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

- - - - - X
In the Matter of

GARDNER RIDGE
(2002-29)

Gardnertown Road
Section 75; Block 1; Lot 4.12
R-3 Zone

- - - - - X

SIX-MONTH EXTENSION

Date: July 17, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: DARREN DOCE

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. The Planning Board
4 would like to welcome you to their
5 meeting of the 17th of July 2025. We
6 have ten agenda items this evening.

7 I would like to start the meeting
8 off with a roll call vote starting with
9 Dave Dominick.

10 MR. DOMINICK: Present.

11 MS. DeLUCA: Present.

12 CHAIRMAN EWASUTYN: Present.

13 MR. BROWNE: Present.

14 MS. CARVER: Present.

15 MR. WARD: Present.

16 MR. CORDISCO: Dominic Cordisco,
17 Planning Board Attorney.

18 MS. CONERO: Michelle Conero,
19 Stenographer.

20 MR. HINES: Pat Hines with MHE
21 Engineering.

22 MR. CAMPBELL: Jim Campbell, Town
23 of Newburgh Code Compliance.

24 MR. WERSTED: Ken Wersted,
25 Creighton Manning Engineering, Traffic

2 Consultant.

3 CHAIRMAN EWASUTYN: At this point
4 we'll turn the meeting over to Stephanie
5 DeLuca.

6 (Pledge of Allegiance.)

7 MS. DeLUCA: We would just ask that
8 you turn your phones off or put them on
9 silent.

10 CHAIRMAN EWASUTYN: The first item
11 of business this evening is Gardner
12 Ridge. They're requesting a six-month
13 extension. It's project number 02-29.
14 It's located on Gardnertown Road near
15 Gidney Avenue. It's in an R-3 Zone.
16 It's being represented by Darren Doce.

17 MR. DOCE: We received a
18 conditional final approval in September
19 of 2004. In February we requested a six-
20 month extension. That brings us to
21 August 7th. We're requesting another
22 six-month extension while the consultants
23 address some of the final comments.

24 Primarily there are three legal
25 documents that were prepared and

2 submitted to Mark Taylor. We got
3 comments from him and those are being
4 revised and addressed, and then we have
5 to do the cost estimates, submit them to
6 Pat and then have the Town Board approve
7 the amounts for the bonds. Those are
8 the main items that still have to be
9 addressed.

10 CHAIRMAN EWASUTYN: Questions
11 from Board Members.

12 MR. DOMINICK: No.

13 MS. DeLUCA: No.

14 CHAIRMAN EWASUTYN: No.

15 MR. BROWNE: No.

16 MS. CARVER: No.

17 MR. WARD: No.

18 CHAIRMAN EWASUTYN: The date that
19 we're going to put out here for --

20 MR. HINES: As Darren mentioned,
21 the previous extension was to 7 August
22 2025. Six months would bring us to 7
23 February 2026.

24 CHAIRMAN EWASUTYN: Would someone
25 move for that motion, to grant the

2 extension.

3 MS. CARVER: So moved.

4 MS. DeLUCA: Second.

5 CHAIRMAN EWASUTYN: I have a motion
6 by Lisa Carver. I have a second by
7 Stephanie DeLuca. Can I have a roll call
8 vote starting with Dave Dominick.

9 MR. DOMINICK: Aye.

10 MS. DeLUCA: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12 MR. BROWNE: Aye.

13 MS. CARVER: Aye.

14 MR. WARD: Aye.

15 MR. DOCE: Thank you.

16

17 (Time noted: 7:04 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD
----- X
In the Matter of

ADS PROPERTIES - CAR WASH
(2021-04)
1295 Route 300
Section 95; Block 1; Lot 14.1
IB Zone

----- X

ARB - SIGNAGE APPROVAL

Date: July 17, 2025
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: GRACE RUSESKAS

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The second item
3 of business is ADS Properties - Car Wash.
4 It's here for ARB for signage approval.
5 It's project number 21-04. It's located
6 on Route 300 in an IB Zone. It's being
7 represented by Grace Ruseskas.

8 MS. RUSESKAS: Close enough.

9 So yes, my name is Grace Ruseskas.
10 I work for the GNS Group in Poughkeepsie.

11 Splash Car Wash had asked me to
12 propose for them signage for both their
13 building and a freestanding sign. I
14 would like you folks to approve them. I
15 believe that they're all code compliant.
16 I don't see anything here that says that
17 they are not.

18 MR. DOMINICK: Read the highlighted
19 section.

20 MS. RUSESKAS: Yes. Would you like
21 a description of the signs? How shall I
22 proceed?

23 CHAIRMAN EWASUTYN: It would be
24 nice to have some conversation.

25 MS. RUSESKAS: Okay. Excellent.

2 Do you have the plans that I submitted?

3 CHAIRMAN EWASUTYN: Yes.

4 MS. CARVER: Yes.

5 MS. RUSESKAS: The signs that we're
6 proposing are an internally illuminated
7 channel sign which has the Splash logo
8 with the channel letters on the opposite
9 end of the building that proclaim that
10 clearly this is a car wash. It's a brand
11 standard for Splash and has been very
12 effective for them.

13 CHAIRMAN EWASUTYN: Questions or
14 comments from Board Members.

15 MR. WARD: Do you have other
16 signage? You have more than just that
17 sign, right, the post?

18 MS. RUSESKAS: For the building
19 it's just these two signs.

20 MR. WARD: I thought there was more
21 with the ARB than that.

22 MR. HINES: There's a freestanding
23 sign.

24 MS. RUSESKAS: Yes. Yes. This is
25 the freestanding sign that we are

1 proposing.

2 MR. WARD: Thank you.

3 MS. RUSESKAS: This is an
4 electronic message center which I had
5 given them the information from the code
6 about how it must dim and how often it
7 can change. They are well aware of what
8 they need to do to maintain the sign.

9 They also do say that they will
10 communicate any of the alerts or warnings
11 that are required for them. They would
12 like to serve the community in that
13 respect.

14 The rest of the sign, the letters
15 are internally illuminated and this logo
16 will light just as these do on the
17 building.

18 CHAIRMAN EWASUTYN: Jim Campbell,
19 Code Compliance, can you comment, please.

20 MR. CAMPBELL: So basically an
21 electronic messaging board does require a
22 special use by this Board.

23 MS. RUSESKAS: Okay.

24 MR. CAMPBELL: That would have to
25

2 be applied for.

3 MS. RUSESKAS: Okay. So this Board
4 can't grant that this evening? That's
5 not something that they can do?

6 CHAIRMAN EWASUTYN: Pat Hines, Jim
7 Campbell, a response. Dominic Cordisco.

8 MR. CORDISCO: The electronic sign,
9 it's a separate special permitted use per
10 the code, so it requires a public
11 hearing. It requires a separate
12 application for the special permitted
13 use. That's a condition of the code.

14 The remaining signage, if the Board
15 chooses, could be approved tonight since
16 it is compliant.

17 If you want to proceed with the
18 electronic sign, then you would need to
19 make an application for the special
20 permitted use. It triggers certain
21 procedural requirements. It has to be
22 referred to the County Planning
23 Department, for instance. It also
24 requires, as I said, a public hearing.
25 It's a process that will take some time.

2 MS. RUSESKAS: Okay. It could be
3 permitted without that, I mean as the
4 structure, and this be left vacant until
5 such time as it's approved?

6 MR. CORDISCO: As long as the
7 monument sign --

8 MR. CAMPBELL: Are you talking
9 about omitting the message board
10 component?

11 MS. RUSESKAS: Until it's approved.

12 MR. CAMPBELL: I would think that
13 would be -- as long as that component is
14 that there.

15 MR. HINES: I think it's going to
16 be there. They're not going to turn it
17 on. You can't construct it and then not
18 turn it on. That wouldn't be an issued
19 permit.

20 MS. RUSESKAS: Okay. So we would
21 hold off on this entire sign until we
22 were granted a permit then? That's how
23 that would function?

24 CHAIRMAN EWASUTYN: Right.

25 MS. RUSESKAS: All right.

2 CHAIRMAN EWASUTYN: So then the
3 action before us this evening, Dominic
4 Cordisco, Planning Board Attorney?

5 MR. CORDISCO: It would be to
6 consider ARB approval for the signage as
7 proposed with the exception of the
8 monument sign with the electronic
9 signage, and that would require a special
10 use permit from the Board.

11 MS. RUSESKAS: Okay. All right.
12 Then I will see you again for that.

13 CHAIRMAN EWASUTYN: So we're going
14 to move for a motion to grant approval
15 subject to the reservation by Planning
16 Board Attorney Dominic Cordisco. Would
17 someone move for that motion.

18 MR. WARD: So moved.

19 MR. DOMINICK: Second.

20 CHAIRMAN EWASUTYN: I have a motion
21 by John Ward. I have a second by Dave
22 Dominick. Can I have a roll call vote
23 starting with Dave Dominick.

24 MR. DOMINICK: Aye.

25 MS. DeLUCA: Aye.

2 CHAIRMAN EWASUTYN: Aye.

3 MR. BROWNE: Aye.

4 MS. CARVER: Aye.

5 MR. WARD: Aye.

6 CHAIRMAN EWASUTYN: Special use
7 permits, in general, require a \$2,000
8 fee. When you do make out that
9 application and move forward on it,
10 you'll need to provide that necessary
11 fee.

12 MS. RUSESKAS: Okay.

13 MR. DOMINICK: Ma'am, that handout
14 I gave you explains what Mr. Campbell
15 said.

16 MS. RUSESKAS: Wonderful. Thank
17 you very much.

18 MR. CORDISCO: Mr. Chairman, would
19 you like me to prepare an ARB resolution
20 of approval?

21 CHAIRMAN EWASUTYN: Please. Thank
22 you.

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24 (Time noted: 7:10 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD
----- X
In the Matter of

LANDS OF HUDSON MARINE CORP.
(2025-14)
342 Quaker Street
Section 3; Block 1; Lot 53.2
AR Zone

----- X

TWO-LOT SUBDIVISION

Date: July 17, 2025
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN

----- X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The third item
3 of business this evening is a two-lot
4 subdivision for the Lands of Hudson
5 Marine Corp., project number 25-14. It's
6 located on Quaker Street in an AR Zone.
7 Jonathan Millen is representing it.

8 MR. MILLEN: Yes. I believe that
9 we've addressed the issues from the last
10 notices.

11 We did put a 50-foot strip here.

12 We distributed all of the
13 adjoiners' notices.

14 I will be developing the deed
15 descriptions for the right-of-way
16 portions that are being dedicated to the
17 Town.

18 We did locate the sanitary
19 subsurface system.

20 I understand the Planning Board is
21 going to make a SEQRA determination and
22 potentially schedule a public hearing for
23 this.

24 CHAIRMAN EWASUTYN: I think what
25 the Board will be doing this evening is

2 scheduling the public hearing. After
3 the public hearing we'll make that
4 final SEQRA determination.

5 MR. MILLEN: Okay.

6 CHAIRMAN EWASUTYN: Comments from
7 Jim Campbell.

8 MR. CAMPBELL: I have no comments.

9 CHAIRMAN EWASUTYN: Pat Hines.

10 MR. HINES: They've addressed our
11 previous comments.

12 As Mr. Millen said, they've
13 increased the size of the strip of land
14 out to Quaker Street. Should the balance
15 of the parcel ever be developed, they can
16 avoid the wetland areas that are
17 depicted.

18 Dedication documents will have to
19 be submitted at final approval.

20 The septic system was depicted, the
21 existing system on lot 1.

22 It would be appropriate to schedule
23 a public hearing at this time.

24 CHAIRMAN EWASUTYN: Pat Hines, what
25 recommended date would you have for the

2 public hearing?

3 MR. HINES: There are five
4 Thursdays in July. We could do as early
5 as the 7th of August.

6 CHAIRMAN EWASUTYN: Questions or
7 comments from Board Members.

8 MR. DOMINICK: No.

9 MS. DeLUCA: No.

10 MR. BROWNE: No.

11 MS. CARVER: No.

12 MR. WARD: No.

13 CHAIRMAN EWASUTYN: Would someone
14 move for a motion to schedule a public
15 hearing on the 7th of August for the
16 Lands of Hudson Marine Corp.

17 MR. DOMINICK: So moved.

18 MS. DeLUCA: Second.

19 CHAIRMAN EWASUTYN: I have a motion
20 by Dave Dominick. I have a second by
21 Stephanie DeLuca. Can I have a roll call
22 vote starting with Dave.

23 MR. DOMINICK: Aye.

24 MS. DeLUCA: Aye.

25 CHAIRMAN EWASUTYN: Aye.

1 L a n d s o f H u d s o n M a r i n e C o r p .

20

2 MR. BROWNE: Aye.

3 MS. CARVER: Aye.

4 MR. WARD: Aye.

5 CHAIRMAN EWASUTYN: Thank you.

6 MR. MILLEN: Thank you.

7

8 (Time noted: 7:13 p.m.)

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

I, MICHELLE CONERO, a Notary Public
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IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO

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

- - - - - X

In the Matter of

FANA DEVELOPMENT, LLC
(2025-21)

Sarvis Lane
Section 17; Block 1; Lot 19
RR Zone

- - - - - X

THREE-LOT SUBDIVISION

Date: July 17, 2025
Time: 7:14 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number 4
3 is the initial appearance for a three-lot
4 subdivision for Fana Development, LLC,
5 project number 25-21. It's located on
6 Sarvis Lane in an RR Zone. Again it's
7 being represented by Jonathan Millen.

8 Jonathan.

9 MR. MILLEN: There are three lots.
10 One is showing a 15-foot wide driveway.
11 We're going to increase that access strip
12 to 25-feet wide.

13 I think with respect to -- we will
14 design turnouts and we will put in a
15 driveway per the Town's requirements.
16 We'll also put, I'm thinking at least two
17 culverts, maybe three along this driveway
18 leading to the back.

19 We'll prepare the adjoiners'
20 notices.

21 We'll also do the grading for the
22 entire parcels.

23 Also, this involves another
24 dedication. We'll be writing fee
25 descriptions for dedicating the portion

2 that is within the Town right-of-way.

3 CHAIRMAN EWASUTYN: For the record,
4 Jim Campbell, Code Compliance.

5 MR. CAMPBELL: Jonathan Millen, I
6 think he touched on all of my comments.

7 Basically the dimension of the
8 driveway, I scaled it, the longest
9 driveway, and it's 10 feet. It has to be
10 a minimum of 12.

11 You mentioned the turnarounds and
12 the turnouts.

13 CHAIRMAN EWASUTYN: Thank you.

14 Pat Hines with MH&E.

15 MR. HINES: Jonathan addressed our
16 comment regarding the widening of the
17 15-foot strip to 25.

18 There is a highway dedication
19 proposed.

20 The highway superintendent's
21 comments on the driveway locations should
22 be received.

23 There should be culverts depicted
24 on the driveways at Sarvis Lane.

25 Code Compliance's comments we just

2 discussed.

3 The project identifies three-
4 quarters of an acre of disturbance. Any
5 disturbance greater than one acre will
6 require a DEC permit.

7 We'll be looking to receive the
8 subsurface sanitary disposal systems and
9 details.

10 I'll work with Jonathan's office to
11 get the adjoiners' notices out after this
12 meeting.

13 The EAF did identify potential
14 wetlands on the site, but a review of the
15 site and the DEC environmental resource
16 mapper does not identify any wetlands on
17 the site, so that's a nonissue.

18 Adjoiners' notices are the only
19 action we could take tonight.

20 CHAIRMAN EWASUTYN: At some point
21 in time he'll need the highway super's
22 approval of the location of the driveway?

23 MR. HINES: Correct. That was in
24 my comments.

25 CHAIRMAN EWASUTYN: You'll work

2 with Pat Hines on the adjoiners' notice.

3 MR. MILLEN: Yes. Okay. We're
4 good. Thank you so much. Have a great
5 evening.

6

7 (Time noted: 7:17 p.m.)

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

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for and within the State of New York, do
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That hereinbefore set forth is a true
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I further certify that I am not
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proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO

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

- - - - - X

In the Matter of

ATHBOY ROAD
(2024-36)

Athboy Road
Section 8; Block 1; Lot 105
AR Zone

- - - - - X

FOUR-LOT SUBDIVISION

Date: July 17, 2025
Time: 7:18 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: CHRISTOPHER TERRIZZI

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number 5,
3 Athboy Road. It's a four-lot subdivision
4 located on Athboy Road, project number
5 24-36. It's in an AR Zone. It's being
6 represented by Chris Terrizzi.

7 MR. TERRIZZI: Good evening,
8 Chairman. Thank you. I'm Chris Terrizzi
9 representing the four-lot subdivision at
10 the end of Athboy Road.

11 Last I was here, the Board
12 authorized a submission to County
13 Planning. They came back recently with
14 a Local determination.

15 I believe they also sent a notice
16 to the Town of Marlborough. They
17 came back with no concern.

18 The outstanding comments as far
19 as I'm aware and according to Pat's
20 list, I owe you a bald eagle note on
21 the plans, which I'll add; the
22 stormwater permit, which I have; the
23 driveway access and maintenance
24 agreements, which those are in
25 progress. I think that's -- I

2 believe I've addressed all the other
3 comments.

4 At this time we're seeking the
5 SEQRA determination and a public
6 hearing.

7 CHAIRMAN EWASUTYN: Comments from
8 Jim Campbell.

9 MR. CAMPBELL: I have no comments
10 on this one.

11 CHAIRMAN EWASUTYN: Pat Hines with
12 MH&E.

13 MR. HINES: We did hear back from
14 the County on 7 June with a Local
15 determination.

16 We heard back, I believe today,
17 from the Town of Marlborough stating that
18 they have no objection to the project as
19 it's located on the Town line.

20 The notes on the subdivision plan
21 must be added.

22 DEC came back with a suggestion
23 that notes be added to the plans to
24 mitigate any impacts to the overwintering
25 eagle population along the river.

2 A construction stormwater permit
3 will be required.

4 Compliance with the Tree
5 Preservation Ordinance has been
6 documented.

7 A driveway access and maintenance
8 agreement is required.

9 A public hearing is required and
10 could be scheduled at this time.

11 CHAIRMAN EWASUTYN: Comments from
12 Board Members. Dave Dominick.

13 MR. DOMINICK: Nothing further.

14 MS. DeLUCA: No.

15 CHAIRMAN EWASUTYN: No comment.

16 MR. BROWNE: No comment.

17 MS. CARVER: No comment.

18 MR. WARD: No comment.

19 CHAIRMAN EWASUTYN: Would someone
20 move for a motion to schedule Athboy Road
21 for a public hearing for the 7th of
22 August.

23 MR. WARD: So moved.

24 MS. CARVER: Second.

25 CHAIRMAN EWASUTYN: I have a motion

2 by John Ward. I have a second by Lisa
3 Carver. Can I have a roll call vote
4 starting with Dave Dominick.

5 MR. DOMINICK: Aye.

6 MS. DeLUCA: Aye.

7 CHAIRMAN EWASUTYN: Aye.

8 MR. BROWNE: Aye.

9 MS. CARVER: Aye.

10 MR. WARD: Aye.

11 CHAIRMAN EWASUTYN: Chris, we'll
12 make a SEQRA determination at the close
13 of the public hearing.

14 MR. TERRIZZI: Sounds good. Thank
15 you.

16

17 (Time noted: 7:21 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD
----- X
In the Matter of

POPPY LANE
(2025-22)

North of Lester Clark Road
Section 6; Block 1; Lots 113, 114 & 115
Section 108.3; Block 4; Lot 24.210
AR Zone

----- X
AMENDED THREE-LOT SUBDIVISION

Date: July 17, 2025
Time: 7:21 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X
MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The sixth item
3 of business this evening is Poppy Lane.
4 It's an initial appearance for an amended
5 three-lot subdivision, project number
6 25-22. It's located north of Lester
7 Clark Road in an AR Zone. It's being
8 represented by Ross Winglovitz.

9 MR. WINGLOVITZ: Good evening.
10 Ross Winglovitz, Engineering & Surveying
11 Properties. I'm here regarding the Poppy
12 Lane Subdivision.

13 This is a recycle. Unfortunately
14 the owner had advanced it. We had gotten
15 conditional final approval. I think
16 maybe the only one that wasn't here was
17 Lisa at the time.

18 There were a couple of conditions.
19 We met most of them. One of them was
20 locating the end of the pipe that we're
21 connecting to. It goes down the road,
22 down Lester Clark Road and it disappears.
23 We dye tested and hadn't found anything.
24 The next step was to camera it, and then
25 things got put on hold.

2 They did post a bond. I'll have to
3 dig it out. I was told anyway. I think
4 I saw a copy a year or so ago.

5 What we'd like to do is go through
6 the process to get it reapproved.

7 All of the lots exist.

8 There was a subdivision road that
9 was really not buildable in the
10 configuration that it was. We've
11 designed a new road. There were a couple
12 of waivers required as part of that
13 design so that these existing three lots
14 can have adequate and safe access.

15 That's it.

16 CHAIRMAN EWASUTYN: What are the
17 waivers?

18 MR. WINGLOVITZ: It was road grade
19 and, let's see, cul-de-sac termination.

20 CHAIRMAN EWASUTYN: The proposed
21 road grade will be at what percent?

22 MR. WINGLOVITZ: Good question.

23 MR. HINES: It's the grade at the
24 road -- at the intersection where the
25 negative 2 percent is required. That

2 would cause significant grading if that
3 wasn't put in there.

4 MR. WINGLOVITZ: We're right
5 against one of the original lots out of
6 the subdivision, so we need to come in a
7 little bit steeper and not have the
8 negative grade so we can grade on to that
9 existing lot that was sold out of the
10 subdivision.

11 CHAIRMAN EWASUTYN: Comments from
12 Pat Hines, MH&E.

13 MR. HINES: This is being
14 considered a new application as the
15 previous one lapsed.

16 Our existing comments from May 19,
17 2022 are outstanding and should be
18 addressed. I did provide the Board a
19 copy of it as well as the previous
20 resolution.

21 We just talked about the waivers,
22 the percent grade of the private roadway
23 at the entrance and a waiver for a
24 cul-de-sac in favor of the, I'll call it
25 half a hammerhead turnaround there.

2 MR. WINGLOVITZ: Fire apparatus/
3 hammerhead turnaround.

4 MR. HINES: A new public hearing
5 will be required.

6 You issued a negative dec on 6
7 January 2022 which I believe would
8 continue to be valid, unless Dominic
9 thinks otherwise.

10 MR. CORDISCO: I do not.

11 CHAIRMAN EWASUTYN: You agree?

12 MR. CORDISCO: I do.

13 CHAIRMAN EWASUTYN: Good.

14 Comments from Board Members. Dave
15 Dominick.

16 MR. DOMINICK: Nothing further.

17 MS. DeLUCA: Nothing.

18 CHAIRMAN EWASUTYN: No comment.

19 MR. BROWNE: Nothing.

20 MS. CARVER: Nothing further.

21 MR. WARD: No comments.

22 CHAIRMAN EWASUTYN: So then this
23 evening we'll start with the adjoiners'
24 notice.

25 MR. HINES: Yes.

2 CHAIRMAN EWASUTYN: Then we'll
3 coordinate with the Town of Marlborough.

4 MR. HINES: It needs adjoiners'
5 notices. It will eventually have to get
6 circulated to Marlborough.

7 I'd like to have those drainage
8 issues resolved prior to scheduling the
9 public hearing. I believe we heard some
10 input from some of the neighbors at the
11 last public hearing regarding the
12 drainage.

13 MR. WINGLOVITZ: We'll have to
14 camera it.

15 MR. HINES: It also has to go to
16 County Planning I believe.

17 MR. CORDISCO: Correct.

18 CHAIRMAN EWASUTYN: Are we in a
19 position to circulate to County Planning
20 now?

21 MR. HINES: For a subdivision, this
22 has enough information for them. They're
23 not going to get involved in the
24 drainage.

25 MR. CORDISCO: As well as the Town

3 CHAIRMAN EWASUTYN: Just for the
4 record, would the Board approve
5 circulation of Poppy Lane, project number
6 25-22, to the Orange County Planning
7 Department and to the Town of Marlborough.

9 MS. CARVER: Second.

14 MR. DOMINICK: Aye.

16 CHAIRMAN EWASUTYN: Aye.

18 MS. CARVER: Aye.

19 MR. WARD: Aye.

20 MR. WINGLOVITZ: Thank you. I'll
21 work with Pat on those items.

22 CHAIRMAN EWASUTYN: While we have
23 your attention for a second, I know you
24 circulated the Monarch Drive senior
25 housing project, you're in the final

2 stages or nearing. Can you speak on
3 that?

4 MR. WINGLOVITZ: Certainly.
5 Monarch Drive was approved just under two
6 years ago. Part of the problem was DOT's
7 desire for a left-turn lane improvement
8 at the Stewart's. What we've done is
9 worked with the Town regarding a fair
10 share agreement. There was a study done
11 I think by Ken's office. A fair share
12 agreement has been worked out. I think
13 the terms are worked out and they are
14 just finalizing it between Mark Taylor,
15 the Town, my client and John Cappello.
16 That was really the kind of final, most
17 difficult piece that needed to be worked
18 out. That's been worked out.

19 We're finalizing stormwater
20 agreements, outside user sewer
21 agreements. We had gotten all the
22 outside agency permits.

23 I think we're in good shape to
24 bring that to the Board for signature
25 once Pat looks at it and whatever bonds

2 have to be posted, obviously, prior to
3 signing the plat, and fees paid.

4 CHAIRMAN EWASUTYN: While we have
5 the opportunity, any questions or
6 comments from Planning Board Members?

7 MR. DOMINICK: No.

8 MS. DeLUCA: No.

9 MR. BROWNE: No.

10 MS. CARVER: No.

11 MR. WARD: No.

12 CHAIRMAN EWASUTYN: Thank you for
13 your time.

14

15 (Time noted: 7:25 p.m.)

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MICHELLE CONERO

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

- - - - - X

In the Matter of

LANDS OF ZAPPONE
(2025-23)

35 & 41 Lattintown Road
Section 9; Block 3; Lots 12.1 & 12.2
R-3 Zone

- - - - - X

LOT LINE CHANGE

Date: July 17, 2025
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The seventh
3 item of business is Lands of Zappone.
4 It's an initial appearance for a lot line
5 change, project number 25-23.

6 MR. WINGLOVITZ: Good evening
7 again. Ross Winglovitz --

8 CHAIRMAN EWASUTYN: I thought Brian
9 was going to be here.

10 MR. WINGLOVITZ: -- on behalf of
11 the applicant.

12 CHAIRMAN EWASUTYN: That's what Jay
13 had said.

14 MR. WINGLOVITZ: Brian was going to
15 be here. I had to be here for Poppy, so
16 I'm subbing.

17 There are two existing lots with
18 two houses. All the applicant is
19 proposing to do is to delete this lot
20 line so the house here is on a smaller
21 lot. What they're going to do is delete
22 that lot line.

23 The other house that they own is on
24 a much larger, kind of horseshoe shaped
25 parcel. The horseshoe shaped parcel will

2 be deleted. This will be a more
3 traditional lot. Lot 1 has the property
4 added to the rear and then the property
5 with the main house on lot 2 is on the
6 corner.

7 It's a lot line change. No new
8 lots, no new construction proposed.

9 CHAIRMAN EWASUTYN: Jim Campbell,
10 Code Compliance.

11 MR. CAMPBELL: On lot 2, the pool
12 house, deck, covered deck they show as
13 .7. That would require a variance.
14 5 foot is required.

15 MR. WINGLOVITZ: That was not part
16 of any initial application, I guess, from
17 the applicant when they got their permit
18 for that?

19 MR. CAMPBELL: They documented that
20 it was 30 feet away.

21 MR. WINGLOVITZ: All right. I'll
22 inform them.

23 MR. HINES: This needs adjoiners'
24 notices to be circulated.

25 Referral to the ZBA for the

2 deficiency, 5 feet required where .7 feet
3 exists.

4 It's a Type 2 action.

5 No public hearing is required.

6 Referral to the ZBA and adjoiners'
7 notices would be the action tonight.

8 We did confirm that each of the
9 lots are served by municipal water which
10 gives them the reduced lot size in that
11 zone.

12 CHAIRMAN EWASUTYN: Comments from
13 Board Members.

14 MR. DOMINICK: No.

15 MS. DeLUCA: No.

16 MR. BROWNE: No.

17 MS. CARVER: No comment.

18 MR. WARD: No comment.

19 CHAIRMAN EWASUTYN: You'll work on
20 the adjoiners' notice with Pat Hines.

21 Dominic Cordisco, Planning Board
22 Attorney, will prepare a referral letter
23 to the Zoning Board of Appeals.

24 MR. CORDISCO: Yes, sir.

25 MR. WINGLOVITZ: Thank you very

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L a n d s o f Z a p p o n e

much.

(Time noted: 7:28 p.m.)

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

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MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD
----- X
In the Matter of

ELEVATED DREAMS CANNABIS RETAIL DISPENSARY
(2025-13)

190 South Plank Road
Section 64; Block 2; Lot 16
R-1 Zone

----- X
AMENDED SITE PLAN & SPECIAL USE PERMIT

Date: July 17, 2025
Time: 7:28 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: FLOYD JOHNSON

----- X
MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Item number
3 eight is Elevated Dreams Cannabis Retail
4 Dispensary. It's for an amended site
5 plan and special use permit. It's
6 located on South Plank Road in an R-1
7 Zone. It's being represented by Floyd
8 Johnson.

9 MR. JOHNSON: Good evening. The
10 site plan has been revised to show the
11 site as it exists, all the items in the
12 rear of the building, all the parking and
13 the parking on the east side of the
14 property.

15 In so doing, we are seven spaces
16 shy of the requirement. We are proposing
17 to add additional parking to meet our
18 requirement. We're proposing to add two
19 parking spaces in this area right here on
20 the east side of the property. On the
21 west side, north of the property, we're
22 proposing to add four parking spaces in
23 this area and one along the retainer on
24 the north side of the property in order
25 to meet our requirement.

1 CHAIRMAN EWASUTYN: Thank you.

2 MR. JOHNSON: A lot of the owners
3 are parking in this area anyway, even
4 though there's not parking. There's not
5 parking back there, but they park back
6 there anyway.

7 CHAIRMAN EWASUTYN: Comments from
8 Board Members. Dave Dominick.

9 MR. DOMINICK: Nothing further.

10 MR. JOHNSON: Does the Board want
11 to see the parking back there?

12 CHAIRMAN EWASUTYN: No comment.

13 MR. BROWNE: No comment.

14 MS. CARVER: Nothing further.

15 MR. WARD: No comment.

16 CHAIRMAN EWASUTYN: Jim Campbell,
17 any questions or comments.

18 MR. JAMES CAMPBELL: Just so that
19 you know, the cargo containers are not
20 permitted or not legal there. They would
21 need a permit.

22 Previously I sent the property
23 owners a complaint regarding the
24 freestanding sign, where it's located. I
25

will be adding the cargo containers to that complaint.

On another note, can you submit your cannabis license? Do you have that yet?

MR. SHAWN CAMPBELL: I have a provisional license. We won't be able to obtain that until we have the certificate of occupancy. I have the numbers provisional.

MR. JAMES CAMPBELL: Whatever you can submit. I looked on the one database and I'm not seeing you pending.

MR. SHAWN CAMPBELL: I won't be pending until I get passed.

MR. JAMES CAMPBELL: You can't get passed this without the license.

MR. SHAWN CAMPBELL: I don't know how that works. That's the only way they give the license, is once you get the certificate of occupancy.

MR. HINES: We've had other special use permits for this and they have submitted their licenses.

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MR. SHAWN CAMPBELL: The actual
license?

MR. HINES: Yes.

MR. SHAWN CAMPBELL: I don't know
how they did that then. I have the
paperwork. Everything says I'm a
provisional license. I can submit all of
that to you.

MR. JAMES CAMPBELL: Submit that.

MR. SHAWN CAMPBELL: That's not a
problem.

CHAIRMAN EWASUTYN: Dominic
Cordisco, Planning Board Attorney.

MR. CORDISCO: This is going to
require a public hearing. Given the fact
that it also has a deficient number of
parking spaces --

MS. CARVER: He just addressed
that.

MR. HINES: Floyd just addressed
that. As long as those are depicted on
the next set of plans, they'll be at that
number.

MR. WARD: At work session we

1 mentioned about the striping. Was
2
3 that --

4 MR. HINES: I provided the striping
5 detail that needs to be added to the
6 plan. I sent that to you.

7 MR. JOHNSON: Yes. It will be
8 compliant.

9 MR. HINES: We just need that
10 detail added on the next set.

11 MR. JOHNSON: Okay.

12 MR. HINES: Are they re-striping
13 the entire parking lot?

14 MR. JOHNSON: Am I what?

15 MR. HINES: Are they going to
16 repaint the entire parking lot?

17 MR. JOHNSON: This area here has to
18 be re-striped.

19 MR. HINES: Let's clearly depict on
20 the plan what's going to be re-striped so
21 Code Enforcement knows.

22 MR. JOHNSON: It's very light.

23 MR. SHAWN CAMPBELL: Floyd, what
24 we're doing, we're re-striping, but not
25 the entire parking lot.

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MR. JOHNSON: What?

MR. SHAWN CAMPBELL: We're only re-striping what we're doing, not the entire parking lot.

MR. JOHNSON: We're going to put the striping back as it exists.

MR. HINES: Double stripes. The new striping will match the requirement.

MR. SHAWN CAMPBELL: The ones we're adding on.

MR. HINES: That's my question. I think Mr. Johnson is telling me they're going to re-stripe the whole --

MR. SHAWN CAMPBELL: No. We're just doing what we're --

MR. HINES: I want to clarify for the Board.

MR. SHAWN CAMPBELL: Floyd.

MR. JOHNSON: We're not required to change it.

MR. HINES: The question is whether that's going to be re-striped.

MR. JOHNSON: It will be re-striped.

MR. HINES: Your client is telling

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me no.

MR. SHAWN CAMPBELL: Floyd, we're not re-striping the entire parking lot. We're re-striping what we're adding on.

MR. JOHNSON: We have to stripe this area back so that you can see it. It's very faded. You have to --

MR. HINES: Between now and your next meeting you and your client need to clearly define what's going to happen on the plan.

MR. JOHNSON: If there's going to be a debate --

MR. HINES: That's up to him and his landlord.

MR. JOHNSON: That would be between the owner and --

MR. SHAWN CAMPBELL: We volunteer for the owner then. We don't need to volunteer for the owner. We volunteer for what we are going to put up.

CHAIRMAN EWASUTYN: As Pat suggested, why don't you get it all together and then come up with a solid

reply on the night of the public hearing.

MR. JOHNSON: Yes. It will be re-stripped.

MR. HINES: The project is before you now. It went to County Planning.

We did submit it to DOT on May 2nd. We have not heard back from DOT.

The sixty parking spaces with the additional ones added over the fifty-two I counted. If there's fifty-three, that's fine. There needs to be sixty depicted.

It would be appropriate to schedule a public hearing at this time.

CHAIRMAN EWASUTYN: Dominic Cordisco, any questions or comments?

MR. CORDISCO: No, thank you.

CHAIRMAN EWASUTYN: Would someone move for a motion to schedule a public hearing for Elevated Dreams Cannabis Retail Dispensary for the meeting of the 7th of August.

MR. DOMINICK: So moved.

MR. WARD: Second.

2 CHAIRMAN EWASUTYN: I have a motion
3 by Dave Dominick. I have a second by
4 John Ward. Can I have a roll call vote
5 starting with Dave Dominick.

6 MR. DOMINICK: Aye.

7 MS. DeLUCA: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MR. BROWNE: Aye.

10 MS. CARVER: Aye.

11 MR. WARD: Aye.

12 MR. HINES: We'll have to work to
13 get those notices out as soon as
14 possible. I'll prepare them Friday or
15 Monday for you. There's only three weeks
16 in between because there are five
17 Thursdays.

18 MR. SHAWN CAMPBELL: We sent the
19 notices out.

20 MR. HINES: That was the adjoiners'
21 notice. Now you're going to have a
22 public hearing notice. It's a similar
23 exercise with the posting. I'll send you
24 the same directions. Just because
25 there's a quick window we have. Because

there are five Thursdays, we're able to schedule this for August 7th, otherwise you would have been on the 21st.

MR. SHAWN CAMPBELL: Can you make sure I'm cc'd?

MR. HINES: My assistant is aware of that.

CHAIRMAN EWASUTYN: Comments from Stephanie DeLuca.

MS. DeLUCA: Just a clarification about the license. What's happening with that?

MR. CORDISCO: Certainly it will be a condition of any approval that they have their license. It would be good if you could provide whatever provisional license that you have at this time.

MR. SHAWN CAMPBELL: No problem.

MS. DeLUCA: Thank you.

MR. JOHNSON: Thank you.

(Time noted: 7:36 p.m.)

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Michelle Conero

MICHELLE CONERO

1
2 STATE OF NEW YORK : COUNTY OF ORANGE
3 TOWN OF NEWBURGH PLANNING BOARD
4 - - - - - X
In the Matter of

5 MKJC REALTY, LLC
6 (2025-17)

7 NYS Route 32
8 Section 35; Block 3; Lot 3.22
9 B Zone
10 - - - - - X

11 SITE PLAN

12 Date: July 17, 2025
13 Time: 7:36 p.m.
14 Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

15 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
16 CLIFFORD C. BROWNE
17 LISA CARVER
18 STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

21 APPLICANT'S REPRESENTATIVES: JOHN QUEENAN
22 CHARLES BAZYDLO

23 - - - - - X
24 MICHELLE L. CONERO

25 Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The ninth item
3 of business this evening is a site plan.
4 It's MKJC Realty, LLC, project number
5 25-17. It's located on New York State
6 Route 32. It's in a B Zone. It's being
7 represented by Lanc & Tully.

8 MR. QUEENAN: Good evening, everyone.
9 John Queenan with Lanc & Tully for the
10 applicant. Also with me is Charlie
11 Bazydlo, the applicant's counsel. We're
12 back before you for the amended site
13 plan for MKJC Realty.

14 We reduced the building size in
15 order to accommodate a Dunkin drive-
16 through facility.

17 We did provide Pat with the
18 updated full set of plans.

19 The submission was made for the
20 GML. That was returned back.

21 We made some slight adjustments
22 to the site plan to address Jim's
23 comment about the additional three
24 parking spaces required for, I guess
25 the pull over for the drive-through.

2 We did incorporate that into the
3 plan.

4 We have a total of fifty-three
5 spaces on the site, which meets the
6 code.

7 Ultimately no other changes have
8 been made since we went over it with
9 you last time.

10 CHAIRMAN EWASUTYN: I'll turn the
11 meeting over to Pat Hines with MH&E.
12 Excuse me. I'll turn the meeting over to
13 Ken Wersted with Creighton Manning
14 Engineers.

15 MR. WERSTED: We reviewed the
16 application. It's largely consistent
17 with the previous site plan, the
18 amendment being the drive-through.

19 We did ask to demonstrate that the
20 truck loading area can be accessible,
21 which is a new feature relative to this
22 plan.

23 We understand that the tenant will
24 move from the existing location at the
25 corner by the traffic light over to this

2 location. It's in a much better position
3 relative to cars that are queueing up at
4 the traffic light, blocking the driveway
5 of the existing restaurant. I think a
6 lot of that is resolved with this
7 location.

8 It is adding more traffic to this
9 intersection than we had contemplated
10 under the original application.

11 As you know, working on the
12 warehouse down the road, DOT was looking
13 for a left-turn lane in. I can see that
14 being a requirement here because you are
15 lined up with Weyants Lane. Maybe a left
16 turn in both directions to accommodate
17 traffic in and out. As the office, you
18 weren't having a lot of necessarily
19 turnover. With a proposed Dunkin,
20 there's going to be cars in and out
21 throughout. I anticipate that is what
22 DOT is going to say relative to that.

23 Outside of that, I don't know if
24 you did a traffic study for the original
25 one. I didn't see one. It might have

2 been included as one of the other
3 projects you worked on in that corridor.

4 MR. QUEENAN: I think at the time
5 you had come up with generation rates and
6 you said it wasn't warranted.

7 MR. WERSTED: You have some of the
8 data from the warehouse project. You may
9 be able to expand that to cover this
10 intersection.

11 MR. QUEENAN: You're asking for a
12 traffic study?

13 MR. WERSTED: Yes, I am.

14 That was the extent of our comments.

15 CHAIRMAN EWASUTYN: Thank you.

16 Jim Campbell.

17 MR. CAMPBELL: We would need the
18 information for any proposed signs, menu
19 boards, et cetera for review.

20 ARB is also required for the
21 signage.

22 MR. QUEENAN: We were going to make
23 a separate -- once this got sent, a
24 separate ARB application for all the
25 signage.

2 MR. CAMPBELL: Are you doing
3 message boards or anything?

4 MR. QUEENAN: Not that I'm aware of
5 at this time. A standard sign. We were
6 going to outline the whole site.

7 CHAIRMAN EWASUTYN: Pat Hines with
8 MH&E.

9 MR. HINES: We circulated to Orange
10 County Planning and got a Local
11 determination with an advisory comment to
12 coordinate with DOT.

13 I have some minor technical details
14 that need to be revised regarding the
15 water lines and the septic notes.

16 CHAIRMAN EWASUTYN: John Ward, any
17 questions or comments?

18 MR. WARD: No comment.

19 MS. CARVER: No.

20 MR. BROWNE: No.

21 MS. DeLUCA: No.

22 MR. DOMINICK: No.

23 CHAIRMAN EWASUTYN: We'll
24 reschedule this when?

25 MR. HINES: If the Board goes with

2 Ken's advice for a traffic study and
3 submission to DOT, that would be next in
4 the process.

5 At some point the Board would have
6 to address whether or not to hold a
7 public hearing on the amended plan.

8 CHAIRMAN EWASUTYN: Dominic
9 Cordisco, any questions?

10 MR. CORDISCO: I agree. Thank you.

11 MR. QUEENAN: Okay. Ken, do you
12 want me to coordinate with you for the
13 traffic, what you want to see?

14 MR. WERSTED: Yes, please. I'm on
15 vacation this week.

16 MR. QUEENAN: Okay. Thank you.

17

18 (Time noted: 7:43 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD
- - - - - X
In the Matter of

SPARK CAR WASH
(2023-23)

1229 Route 300
Section 96; Block 1; Lots 4 & 5
IB Zone

- - - - - X

SITE PLAN

Date: July 17, 2025
Time: 7:43 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD

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

APPLICANT'S REPRESENTATIVE: JENNIFER PORTER

- - - - - X

MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The tenth and
3 final item this evening is Spark Car
4 Wash. It's a site plan located on Route
5 300 in an IB Zone. It's being represented
6 by Stonefield Engineering & Design.

7 MS. PORTER: Good evening, Board
8 Members. I'm Jennifer Porter on behalf
9 of Spark Car Wash.

10 We were last here in front of the
11 Board back in May at which time we
12 conducted our public hearing. We did
13 receive a number of comments, both from
14 the Board and Consultants as well as the
15 public.

16 In response to the Board's request,
17 we prepared a detailed response letter
18 that not only addressed all the questions
19 that were raised during that meeting, but
20 we went carefully through the transcript
21 and really tried to address any open
22 items with respect to traffic as well as
23 any lingering site engineering items.

24 We're here this evening. We
25 believe that those comments have fully

2 addressed the issue of traffic.

3 We have our full team present.

4 We're happy to address any questions or
5 comments the Board or its consultants may
6 have regarding the additional information
7 that was submitted.

8 Again, we do believe that that
9 information sufficiently shows that the
10 site as designed can accommodate the
11 traffic, particularly with respect to the
12 contingency plan that we put into place.

13 Beyond that, under that worst-case
14 scenario we've agreed to additional
15 concessions which should give this Board
16 the comfort in order to grant this
17 application approval. We've agreed to a
18 postapproval study that would be
19 conducted so that you'll have real actual
20 data. If in the unlikely scenario that
21 data shows anything inconsistent with
22 what we've testified to, you have the
23 right to come back and ask the applicant
24 to do more.

25 We've also reviewed the comment

2 letters. We've agreed or we are here to
3 agree to all of the information set forth
4 in those additional comments this
5 evening. We're happy to discuss them.

6 I think there were recommendations
7 to show what that additional lane would
8 look like on the plan as well as to
9 provide bonding. We're happy to do that
10 as well.

11 With that, again, we're here to
12 answer any questions. That's it.

13 CHAIRMAN EWASUTYN: Ken Wersted
14 with Creighton Manning Engineers, you had
15 an opportunity to read through their
16 reply, the comments of the last meeting.

17 MR. WERSTED: Certainly. We read
18 through a number of items, some of that
19 coming from the neighboring car wash,
20 correspondence which provided an
21 engineering report. Stonefield had a
22 rebuttal to that along with responses to
23 the comments that came out during the
24 public hearing. I reviewed those and
25 found them all to generally be

2 acceptable.

3 The other engineer, MMA, had
4 provided some trip generation information
5 from a site in New Jersey that wasn't
6 necessarily comparable given that the
7 volumes are quite different in terms of
8 how much traffic was passing by the site
9 compared to the sites that Stonefield had
10 provided which are more comparable to the
11 one being proposed on Route 300 here.

12 We generally found that contingency
13 plan to be satisfactory, however I think
14 there's going to be some logistics that
15 will be challenging implementing that,
16 particularly if there is a busy time and
17 there are people in the vacuums when that
18 contingency plan gets triggered. The
19 plan is to obviously speed up the machine
20 as much as you can and process traffic
21 through that. If it continues to build
22 in terms of queues, it will be using the
23 vacuum area to store vehicles in. I
24 believe the response was that one of the
25 staff members would go out and sort non-

2 members and members. The members would
3 go in through the vacuums because they
4 could join the queue and nonmembers would
5 have to go through the kiosk to continue
6 to do their payment process.

7 I think the challenging part will
8 be if there are people who are already in
9 the vacuums doing their business and that
10 plan becomes triggered, it will take some
11 effort to hold traffic, back a car out,
12 let them go through, et cetera.

13 We had suggested that you also have
14 an option in your operating plan to put a
15 sign out, put some cones out at the
16 entrance just saying temporarily closed,
17 come back later, just in order to process
18 traffic off the site a little bit, create
19 some more storage, reopen it. That would
20 be certainly a much quicker transition
21 from getting to the point of we're full
22 to hey, we have some room to manage.
23 Largely that was our suggestion
24 throughout the recent comment letter that
25 we provided.

2 CHAIRMAN EWASUTYN: Questions or
3 comments from Board Members. Dave
4 Dominick.

5 MR. DOMINICK: Nothing further.

6 MS. DeLUCA: Nothing.

7 CHAIRMAN EWASUTYN: No comment.

8 MR. BROWNE: No comment at this
9 point.

10 MS. CARVER: Nothing further.

11 MR. WARD: No comment right now.

12 CHAIRMAN EWASUTYN: Jim Campbell
13 with Code Compliance.

14 MR. CAMPBELL: I have no comments.

15 CHAIRMAN EWASUTYN: Pat Hines with
16 MH&E.

17 MR. HINES: Our first comment
18 discusses the hydraulic loading from the
19 site, the water use and the recycling.
20 We got additional information from the
21 applicants based on comments received.

22 The City of Newburgh flow
23 acceptance letter will have to be updated
24 based on those flows. Previously 4,000
25 gallons a day was identified. It's going

1 Spark Car Wash

2 to be significantly more than that. I

3 just noted in there that the City of

4 Newburgh, in issuing the previous 4,000

5 gallon a day, identified the site as

6 needing an industrial user permit, which

7 continues.

8 We would like the EAF updated based

9 on the water use and hydraulic loading

10 from the site along with the total trip

11 generation. I know we have peak hour

12 trips that Ken has been reviewing. I

13 suggest for the Board that we get a total

14 number of washes per day, which will also

15 dial into the sanitary sewer flow.

16 We have not made a SEQRA

17 determination yet. I think we'll be

18 looking for that additional information

19 prior to doing that.

20 The EAF and the SWPPP also prepared

21 for the site still identify the site as a

22 class C stream when it's a class A. As

23 you're updating that EAF, please update

24 that as well.

25 That's the status of our comments

2 to date.

3 We do note that a SWPPP was
4 prepared. The site is just under 1 acre
5 and it is in the City of Newburgh's
6 Washington Lake watershed, so we did
7 request that that stormwater pollution
8 prevention plan be prepared and
9 implemented on the site. They have
10 prepared that document as well as the
11 plans depicting the stormwater management
12 facility.

13 CHAIRMAN EWASUTYN: Dominic
14 Cordisco, Planning Board Attorney.

15 MR. CORDISCO: Yes. The Board had
16 opened and closed the public hearing at
17 your May meeting with the unusual
18 provision that additional written public
19 comment would be accepted tied to the
20 response from the applicant. Now that
21 the applicant has responded and
22 resubmitted, my suggestion is, to make
23 the record clear, that you provide a date
24 certain by which any additional written
25 public comment can be received by the

2 Board.

3 CHAIRMAN EWASUTYN: Would you make
4 a recommendation to the Planning Board as
5 far as the date certain?

6 MR. CORDISCO: My recommendation
7 would be a week from today for any
8 additional written public comment to
9 be received by the Board by close of
10 business on Thursday, July 24th.

11 CHAIRMAN EWASUTYN: I'll poll the
12 Board Members. Are they in favor of
13 that. Dave Dominick.

14 MR. DOMINICK: Yes.

15 MS. DeLUCA: Yes.

16 CHAIRMAN EWASUTYN: Yes.

17 MR. BROWNE: Yes.

18 MS. CARVER: Yes.

19 MR. WARD: Yes.

20 MR. CORDISCO: I would just like to
21 note for the record that there are no
22 default approval timeframes running. The
23 Board has not completed its SEQRA review.
24 Even though the public hearing is closed,
25 the application remains pending.

2 CHAIRMAN EWASUTYN: Jennifer
3 Porter, any comments?

4 MS. PORTER: I believe we
5 understand that we have to update the
6 SEQRA form with respect to the EAF so
7 that the Board can ultimately have that
8 information to do its SEQRA determination.
9 You're going to keep the written comment
10 period open for one week. Upon our
11 resubmission and hopefully potentially at
12 the next meeting, we could get to a vote.

13 MR. HINES: Under the inter-municipal
14 agreement with the City of Newburgh, this
15 Board can't take action until the updated
16 flow acceptance letter has been received.

17 MS. PORTER: Got it.

18 MR. CORDISCO: It cannot be done
19 subject to. It's not a condition of the
20 approval.

21 MS. PORTER: Thank you.

22 MR. HINES: I wanted to make that --

23 MS. PORTER: We appreciate it. We
24 won't even ask.

25 CHAIRMAN EWASUTYN: Lisa Carver.

2 MS. CARVER: Nothing.

3 CHAIRMAN EWASUTYN: I thought you
4 had a comment. Okay.

5 MS. PORTER: Great.

6 CHAIRMAN EWASUTYN: Any further
7 comments or discussion?

8 MS. PORTER: Thank you so much.

9 CHAIRMAN EWASUTYN: I would like to
10 have a motion to close the Planning Board
11 meeting of the 17th of July 2025.

12 MS. DeLUCA: So moved.

13 MR. BROWNE: Second.

14 CHAIRMAN EWASUTYN: I have a motion
15 by Stephanie DeLuca. I have a second by
16 Cliff Browne. Can I have a roll call
17 vote starting with Dave Dominick.

18 MR. DOMINICK: Aye.

19 MS. DeLUCA: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. BROWNE: Aye.

22 MS. CARVER: Aye.

23 MR. WARD: Aye.

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25 (Time noted: 7:55 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of July 2025.



MICHELLE CONERO