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

-----X

In the Matter of

ROCKET SUBDIVISION
(25-08)
397 Candlestick Road
Section 6, Block 1, Lot 56.21
Zone AR

-----X

PUBLIC HEARING
FOUR-LOT SUBDIVISION

Date: March 19, 2026
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Jonathan N. Millen, PLS, ACES

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The Town of Newburgh Planning Board would like to welcome you all to their meeting of the 19th of March 2026. This evening, we have seven agenda items, one of which is a Public Hearing. We have two items at the end of the meeting which pertain to Board business. You are welcome to sit in until the end.

At this time, we will call the meeting to order with a roll call vote.

MR. DOMINICK: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MS. CARVER: Present.

MR. WARD: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board attorney.

MS. CHUMAS ARIAS: Victoria Chumas Arias, court stenographer.

MR. HINES: Pat Hines with MHE

Rocket Subdivision

1

2 Engineering.

3 MR. CAMPBELL: Jim Campbell,
4 Town of Newburgh Code Compliance.

5 MR. WERSTED: Ken Wersted,
6 Creighton Manning Engineering,
7 traffic consultant.

8 CHAIRMAN EWASUTYN: Victoria,
9 will you lead the Board in the Pledge
10 of Allegiance, Please?

11 MS. CHUMAS ARIAS: Please rise
12 for the Pledge.

13 (The Pledge of Allegiance was
14 recited.)

15 CHAIRMAN EWASUTYN: Our first
16 item of business this evening is the
17 Rocket Subdivision, project number
18 25-08. It's before us this evening
19 for a Public Hearing on a four-lot
20 subdivision. It's located on
21 Candlestick Road in an AR zone. John
22 Millen is the representative, and Ken
23 Mennerich will read the Notice of
24 Hearing.

25 MR. MENNERICH: Notice of

Rocket Subdivision

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Hearing. Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a Public Hearing pursuant to Section 274-A of the New York State Town Law and Chapter 163-8J of the Town of Newburgh Code on the application of:

11

Rocket Subdivision, 2025-08.

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The project proposes a four-lot subdivision of a 27 +/- acre parcel of property on the north side of Candlestick Hill Road between Domingus and Vista Heights Lane. The lots will be served by proposed on-site subsurface sanitary sewer disposal systems and wells. The project is known on the Town's tax maps as section six, block one, lot 56.21. The project is located in the Town's AR zoning district.

24

25

A Public Hearing will be held on the 19th day of March 2026 at the

Rocket Subdivision

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Town Hall Meeting Room, 1498 Route

3

300, Newburgh, New York, at 7:00

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p.m., or as soon thereafter, at which

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time all interested persons will be

6

given an opportunity to be heard.

7

By order of the Town of

8

Newburgh Planning Board, John P.

9

Ewasutyn, Planning Board Town of

10

Newburgh.

11

CHAIRMAN EWASUTYN: Jonathan?

12

MR. MILLEN: He pretty much

13

said everything that needed to be

14

said. If anybody has any questions

15

from the public, I'd be happy to...

16

CHAIRMAN EWASUTYN: Can you

17

just for the interest of the public,

18

can you kind of identify the lots,

19

the size of the lots, and things like

20

that? Thank you.

21

MR. MILLEN: So, lot number

22

one, the one that is furthest to the

23

west, is a 14-acre lot. Some

24

extensive wetlands are on it. The

25

house is way down at the bottom on

Rocket Subdivision

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the west corner served by septic and well.

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(No Response.)

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Lot two is in the middle. It has a shared drive. The shared drive is for lots two and lot three. This is an easement that will allow those lots to share that driveway. And then -- well, I'm sorry. Lot three is 5 acres, lot four is 3.99 acres or 4 acres, lot two is 4.5 acres. As I mentioned, lots two and three share this common drive and cul-de-sac. All have septic servicing them.

CHAIRMAN EWASUTYN: Okay. Comments from the public, would you raise your hand and give your first name? If there is anyone in the audience.

CHAIRMAN EWASUTYN: Let the record show at this time there is no public comment on the Rocket four-lot subdivision.

We will turn to Pat Hines at

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2 MHE. Pat?

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MR. HINES: Our comments from the 19th are outstanding. I know Jonathan likes to wait until after the Public Hearing to revise the plans, so those are still outstanding. We did miss the tree preservation ordinance compliance, so we are going to need to document that on the plans as well. The project disturbs 0.998 acres, so we are going to have to do a Storm Water Pollution Prevention Plan for the residential subdivision less than five acres. It's an erosion sediment control plan to get you coverage under the DEC permit. But those are outstanding issues. Our previous comments and those two items, that's all we had.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance.

MR. CAMPBELL: I have nothing outstanding.

CHAIRMAN EWASUTYN: John Ward?

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MR. WARD: No comment.

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CHAIRMAN EWASUTYN: Lisa?

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MS. CARVER: Nothing further.

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MR. BROWNE: I have nothing

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further. He addressed all of the

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comments I had up to this point.

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Thank you.

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CHAIRMAN EWASUTYN: I think no

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at this time.

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MR. MENNERICH: No questions.

12

MR. DOMINICK: Nothing further.

13

MR. MILLEN: Thank you. I

14

appreciate the Board's time.

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CHAIRMAN EWASUTYN: Dominic

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Cordisco, Planning Board attorney?

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MR. CORDISCO: I would

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recommend that you close the Public

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Hearing at this time. But in

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connection with any SEQRA

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determination, I would suggest that

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since there's going to be a

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resubmission that addresses not only

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the outstanding comments, but the

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tree preservation as well as the

1
2 erosion and sediment control plan,
3 that you hold off on making a SEQRA
4 determination until that submission
5 is made.

6 CHAIRMAN EWASUTYN: Thank you.

7 Can I have a motion to close
8 the Public Hearing on Rocket
9 Subdivision 25-08 until we have
10 further information on the SWPPP or
11 soil erosion control and the tree
12 protection plan?

13 MR. DOMINICK: Make a motion.

14 MR. MENNERICH: Second.

15 CHAIRMAN EWASUTYN: I have a
16 motion by Dave Dominick, have a
17 second my Ken Mennerich. Can I have
18 a roll call vote starting with John
19 Ward?

20 MR. WARD: Aye.

21 MS. CARVER: Aye.

22 MR. BROWNE: Aye.

23 CHAIRMAN EWASUTYN: Aye.

24 MR. MENNERICH: Aye.

25 MR. DOMINICK: Aye.

Rocket Subdivision

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MR. MILLEN: Thank you.

(Time noted 7:06 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary
Public for and within the State of New
York, do hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

LANDS OF TARBEN, INC
(25-12)

10 Tarben Way
Section 6, Block 1, Lot 24
Section 127, Block 1, Lot 5
Zone AR

-----X

TOWN LAW 280-A

Date: March 19, 2026
Time: 7:07 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Patricia Brooks, LS, Control Point
Associates

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Lands of Tarben, Inc.

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CHAIRMAN EWASUTYN: The second item of business this evening is Lands of Tarben, Inc., project number 25-12, is here tonight to discuss Town Law 280-A. It's located on Tarben Road in the AR zone, and it's represented by Patricia Brooks. Patricia?

MS. BROOKS: Good evening. So, just a little reminder about where we are with this project. I imagine the Planning Board might be getting tired of seeing it by now. We have a 5.27 acre parcel of land that's located off of Tarben Way that currently has a 50-foot-wide right-of-way. They appeared before the Planning Board, I believe it's a couple of years ago now, trying to do a two-lot subdivision of the property. During the course of that review, Attorney Cordisco pointed out that they did not own road frontage on Tarben Way.

Lands of Tarben, Inc.

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Therefore, they either needed to gain

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access or find an alternative

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solution. The applicants contacted

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the neighbor. The neighbor appeared

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to agree to convey them the 40-foot

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parcel, which would allow us to have

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fee ownership and come back to the

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Planning Board for the two-lot

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subdivision.

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Unfortunately, even though the

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Planning Board did grant conditional

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approval to that, we have not been

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able to perfect title by obtaining a

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deed to that parcel. Therefore, we

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are opting for plan B, which is the

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280-A area variance to get an open

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development on the property, which

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would permit it just to be

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constructed as one building lot.

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They -- we have submitted a

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letter of withdrawal for the

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subdivision, and we are seeking a

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recommendation from the Planning

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Board in order to be able to go to

Lands of Tarben, Inc.

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the Town Board for that 280-A open
development.

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The applicants have received --
they reached out to the fire chief,
Mr. Patterson, to look at the
application because I generally ask
for a letter from the fire chief to
make sure that safe and adequate
access can be gained to the property.
He made a suggestion that he wanted
the home to be placed in the area
closer to Tarben Way. Again, there
were at one point in time two homes
proposed. And also, because of the
length of the driveway, to put in a
proposed turnout that has been added
to map.

I am still waiting for a letter
to that effect, but we have, based on
his verbal comments, made those
revisions to the map.

CHAIRMAN EWASUTYN: Dominic
Cordisco, Planning Board attorney,
can you discuss this further?

Lands of Tarben, Inc.

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MR. CORDISCO: Yes. Thank you Patricia for providing the article that was written by Michael Donnelly, who, of course, represented this Board in fantastic capacity for many years. And having heard Michael opine on the intricacies of 280-A, which is not the most clearest written statute in New York State, I appreciated having that. And, of course, have had experience myself about the provisions which really relate to fire and emergency access vehicle ensuring that there is appropriate access to parcels once they are developed.

As you pointed out, one of the options is referral to the Town Board for an open development area determination, which they could grant as part of their process. There is an alternative in the sense that you could also be referred to the Zoning Board of Appeals for what is

Lands of Tarben, Inc.

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essentially a 280-A variance. You

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seemed to indicate that you would

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prefer -- correct me if I'm wrong,

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but it you seems as though you would

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prefer the Town Board path rather

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than the Zoning Board of Appeals

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Path.

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MS. BROOKS: The reason that I

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sought that path was because I had

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previously a similar situation in the

12

Town of Newburgh. And at that point,

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the recommendation was to go to the

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Town Board for the open development,

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which was subsequently approved. So,

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that is the reason I chose that path.

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If this Board or your recommendation

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is to seek an alternative through the

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Zoning Board, I don't think that the

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applicant has a preference, just to

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get the...

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MR. CORDISCO: I personally

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don't, and this issue hasn't come up

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during my tenure. If there is

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precedent for proceeding that way, I

Lands of Tarben, Inc.

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certainly have no objection to that.

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You would always still have the

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option if for whatever reason if the

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Town Board was unwilling to entertain

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or process that particular

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application. You could also go

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directly to the Zoning Board of

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Appeals, which remains an option.

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The additional question on this

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application is that it doesn't appear

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that once you did obtain relief from

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the requirements of 280-A that there

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is actually any remaining

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jurisdiction from this Board because

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it's not an amended subdivision

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anymore --

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MR. BROOKS: Correct.

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MR. CORDISCO: It's not a lot

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line change. It would be dealing

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directly about the Building

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Department for a building permit --

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MS. BROOKS: That's correct.

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MR. CORDISCO: -- once you have

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that 280-A authorization in place.

Lands of Tarben, Inc.

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CHAIRMAN EWASUTYN: Dominic,
you would then prepare referral
letters to the ZBA like with any type
of variance use; is that how it
works?

MR. CORDISCO: Yes. And I
think in this particular instance
what I would suggest is that we
initially prepare a referral letter
to the Town Board in accordance with
Ms. Brooks's request. And that way,
the Town Board would have the
background to understand what it is
that they are being asked, and then
they can proceed accordingly through
the Town Board as you see fit. So,
that would be the action to take
tonight; authorize me to do a
referral letter to the Town Board.

CHAIRMAN EWASUTYN: Referral to
the Town Board, okay, and not to the
ZBA?

MR. CORDISCO: That remains an
option, but in the fact that there is

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prior precedent of Town Board

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considering this type of matter, as I

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said earlier, it is the applicant's

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preference, and they have the ability

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to choose whichever path. And as I

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said, if the Town Board path does not

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result in the open development area

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approval that they need, they still

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have the option of also proceeding

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before the Zoning Board of Appeals.

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CHAIRMAN EWASUTYN: Comments,

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Dave Dominick?

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MR. DOMINICK: Nothing further.

15

MR. MENNERICH: No questions.

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CHAIRMAN EWASUTYN: No comment.

17

MR. BROWNE: No comment. No.

18

Good.

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MS. CARVER: No comment.

20

MR. WARD: No comment.

21

CHAIRMAN EWASUTYN: Pat Hines

22

at MHE?

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MR. HINES: No, I have nothing,

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but I will assist in getting that on

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the agenda once the referrals are

Lands of Tarben, Inc.

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done with the Town Board.

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CHAIRMAN EWASUTYN: So, can I have motion to have Planning Board attorney Dominic Cordisco prepare a referral letter to the Town Board for the 280-A, would we call it, Dominic?

MR. CORDISCO: It would be open development area approval.

CHAIRMAN EWASUTYN: Open development area approval.

MR. MENNERICH: So moved.

MS. CARVER: Second.

CHAIRMAN EWASUTYN: Dave?

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Motion carried.

MS. BROOKS: Thank you very much.

(Time noted 7:14 p.m.)

Lands of Tarben, Inc.

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

N&J NEW ROAD PROPERTIES
(24-37)

New Road/North Plank Intersection
Section 34, Block 2, Lot 99.2
Zone B

-----X

AMENDED SITE PLAN

Date: March 19, 2026
Time: 7:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Darren C. Doce, P.E.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The third item of business this evening is N&J New Road Properties, project number 24-37. It's an amended site plan. Project is located on New Road and North Plank intersection. It's in a B zone, and it's being represented by Darren Doce.

MR. DOCE: Good evening. Since the last appearance before the Board, the project has been reduced in size. The DEC has taken jurisdiction over some wetlands located on parcel. The building is now going to be a 10,000-square foot building for a concrete contractor office, indoor storage, and there's also an 11,000-square foot outdoor storage area. Parcel's served by individual septic system. It's going to connect to the town water. A preliminary SWPPP has been prepared, but it's being finalized. The engineer who prepared it is awaiting doing some

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soil testing on the sight to finalize
the design of the water quality and
the treatment measures.

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It's access is through a strip
connecting to New Road. That's
basically the changes that have been
made to the original proposal.

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CHAIRMAN EWASUTYN: Jim
Campbell, Code Compliance?

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MR. CAMPBELL: I have few
comments. A copy of the plans were
emailed to the fire department, and
no comment to date. Just a note, the
site preparation activity is limited
to 7:30 to 6:00 p.m., no Sundays or
holidays. The retaining wall would
require a building permit,
inspections, and a final signoff by a
licensed professional. The diagonal
striping for the ADA parking requires
a no parking sign. The building and
the signage will require ARB review
and approval. And then, per 185-13
B(6), every building is supposed to

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have an off-street loading space.

3

Usually, that's detailed on the plan.

4

I think you have plenty of room.

5

MR. DOCE: Yeah, we have room.

6

I can...

7

MR. CAMPBELL: Any additional

8

signage proposed besides the

9

freestanding sign located at the

10

entrance way?

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MR. DOCE: There will be a

12

building mounted sign. I will have a

13

sign detail on there. Some of this

14

is on there. It's probably hidden.

15

I can make it more clear.

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MR. CAMPBELL: We need that

17

information for the building mounted

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sign. From the information that I

19

saw, that freestanding sign would

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need at least one variance for side

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yard.

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MR. DOCE: Right.

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MR. CAMPBELL: Required 15,

24

proposed 3.

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MR. DOCE: We also -- on here,

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there is a note stating something to

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that effect, that it won't be

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installed until the various -- we

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received a variance for that, if that

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suffices.

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MR. CAMPBELL: Typically, it's

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the signage has to go through ARB.

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MR. DOCE: Right.

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MR. CAMPBELL: So, they have to

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approve it. And sometimes, we have

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in the past approved ARB of the sign.

13

But if it doesn't conform, then it

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gets referred at that time.

15

MR. DOCE: Okay.

16

MR. CAMPBELL: That's all I

17

have.

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CHAIRMAN EWASUTYN: Pat Hines,

19

with MHE?

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MR. HINES: Our first comment

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just identifies the change - the

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building is more than 50 percent

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smaller than originally, and that a

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DEC wetland permit will be required.

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We did receive the preliminary Storm

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Water Pollution Prevention Plan,

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which is under review, but needs more

4

detail when the soil testing can be

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done. I'm sure that was

6

weather-related recently.

7

I think, based on the Town

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Code, adjoiners' notices have to be

9

resubmitted because the change in the

10

scale of the project. There is a

11

percentage there. I think it's 25

12

percent, and this is -- either way,

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so --

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MR. DOCE: Even if it is

15

reduced?

16

MR. HINES: Even if it's

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reduced, we have to send new

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adjoiners'. But I will work with you

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on that once the Board authorized

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that.

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We did circulate lead agency

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back in December of '24. DEC was

23

circulated in there because we knew

24

it needed a Storm Water Pollution

25

Prevention Plan, and now, they also

1

2

are going to have to issue a wetlands permit. They were included, we talked at work session, that no additional circulation of that would be required.

7

8

9

10

11

Eventually, the project needs to go to Orange County Planning due to its proximity to Route 32. I believe it's closer than 500 feet to Route 32.

12

13

14

15

16

17

We have some comments on the sewer and water lines and provided some details for that. Again, jurisdictional fire department comments should be received. I think that was just discussed.

18

19

20

21

22

There is grading within an easement on tax lot 96. I don't know that we have a copy of that easement. I just want to have that submitted for Dominic's review.

23

24

MR. DOCE: Yeah, I did submit that.

25

MR. HINES: So, we want to make

1

2

sure of that. And we noted that you

3

have the busiest tree survey that

4

we've ever had with three trees on

5

the site. So, compliance with the

6

tree survey has certainly been

7

documented.

8

MR. DOCE: Do you need more

9

information to refer to the County

10

from us?

11

MR. HINES: We have the

12

preliminary SWPPP. I think we could

13

send it at that point. As long as

14

the Board is okay with it, we can

15

send it to the County at this point.

16

CHAIRMAN EWASUTYN: John Ward?

17

MR. WARD: What is going to be

18

in the outside storage?

19

MR. DOCE: It's going to be

20

concrete forms, lumber, concrete

21

forms, rebar, wire mesh, possibly a

22

vehicle.

23

I have Mr. DiLemme here too, if

24

you need any -- him to elaborate.

25

CHAIRMAN EWASUTYN: For the

1

2

record, would you give your name for
the stenographer, please?

3

4

MR. DILEMME: Nick DiLemme

5

(Phonetic), owner of DiLemme & Sons,

6

owner of the property. We are going

7

to be using for outside storage, like

8

Darren said.

9

CHAIRMAN EWASUTYN: Can you

10

speak a little bit louder, please?

11

MR. DILEMME: We're using it

12

for outside storage for equipment,

13

excuse me, mostly materials and some

14

equipment because the building now

15

has shrunk in size. So, some trucks

16

might be in that parking area. We

17

will have, you know, altering

18

forklifts, you know, some machinery.

19

But we will have it fenced in

20

properly and landscaped screened

21

accordingly. I think that's it,

22

unless you have anymore questions.

23

MR. WARD: Thank you very much.

24

MR. DOCE: We do propose a

25

nine-foot fence with privacy slats

1

2

and then some screening along the

3

south of the fence and the east side

4

of the fence.

5

CHAIRMAN EWASUTYN: Lisa

6

Carver?

7

MS. CARVER: So, just to

8

confirm, the equipment won't be over

9

nine feet, or the material, if you

10

stack it, won't be over nine feet?

11

MR. DILEMME: It could be over

12

nine feet because the trucks itself,

13

you know. Usually, you need like a

14

14-foot high door to get them in.

15

So, trucks like to go underneath

16

legally down the road, power lines

17

have to be 13.6, so they are going to

18

be -- yeah, they are going to be more

19

than nine foot.

20

MS. CARVER: Okay, the trucks?

21

MR. DILEMME: Some of it, not

22

all it.

23

MS. CARVER: What about the

24

material?

25

MR. DOCE: We always said the

1

2

material would be under nine feet

3

when we originally...

4

MS. CARVER: Okay, thank you.

5

MR. DOCE: That is why the

6

fence was nine feet high. I think

7

that's in code, too, that nothing can

8

be over the fence height.

9

MS. CARVER: Okay, thank you.

10

CHAIRMAN EWASUTYN: Cliff

11

Browne?

12

MR. BROWNE: What do you expect

13

as far as traffic in and out of your

14

facility, number of trucks coming in

15

and out like a day, or week, or

16

whatever?

17

MR. DILEMME: The employees

18

would report there with their cars.

19

MR. BROWNE: Just employees,

20

not construction equipment, trucks,

21

or whatever? You own a concrete

22

business, correct?

23

MR. DILEMME: We are a concrete

24

contractor. We do the formwork. We

25

don't supply concrete. We purchase

1

2 it from mixed producers.

3 MR. BROWNE: So, you're just
4 transporting the forms and stuff,
5 okay.

6 MR. DOCE: There's 12 employees
7 that arrive in morning, leave for the
8 day. Occasionally, during the day,
9 there may be someone that comes back
10 to pick up some more material.

11 MR. BROWNE: Good, thank you.

12 CHAIRMAN EWASUTYN: Proposed
13 lighting of the subject property?

14 MR. DOCE: Proposed lighting?

15 CHAIRMAN EWASUTYN: Yeah.

16 MR. DOCE: There is a lighting
17 plan.

18 CHAIRMAN EWASUTYN: Do you want
19 to discuss as far as the height of --

20 MR. DOCE: Most of the lights
21 are building mounted 12, 16 feet
22 high. There are two pole mounted at
23 15 foot height.

24 CHAIRMAN EWASUTYN: Thank you.

25 No further comments.

1

2

MR. MENNERICH: I have no
questions.

3

4

MR. DOMINICK: Nothing further.

5

6

CHAIRMAN EWASUTYN: So, the
action before us this evening?

7

8

MR. HINES: Resend the
adjoiners' notices and circulate to
Orange County Planning.

9

10

11

12

13

14

CHAIRMAN EWASUTYN: I can have
a motion from the Board to circulate
the adjoiners' noticed and refer this
on to the Orange County Planning
Department.

15

MR. WARD: So moved.

16

MR. BROWNE: Second.

17

18

19

20

CHAIRMAN EWASUTYN: I have a
motion by John Ward. I have a second
by Cliff Browne. Can I have a roll
call vote starting with John Ward?

21

MR. WARD: Aye.

22

MS. CARVER: Aye.

23

MR. BROWNE: Aye.

24

CHAIRMAN EWASUTYN: Aye.

25

MR. MENNERICH: Aye.

1

2

MR. DOMINICK: Aye.

3

4

MR. DOCE: Just a quick question. A different engineer is preparing the SWPPP. He would like -- can he have dialogue with you, Pat, to discuss it?

5

6

7

8

MR. HINES: Yes.

9

MR. DOCE: Okay.

10

11

MR. WERSTED: John, I have a quick question.

12

13

CHAIRMAN EWASUTYN: Please, thank you.

14

15

16

17

MR. WERSTED: With the facility, do you have -- will you need any type of gate or anything to secure the outdoor storage?

18

19

20

21

MR. DOCE: There was going to be no fencing along the building side of the storage area, no gate, just three sides with fence.

22

23

24

CHAIRMAN EWASUTYN: And the -- I'm fine with the question. What were you thinking?

25

MR. WERSTED: Just the storage

1

2

about door -- materials and

3

effectively being able to drive up to

4

the building, and drive around it,

5

and maliciously pick up anything that

6

was left there. Security, that was

7

my ultimate question.

8

MR. DILEMME: It's a good

9

point, but it's kind of heavy to

10

steal rebar.

11

MR. HINES: Not a hot

12

commodity?

13

MR. DILEMME: It really hasn't

14

been a problem for 45 years for us

15

already. You know, and people drive

16

past our place and have a bird's eye

17

view of the place. Probably, since

18

it's a new building, there be will

19

security cameras, but thank you.

20

We did have this approved many

21

years ago, and it was a much bigger

22

building. It was 22,000 square feet,

23

and now we are condensed to a small

24

piece of property in a smaller

25

building. We, you know, are trying

1

2

to maximize the building. There is

3

not a lot of space between the

4

building and the storage. So, if we

5

fence off the storage area, we make

6

it very difficult to get in and out

7

in that area. So, that was the

8

reason for -- it's really -- it's

9

really for screening. And we will do

10

a nice job with the landscaping so it

11

ties in. Thank you.

12

MR. WERSTED: Thank you.

13

CHAIRMAN EWASUTYN: Nick, you

14

have been in business for how many

15

years?

16

MR. DILEMME: Well, we are a

17

second-generation family business

18

with third generation involved. My

19

father started it in early 80s, small

20

masonry business, which I came into

21

-- I was always part of it, you know,

22

as a kid. I graduated 1984 and was

23

involved in it. And in 1987, we were

24

incorporated, and I am now -- now, I

25

am the only owner for 20 years.

1

2

Started out my father, and now it's

3

me, you know? We've started out

4

small and just grown. And this is

5

kind of painful because I need this

6

to move faster than it is, but it's

7

just a matter of New York State DEC

8

doesn't move fast. It can't happen

9

fast enough for me.

10

CHAIRMAN EWASUTYN: Thank you.

11

MR. DILEMME: Anything I can do

12

to speed it up, I would like to do

13

this.

14

CHAIRMAN EWASUTYN: Thank you.

15

MR. DILEMME: Thank you.

16

MR. DILEMME: This isn't really

17

anything to do with me, but I think

18

you were aware of these. I got one

19

Monday and one today.

20

CHAIRMAN EWASUTYN: Make copies

21

of that and pass it to everyone.

22

MR. DILEMME: I guess other

23

people going for Zoning and Planning

24

Board are properly getting targeting,

25

you know?

1

2

MR. HINES: It's been occurring quite a bit. It's not just this town either.

5

6

7

MR. DILEMME: The first one, it was -- it has John's name on it, Planning and Zoning.

8

9

MR. HINES: And it has the Town logo on it.

10

11

12

13

14

MR. DILEMME: Yeah. I know it's nothing the Town is doing, but I just feel sorry for someone who is going to follow through. Hopefully not. Thank you.

15

16

17

CHAIRMAN EWASUTYN: Pat, do you want to elaborate what's going on in the Town?

18

19

20

21

22

23

24

25

MR. HINES: It looks like as we are posting Zoning and Planning information and applications on the website, there are -- I don't know the term for it -- but phishing letters going out stating that there are fees due and payable to either the Planning, or Zoning, or Building

1

2

Department from nefarious people.

3

They are not valid. There are errors

4

and mistakes that make it obvious

5

that we would see that we don't have

6

a planning commission. And so, we

7

can tell that they are not correct,

8

but I believe they are getting that

9

information from our website

10

postings, sending letters out looking

11

like it's from the Town of Newburgh

12

with

13

we'll-make-it-easy-for-you-to-pay-now

14

websites, to give them a call and

15

take their credit card information.

16

The Building Department is

17

aware of it. We have put out some

18

notices. A lot of the applicants

19

that are -- applicants represented

20

frequently before you are aware of

21

it. And it is happening not only in

22

this town, but there was an article

23

in the New York State Planning

24

Federation sent out notices that it's

25

occurring.

1

2

CHAIRMAN EWASUTYN: Dominic,
you want to elaborate on that?

3

4

5

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MR. CORDISCO: That's
absolutely correct. And you know,
it's not something that the Town is
necessarily aware of because this is
happening outside of -- the entire
nature of this fraud, because that's
what it is, is happening outside of
the Planning Board process where
unsuspecting people are being asked
to pay additional bills for
consultants.

15

16

17

18

MR. HINES: They are very
elaborate fees they add on there,
too. They're pretty unique, the fees
they put.

19

20

MR. CORDISCO: Yeah, it's
probably generated by ChatGPT.

21

22

CHAIRMAN EWASUTYN: Thank you.

23

24

25

(Time noted 7:31 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

JUNCTION DEVELOPMENT, LLC
(25-09)

561 International Boulevard
Section 89, Block 1, Lot 81
Zone IB

-----X

AMENDED SITE PLAN

Date: March 19, 2026
Time: 7:32 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Jamie LoGiudice, Insite Engineering,
Surveying & Landscape Architecture

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Junction Development, LLC

1

2

CHAIRMAN EWASUTYN: The fourth item of business this evening is Junction Development, LLC, project number 25-09. It's an amended site plan. It's located on International Boulevard in an IB zone. It's being represented by --

9

MS. LOGIUDICE: Jamie LoGiudice from -- (Unintelligible.)

10

11

CHAIRMAN EWASUTYN: A little bit louder, please.

12

13

MS. LOGIUDICE: Jamie LoGiudice, L-O-G-I-U-D-I-C-E.

14

15

CHAIRMAN EWASUTYN: Thank you.

16

17

MS. LOGIUDICE: Also present is Mr. Alan Getz from Junction Development, the owner.

18

19

CHAIRMAN EWASUTYN: Did you hear that?

20

21

MS. CHUMAS ARIAS: Yes.

22

CHAIRMAN EWASUTYN: Thank you.

23

24

MS. LOGIUDICE: So, last before your Board, we have received the DEC freshwater wetland permit. That took

25

1

2

a little time, but we did receive it for the disturbances that are located within the buffer. There is the DEC wetland that's basically two-thirds of the property. So, unfortunately, we had to get a DEC permit for that. Part of those disturbances were for the filtration basins for which the testing we had included and provided in the revised SWIPPP.

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We have also provided floodplain permit for review that we would like to request the Board, if amenable, to have as a condition of approval potentially to get that passed through. And we would like to check the status of passing this application to Orange County Planning because I think that was on kind of the docket the last time we were here. But I'm not sure if that was accomplished yet or authorized, so some information on that.

And then, as far as the signage

1

2

goes, there is a building mounted and

3

a freestanding sign on-site that do

4

need approvals. We have been in

5

coordination with the code department

6

to try and find out what that process

7

would be to get those reviewed and

8

approved. So, that is something that

9

we would also like to discuss with

10

this Board if they would be open and

11

amenable to doing that as a condition

12

of the approval, or if there were

13

other avenues to look for.

14

We were in receipt of the

15

comments and happy to review them.

16

CHAIRMAN EWASUTYN: Ken

17

Wersted, traffic consultant, do you

18

have any comments for this?

19

MR. WERSTED: No. It was very

20

straightforward relative to traffic.

21

There is no significant changes from

22

my purview.

23

CHAIRMAN EWASUTYN: Pat, you

24

mentioned something earlier about the

25

floodplain permit. Is that a

1

2

Planning Board action? Who is

3

responsible.

4

MR. HINES: That is through the

5

Building Department as the floodplain

6

administrators, so they have that.

7

We, typically, can make that a

8

condition of approval.

9

CHAIRMAN EWASUTYN: Okay. Jim,

10

you want to talk about signage right

11

now?

12

MR. CAMPBELL: Dealing with

13

signage is twofold. You have ARB

14

approval, that's by this Board. As

15

far as approving location and the

16

square foot of the sign and stuff,

17

it's usually done at this level. You

18

just need to submit the appropriate

19

information.

20

MS. LOGIUDICE: Okay.

21

MR. CAMPBELL: At least one

22

variance if the freestanding sign is

23

staying where it's at, it would need

24

a variance because of the proximity

25

to the front yard setback.

1

2

MS. LOGIUDICE: Okay.

3

4

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6

7

MR. CAMPBELL: So, I would need a dimension, and I would review everything and come up with if other variances are needed. But then, the second half is the ARB.

8

9

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14

MS. LOGIUDICE: Okay. So, given these are existing signs, I guess, what type of information are we trying to provide to you? Just so that I am clear and I can give you exactly what you are looking for. I'm assuming dimensions or pictures?

15

16

17

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19

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21

MR. CAMPBELL: The building mounted sign is dimensions and location. The freestanding sign is dimensions and setbacks.

Our Town code says basically once you change the sign, it needs to conform to current code.

22

23

24

25

MS. LOGIUDICE: Okay.

MR. CAMPBELL: Even changing the face of an existing sign has been determined to be changing the sign.

1

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CHAIRMAN EWASUTYN: Pat, did you receive anything from the Orange County Planning Department?

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MR. HINES: Yes. We circulated this back in May of 2025 during the lead agency process. And the County accepted that as our 239 referral. So, they gave us a letter back in May of 2025 that they took no exception to being lead agency and provided their 239 review with a local determination.

CHAIRMAN EWASUTYN: Pat Hines, further questions or comments?

MR. HINES: We have received a revised SWPPP where they did provide the additional soil information we were waiting for. So, that is a very technical nature of the review. They did receive their DEC wetlands permit. The Board should discuss whether or not to hold a Public Hearing on the project, again, in consideration of an existing site and

1

2

there is not a lot of public living

3

in close vicinity to this, would be

4

considerations for The Board. But a

5

Public Hearing for an amended site

6

plan is a discretionary item for the

7

Board.

8

CHAIRMAN EWASUTYN: Comments

9

from Board members, Dave Dominick?

10

MR. DOMINICK: Nothing further.

11

CHAIRMAN EWASUTYN: Ken

12

Mennerich?

13

MR. MENNERICH: Nothing.

14

CHAIRMAN EWASUTYN: No comment.

15

MR. BROWNE: I have no comment,

16

unless we are going to talk about the

17

Public Hearing.

18

CHAIRMAN EWASUTYN: Lisa

19

Carver?

20

MS. CARVER: No comment.

21

CHAIRMAN EWASUTYN: John Ward?

22

MR. WARD: No comment.

23

CHAIRMAN EWASUTYN: We'll poll

24

the Board members to see if they want

25

to have a Public Hearing on Junction

Junction Development, LLC

1

2

Development, LLC. John Ward?

3

MR. WARD: I don't think so

4

because basically it's not affecting

5

anything but the houses around it.

6

You've got Drury Lane there and some

7

residents in the back. It's been

8

there for years. As traffic, it's

9

not going to affect anything.

10

Lighting and all, it's not going to

11

happen there, so...

12

CHAIRMAN EWASUTYN: Lisa Carver?

13

MS. CARVER: I don't think so

14

because it is existing, so no.

15

MR. BROWNE: No Public Hearing.

16

Waive it, please.

17

CHAIRMAN EWASUTYN: I move to

18

waive the Public Hearing.

19

MR. MENNERICH: I move to waive

20

it also.

21

CHAIRMAN EWASUTYN: Dave

22

Dominick?

23

MR. DOMINICK: I move to waive

24

it based upon previous comments that

25

were just made from the Board

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members.

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CHAIRMAN EWASUTYN: Let the records show that the Planning Board waived the Public Hearing on Junction Development, LLC, project number 25-09.

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10

Pat, where are we now in the managing of this? We are waiting for the SWPPP?

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25

MR. HINES: I would be okay with making the final signoff from my office of the SWPPP a condition of approval. Other suggested conditions would be storm water and landscaping security. Final signage, we can defer the signage ARB for a later date if the applicant wanted to. The existing building is there and going to look the same, so I would defer to the applicant if they were willing to do that. Otherwise, there are very few conditions. You could consider conditional approval tonight after addressing SEQRA.

Junction Development, LLC

1

2

CHAIRMAN EWASUTYN: Dominic, do we start with SEQRA first?

3

4

MR. CORDISCO: Yes, sir.

5

6

CHAIRMAN EWASUTYN: And your recommendation to the Board?

7

8

MR. CORDISCO: Would be for the Board to adopt a negative declaration.

9

10

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CHAIRMAN EWASUTYN: Having heard from Planning Board attorney Dominic Cordisco recommending that we waive -- that we have a negative declaration on Junction Development, LLC, project number 25-09, would someone move for that motion?

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MR. DOMINICK: So moved.

18

MR. MENNERICH: Second.

19

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CHAIRMAN EWASUTYN: I have a motion by Dave Dominick. I have a second by Ken Mennerich. Can I have a roll call vote starting with John Ward?

24

MR. WARD: Aye.

25

MS. CARVER: Aye.

1

2

MR. BROWNE: Aye.

3

CHAIRMAN EWASUTYN: Aye.

4

MR. MENNERICH: Aye.

5

MR. DOMINICK: Aye.

6

CHAIRMAN EWASUTYN: Motion

7

carried.

8

Dominic Cordisco, Planning

9

Board attorney, can you give us

10

conditions of approval, again, for

11

project number 25-09?

12

MR. CORDISCO: Yes. So, this

13

would be granting conditional site

14

plan approval. The specific

15

conditions would include the revision

16

to the plans as well as any revisions

17

that may be required as a result of

18

the ongoing storm water pollution

19

prevention review. I would also

20

require the applicant to provide

21

security for landscaping and -- what

22

was the other one?

23

MR. HINES: Storm water

24

management.

25

MR. CORDISCO: Landscaping and

1

2

storm water.

3

4

5

MR. HINES: Also, the floodplain development permit through the Building Department.

6

7

8

MR. CORDISCO: As well as the other general conditions that we include in the resolution, sir.

9

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CHAIRMAN EWASUTYN: Jamie, do you have any questions or comment?

11

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MS. LOGIUDICE: Not about what you just said, no.

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MR. HINES: So, we are deferring the ARB for the signs. You would have to come back for that, I believe, if the signs -- we don't have anything to review, so ARB would be deferred. Your signage package would have come back for ARB approval. I'm kind of talking to the Board here and Dominic.

22

23

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MR. CORDISCO: Yeah, that would be correct. If the Board was so willing, there certainly has been precedent for that before where ARB

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approval has been deferred.

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MS. LOGIUDICE: Just so I'm clear, so that part of it would be not be tied to the site plan, and it would be separate, or is it in conjunction?

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MR. CORDISCO: It would be separate, but you would have to come back before the Board. So, when you had the signage plan, you make that submission, and the Board could address the architectural review board approval at that time.

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CHAIRMAN EWASUTYN: Would the Board be in favor of Jim Campbell and Jamie discussing the signage for clarification? Jim?

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MR. CORDISCO: If I may jump in here, the difficulty is that the freestanding sign, it appears that it may require a variance.

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MS. LOGIUDICE: Potentially, yes. If we can relocate it, and it doesn't need a variance, we are

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amenable to that as well.

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MR. CAMPBELL: It could be
relocated, yes. I don't know which
is simpler, to go for the ZBA
variance or to relocate the sign.

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MS. LOGIUDICE: Probably
relocating the sign would be my
guess.

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MR. HINES: Or removing the
freestanding sign from the site.

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MS. LOGIUDICE: That is also an
option.

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MR. CORDISCO: My suggestion is
you don't have to decide tonight.
You know, what the recommendation to
the Board is, at this point, is that
the ARB portion of this, which would
be required for the signage, is being
deferred while you figure it out.

21

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MS. LOGIUDICE: That's great.
Thank you very much.

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CHAIRMAN EWASUTYN: Can I have
a motion then to grant conditional
approval subject to the items that

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Planning Board attorney Cordisco

3

presented with the realization that

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the ARB will be deferred to another

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time?

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MR. WARD: So moved.

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MS. CARVER: Second.

8

CHAIRMAN EWASUTYN: I have a

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motion from John Ward. I have a

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second from Lisa Carver. Can I have

11

a roll call vote starting with John?

12

MR. WARD: Aye.

13

MS. CARVER: Aye.

14

MR. BROWNE: Aye.

15

CHAIRMAN EWASUTYN: Aye.

16

MR. MENNERICH: Aye.

17

MR. DOMINICK: Aye.

18

MS. LOGIUDICE: Thank you very

19

much.

20

MR. HINES: For the securities,

21

we'll need cost estimates for the

22

storm water and erosion sediment

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control, and a separate one for the

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landscaping. And those, once we

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receive those, I will work with

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getting them on the Town Board agenda
to set the securities.

MS. LOGIUDICE: Beautiful.

Thank you very much. Thank you very
much.

(Time noted 7:44 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

BRITAIN WOODS
(22-17)

442 Little Britain Road (NYS Route 207)
Section 97, Block 1, Lots 32.1, 32.2, 32.3,
& 40.1
Zone R-3

-----X

FEIS MULTI-FAMILY
SITE PLAN / 258 UNITS

Date: March 19, 2026
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Ross Winglovitz, P.E, Engineering &
Surveying Properties, P.C.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The fifth item of business this evening is Britain Woods, project number 22-17. It's a FEIS multi-family site plan. There's 258 units. It's located in an R3 zone. It's being represented by Ross Winglovitz with Engineering & Surveying Properties.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties. And I'm here with Zack Szabo, project engineer. Back in February, we submitted our final environmental impact statement or draft of the final statement. We have received comments from your consultants. And I think it's from Ken, but I can't open it while I am here. If there's any specific questions, we would be glad to discuss them with you.

I can give you an update on traffic. Ken may know better than we do, but talking to our traffic

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consultant on the intersection

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improvements for Old Little Britain

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Road and 207 was supposed to be 2025

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project. My understanding is it's

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going to happen this year, finalize

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the big -- unintelligible -- get it

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out. Plans were complete from what I

9

understand. One of the comments was

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can we include some of that in the

11

document, and we certainly will.

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MR. HINES: That was from me.

13

MR. WINGLOVITZ: This was Pat's

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comment.

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That's it. If there is

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anything specific, we would like to

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discuss it.

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CHAIRMAN EWASUTYN: Ken Wersted

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with Creighton Manning, traffic

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consultant, discussion?

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MR. WERSTED: We received the

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FEIS and compared that to our

23

previous comments and then also

24

looked through the public and other

25

comments that were submitted as it

1
2 related to the deed, I guess. We
3 generally found that many of the
4 comments have been addressed. There
5 was one in particular that was
6 repetitive relative to the assumption
7 that traffic wouldn't go up Dalfonso
8 Road. The response in the document
9 was that even if there is some
10 percentage, it won't change the
11 outcome very much. However, I think
12 we should look at some amount to test
13 it and see what impacts there are or
14 lack of impacts. I don't think it is
15 going to be 50 percent of the traffic
16 is going to go up and use Dalfonso
17 Road, but there may be 10,
18 15 percent, just to be able to get to
19 Aldi's, Target, even to cut through
20 Stewart Avenue and get to Route 300,
21 Newburgh Mall, you know, et cetera.
22 So, I think that's worthy of looking
23 at and updating.

24 And then, the -- kind of the
25 main second comment that we had was

1
2 marrying up the site distance
3 improvement from the side driveway
4 and the road improvement of the left
5 turn lane getting into the site, just
6 having those two plans come together.
7 If the road is going to widen, that
8 may wind up moving your site distance
9 improvement back further into the
10 site. So, just making sure that
11 those two together.

12 We are also aware that 207 is
13 State Bike Route Number 17, which
14 essentially extends from I think it's
15 is Lake Erie and near the Ohio
16 boarder down along the southern tier
17 to Port Jervis, Port Jervis through
18 Orange County into Dutchess County
19 right along this segment. So, as
20 those designs are being progressed
21 through DOTs review process, there
22 may be bike accommodations that need
23 to be accounted for in that
24 particular section. So, if you are
25 widening the road, and you're taking

1
2 a shoulder and making it narrower,
3 DOT might say, well, we can't do that
4 because it's a bike route. Just all
5 of those things should be taken into
6 account when you are looking at that
7 detailed design.

8 MR. WINGLOVITZ: Understood.

9 MR. WERSTED: Thank you, John.

10 CHAIRMAN EWASUTYN: Ken, the
11 matter discussing with traffic light
12 the DOT putting it out for bid, let's
13 talk about that.

14 MR. WERSTED: On that matter, I
15 did reach out to DOT's engineer with
16 WSP, and they gave me probably
17 similar information. The DOT was
18 anticipating getting design approval
19 and going to -- letting the project
20 this past fall and then going into
21 construction this winter, as we are
22 in now. However, nothing, as far as
23 I can see, has happened relative to
24 that. I do have correspondence from
25 DOT of January of 2025 outlining, you

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know, that kind of process.

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According to the engineer for WSP,

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that hasn't occurred, so I am going

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to encourage the Town Supervisor to

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reach back out on the email chain and

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follow up with DOT to get an updated

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status. Whether that's going to

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happen in the spring now and move on

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from there or if they have other

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thoughts on their schedule...

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MR. WINGLOVITZ: As far as the

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improvement, one of Pat's comments

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was, you know -- (Unintelligible) to

15

happen we're going to do our fair

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share. I think the answer is it's

17

got to happen or -- (Unintelligible.)

18

CHAIRMAN EWASUTYN: Excuse me?

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MR. WINGLOVITZ: It's got to

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happen or we are not proceeding, I

21

think, is really where we need to be.

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CHAIRMAN EWASUTYN: I am not

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clear on what you are saying. So, if

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it is doesn't happen, you are not

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proceeding with the site plan?

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MR. WINGLOVITZ: Correct. We need to wait for that to happen before we get a CO for the site.

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CHAIRMAN EWASUTYN: Before you get what?

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MR. WINGLOVITZ: A Certificate of Occupancy for any buildings.

9

10

MR. HINES: I don't know that we are letting you get that far.

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CHAIRMAN EWASUTYN: That sounds like...

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MR. WINGLOVITZ: It would be our risk, nobody else's.

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CHAIRMAN EWASUTYN: Let's talk about that. Dominic Cordisco? Pat Hines?

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MR. CORDISCO: The difficulty is you would have buildings then that would be empty and waiting for traffic light that may or may never happen. And that doesn't sound like a good scenario for either the applicant or the Town. I think a better approach would be if and when

1
2 the Board would grant any approval,
3 it would be a condition of the
4 approval in order to either typically
5 get site plan approval to get a
6 signed site plan, or at the very
7 latest, you know, that it had to be
8 in place at the time that building
9 permit was issued.

10 MR. HINES: Yes.

11 MR. CORDISCO: I like how you
12 said that shorter than I did.

13 MR. WINGLOVITZ: It's
14 reasonable. You know, by the time we
15 get through this process and get
16 through the DEC, Department of
17 Health, DOT, we are hoping that is
18 all done. I think it would be a moot
19 point at the time.

20 MR. CORDISCO: If I may, you
21 know, your acknowledgement that this
22 traffic light has to happen, you
23 know, in order for the project to
24 proceed, it would be best for the
25 FEIS to make that clear.

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MR. WINGLOVITZ: That is why I stated it tonight looking through the comments.

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MR. CORDISCO: It is not just this town.

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MR. HINES: I know. I get the complaints here, though.

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MR. WINGLOVITZ: We'll certainly solicit that from then. I am sure they may make that available. Are those public documents, Ken?

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25

MR. WERSTED: I haven't seen the plans, I think, unless it was a

1
2 year and some months ago. But at
3 some point, yes, they are publically
4 available.

5 MR. DOMINICK: Can I ask a
6 question?

7 CHAIRMAN EWASUTYN: Yes, go
8 right ahead.

9 MR. DOMINICK: Ross, if the
10 traffic light is that important to
11 your project, if the State puts it in
12 or not, why don't you, as the
13 applicant, put the light in? And
14 then, you can proceed and get the
15 green lights for everything.

16 MR. WINGLOVITZ: So, that could
17 be our alternative. I mean, I said
18 the traffic light had to be -- the
19 intersection improvement has to be
20 done. That could be our option. Say
21 we wait two years and it doesn't
22 happen, maybe our client would have
23 to decide they would spend the money
24 to do that improvement. Certainly,
25 it's a business option.

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MR. DOMINICK: Thank you.

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MR. WINGLOVITZ: Understood.

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CHAIRMAN EWASUTYN: Pat Hines,
you want to the discuss the SWPPP?

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MR. HINES: So, we did receive
a revised -- I'll say a rewritten
SWPPP. So, you changed -- it wasn't
until two weeks ago when we dove into

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the document that we noticed the

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SWPPP was basically rewritten with

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changing of the practices and such.

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So, we will be able to generate those

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comments by April 1st. But I

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discussed with the Board the changes

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at the work session that you changed

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from infiltration practices to more

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conventional storm water management

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practices.

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We also discussed the removing

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of the internal trail system that you

14

identified there. And the DEC taking

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jurisdiction over two of the three

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wetlands and the impacts associated

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with that. It looks like we need a

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DEC wetland permit now.

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MR. WINGLOVITZ: We do. We did

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have a pre-application conference

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with them to discuss the project.

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MR. HINES: I think there

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should be discussion in there of what

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occurred between the DEIS and now

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that the jurisdiction changed, here

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2 it is, how you're moving forward, and
3 what changes to the plans, if any,
4 occurred there. And that's in some
5 of our comments.

6 MR. WINGLOVITZ: I saw that.

7 MR. HINES: We have numerous
8 comments. We're only touching on the
9 high points here, unless you have any
10 additional ones to discuss. Those
11 were some of the changes. There was
12 some additional detail regarding
13 blasting.

14 One of the things we'll dive
15 into now is the City of Newburgh
16 commented on the fact that they were
17 going to require sidewalks along the
18 project frontage.

19 MR. WINGLOVITZ: In front of or
20 they were recommending sidewalks --

21 MR. HINES: I read that letter
22 saying you were putting sidewalks in
23 in the City of Newburgh. And I think
24 your response was that you would do
25 that, but they don't show up on the

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plan. And I think that's going to
3 ducktail into a conversation with the
4 Board.

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MR. WINGLOVITZ: Those

comments, we've got to go back and
revisit with them. Those comments
were from '24 when this was a
full-service entrance. Now, it is
emergency. I don't know if they are
going to have a different position on
that. I guess pedestrians could come
down the emergency entrance and then
get on the sidewalk to get into the
city. I don't know the answer.

MR. HINES: So, I'll defer back
to the Board on a conversation
regarding sidewalks.

CHAIRMAN EWASUTYN: Additional
comments?

MR. HINES: I think I touched
on the highlights. I know that our
details --

MR. WINGLOVITZ: I read them.

MR. HINES: -- unless you have

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any you want to discuss.

CHAIRMAN EWASUTYN: Planning Board members, John Ward?

MR. WARD: With the sidewalk, the way I read it is if you could coordinate with the City of Newburgh and verify what it is.

MR. WINGLOVITZ: We will go back and revisit that comment.

MR. WARD: Thank you.

MS. CARVER: What is your plan for lighting?

MR. WINGLOVITZ: So, there is a lighting plan throughout. They are all night-sky friendly lights.

MS. CARVER: I think they mentioned that you have to identify, I guess, the dark-sky compliant --

MR. WINGLOVITZ: Yes, they are and we will specifically state that so that when somebody tries to do an alternative, which they always do, it will be -- sure to be night-sky compliant.

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MS. CARVER: Thank you. I just have a question, I'm curious. I think you identified 60 percent of the traffic going left and towards the City of Newburgh. Why are you assuming that?

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MR. WINGLOVITZ: So, the traffic consultants do an analysis based on the traffic that is going by the site already. And then, they do the split based on that. The DOT reviews it, Ken reviews it, and they say yes, we agree, or no, we don't agree. So, this has been to the DOT and to your traffic consultant. It's based on the flow of traffic, I think, by the site.

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MR. CARVER: I was just curious. Alright, thanks.

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CHAIRMAN EWASUTYN: Cliff Browne?

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MR. BROWNE: I don't have anything additional. Everything was pretty much touched on. Thank you.

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CHAIRMAN EWASUTYN: It's a long-term question, going through the final approvals, conditions, coordination with the involved agencies, signing off, when do you think this project would be shovel ready?

MR. WINGLOVITZ: At the earliest, it would be 2027, a year from now.

CHAIRMAN EWASUTYN: Okay. No comment.

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: Dave Dominick?

MR. DOMINICK: Just the intersection with Old Little Britain and 207, I think the applicant still has some more research and thinking to do about that, solving that issue.

MR. WINGLOVITZ: Yup.

CHAIRMAN EWASUTYN: Dominic Cordisco, you raised a good comment at the work session as far as

1
2 providing clear information to the
3 applicant. Can you elaborate on that
4 at this point?

5 MR. CORDISCO: Yes. I mean,
6 it's clear that applicant is going to
7 need to revise the proposed final
8 environmental impact statement, and I
9 encourage Board to provide feedback
10 so that the applicant could
11 understand where the Board's concerns
12 are given the fact that the adoption
13 of this document, you know, when it
14 is adopted becomes the statements of
15 the Board, not of the applicant. So
16 I would actually throw this back to
17 the applicant to see if there was
18 anything further that you were
19 looking for clarification on,
20 anything in addition that the Board
21 may wish to share.

22 MR. WINGLOVITZ: Not at this
23 time reading through the comments and
24 what we heard tonight, I think we
25 have a clear understanding of what we

1
2 need to do to satisfy your concerns
3 regarding the FEIS.

4 CHAIRMAN EWASUTYN: Can you
5 verbalize your understanding of what
6 these comments might be and the steps
7 moving forward just, you know, we're
8 talking -- we're talking, but can we
9 consolidate it? You're leaving here
10 with an understanding of, and what
11 that direction might be, can you just
12 elaborate on that?

13 MR. WINGLOVITZ: Sure. I mean,
14 the Board will make a determination
15 ultimately that it's not complete.
16 We will go back and take a look at
17 the comments, address the comments.
18 Some of them were pretty -- fixing
19 some language in the document.
20 Specifically, traffic is a concern,
21 so we will make sure we get with our
22 client and address that, make sure
23 that it's clear that that improvement
24 will be done either by the DOT or by
25 us, if that's what needs to happen

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before the project proceeds. We will

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also get clarification from the City

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regarding the sidewalks,

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MR. CORDISCO: At the last

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meeting, I believe, that you had with

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the City, I was invited to that

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meeting for the sole purpose of just

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reporting back to the Board any of

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the concerns or comments that the

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City had. I'm not necessarily

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required to be there, but if you

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would like to have me there so that I

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can report back to the Board, I would

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be happy to do that.

16

MR. WINGLOVITZ: Certainly.

17

Their biggest concern was crossing of

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their water and sewer mains that come

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through our site and the concern

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about the integrity of those. And

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one of the big concerns was that

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full-service road across those and

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the potential impact that could have

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had. So, going to the emergency

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entrance, and then we are also

1
2 spanning that entire -- those
3 improvements, I think was their
4 biggest concern that they impressed
5 upon me several times.

6 MR. CORDISCO: Certainly, that
7 is true. They were also concerned
8 about storm water facilities located
9 in the City, and those plans have
10 been adjusted since that time.

11 MR. WINGLOVITZ: Yes.

12 CHAIRMAN EWASUTYN: I will poll
13 The Board members, if The Board would
14 be in favor, any additional meetings
15 that you have with the City, would
16 they like to have Dominic Cordisco,
17 Planning Board attorney, being
18 represented at those meetings. Dave
19 Dominick?

20 MR. DOMINICK: Yes.

21 CHAIRMAN EWASUTYN: Ken?

22 MR. MENNERICH: Yes.

23 CHAIRMAN EWASUTYN: Yes.

24 MR. BROWNE: Yes, I would agree
25 with that.

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MS. CARVER: Yes.

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MR. WARD: Yes.

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CHAIRMAN EWASUTYN: Okay.

5

Dominic Cordisco, Planning Board

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attorney, can you summarize the

7

conversation and meeting of tonight's

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meeting?

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MR. CORDISCO: Yes. So, the

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Board would be declaring the proposed

11

final environmental impact statement

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as prepared and presented and be

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incomplete at this time, and will

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await for the applicant to resubmit

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to respond to the comments that have

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been presented by The Board and as

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well as the Board's consultants.

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CHAIRMAN EWASUTYN: Okay. I

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move for a motion to have the

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Planning Board adopt the

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recommendation presented by Dominic

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Cordisco, Planning Board attorney,

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that the information is incomplete at

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this time.

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MR. DOMINICK: So moved.

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MR. BROWNE: Second.

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CHAIRMAN EWASUTYN: Motion by
Dave Dominick, second by Cliff

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Browne. Can I have a roll call vote

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starting with John Ward?

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MR. WARD: Aye.

8

MS. CARVER: Aye.

9

MR. BROWNE: Aye.

10

CHAIRMAN EWASUTYN: Aye.

11

MR. MENNERICH: Aye.

12

MR. DOMINICK: Aye.

13

MR. WINGLOVITZ: Thank you.

14

MR. HINES: I'm a little

15

unclear. Are we having the applicant

16

evaluate sidewalks along the frontage

17

that we discussed at the work

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session?

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MR. CORDISCO: They were going

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to actually speak to the City of

21

Newburgh regarding whether or not --

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MR. HINES: I understood that

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part, but we had extensive

24

conversation at work session

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regarding the rest of the frontage.

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CHAIRMAN EWASUTYN: I don't
have an answer to that.

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MR. WINGLOVITZ: DOT has been
clearing the path when they want and
when they don't. They have not
requested them to date in any of
their reviews, so...

9

MR. HINES: Okay.

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MR. WINGLOVITZ: And we don't
own this frontage.

12

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MR. HINES: Okay, I'm fine. We
did talk extensively about sidewalks
at the work session. As long as the
Board is comfortable with where we're
heading.

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MR. WINGLOVITZ: We have an
extensive sidewalk system in turn, so
you could get to here internally and
then into the City on the City
sidewalk, assuming that went to the
main entrance, and the bus stop here.
There's really nothing else to
connect to on that end.

25

MR. CORDISCO: Perhaps you

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could elaborate about that in the
FEIS itself.

MR. WINGLOVITZ: I will add a
comment to that effect and respond to
that.

CHAIRMAN EWASUTYN: Any
additional comments from Board
members, John Ward?

MR. WARD: No.

MS. CARVER: No.

MR. BROWNE: No.

MR. MENNERICH: No.

MR. DOMINICK: No.

MR. WINGLOVITZ: Thank you.

(Time noted 8:05 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

845 CRONOMER LAKE
(25-35)
3 Thayer Lane
Section 34, Block 1, Lots 25.151 & 25.152
Zone R-2

-----X

TWO-LOT SUBDIVISION

Date: March 19, 2026
Time: 8:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Ross Winglovitz, P.E, Engineering &
Surveying Properties, P.C.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The sixth item of business this evening is 845 Cronomer Lake, project number 25-35. It's a two-lot subdivision, located on Thayer Lane. It's in an R-2 zone. It's being represented by Ross Winglovitz. Ross.

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MR. WINGLOVITZ: Good evening, Ross Winglovitz, Engineering & Surveying Properties. I'm here with Kelly Baer, the project engineer. We were before you a month ago end of January, early February. This is a subdivision that was a two-lot subdivision. It's one new lot here and remaining land with a duplex here and a duplex here. Those buildings have been constructed. Septics have been constructed and are occupied. What we are looking to do is add an additional lot with the duplex, a little bit different than typical you'll see. Because of the area for the septic system that is viable in

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the rear, we would be building a new septic for lot number two here. Lot number one of the new subdivision will be using the existing septic that was constructed for lot number two. We've reconfigured the lot lines because they were a little bit difficult before and improved that situation.

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Also, there was a request in the initial presentation that the -- this duplex be a third driveway off of the existing driveway that was constructed. We understood that that may or may not have gotten approved by the Town Board. Based on discussions we've had, we decided to construct a separate driveway entirely for the new buildings. So, the new duplex would have its own driveway and would use the existing septic. The existing house would use a new septic constructed specifically for that. This is now DEC wetlands,

1

2

so we've got jurisdictional

3

termination that says it's under the

4

new jurisdiction, so we will need to

5

do a -- have a sight visit, get an

6

approved map, and we will need a

7

permit. That has been in the queue.

8

But because of the snow cover, the

9

queue got backed up for several

10

months this winter. They're just

11

starting to get back out. They've

12

been back out to several of our sites

13

this week. So, we will get them out

14

here to confirm the wetlands. The

15

delineation had been done a few years

16

ago for the federal wetlands. We

17

will have DEC confirm the extent of

18

their wetland.

19

MS. CARVER: Excuse me, Ross.

20

What is Kelly's last name?

21

MR. WINGLOVITZ: Kelly Baer.

22

B-A-E...

23

MS. BAER: I've worked for you

24

for three years.

25

MR. HINES: In Ross's defense,

1

2

I don't know the last names of some
of my people either.

3

4

MR. WINGLOVITZ: I know the
names. It's the spelling.

5

6

CHAIRMAN EWASUTYN: Jim
Campbell, Code Compliance.

7

8

MR. CAMPBELL: The reconfigured
driveway, I scaled it. It seems to
be in excess of 500, if you can
confirm that. If it is over 500, it
would need a turnaround and a
turnout.

9

10

11

12

13

MR. WINGLOVITZ: 520 feet, Jim.

14

15

MR. CAMPBELL: So, it would
need a turnout and a turnaround.

16

17

MR. WINGLOVITZ: We'll look if
we can reduce it.

18

19

MR. HINES: Change the radiuses
a little bit.

20

21

MR. WINGLOVITZ: Yeah. We
talked about the potential of moving
it this way a little bit. We can
definitely shorten that length and
get that under 500 feet.

22

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MR. CAMPBELL: That's all I

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have.

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CHAIRMAN EWASUTYN: Ken

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Wersted, traffic consultant, any

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comments?

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MR. WERSTED: No comments.

8

CHAIRMAN EWASUTYN: Pat Hines

9

at MHE?

10

MR. HINES: So, Ross mentioned

11

2025 January regulation change to

12

wetlands are now jurisdictional. We

13

did note the drive changed the

14

location. Since there is now other

15

agencies involved, including the DEC,

16

we are recommending you declare your

17

intent for lead agency, which is an

18

action you could do tonight.

19

A highway superintendent's

20

comments for the revised driveway

21

location is required.

22

Since the last subdivision was

23

done on the project, a Chapter 172

24

tree preservation has been adopted,

25

so the tree ordinance must be

1

2

documented. Not in my comments, but

3

I did bring up a comment previously

4

regarding a re-subdivision within

5

three years. Both Ross and myself

6

contacted Orange County separately,

7

and that is not an issue, as it's

8

still less than five lots, so we got

9

an email back stating it was not an

10

issue. I think Ross has the same

11

answer, so that put that to rest.

12

They did change the lot

13

geometry, so it is much better

14

regarding the location of the septic

15

and the operation and maintenance of

16

those leach fields. This will need

17

to go to County Planning because it

18

backs up to the New York State

19

Thruway to the rear, state highway.

20

The pipe size calculations for

21

the crossing at the wetlands should

22

be provided. I know DEC is probably

23

going to ask for that as well.

24

We'll need a note stating tat

25

the limits of disturbance will be

1

2

stacked out in field prior to

3

construction. The driveway -- new

4

driveway proposed actually grades out

5

the entire 50-foot right-of-way due

6

to the slopes from Union Avenue down

7

to the wetlands and then back out.

8

So, we are requesting notes on the

9

plan that that be delineated to avoid

10

any impacts to the adjoining

11

properties.

12

Just a little more information,

13

if a narrative could be provided for

14

sequencing of the changing over of

15

the septic systems.

16

MR. WINGLOVITZ: I'm scratching

17

my head on that one.

18

MR. HINES: There may need to

19

be some pumping, I believe. Maybe a

20

pump truck on site or some method to

21

keep that one duplex in service while

22

the other one's transferring over.

23

Depth of burial, the force main pump

24

station contains a check valve rather

25

than draining back to the pump

1
2 station, so burial depth on the force
3 main should be be provided to prevent
4 freezing, or that check valve can be
5 removed and a weep hole placed in
6 there to allow it to drain back.
7 Either way.

8 And that's where we are at, so
9 I think the Board can declare its
10 intent for lead agency tonight and
11 circulate to the Orange County
12 Planning Department.

13 CHAIRMAN EWASUTYN: Any
14 comments from Board members?

15 MR. WARD: No comment.

16 MS. CARVER: No comment.

17 MR. BROWNE: Nothing more.

18 MR. MENNERICH: No questions.

19 MR. DOMINICK: No comment.

20 CHAIRMAN EWASUTYN: Would
21 someone move for a motion to
22 circulate to the Orange County
23 Planning Department and to declare
24 intent for lead agency for 845
25 Cronomer Lake, project number 25-35.

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MS. CARVER: So moved.

3

MR. MENNERICH: Second.

4

5

CHAIRMAN EWASUTYN: We have a motion by Lisa Carver, a second by

6

Ken Mennerich. Can I have a roll

7

call vote starting with John Ward?

8

MR. WARD: Aye.

9

MS. CARVER: Aye.

10

MR. BROWNE: Aye.

11

CHAIRMAN EWASUTYN: Aye.

12

MR. MENNERICH: Aye.

13

MR. DOMINICK: Aye.

14

CHAIRMAN EWASUTYN: Motion

15

carried.

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(Time noted 8:13 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

CROSSROAD REALTY PARTNERS, LLC
(26-07)
Route 300 / Holt Lane
Section 14, Block 1, Lot 114.2
Section 16, Block 2, Lot 10
Section 16, Block 3, Lots 16 & 17
Zone R-2

-----X

INITIAL APPEARANCE
EIGHT-LOT SUBDIVISION

Date: March 19, 2026
Time: 8:14 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Ross Winglovitz, P.E, Engineering &
Surveying Properties, P.C.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Crossroad Realty Partners, LLC

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CHAIRMAN EWASUTYN: The last agenda item of business this evening is Crossroad Realty Partners, LLC, project number 26-07. It's initial appearance for eight-lot subdivision located on Route 300/Holt Lane. It's in a R-2 zone, and it is being represented by Ross Winglovitz.

MR. WINGLOVITZ: Ross Winglovitz, Engineering & Surveying Properties. Here with Kelly Baer, B-A-E-R. She's the project engineer. This is a remaining parcel from a previous subdivision that was subject to the Department of Health. It has water within the subdivision, but individual septics. The applicant is looking to develop seven new lots, so it will be a total of eight when you consider the remaining lands. There's several lots that already exist that are going to be combined and then will be re-subdivided basically. Off of the Foxwood Drive

1
2 on the north side -- so to give
3 everybody reference that doesn't know
4 where it is, Route 300 here, Chadwick
5 Lake is above, upstream from us,
6 actually, so we are not going to
7 drain to go Chadwick Lake. Maplewood
8 Drive, Foxwood Drive, and then
9 Foxwood Drive South, so this is a
10 cul-de-sac and kind of right turn.
11 There was already right-of-ways that
12 were set up to come into the site for
13 future subdivision of the parcel.
14 Off of Foxwood Drive, the
15 intersection of Maple Drive, there
16 are three proposed residences
17 approximately 0.45 acres to 0.7
18 acres, so just below a half to just
19 below three-quarters of an acre. Two
20 lots, lot two and three will have a
21 common driveway. Lot one will have
22 its own driveway. And they will each
23 have individual water services
24 connecting to the water in Maple
25 Drive.

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Off of Foxwood Drive South,
there are four lots proposed each.
Lot would have its own individual
water service. The two lots on the
south, six and seven, would have a
common driveway. And the two lots on
the north side, lots four and five,
would also have a common driveway.

We have done some preliminary
soil testing out here and found
acceptable locations for septic
systems. The remaining lands will be
lot eight. That's approximately 12
acres. The parcel holds about 16
acres. It will be one lot and will
be serviced by Holt Lane, which was a
right-of-way that was set up to come
into the site in access directly to
300.

There is the creek here,
Quassaick Creek, on the very east
side of the property that has a
wetland around it. This is in an
urban area, so that would be a State

1

2

wetland. Under the new regulations,

3

we are staying pretty far away from

4

it. I think that's it.

5

CHAIRMAN EWASUTYN: Jim

6

Campbell, Code Compliance.

7

MR. CAMPBELL: If you could, I

8

don't think all lots need to be

9

evaluated. You could evaluate it for

10

a steep slope usable and buildable

11

areas, as found in the Town of

12

Newburgh Municipal Code.

13

On most the lots you seem to be

14

putting the front yard setback to the

15

side yard. We would direct them all

16

towards the roadway to the street.

17

MR. WINGLOVITZ: We've oriented

18

the front yard towards what is kind

19

of like the common driveway, so I

20

guess it has got to be on this side.

21

MR. CAMPBELL: We figure the

22

front yard towards the street.

23

And then, my last item would

24

just be a note. Site preparation

25

activities are only allowed between

1

2

the hours of 7:30 and 6:00 p.m., no

3

Sundays or holidays. EAF states

4

7:00 a.m. That's all I have for now.

5

CHAIRMAN EWASUTYN: Ken

6

Wersted, did you look at this

7

project? Any comments?

8

MR. WERSTED: No, I can if you

9

would like me to.

10

CHAIRMAN EWASUTYN: I think if

11

you have the time to look at it.

12

MR. WERSTED: Okay.

13

CHAIRMAN EWASUTYN: Pat Hines

14

with MHE Engineering?

15

MR. HINES: Yes. This is the

16

initial appearance, so I will work

17

with Ross's office to do adjoiners'

18

notices. It is a major subdivision.

19

Orange County Health Department

20

approval for the septics and realty

21

subdivision will be required. Shared

22

driveways will require common

23

driveway access and maintenance

24

agreements. Easements will be

25

required. There are utilities

1
2 crossing the individual lots proposed
3 on there. Those will need easements.
4 Tree preservation ordinance
5 documentation compliance would be
6 required.

7 We did note that the short EAF
8 that you submitted identified it in
9 the Chadwick Lake critical
10 environmental area. It is not. That
11 is down gradient, and that line is
12 Route 300 above you, so that cleans
13 that up.

14 MR. WINGLOVITZ: I will just
15 replay to that. I will note in the
16 EAF --

17 MR. HINES: I think we are
18 okay. We have moved past it now.
19 You can leave it there. It is not in
20 there, which is good for your
21 project.

22 We did receive the long form
23 based on the comment. We need to
24 determine the amount of disturbance.
25 The EAF did identify that the project

1
2 is in a potential sensitive area for
3 historical or national register. So,
4 when we do the circulation, we will
5 include state parks recreation
6 historic preservation. The filed
7 subdivision map should show the
8 drainage easements depicted on filed
9 map referenced.

10 MR. WINGLOVITZ: I think there
11 is only one. What I will do is give
12 you an existing conditions plan. It
13 is underneath all of these driveways.

14 MR. HINES: I have a similar
15 comment. The driveway setbacks for
16 front -- I concur with Jim, the front
17 yards are to where you are showing
18 side yards facing the street. But
19 also, the measurements that you had
20 for front yard were crossing the flag
21 lots, so they weren't really 40 feet
22 where they were depicted 40 feet.
23 So, those are going to become side
24 yards in this case, so they will
25 comply with the other ones. They're

1

2

going to change the layout of the

3

houses there. These lots may be

4

moving into the larger lot a little

5

more.

6

MR. WINGLOVITZ: We have room

7

here. This may get slightly bigger

8

or the house will be rotated.

9

MR. HINES: That is all we have

10

for comments, but I think we could

11

circulate for lead agency and

12

adjoiners' notices.

13

CHAIRMAN EWASUTYN: John Ward,

14

comments?

15

MR. WARD: No comment.

16

CHAIRMAN EWASUTYN: Lisa?

17

MS. CARVER: Nothing further.

18

MR. BOWNE: In work session, we

19

talked about the possibility of them

20

having to redesign, so where does

21

that stand now? How do you see that

22

now?

23

MR. HINES: Worst case, some of

24

the lots may get larger, but I think

25

there's still going to be eight lots

1
2 here. For lead agency circulation,
3 that's is fine. But I don't think
4 they are going to gain any lots by
5 any means, so I think that this is
6 the worst case they are going to
7 have. Possibly, the lots may get a
8 little larger for the front yard
9 setbacks to extend.

10 MR. BROWNE: All right, thank
11 you.

12 CHAIRMAN EWASUTYN: No comment.

13 MR. MENNERICH: Ross, for lot
14 eight, there is a lot of acreage
15 there, but it's not going to be
16 accessible for future subdivision, is
17 it?

18 MR. WINGLOVITZ: If they built
19 the house, they would preclude a lot
20 of that, yeah. I don't know that
21 they are going to -- that Mike is
22 going to build a house right away.
23 He would focus on these seven lots
24 and decide if he is going to do any
25 further subdivision on that piece

1

2

later on. He has no plans to at this

3

point. That would be through, you

4

know, you would have to do some kind

5

of a private road access from the

6

flag here into the site in order to

7

do that.

8

MR. MENNERICH: Okay, thanks.

9

CHAIRMAN EWASUTYN: Dave

10

Dominick?

11

MR. DOMINICK: Nothing further.

12

CHAIRMAN EWASUTYN: So then,

13

the motion before us this evening is

14

to circulate the adjoiners' notice

15

and declare intent for lead agency.

16

MR. HINES: Yes.

17

MR. CORDISCO: Yes, sir.

18

CHAIRMAN EWASUTYN: Having

19

heard from Pat Hines and Dominic

20

Cordisco, would someone move for

21

those motions?

22

MR. WARD: So moved.

23

MS. CARVER: Second.

24

CHAIRMAN EWASUTYN: I have a

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motion by John Ward, have a second by

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Lisa Carver. Can I have a roll call
vote starting with John Ward?

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WINGLOVITZ: Thank you very
much.

(Time noted 8:22 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

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I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

MONARCH WOODS SENIOR COMMUNITY
(19-28)

-----X

SIX MONTH EXTENSION REQUEST

Date: March 19, 2026
Time: 8:23 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Ross Winglovitz, P.E, Engineering &
Surveying Properties, P.C.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Ross, we have two items of Board business this evening. The first item is Monarch Woods Senior Community, project number 19-28. It's a six-month extension request. Ross, I believe you are the representative for this application.

MR. WINGLOVITZ: Yup. So, the applicant in deciding what to do with the project, they are -- my understanding is as of about two weeks ago, they decided that they are going to construct it. We have most, I think, most of the conditions satisfied with the exception of some legal agreements and writing some checks for bonds and fees. So, they are going to look to perfect that over the next several months and look to start construction in full.

CHAIRMAN EWASUTYN:
Interesting. And this is one of the examples of you came to an agreement

1

2

with the Town as far as your fair
share contribution?

3

4

MR. WINGLOVITZ: Not for --

5

there was an agreement with the Town

6

Board regarding the sewer and the

7

payment schedule for the sewer fees.

8

CHAIRMAN EWASUTYN: Okay.

9

MR. WINGLOVITZ: The DOT --

10

MR. HINES: I believe there is

11

a fair share agreement --

12

CHAIRMAN EWASUTYN: I thought

13

so too.

14

MR. HINES: -- with the Town

15

for impacts of intersection. I don't

16

know if it's been finalized, but

17

there has certainly been -- there is

18

a fair contribution number that has

19

been discussed.

20

CHAIRMAN EWASUTYN: Thank you.

21

MR. HINES: You may not -- your

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client and the Town board have been

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doing that.

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CHAIRMAN EWASUTYN: Just a

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conversation. Comments from Board

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members?

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MR. WARD: No comment.

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MS. CARVER: No comment.

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MR. BROWNE: No.

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MR. MENNERICH: Nothing.

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MR. DOMINICK: Yes. Pat, is

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that fair share for Monarch and 52,

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or 52 and 300, or both?

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MR. HINES: It is not

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designated where it will be spent.

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The Town Board is being careful now

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to not delegate those. But right

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now, it's going into the pot of 52

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and 300, but could be spent at

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another intersection in the Town.

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MR. DOMINICK: Thank you.

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CHAIRMAN EWASUTYN: Good

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question.

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Pat, can you give us the dates

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for granting the six-month extension?

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MR. HINES: So, it would be

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from tonight until September 19,

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2026.

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CHAIRMAN EWASUTYN: Would

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someone move for a motion to grant
the extension to September 19, 2026?

MR. DOMINICK: So moved.

MR. MENNERICH: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a
motion by Ken Mennerich. I have a
second by John Ward. Can I have a
roll call vote starting with John
Ward?

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Motion
carried.

(Time noted 8:25 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary
Public for and within the State of New
York, do hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS

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

-----X

In the Matter of

OVERLOOK FARMS
(19-23)

-----X

REQUEST FOR EXTENSION OF SITE PLAN
AND ARB APPROVAL FROM MARCH 19, 2026
EXPIRATION DATE TO MAY 8, 2026

Date: March 19, 2026
Time: 8:26 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN
CLIFFORD BROWNE
LISA CARVER
DAVID DOMINICK
KENNETH MENNERICH
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES
JAMES CAMPBELL
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
(Not Present)

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Overlook Farms

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CHAIRMAN EWASUTYN: And the last item of business is Overlook Farms, project number 19-23. We received correspondence from Stan Schutzman, the attorney, requesting for an extension of site plan ARB approval and the dates being March 19, 2026 to May 8, 2026. Pat Hines, Dominic Cordisco, either one to --

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MR. HINES: I can jump in here. The Overlook Farms project proactively requested a six-month extension a while back that made that date fall somewhere in March when, in fact, they asked for it early, and that six-month extension should have started I would say November 8th until May 8, 2026. So, they are looking to gain back the time. They sent a request in early, and we added six months the night of the meeting, and, in fact, it should have been a November to May extension, and it's

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pretty critical because that is their

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last extension available to them at

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this point. So, they are looking to

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just adjust that. They asked early,

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we acted early, added six months, and

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it really should have been November.

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We may have just done the same thing

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with the previous one, but they look

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like that is not going to be an

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issue. So, we have to be careful

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adding six months to the night of the

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meeting when, in fact, they may be

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losing time by putting it in early.

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MS. CARVER: It has to be --

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MR. CORDISCO: It should be

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from when it's expired.

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MS. CARVER: Right, the

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expiration date.

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CHAIRMAN EWASUTYN: Okay. So,

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would you clarify? I'm not sure. We

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are granting the extension --

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MR. HINES: It would be

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extended from tonight until May 8,

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2026, which would be the two years

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that they have to complete their
conditions of approval.

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CHAIRMAN EWASUTYN: Okay. So,
would someone move for a motion to
grant the extension for project
number 19-23 from the 19th of
March 2026 through November 2026,
correct?

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MS. CARVER: To May.

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MR. HINES: May 8th.

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CHAIRMAN EWASUTYN: Thank you.
Would someone move for that motion?

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MS. CARVER: So moved.

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MR. MENNERICH: Second.

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CHAIRMAN EWASUTYN: Can I have
a roll call vote starting with John
Ward?

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MR. WARD: Aye.

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MS. CARVER: Aye.

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MR. BROWNE: Aye.

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CHAIRMAN EWASUTYN: Aye.

23

MR. MENNERICH: Aye.

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MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Dominic,

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site plan approvals are good for two
years?

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MR. CORDISCO: Correct.

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CHAIRMAN EWASUTYN: Is there a
one-year further extension? How does
that work?

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MR. HINES: It has wording that
says if the project hasn't changed
significantly, it could be
re-presented to the Planning Board
for one additional year extension.

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MR. CORDISCO: That's correct.

CHAIRMAN EWASUTYN: So, this
may qualify for that?

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MR. HINES: The Overlook Farm
is at their one-year extension, I
believe.

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CHAIRMAN EWASUTYN: They
already received their one-year
extension?

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MR. HINES: Yes. That is the
urgency of Mr. Schutzman's letter.

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CHAIRMAN EWASUTYN: So, the
time clock is ticking on this then.

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Would someone move for a motion
to close the meeting of March 19,
2026?

MR. WARD: So moved.

CHAIRMAN EWASUTYN: I have a
motion by John Ward.

MS CARVER: Second.

CHAIRMAN EWASUTYN: Second by
Lisa Carver. Can I have a roll call
vote starting with John Ward?

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you.

(Time noted 8:30 p.m.)

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C E R T I F I C A T E

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 : SS.:
COUNTY OF ORANGE)

I, VICTORIA CHUMAS ARIAS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action 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 1st day of April 2026.



VICTORIA CHUMAS ARIAS