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

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In the Matter of

"Sierota"

SERIOTA SITE PLAN
(2015-28)

Request for Final Approval

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BOARD BUSINESS

Date: January 7, 2016
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
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: MICHAEL LYNCH

----- X

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

*of unable to open minutes
to go to Planning Board minutes directly*

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CHAIRMAN EWASUTYN: The next item of business this evening is Sierota. It's here for final site plan approval.

Dave Lynch is your name?

MR. LYNCH: Mike.

CHAIRMAN EWASUTYN: Mike Lynch. I apologize.

Mike Lynch is with Engineering Properties. His company represents the applicant.

MR. LYNCH: This is the Sierota site plan. It's for use of an existing building. We've been in front of the Board for a few months now. I believe all the comments have been satisfied.

I know we are awaiting the County's response.

CHAIRMAN EWASUTYN: Pat Hines spoke with me. I'll let Pat speak.

MR. HINES: Today the Planning Board received, actually late this afternoon, the County Planning comments. They have a Local determination.

They mentioned that the Board should

1 review the signage. There's signage shown on the
2 plans but there's no detail of it. The Board had
3 discussed previously the signage on the site.
4

5 There's a drainage comment which I
6 brought up early on. Ross from your office has
7 addressed that through the grading and
8 installation of the berm.

9 They had no other comments and
10 recommended a Local determination. With that out
11 of the way, the Board is in a position to grant
12 approval.

13 She said that she had faxed this over,
14 but I do have an e-mail copy of it.

15 MR. LYNCH: Pat, could I ask, in
16 reference to the sign, that was the commercial
17 sign?

18 MR. HINES: She may not know that. It
19 looks like that sign. That's why she probably
20 brought up the sign. That's an off-site site.

21 MR. LYNCH: It has nothing to do --

22 MR. HINES: We're aware of that. She
23 probably wasn't.

24 MR. LYNCH: I just want to make sure.
25 That's all. Thank you.

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CHAIRMAN EWASUTYN: Do you want to discuss fees that need to be posted and such?

MR. HINES: There will be a landscape security.

There are no stormwater improvements. It's an existing site. They are maintaining most of the existing drainage courses. The drainage on the site -- the site is now going to be paved, after discussions with the Board. It was going to be gravel. All the vehicular traffic areas on the site are now curbed and paved, rather than using catch basins and curbs, to allow the water to discharge across the open front yard area.

The only security will be the landscape bonding requirements for the landscape improvements including the berm and the stonewalls that were put in as a feature along 17K.

CHAIRMAN EWASUTYN: So they would have to be approved and in place along with other items that Mike Donnelly will mention before the plans can be signed.

MR. LYNCH: Okay.

CHAIRMAN EWASUTYN: More often than not

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that's sometimes forgotten.

MR. CANFIELD: Excuse me, John. The landscape dollar amount for bonding, who is going to approve that?

MR. HINES: I've been doing the smaller ones.

MR. CANFIELD: All right. Is that on Town Board approval?

MR. HINES: I get a cost estimate from the applicant, review it based on our standard cost estimates that the Town utilizes, then we write a letter. It actually goes through Jim Osborne to the Town Board for acceptance.

CHAIRMAN EWASUTYN: We did that with Kia and all the others.

MR. HINES: Yup.

CHAIRMAN EWASUTYN: Mike Donnelly, could you --

MR. DONNELLY: The resolution is for site plan approval. This is a Type 2 action. No further compliance with SEQRA is required.

You did, at an earlier meeting, waive the design guideline requirement that parking not be in the front yard due to the fact that there

1
2 are three front yards on this property and that
3 the applicant has delivered on the spirit of the
4 provision by putting in berming, planting and the
5 stone anchors.

6 The conditions are that lot 61 and lot
7 62 need to be consolidated, and appropriate proof
8 that that's been accomplished needs to be
9 delivered before the site plan is signed.

10 There's no ARB because there are no
11 changes to the building other than the addition
12 of an overhead door on the east side of the
13 building. The condition is that no building
14 permit will be issued for anything that's
15 different than what was shown on those plans
16 without ARB approval.

17 There's a landscape security and
18 inspection fee of \$1,000.

19 Finally, the standard condition that no
20 outdoor fixtures, buildings or amenities can be
21 built on site that are not shown on the plan
22 without approval from the Planning Board.

23 CHAIRMAN EWASUTYN: Any questions or
24 additions to the resolution for approval
25 presented by Planning Board Attorney Mike

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Donnelly?

MR. GALLI: No.

CHAIRMAN EWASUTYN: Do I have a motion to approve Sierota subject to the conditions presented by our Planning Board Attorney, Mike Donnelly?

MR. DOMINICK: I'll make a motion.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by John Ward. Any discussion of the motion?

(No response.)

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

MR. GALLI: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Motion carried. Thank you.

MR. LYNCH: Thank you very much.

CHAIRMAN EWASUTYN: Since we lost one item this evening, we're actually closing shop much earlier.

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We have three public hearings scheduled for the meeting of the 21st, one being Matrix, the second being Westport and the third being Vilardi on Route 300, along with two other applications.

At this point I'll move for a motion to close the Planning Board meeting of the 7th of January.

MR. GALLI: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli and a second by Ken Mennerich. 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.

(Time noted: 7:21 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 20th day of January 2016.

Michelle Conero

MICHELLE CONERO