying to make sure you can  
21 get good light coverage. That's the rationale  
22 behind the design. We are proposing overhead  
23 lines coming into the site.

24 MR. GALLI: Have you spoken to Central  
25 Hudson about that?

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MR. UTSCHIG: Yes. Believe it or not, their tariff still allows overhead lines to be brought in.

MR. WARD: When you said about where the trucks are, we have other facilities where they added more lighting. Instead of going to height they balanced it out with more lights. We have guidelines for a reason. That's why I'm saying it.

MR. UTSCHIG: We can look at that design feature.

MR. WARD: You're going to be exposed with 84 and everything else. It's going to be lit up twenty-four/seven. It's important not to be with the planes and everything else.

MR. UTSCHIG: Okay. We'll look at that design feature and see what we can do with it.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: Michael Donnelly, you will be preparing the referral letter to the Zoning Board of Appeals; --

MR. DONNELLY: I will.

CHAIRMAN EWASUTYN: -- correct?

MR. DONNELLY: Yes.

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2 CHAIRMAN EWASUTYN: At this point the  
3 Planning Board will declare it's intent for lead  
4 agency. Involved agencies that we'll be  
5 circulating to, help me along, will be the New  
6 York State DEC, the New York State Department of  
7 Transportation, the Thruway Authority, the FAA/  
8 Port Authority. Involved agencies that we have  
9 are the -- interested agencies would be Orange  
10 County Planning Department, the City of Newburgh  
11 and the Orange County Health Department.  
12 Anything else?

13 MR. DONNELLY: You mentioned the  
14 Thruway Authority?

15 CHAIRMAN EWASUTYN: Yes.

16 MR. DONNELLY: I think the City flow  
17 acceptance letter probably qualifies them as an  
18 involved agency.

19 MR. GALLI: The fire district?

20 CHAIRMAN EWASUTYN: The fire district  
21 is -- we're handling that internally through  
22 Jerry Canfield.

23 MR. CANFIELD: Yes. The jurisdictional  
24 fire district, which is the Orange Lake Fire  
25 District, has received the plans as we received.

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2 CHAIRMAN EWASUTYN: And Mr. Everett,  
3 you had mentioned earlier that you'd like to  
4 circulate as early as possible the informational  
5 letter to within five hundred feet. Although you  
6 list that outline on the cover sheet of your site  
7 plan, we'll just coordinate that one more time  
8 with Pat Hines.

9 MR. EVERETT: Sure.

10 MR. HINES: My office will prepare that  
11 and we'll coordinate with the assessor's office  
12 to generate the official list of the properties.  
13 I can work with Langan's office on it.

14 MR. EVERETT: Great.

15 MR. DONNELLY: Is it too early to send  
16 it to the County Planning Department?

17 CHAIRMAN EWASUTYN: Yes. There's one  
18 extra set for Pat Hines. He may need additional  
19 sets for circulation.

20 MR. HINES: I'm going to need eight  
21 additional sets.

22 CHAIRMAN EWASUTYN: At this point I'll  
23 move for a motion from the Planning Board to  
24 declare our intent for lead agency and to  
25 circulate to the interested and involved agencies

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that were just stated.

MR. MENNERICH: So moved.

MR. WARD: Second.

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

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Myself. So carried.

There is interest from the City of Newburgh as far as the protection of the watershed. At this point I'd like to go on record as saying who from your group will be the point person that will be facilitating and coordinating with the City of Newburgh?

MR. UTSCHIG: That would be Ray Aquino.

CHAIRMAN EWASUTYN: Thank you.

Let the record show that Ray Aquino will be the point person to make contact with the

1  
2 City of Newburgh.

3 Anything else?

4 MR. HINES: Just to be clear, it's  
5 strictly warehousing? There's no manufacturing  
6 processing on the site?

7 MR. EVERETT: That's correct.

8 MR. HINES: We received some  
9 information earlier from the City of Newburgh and  
10 an ad hoc environmental group in the City of  
11 Newburgh that was worried about incidents  
12 regarding processing, manufacturing and the  
13 process.

14 MR. UTSCHIG: There's no manufacturing,  
15 no mixes. It's boxes in, boxes out.

16 CHAIRMAN EWASUTYN: Thank you,  
17 gentlemen.

18 MR. EVERETT: Thank you.

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20 (Time noted: 7:46 p.m.)  
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