1	
2	STATE OF NEW YORK : COUNTY OF ORANGE TOWN OF NEWBURGH PLANNING BOARD
3	X
4	In the Matter of
5	NOTT/VITOLO LOT LINE CHANGE (2019-15)
6	
7	Mill Street, Opposite Heinsman Lane Section 4; Block 1; Lots 31.2 & 74 RR Zone
8	X
9	
10	INITIAL APPEARANCE LOT LINE CHANGE
11	Date: August 15, 2019
12	Time: 7:00 p.m. Place: Town of Newburgh
13	Town Hall 1496 Route 300 Newburgh, NY 12550
14	Newburght, Ni 12550
15	BOARD MEMBERS: JOHN P. EWASUTYN, Chairman FRANK S. GALLI
16	CLIFFORD C. BROWNE
17	STEPHANIE DELUCA KENNETH MENNERICH
18	DAVID DOMINICK JOHN A. WARD
19	
20	ALSO PRESENT: PATRICK HINES
21	APPLICANT'S REPRESENTATIVE: CRAIG MARTI
22	x
23	MICHELLE L. CONERO
24	PMB #276 56 North Plank Road, Suite 1
25	Newburgh, New York 12550 (845)541-4163

1	NOTT/VITOLO LOT LINE CHANGE	2
2	CHAIRMAN EWASUTYN: Good evening,	
3	ladies and gentlemen. We'd like to welcome	
4	you to the Town of Newburgh Planning Board	
5	meeting of August 15, 2019.	
6	At this point we'll call the meeting	
7	to order with a roll call vote.	
8	MR. GALLI: Present.	
9	MS. DeLUCA: Present.	
10	MR. MENNERICH: Present.	
11	CHAIRMAN EWASUTYN: Present.	
12	MR. BROWNE: Present.	
13	MR. DOMINICK: Present.	
14	MR. WARD: Present.	
15	MS. CONERO: Michelle Conero,	
16	Stenographer.	
17	MR. HINES: Pat Hines with McGoey,	
18	Hauser & Edsall Consulting Engineers.	
19	CHAIRMAN EWASUTYN: At this point we'l	1
20	turn the meeting over to Frank Galli.	
21	MR. GALLI: Everyone stand, please.	
22	(Pledge of Allegiance.)	
23	MR. GALLI: Please silence your cell	
24	phones.	
25	CHAIRMAN EWASUTYN: We have two agenda	

## NOTT/VITOLO LOT LINE CHANGE

2 items this evening and two Board business items. The first item this evening is a lot line change 3 for Nott/Vitolo. It's on the north side of Mill 4 Street, opposite the Heinsman Lane intersection. 5 б It's in an RR Zone. It's being represented by 7 Craig Marti, part of Valdina Consulting Engineers. 8 9 MR. MARTI: Thank you, Mr. Chairman. 10 The lot line change which is proposed

11 consists basically of the addition of 2 acres to 12 an existing lot that's owned by Mr. Nott which is 13 under .8 acres. The proposal is to transfer just 14 over 2 acres, .01 acres, from the estate of 15 Vitolo to Mr. Nott.

16 The plans as depicted show the DEC 17 wetlands boundary. The wetlands note indicates 18 that nothing can be built there or nothing can be 19 done there without further DEC and Planning Board 20 action that would be necessary in order to go 21 there.

The zoning table as shown reflects the variance which was granted in 1987 for the subdivision of the prior lot which created this adjoining lot to the east of Mr. Nott's property.

## 1 NOTT/VITOLO LOT LINE CHANGE

-	
2	That subdivision, which as approved subsequently
3	in March May of the variance was in March
4	of `87, the subdivision plan was approved in May $$
5	of `87 which established the existing side yards
б	in accordance with that variance action which is
7	reflected in the zoning table. If anybody has
8	any questions, I'll be glad to address that.
9	As noted by Mr. Hines, the final lot
10	line change map that will need to be signed will
11	have the executed and signed DEC title block.
12	The appropriate approval and signature
13	blocks have been reviewed by the Town Attorney,
14	Mr. Taylor, with regard to the estate
15	representation for Mr. Vitolo.
16	If you have any questions I'll be glad
17	to entertain them now.
18	CHAIRMAN EWASUTYN: Questions, Frank?
19	MR. GALLI: I have none.
20	CHAIRMAN EWASUTYN: Stephanie?
21	MS. DeLUCA: No.
22	MR. MENNERICH: No.
23	MR. BROWNE: No.
24	MR. DOMINICK: No.
25	MR. WARD: No.

	1	NOTT/VITOLO LOT LINE CHANGE 5
	2	CHAIRMAN EWASUTYN: Pat Hines?
	3	MR. HINES: Mr. Marti hit on all of my
	4	points. The wetland boundary block needs the
	5	signature of the DEC representative, Mike Kratz.
	б	I did receive a copy from Frank Valdina
	7	of the 1987 variance which created the subject
	8	lot as well as the one next to it which granted
	9	the variances. Those variances survive the
1	.0	subdivision because they were granted. We've had
1	1	projects in the past where they were just pre-
1	2	existing nonconforming and would have to get
1	.3	variances because they would lose their
1	.4	protection. With the variances that were granted
1	.5	in `87, they're fine.
1	.6	I just made a note that the project is
1	.7	located in the Chadwick Lake critical
1	.8	environmental area, however there's no ground
1	.9	disturbance whatsoever. It changes the lot lines
2	0	on the map, so it's not an issue. If there were
2	1	any construction-related activities it would be a
2	2	Type 1 action under SEQRA.
2	3	Lot lines are not considered
2	4	subdivisions under your Zoning Ordinance and no
2	5	public hearings are required.

1	NOTT/VITOLO LOT LINE CHANGE 6
2	We would recommend a negative
3	declaration, and then the Board can take any
4	action it deems fit.
5	CHAIRMAN EWASUTYN: Any questions or
б	comments having heard from Pat Hines?
7	MR. WARD: No.
8	CHAIRMAN EWASUTYN: Would someone make
9	a motion to declare a negative declaration and to
10	approve the lot line change for Nott/Vitolo?
11	MR. WARD: I'll move.
12	MR. DOMINICK: Second.
13	CHAIRMAN EWASUTYN: I have a motion by
14	John Ward, I have a second by Dave Dominick.
15	I'll ask for a roll call vote starting with Frank
16	Galli.
17	MR. GALLI: Aye.
18	MS. DeLUCA: Aye.
19	MR. MENNERICH: Aye.
20	MR. BROWNE: Aye.
21	MR. DOMINICK: Aye.
22	MR. WARD: Aye.
23	CHAIRMAN EWASUTYN: Aye.
24	MR. HINES: Craig, the subject is
25	obviously aware that he's gaining 2 acres of DEC

NOTT/VITOLO LOT LINE CHANGE 7 1 regulated wetlands --2 3 MR. MARTI: Yes, he's aware of that. MR. HINES: -- that are not usable for 4 5 anything? Duck hunting I guess. MR. MARTI: They discussed that. I 6 believe there's a desire for a horse which 7 requires 2 acres, or something of that nature. 8 9 It's a passive use. He's looking to have the 10 extra acres. It started months before Mr. Vitolo 11 12 passed away and then there was a delay in figuring out how to handle it through the estate. 13 It's something that's taken longer than it would 14 seem for such a minor event but it's finally 15 16 there. 17 Thank you. 18 19 (Time noted: 7:04 p.m.) 20 21 2.2 23 24 25

1	NOTT/VITOLO LOT LINE CHANGE
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3	
4	CERTIFICATION
5	
6	
7	I, MICHELLE CONERO, a Notary Public
8	for and within the State of New York, do hereby
9	certify:
10	That hereinbefore set forth is a
11	true record of the proceedings.
12	I further certify that I am not
13	related to any of the parties to this proceeding by
14	blood or by marriage and that I am in no way
15	interested in the outcome of this matter.
16	IN WITNESS WHEREOF, I have hereunto
17	set my hand this 21st day of August 2019.
18	
19	Michelle Conero
20	MICHELLE CONERO
21	MICHELLE CONERO
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2	STATE OF NEW YORK : COUNTY OF ORANGE TOWN OF NEWBURGH PLANNING BOARD
3	In the Matter of
4	III LILE MALLEI OI
5	KOLB RADIOLOGY (2019-18)
б	
7	12 Hudson Valley Professional Plaza Section 75; Block 1; Lot 19.15 B Zone
8	X
9	
10	<u>INITIAL APPEARANCE</u> AMENDED SITE PLAN - CHANGE OF USE
11	Date: August 15, 2019
12	Time: 7:04 p.m. Place: Town of Newburgh
13	Town Hall 1496 Route 300 Newburgh, NY 12550
14	Newburgh, Ni 12550
15	BOARD MEMBERS: JOHN P. EWASUTYN, Chairman FRANK S. GALLI
16	CLIFFORD C. BROWNE
17	STEPHANIE DeLUCA KENNETH MENNERICH
18	DAVID DOMINICK JOHN A. WARD
19	
20	ALSO PRESENT: PATRICK HINES
21	APPLICANT'S REPRESENTATIVE: JAY DIESING
22	X
23	MICHELLE L. CONERO PMB #276
24	56 North Plank Road, Suite 1
25	Newburgh, New York 12550 (845)541-4163

## KOLB RADIOLOGY

2 CHAIRMAN EWASUTYN: Our second and last item is Kolb Radiology. It's located at 3 12 Hudson Valley Professional Plaza, it's an 4 amended site plan, it's in a B Zone and it's 5 being represented by Jay Diesing with Mauri б 7 Architects. MR. DIESING: Good evening. 8 I'm 9 working with Kolb Radiology. They're looking to 10 occupy a portion of the building at 12 Hudson 11 Valley Professional Plaza. It's an existing two-12 story building and it has an attached basically 13 unfinished four-car garage that's there. Kolb is going to occupy the garage. 14 15 We're going to build a small entrance 16 addition here between the two buildings. The 17 floors were different levels. This will allow us 18 to come in and provide handicap accessibility to both sides of the building. 19 20 Looking from the north side of the 21 building where our entrance is going to be, 22 Hudson Valley Professional Plaza runs around 23 This is where the main parking area is. here. Kolb will enter here. We're constructing this 24 25 entrance addition.

KOLB RADIOLOGY

There's four overhead doors that are in 2 this garage. They'll be removed. There will be 3 just one door to access the MRI equipment and 4 then a couple windows. 5 The rest of the building is going to be 6 finished. The entrance addition will be finished 7 with all the same materials that are already on 8 9 the building, same color, same shingles. 10 We're not really proposing any major 11 changes to the site. We are going to cap the 12 pavement, re-stripe. 13 There are a couple of light poles that 14 are here that are damaged. There's one here 15 that's damaged. We're going to put that back up. 16 We're not really proposing any other additional 17 lighting or changes on the site. 18 I got Mr. Hines' comment letter today 19 about landscaping being overgrown, extra details 20 on the double lined striping and noting all the 21 handicap spots. We will do that. I think that's 22 about it. 23 Any questions or comments, I look 24 forward to it. 25 CHAIRMAN EWASUTYN: Board Members?

KOLB RADIOLOGY 1 12 2 MR. GALLI: The recapping of the parking lot, could you define recapping? 3 MR. DIESING: Just a one-inch top. 4 5 MR. GALLI: One inch. It's in pretty 6 rough shape. 7 MR. DIESING: It is. MR. GALLI: Is one inch going to be 8 9 enough? 10 MR. DIESING: We'll have to look at it. 11 We can get a paver out there to make a 12 recommendation. MR. GALLI: If you have all the 13 14 equipment there, for one-inch, it's just 15 basically the cost of the blacktop. 16 MR. DIESING: The only thing is then 17 you start riding up on your curbs a little bit more. We could look at going a little bit 18 thicker. 19 20 MR. GALLI: I think it ought to be more 21 than just one inch. 22 MR. DIESING: Okay. 23 CHAIRMAN EWASUTYN: Stephanie? 24 MS. DeLUCA: No. 25 CHAIRMAN EWASUTYN: Ken?

KOLB RADIOLOGY 1 13 2 MR. MENNERICH: Is somebody bringing up the line of MRI shielding? 3 MR. BROWNE: You can. 4 MR. MENNERICH: I forgot who brought it 5 б up. 7 MR. DOMINICK: I did but you can. MR. MENNERICH: At the work session 8 9 there was discussion, and it was Dave that 10 mentioned he was interested in what the line of 11 the MRI shield consisted of. 12 MR. DIESING: I'm not an expert in it 13 but there's different zones as you approach the 14 magnet. The MRI room itself is fully shielded. 15 I guess there's some very minor magnetic activity 16 that you can get outside of the room. We're designating the area right outside. In the 17 parking lot there is no parking because they 18 don't want cars there that can interact with the 19 20 magnet or anything like that. That's basically 21 the only concern is just not having any large 22 objects right out here. 23 MR. DOMINICK: On page 2 of your plans it looked like that shield went around the entire 24 25 perimeter of that room.

KOLB RADIOLOGY

2	MR. DIESING: That's provided by the
3	MRI company. Again, I don't know the exact
4	details of it. I can find out more information
5	if you're interested. Honestly, I don't really
6	know.
7	MR. DOMINICK: That's fine. Just for
8	my own personal knowledge. Thank you.
9	CHAIRMAN EWASUTYN: Will there be any
10	additional signage now that you'll have this
11	equipment?
12	MR. DIESING: We're proposing a small
13	Kolb Radiology sign over the entrance to their
14	space, and then there's a monument sign out by
15	the road. It's right here. There's a blank
16	tenant panel there that they'll put their sign on
17	as well. It's all black lettering. That's their
18	standard corporate logo.
19	CHAIRMAN EWASUTYN: Thank you.
20	MR. BROWNE: Actually a couple things.
21	One follow up on the shielding thing. I would
22	think that there would be some kind of a
23	governmental controller or something on that, how
24	much magnetism can escape, blah, blah, blah. Can
25	you provide that, whatever that is?

KOLB RADIOLOGY

MR. DIESING: I can. I'll find out 2 more information. It's not only just the 3 magnetism but it's also electronics in the area 4 of that machine. They don't want any affect that 5 could cause any distortion in the imaging. Some 6 of those lines have to do with that. I can find 7 out some more information. 8 9 MR. BROWNE: Another thing we talked 10 about at the work session was the handicap 11 parking. You're proposing how many places by the 12 entrance? 13 MR. DIESING: We just proposed one 14 thinking it was for our space. I went back out 15 today after getting Mr. Hines' letter. There are no signs or anything designated for any other 16 parts of the building. By code there should be 17 18 two for this property based on the number of spaces. This parking lot serves the lower level 19 20 of the building. I want to add one down here and 21 I will add one over here for the main entrance. 22 MR. BROWNE: I think in our discussion 23 was folks come in for an MRI. I would assume 24 there would be a fair number of them that would kind of have to be wheeled in. Do you think one 25

KOLB RADIOLOGY 1 2 space is enough near that entrance? MR. DIESING: I can add another one. 3 That's certainly possible. We have a surplus of 4 parking. We could probably get two or three 5 6 there even. 7 MR. BROWNE: I think what we discussed, I think that would be probably more appropriate. 8 9 MR. DIESING: That's no problem. 10 CHAIRMAN EWASUTYN: Dave? 11 MR. DOMINICK: I would just take Pat 12 Hines' comments to heart. This plaza, 13 professional plaza, has been in existence for 14 over a decade. Now is your chance to really 15 upgrade and relook at the landscape feature of 16 this property. 17 MR. DIESING: It's a little overgrown. 18 MR. DOMINICK: It is. A lot overgrown. 19 MR. DIESING: Yeah. 20 MR. DOMINICK: If you can come back 21 with a more modern, pristine landscape design, 22 that would be great. 23 MR. DIESING: Kolb is obviously a tenant. We'll have to go back and get together 24 25 with the landlord and come up with a plan. I

KOLB RADIOLOGY 1 17 will do that. 2 MR. DOMINICK: Thank you. 3 CHAIRMAN EWASUTYN: John Ward? 4 MR. WARD: Back to the blacktop. You 5 have grass coming out of certain areas and 6 7 everything else. Overall I think it all should be recapped, a lot more than an inch. Like inch-8 9 and-a-half, two inches. 10 MR. DIESING: Okay. 11 MR. WARD: I don't care about the 12 curbs. What I'm saying is over a period of time 13 it's going to be affected one way or another. 14 The striping was an important factor. I asked at work session about 15 ambulances. Is there room for them to park or 16 17 back up or --18 MR. DIESING: Yeah. Well ambulances 19 wouldn't -- they don't necessarily come here. 20 They wouldn't bring patients here. If there was 21 some kind of an emergency they would come, like 22 any emergency services would. They wouldn't be 23 delivering patients here. MR. DOMINICK: An ambulette service 24 25 would.

1	KOLB RADIOLOGY 18
2	MR. DIESING: Possibly, yeah.
3	MR. WARD: It's the same thing.
4	MR. DOMINICK: Is there a provision for
5	that?
6	MR. DIESING: Looking quickly, if the
7	service came in they could come in here, back
8	into the area and unload. This is a pretty wide
9	parking aisle there. I think they'd be okay.
10	MR. WARD: At the same time, reference
11	to signage to help that situation. When they're
12	coming in they might be blind to know where they
13	are going.
14	MR. DIESING: Okay.
15	MR. WARD: Landscaping. We were
16	talking by the lower parking lot where the
17	fencing is, it's a little spotty there.
18	MR. HINES: That's actually the upper
19	parking lot.
20	MR. WARD: Upper parking. Excuse me.
21	MR. DIESING: The fencing that's back
22	in here?
23	MR. WARD: Landscaping there.
24	MR. DIESING: I know you pointed out

25 too there are some holes in the buffer to the

KOLB RADIOLOGY 1 19 2 neighbors. I thought we could get a little bit extra evergreen landscaping in there. 3 MR. WARD: Because of the residents. 4 MR. DIESING: 5 Sure. 6 MR. WARD: Thank you. 7 CHAIRMAN EWASUTYN: Pat Hines? MR. HINES: We are a little concerned 8 9 about the no parking. We thought it was probably 10 for some kind of ambulance access. I think if 11 there's not supposed to be vehicles there, maybe 12 some bollards should be put there or something. 13 You may get someone pulling in there. 14 MR. DIESING: Somebody parking there. 15 MR. HINES: The striping might not work 16 the day it's snowing. 17 MR. DIESING: Right. MR. HINES: I think the Board was 18 19 interested in getting some information on the 20 shielding of the building as well. During work 21 session we talked about that. 22 The existing tenant in the building, --23 MR. DIESING: Yes. 24 MR. HINES: -- that is not the 25 radiologist?

1	KOLB RADIOLOGY 20
2	MR. DIESING: No.
3	MR. HINES: I ask the question because
4	it looks like they're sharing restrooms.
5	MR. DIESING: Yes.
6	MR. HINES: That's part of their deal
7	in the lease?
8	MR. DIESING: Yes. We're not proposing
9	new restrooms for this. There are restrooms back
10	here.
11	MR. HINES: You said there was a change
12	in grade?
13	MR. DIESING: Yes. So in the floor
14	plan in your packet you'll see that you enter the
15	vestibule here. On one side you go to Kolb, the
16	other side you go up a ramp to the other tenant.
17	MR. HINES: Pavement detail, that's
18	what we're looking for. We need to have that on
19	the plans so we know what that's going to be.
20	Striping details. We require the
21	double lane striping. I don't believe that's out
22	there now. Town of Newburgh has a standard
23	detail. It will be a four-inch space in between.
24	We talked about the accessible spaces.
25	You can talk to Jerry Canfield about

KOLB RADIOLOGY

1

2 the need for fire suppression sprinklering. I don't know that this building existing is. 3 MR. DIESING: It's not sprinklered now 4 and it wouldn't be required by code. 5 Town of Newburgh has it's MR. HINES: 6 7 own code, more stringent than the State code. You need to take a look at that with Jerry. 8 9 MR. DIESING: Sure. 10 MR. HINES: We talked about the 11 landscaping. This is in the B Zone which abuts 12 an R-3 Zone with an Office Overlay. That gets 13 into the landscaping. It is fairly densely 14 landscaped just naturally between the adjoining 15 There are some gaps. If you can take a houses. 16 look at that. 17 There is a vinyl fence along the 18 property line. I believe it's the resident's fence, but if you could look at that. 19 20 The property is located within 500 feet 21 of Route 84 so it needs to go to County Planning. 22 We didn't have any site lighting 23 details. There is some bollard lighting that may 24 be impacted. 25 MR. DIESING: I saw that. One of them

KOLB RADIOLOGY 1 2 has to move. We'll note that. MR. HINES: We need to address that 3 bollard lighting. 4 The existing dumpster enclosure 5 б couldn't be in worse shape. 7 MR. DIESING: It's funny, the dumpster enclosure is down here. You mentioned putting it 8 9 up here. That's where the dumpster is. 10 MR. HINES: It's kind of like when 11 you're in college and everyone walks somewhere but they don't put the sidewalks there. 12 I think 13 it will function better if they can take a look 14 at that, move that dumpster enclosure where it's 15 useful. It's almost 200 feet away from the 16 building where it's proposed now. It doesn't 17 look very good. 18 The existing landscaping, again it's up 19 to the Board. The landscaping is showing it's 20 age. It's up above the roof of the building in 21 front of the building. Now is the Board's time 22 to get that cleaned up. 23 That's what we have. I think the plans 24 are sufficient to send to County Planning. We'll 25 have to send out the notices to the adjoining

KOLB RADIOLOGY 1 23 2 landowners prior to you coming back. That's all we have. 3 MR. DIESING: Is a public hearing 4 required? That's up to the Board? 5 MR. HINES: It is up to the Board. 6 7 CHAIRMAN EWASUTYN: Would the Board want to hold a public hearing on this? 8 9 MR. GALLI: No. 10 MS. DeLUCA: No. 11 MR. MENNERICH: No. 12 MR. BROWNE: No. MR. DOMINICK: No. 13 MR. WARD: No. 14 15 CHAIRMAN EWASUTYN: Let it be known 16 that the Planning Board waived the public hearing 17 on it. The reason why the Planning Board decided 18 to waive the public hearing? MR. GALLI: It's an existing site that 19 has been around for a long time. The building 20 21 itself isn't changing. Besides the closing off 22 of the back, upgrading the site, there's really 23 no cosmetic change to the fascia of the building 24 or anything like that. 25 MR. MENNERICH: They're going to

KOLB RADIOLOGY 1 24 2 improve the landscaping --CHAIRMAN EWASUTYN: And the screening. 3 MR. MENNERICH: -- next to the R-3 area 4 5 where it's missing. CHAIRMAN EWASUTYN: Let the record show 6 7 that the Planning Board waived the public hearing on Kolb Radiology. Their decision was based upon 8 9 the fact that the property is going to be 10 upgraded with additional landscaping, there's no 11 actual change to the building itself, and that 12 the owner is responsible for making the site more 13 presentable. 14 Okay. Thank you. 15 The next motion is to circulate to the 16 Orange County Planning Department. 17 MR. GALLI: So moved. 18 MR. WARD: Second. 19 CHAIRMAN EWASUTYN: Frank Galli moved 20 to circulate to the Orange County Planning 21 Department. John Ward seconded the motion. I'll ask for a roll call vote. 22 23 MR. GALLI: Aye. 24 MS. DeLUCA: Aye. 25 MR. MENNERICH: Aye.

1 KOLB RADIOLOGY 2 MR. BROWNE: Aye. 3 MR. DOMINICK: Aye. MR. WARD: Aye. 4 5 CHAIRMAN EWASUTYN: Aye. Motion carried. Thank you. 6 7 MR. DIESING: Thank you. (Time noted: 7:18 p.m.) 8 9 10 CERTIFICATION 11 12 I, MICHELLE CONERO, a Notary Public for and within the State of New York, do hereby 13 14 certify: That hereinbefore set forth is a 15 16 true record of the proceedings. I further certify that I am not 17 18 related to any of the parties to this proceeding by blood or by marriage and that I am in no way 19 interested in the outcome of this matter. 20 21 IN WITNESS WHEREOF, I have hereunto 22 set my hand this 21st day of August 2019. 23 24 Michelle Conero 25

MICHELLE CONERO

1 2 STATE OF NEW YORK : COUNTY OF ORANGE TOWN OF NEWBURGH PLANNING BOARD 3 - - - - - - - - - - - - - - - - X In the Matter of 4 5 BJ'S WHOLESALE CLUB - NEWBURGH 6 (2019 - 07)7 Attendance at Work Session on 8-27-19 8 9 - - - - - - - - - - X 10 BOARD BUSINESS Date: August 15, 2019 11 Time: 7:18 p.m. Place: Town of Newburgh 12 Town Hall 1496 Route 300 13 Newburgh, NY 12550 14 15 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman FRANK S. GALLI 16 CLIFFORD C. BROWNE STEPHANIE DeLUCA 17 KENNETH MENNERICH DAVID DOMINICK 18 JOHN A. WARD 19 ALSO PRESENT: PATRICK HINES 20 21 22 - - - - - - - - - - - - X \_ \_ \_ \_ \_ \_ \_ \_ \_ 23 MICHELLE L. CONERO PMB #276 56 North Plank Road, Suite 1 24 Newburgh, New York 12550 (845)541-4163 25

BJ'S WHOLESALE CLUB - NEWBURGH 1 27 2 CHAIRMAN EWASUTYN: The next item of business this evening is under Board Business. 3 I'll ask Mr. Mennerich to read the letter that we 4 received from Mr. Goddard. 5 MR. MENNERICH: It's dated August 7, 6 7 2019 to the Town of Newburgh Planning Board, 1496 8 Route 300, Newburgh, New York, 12550, regarding 9 BJ's, Route 17K, Newburgh. Dear Chairman 10 Ewasutyn, we are hereby requesting a spot on the 11 agenda for the Town of Newburgh consultants' 12 meeting on 8/27/19. Our project civil engineer would attend and work with the Town's 13 14 professionals to resolve technical and other issues. Many thanks, Adrian Goddard. 15 16 MR. HINES: That will be the second item on that agenda. We have the CBPS Self-17 18 Storage already scheduled for that day. 19 CHAIRMAN EWASUTYN: Thank vou. I'11 20 move for a motion to set up BJ's, Route 17K for 21 the consultants' work session on the 27th of 22 August. 23 MR. DOMINICK: I'll make a motion. 24 MR. WARD: Second. 25 CHAIRMAN EWASUTYN: Motion by Dave

1	BJ'S WHOLESALE CLUB - NEWBURGH 28
2	Dominick, second by John Ward. I'll ask for a
3	roll call vote starting with Frank Galli.
4	MR. GALLI: Aye.
5	MS. DeLUCA: Aye.
б	MR. MENNERICH: Aye.
7	MR. BROWNE: Aye.
8	MR. DOMINICK: Aye.
9	MR. WARD: Aye.
10	CHAIRMAN EWASUTYN: Aye.
11	
12	(Time noted: 7:19 p.m.)
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1	BJ'S WHOLESALE CLUB - NEWBURGH
2	
3	
4	CERTIFICATION
5	
б	I, MICHELLE CONERO, a Notary Public
7	for and within the State of New York, do hereby
8	certify:
9	That hereinbefore set forth is a
10	true record of the proceedings.
11	I further certify that I am not
12	related to any of the parties to this proceeding by
13	blood or by marriage and that I am in no way
14	interested in the outcome of this matter.
15	IN WITNESS WHEREOF, I have hereunto
16	set my hand this 21st day of August 2019.
17	
18	Michelle Conero
19	MICHELLE CONERO
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21	
22	
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1 2 STATE OF NEW YORK : COUNTY OF ORANGE TOWN OF NEWBURGH PLANNING BOARD 3 - - - - - - - - - - - - - - - - X In the Matter of 4 5 11 BALMVILLE ROAD 6 (2019 - 17)7 Request for a Waiver of the Public Hearing 8 9 - - - - - - - - - - X 10 BOARD BUSINESS 11 Date: August 15, 2019 Time: 7:20 p.m. Place: Town of Newburgh 12 Town Hall 1496 Route 300 13 Newburgh, NY 12550 14 15 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman FRANK S. GALLI 16 CLIFFORD C. BROWNE STEPHANIE DeLUCA 17 KENNETH MENNERICH DAVID DOMINICK 18 JOHN A. WARD 19 ALSO PRESENT: PATRICK HINES 20 21 22 - - - - - - - - - - - X . . . . . . . . 23 MICHELLE L. CONERO PMB #276 56 North Plank Road, Suite 1 24 Newburgh, New York 12550 (845)541-4163 25

2 CHAIRMAN EWASUTYN: Mr. Mennerich, will
3 you read the second notice?
4 MR. MENNERICH: It's from Engineering &

Surveying Properties, it's dated August 5, 2019. 5 To the Town of Newburgh Planning Board, 308 6 7 Gardnertown Road, Newburgh, New York 12550, attention John Ewasutyn, Chairman, regarding 11 8 9 Balmville Road amended site plan, Town of 10 Newburgh, Orange County, New York. Dear John and 11 Planning Board, in regard to the 11 Balmville Road project, we would respectfully request that 12 13 you consider waiving the requirement for the 14 public hearing at your next Planning Board 15 meeting. Thank you in advance for your 16 consideration. Should you have any questions, 17 please don't hesitate to contact this office. 18 Sincerely, Engineering & Surveying Properties, P.C., Ross Winglovitz, PE, Principal. 19

20CHAIRMAN EWASUTYN: Would someone make21a motion to waive the public hearing?

22 MR. WARD: So moved.

23 MR. GALLI: Second. The reason being 24 this property has had three public hearings 25 already, one when they did the overlay, one when

## 11 BALMVILLE ROAD

2 we did the project and one at the Zoning Board. At that particular time, if any, I don't think 3 4 there was anyone that spoke up on it. What they're doing now is amending the outside of the 5 building site plan to actually take down less 6 7 trees than what they were before. They're actually going to improve their site, not looking 8 9 at 84 and keeping more trees that presently would 10 have been taken down in the future. 11 CHAIRMAN EWASUTYN: Thank you. 12 I have a motion made by John Ward. Т 13 have a second by Frank Galli. We had discussion 14 as to why we agree not to hold a public hearing. At this point I'll move for a roll call starting 15 with Frank Galli. 16 17 MR. GALLI: Aye. 18 MS. DeLUCA: Aye. 19 MR. MENNERICH: Aye. 20 MR. BROWNE: Aye. 21 MR. DOMINICK: Aye. 22 MR. WARD: Aye. 23 CHAIRMAN EWASUTYN: Aye. 24 I'll move for a motion to close the 25 Planning Board meeting of the 15th of August.

1	11 BALMVILLE ROAD 33
2	MR. GALLI: So moved.
3	MS. DeLUCA: Second.
4	CHAIRMAN EWASUTYN: Motion by Frank
5	Galli, a second by Stephanie DeLuca. I'll ask for
6	a roll call vote.
7	MR. GALLI: Aye.
8	MS. DeLUCA: Aye.
9	MR. MENNERICH: Aye.
10	MR. BROWNE: Aye.
11	MR. DOMINICK: Aye.
12	MR. WARD: Aye.
13	CHAIRMAN EWASUTYN: Aye.
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15	(Time noted: 7:22 p.m.)
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1	11 BALMVILLE ROAD
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4	CERTIFICATION
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7	I, MICHELLE CONERO, a Notary Public
8	for and within the State of New York, do hereby
9	certify:
10	That hereinbefore set forth is a
11	true record of the proceedings.
12	I further certify that I am not
13	related to any of the parties to this proceeding by
14	blood or by marriage and that I am in no way
15	interested in the outcome of this matter.
16	IN WITNESS WHEREOF, I have hereunto
17	set my hand this 21st day of August 2019.
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19	Michelle Conero
20	MICHELLE CONERO
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