

1
2 STATE OF NEW YORK : COUNTY OF ORANGE
3 TOWN OF NEWBURGH PLANNING BOARD
4 - - - - - X
In the Matter of
5
6 JOANN MALCOLM TIMBER HARVEST
7 (2025-27)
8 55 New Road
9 Section 34; Block 2; Lot 13
10 R-2 Zone
11 - - - - - X
12
13 PUBLIC HEARING
14 CLEARING & GRADING PERMIT
15
16 Date: October 2, 2025
17 Time: 7:00 p.m.
18 Place: Town of Newburgh
19 Town Hall
20 1496 Route 300
21 Newburgh, NY 12550
22
23 BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
24 KENNETH MENNERICH
25 CLIFFORD C. BROWNE
LISA CARVER
STEPHANIE DeLUCA
DAVID DOMINICK
JOHN A. WARD
ALSO PRESENT: PATRICK HINES
JAMES CAMPBELL
APPLICANT'S REPRESENTATIVE: CHRISTOPHER PRENTIS
- - - - - X
MICHELLE L. CONERO
Court Reporter
845-541-4163
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. The Town of
4 Newburgh Planning Board would like to
5 welcome you to their meeting of the
6 2nd of October. This evening we have
7 five agenda items and one public
8 hearing. Ken Mennerich will read the
9 notice of hearing at that point.

10 We'll start the meeting with a
11 roll call vote.

12 MR. DOMINICK: Present.

13 MS. DeLUCA: Present.

14 MR. MENNERICH: Present.

15 CHAIRMAN EWASUTYN: Present.

16 MR. BROWNE: Present.

17 MS. CARVER: Present.

18 MR. WARD: Present.

19 MS. CONERO: Michelle Conero,
20 Stenographer.

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

23 MR. CAMPBELL: Jim Campbell with
24 Town of Newburgh Code Compliance.

25 CHAIRMAN EWASUTYN: We'll turn the

2 meeting over to John Ward.

3 MR. WARD: Please stand to say the
4 Pledge.

5 (Pledge of Allegiance.)

6 MR. WARD: Please turn off your
7 phones or on vibrate. Thank you.

8 CHAIRMAN EWASUTYN: Our first item
9 is Joann Malcolm. It's a timber harvest,
10 project number 25-27. It's before us
11 this evening for a public hearing for a
12 clearing and grading permit. It's
13 located on 55 New Road in an R-2 Zone.
14 The representative is Lower Hudson
15 Forestry Services.

16 Mr. Mennerich will read the notice
17 of hearing.

18 MR. MENNERICH: "Joann Malcolm
19 Timber Harvest, project 2025-27. The
20 project is a proposed timber harvest on a
21 26.9 plus or minus acre parcel of
22 property. A selective timber harvest
23 will be performed on 22 plus or minus
24 acres of the parcel. The parcel is
25 located in the R-2 Zoning District.

Access to the parcel will be via an adjoining parcel via a gravel driveway at 45 New Road. The timber harvest parcel is known as 55 New Road. The project is proposed to harvest 200 trees at a rate of approximately 9 trees per acre. Timber has been marked in the field with blue paint by a certified forester. The parcels are known on the Tax Maps of the Town of Newburgh as Section 34; Block 2; Lot 13, timber harvest parcel; and Section 34; Block 2; Lot 15.3, landing and loading parcel."

CHAIRMAN EWASUTYN: Chris, would you come forward.

MR. PRENTIS: Good evening. I'm Christopher Prentis, Lower Hudson Forestry Services.

I can just give you a brief overview of the project. As the public hearing notice stated, we're doing a selective harvest of approximately 22 acres at 55 New Road. I've marked all of the trees, 200 in total.

That's approximately 9 per acre.

The landing area and loading area will be located at 44 New Road. It's a small parcel that doesn't have a house on it anymore, but it used to. It has a gravel drive that goes into the back. That's where the landing will be, so quite a ways off of New Road.

There are no DEC regulated wetland restraints.

There are no rare, threatened or endangered species.

The project is not located in one of the Town's critical environmental areas.

Once we're done, all the trails, the landing area will be smoothed, cleaned of debris.

Appropriate best management practices for forestry will be utilized.

CHAIRMAN EWASUTYN: If anyone is here this evening that has any questions, would you raise your hand and give your

2 first name. Thank you.

3 MS. TALBOT: Rose Talbot. I have
4 property that abuts the acreage that
5 you're harvesting.

6 Again, it's dense land. I mean,
7 there are no buildings on it or anything.
8 We abut that property.

9 How can I be assured that you know
10 where our property line is and that
11 there's no, you know, encroaching over
12 into anything that we might have on our
13 property?

14 MR. PRENTIS: Sure. Whereabouts
15 are you on the property? Are you to the
16 north, to the south?

17 MS. TALBOT: We are north.

18 MR. PRENTIS: Okay. So along the
19 north line, almost the entire boundary
20 line is an old stonewall. I did find old
21 survey pins along that wall.

22 MS. TALBOT: That's what I was
23 wondering. As far as the documentation I
24 have, there are pipes and there's a
25 stonewall there. After all these years,

1 I didn't know it still existed.

2 MR. PRENTIS: It's still there.

3 MS. TALBOT: So it's still intact
4 then?

5 MR. PRENTIS: Yes.

6 MS. TALBOT: So you have a line, a
7 demarcation?

8 MR. PRENTIS: Yes. The line is
9 flagged with ribbon. You'll see orange
10 ribbon out there.

11 MS. TALBOT: All right. Thank you.

12 MR. HINES: The trees that are to
13 be harvested are all marked with blue
14 paint as well. They're already marked in
15 the field.

16 MR. PRENTIS: Right. They've
17 actually been marked for a couple of
18 years.

19 MR. HINES: The forester marked
20 them so the loggers know which ones to
21 take and which ones not to.

22 MS. TALBOT: Right. Like I said,
23 it's not property that we go back into.
24 I have no idea what's back there. I just
25

2 know that there's -- our property line is
3 there. I figured somebody else might
4 have been doing it so I'd like to know,
5 you know.

6 MR. PRENTIS: Yup.

7 MS. TALBOT: Okay.

8 CHAIRMAN EWASUTYN: The gentleman
9 in the back.

10 HANK: My name is Hank. My concern
11 is the amount of trees you're taking down
12 on 26 acres or so of property, I guess no
13 consideration was given to the local
14 habitat that live there, bear, deer,
15 raccoons and everything else. They're
16 going to be scattered. Am I correct?
17 They're going to go someplace else? I
18 guess no consideration was given to that.

19 MR. PRENTIS: Well, I mean, this is
20 a selective harvest. We're not talking
21 clear cutting. It's not going to be
22 diminuted of trees. It's still going
23 to be forest lands.

24 Typically in the years after a
25 harvest you're going to get new growth

2 which actually will start pulling in
3 animals, deer, bear, birds, rabbits
4 and things that weren't there to
5 begin with. More often than not -- I
6 could show you pictures and videos of
7 when they're logging, deer will
8 follow the machinery because they
9 know that that's food hitting the
10 ground. They're going after the buds
11 of the trees.

12 You know, displacing animals, I
13 think you'll scatter them, but
14 they'll come back when it's completed.

15 HANK: I'll probably be long
16 gone by then, to be honest with you.

17 MR. PRENTIS: Well, 200 trees
18 shouldn't take long to do. Like I
19 say, within a couple years you'll see
20 new growth coming back.

21 HANK: Is there anything that's
22 going to be proposed to be built on
23 that property?

24 MR. PRENTIS: No.

25 CHAIRMAN EWASUTYN: There's nothing

2 being proposed to be built currently.

3 HANK: Thank you.

4 CHAIRMAN EWASUTYN: The gentleman
5 in the back.

6 MR. MORENO: My name is Edward
7 Moreno. I live on 26 New Road. I've
8 been there since 2013.

9 I don't have an issue with the
10 logging.

11 There are a few issues. Which way
12 are the trucks going to go in and out?

13 I know Ms. Malcolm. I help her out
14 any way I can with her yard, whatever she
15 needs. I know Gary as well.

16 The short time that I've lived
17 there, I never had an issue.

18 The issue I have is, across the
19 road from my house there's a collapsed
20 pipe, a culvert pipe that has created a
21 lot of issues with the weather, with rain
22 and all that. I called so many times to
23 clean it up. Now the weight of the
24 trucks going in and out, is that going to
25 create it to collapse more than it is? I

2 don't know which road they take it to for
3 the logging. I know where Ms. Malcolm
4 lives might be the only access road from
5 what I know. I don't know the whole
6 spectrum of it.

7 I know across the street from my
8 house, supposedly that's an environmental
9 easement or something.

10 That's really the concern I have,
11 because it has created a lot of problems
12 for my property because of the weather.
13 With the snow it creates a sheet of ice
14 because the water doesn't have anywhere
15 to go.

16 There is a collapsed pipe there. I
17 called Public Works many times. I want
18 to say about 50 feet -- there's a utility
19 pole right where the easement goes. I
20 can't give you any numbers. There's a
21 hole there that is getting bigger and
22 bigger. The ideal thing to do is to put
23 a manhole or some kind of catch basin.
24 There is a catch basin on my property.
25 It was mandatory, I believe, when they

2 built and cleaned up my land.

3 That's the question I've got, the
4 weight of the trucks coming in and out.

5 What times of the day will they be
6 in and out? I'm actually across from
7 this.

8 CHAIRMAN EWASUTYN: Pat Hines, who
9 is the Town Engineer and also the
10 Planning Consultant, will be able to
11 speak on your comments.

12 MR. MORENO: Many times I take it
13 upon myself to go over there and try to
14 clean that culvert pipe. It gets clogged
15 up with leaves. Especially this time of
16 year it's going to get clogged up. You
17 need at least 50 or 100 feet to snake it
18 through to the other side of the hole so
19 the water can flow, and then it goes into
20 a catch basin across the road that's on
21 my property, then it goes down my
22 property to wetlands. Do you understand
23 what I'm saying? That's the issue I'm
24 here for. Like I said, that's fine. I
25 did address it a few times about that.

2 They see me trying to clean that out when
3 we get a lot of rain. Even during the
4 snow days, it builds up and it's melting.
5 At night it creates a sheet of ice right
6 across from --

7 CHAIRMAN EWASUTYN: Pat Hines is
8 sitting here this evening.

9 Pat Hines.

10 MR. HINES: As you were speaking I
11 e-mailed the highway superintendent and
12 requested that we meet next week. We'll
13 take a look at that.

14 MR. MORENO: That would be nice,
15 yeah.

16 MR. HINES: We'll take a look at
17 that. I'll go with the highway
18 superintendent. Under the existing
19 conditions there's an issue now, as you
20 say. We'll take a look at that with the
21 highway superintendent.

22 This project will be required to
23 post security. If they in fact do any
24 damage to the road, they'll have a \$5,000
25 security that the Town can use to do any

2 repairs or clean up of the road. That's
3 part of our clearing and grading process.
4 We have that system in place. Should
5 they damage the road, we have the ability
6 to fix it.

7 I e-mailed myself and the highway
8 superintendent as you were speaking.

9 MR. MORENO: Will that be the
10 entrance of the loggers to go in?

11 MR. HINES: It's a vacant lot.

12 MR. PRENTIS: It's across from you.
13 I saw that hole. That must be the
14 collapsed culvert you're talking about.

15 MR. MORENO: Yeah.

16 MR. PRENTIS: Right there there's
17 an old gravel road. Did you see where I
18 put the public notice sign?

19 MR. MORENO: I did, yeah.

20 MR. PRENTIS: That's right in the
21 middle of the gravel driveway.

22 MR. MORENO: Right. Okay. That's
23 where the trucks are going to go in.

24 You know there are no shoulders and
25 the road is pretty narrow?

2 MR. PRENTIS: Yup.

3 MR. MORENO: I don't know what it's
4 going to create as far as traffic. In
5 the past five or six years that has
6 become really popular, that road, not
7 only for big trucks, for shortcuts and
8 speeds. That's another issue.

9 MR. HINES: It's a cut through.

10 MR. MORENO: A couple of my friends
11 have gotten into accidents coming out of
12 our driveway because they just fly down
13 the road, you know. I just want to
14 address that since I'm here.

15 I don't have an issue with the
16 logging and stuff.

17 If you can take care of that pipe.
18 That is an issue to me if it doesn't get
19 fixed. I mean, I like to help out as
20 much as I can. I don't want to interfere
21 with whatever you guys have in mind.

22 Thanks.

23 CHAIRMAN EWASUTYN: The gentleman
24 in the back.

25 MR. SHAPIRO: I'm Eric Shapiro. I

2 live on Cocoa Lane, which is not far
3 behind where we're talking about here.

4 Just two questions. All the trees
5 that are designated to be taken down, are
6 they all marked in blue at this point or
7 are they --

8 MR. PRENTIS: They're all marked.

9 MR. SHAPIRO: I walked the property
10 today. My neighbor Shawn did as well.

11 It seemed, and just correct me if
12 I'm wrong, there's a rock wall that runs
13 perpendicular to the power lines. Am I
14 correct in assuming a lot of them are on
15 the New Road side of that rock wall and
16 that tower?

17 MR. PRENTIS: Let's see.

18 MR. SHAPIRO: The rock wall runs
19 perpendicular to the power lines.

20 MR. PRENTIS: Yeah. I would
21 probably say two-thirds are on that side
22 and one-third are on the other side of
23 the power lines.

24 MS. SHAPIRO: Any reference to what
25 would be the north side of the power

2 lines versus the south side, so the side
3 more towards Weygant versus the side that
4 goes more towards the Van Carol property?
5 Any distinction on how many or how far on
6 either side?

7 MR. PRENTIS: Well, I'm giving you
8 kind of an estimate. I think there's
9 probably two-thirds of the 200 on the
10 south side and maybe 40 percent on the
11 north side. I mean, I didn't break it
12 up, you know, one side of the power
13 lines.

14 MR. SHAPIRO: I was just walking
15 it. They're all a hundred percent --

16 MR. PRENTIS: I mean, you saw the
17 blue paint?

18 MR. SHAPIRO: Yes.

19 MR. PRENTIS: It's every tree that
20 has blue paint. Nothing else that was
21 not marked would get cut.

22 MR. SHAPIRO: All right. Thank
23 you.

24 CHAIRMAN EWASUTYN: Pat, you'll
25 have somebody go out in the field and do

an inspection?

MR. HINES: Yes.

I also e-mailed the highway superintendent. I'll catch up to him next week and take a look at the concern with the pipe.

Again, there is security required for the road as well as an inspection fee so that the Town can inspect the work in progress if there are issues. There's a final inspection prior to releasing any of those securities.

MR. SHAPIRO: Will there be ongoing inspections?

MR. HINES: Typically at the end, unless we get complaints. If the Town is getting complaints, we'll be able to go out and address those.

We've had Mr. Prentis do several logging operations in Town and have not had an issue with him. He supervises the work as well.

MR. SHAPIRO: What are the hours of operation for the logging?

2 MR. PRENTIS: Well, I mean, the
3 Town's hours of operation are 7:30 to
4 6:00, no Sundays, no holidays. We'll
5 abide by that.

6 CHAIRMAN EWASUTYN: Any additional
7 questions or comments from the public?

8 MR. SHAPIRO: I assume this is
9 being done strictly for the timber value?

10 MR. PRENTIS: Yes.

11 CHAIRMAN EWASUTYN: I'll turn it
12 over to the Planning Board Members. Dave
13 Dominick.

14 MR. DOMINICK: Nothing further.

15 I just want to thank the public for
16 coming out here tonight. I think we
17 addressed the concerns.

18 As Mr. Hines said, we've had this
19 applicant here before. Each time he's
20 done very good work and we're pleased
21 with his progress. This project will be
22 just as good as the ones he's done
23 before.

24 MS. DeLUCA: I would also like to
25 thank the public for expressing their

2 concerns and again coming.

3 He has done excellent work.

4 MR. MENNERICH: I agree with the
5 comments that have been made.

6 CHAIRMAN EWASUTYN: No comment.

7 MR. BROWNE: Nothing further.
8 Thank you.

9 MS. CARVER: Thank you. Nothing
10 further.

11 MR. WARD: Thank you for coming
12 out.

13 Chris, can you just explain the
14 positives, what that does for the
15 environment with the trees and everything
16 else?

17 MR. PRENTIS: Well, I mean, as I
18 said before, you stimulate new growth.
19 As the forest gets older, typically,
20 especially in the understory, it starts
21 to stagnate. There's a lot of shade,
22 there's not a lot of growth that's going
23 on. When you open up the overstory, you
24 start getting sunlight to hit the ground,
25 you start stimulating new tree growth,

2 new grasses and things like that. The
3 hope is that you get regeneration of
4 hardwood species, then younger hardwood
5 species tend to grow faster. They'll
6 actually sequester more carbon than an
7 older, larger tree. That's the hope as
8 you move further from decade one to
9 decade two to decade three.

10 MR. WARD: Thank you.

11 CHAIRMAN EWASUTYN: If there are no
12 further questions from the public, we're
13 going to move for a motion to close the
14 public hearing on the Joann Malcolm
15 Timber Harvest, project number 25-27
16 on New Road.

17 MR. MENNERICH: So moved.

18 MR. WARD: Second.

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

23 MR. DOMINICK: Aye.

24 MS. DeLUCA: Aye.

25 MR. MENNERICH: Aye.

2 CHAIRMAN EWASUTYN: Aye.

3 MR. BROWNE: Aye.

4 MS. CARVER: Aye.

5 MR. WARD: Aye.

6 CHAIRMAN EWASUTYN: Motion carried.

7 At this point are there any
8 questions or comments from Jim Campbell,
9 Code Compliance?

10 MR. CAMPBELL: Nothing additional.

11 CHAIRMAN EWASUTYN: I'll turn the
12 meeting over to Pat Hines with MH&E
13 Engineering.

14 MR. HINES: One of the first steps
15 in the process we would recommend to the
16 Board is adopting a negative declaration
17 for the project.

18 We have some conditions of approval
19 to suggest as well.

20 The security for the timber harvest
21 is typically \$5,000 to be posted in a
22 form acceptable to the Planning Board and
23 the Town Attorney, an inspection fee in
24 the amount of \$1,000 to be posted with
25 the Code Enforcement Officer.

2 We also have a clean-up item, the
3 proxy and modifying the application for
4 the log landing zone lot that was left
5 off the original application. We did
6 incorporate it into the public hearing
7 notice that went out. It was included
8 and sent to everyone within 500 feet of
9 that. You just have to have both of the
10 parcels as part of the application.
11 You'll need to clean that item up as
12 well.

13 MR. PRENTIS: Okay.

14 CHAIRMAN EWASUTYN: Having heard
15 from Pat Hines with MH&E, the first
16 action, would someone move to declare a
17 negative declaration on Joann Malcolm
18 Timber Harvest.

19 MS. CARVER: So moved.

20 MS. DeLUCA: Second.

21 CHAIRMAN EWASUTYN: I have a motion
22 by Lisa Carver. I have a second by
23 Stephanie DeLuca. Can I have a roll call
24 vote starting with Dave Dominick.

25 MR. DOMINICK: Aye.

2 MS. DeLUCA: Aye.

3 MR. MENNERICH: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. BROWNE: Aye.

6 MS. CARVER: Aye.

7 MR. WARD: Aye.

8 CHAIRMAN EWASUTYN: Having heard
9 the conditions of approval presented by
10 Pat Hines with MH&E, including the proxy
11 for the lot line landing, the property
12 contiguous and the securities and the
13 inspection fees, would someone move for
14 that motion to grant approval.

15 MR. DOMINICK: So moved.

16 CHAIRMAN EWASUTYN: Motion by Dave
17 Dominick. Do I have a second?

18 MR. MENNERICH: Second.

19 CHAIRMAN EWASUTYN: Second by Ken
20 Mennerich. Can I have a roll call vote
21 starting with Dave Dominick.

22 MR. DOMINICK: Aye.

23 MS. DeLUCA: Aye.

24 MR. MENNERICH: Aye.

25 CHAIRMAN EWASUTYN: Aye.

2 MR. BROWNE: Aye.

3 MS. CARVER: Aye.

4 MR. WARD: Aye.

5 CHAIRMAN EWASUTYN: Motion carried.

6 Thank you.

7 MR. PRENTIS: Thank you.

8

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

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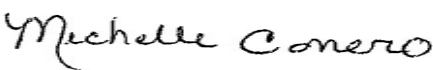
C E R T I F I C A T I O N

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 13th day of October 2025.



MICHELLE CONERO

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

NEWBURGH TOWNE CENTER - CHIPOTLE
(2025-30)
1433 Route 300
Section 60; Block 3; Lot 29.11
IB Zone

----- X

AMENDED SITE PLAN

Date: October 2, 2025
Time: 7:25 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JUSTIN DATES

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

2 CHAIRMAN EWASUTYN: The second
3 item of business is Newburgh Towne
4 Center - Chipotle. This is an
5 initial appearance for an amended
6 site plan. It's located on 1433
7 Route 300 in an IB Zone. It's being
8 represented by Colliers Engineering &
9 Design, Justin Dates

10 MR. DATES: Good evening. Justin
11 Dates, Colliers Engineering & Design.
12 I'm here on behalf of the applicant and
13 owner, Conew, LLC c/o Cofinance Equities.

14 The project site, as mentioned, is
15 the existing Newburgh Towne Center. The
16 plan that we're showing here is for a
17 proposed re-occupancy of a portion of one
18 of the buildings on this particular site.

19 Newburgh Towne Center is a unified
20 site plan and is comprised of three
21 separate tax lots. This tax lot has two
22 structures on it, one which is the AT&T
23 cellular building which is about 5,000
24 square feet, and then to the north of
25 that is the larger, just under 7,300

square feet, and it has Home Goods, Marshalls, Personal Touch and a mix of tenants within that building.

The parcel is in the IB Zoning District and it permits shopping centers as a use subject to site plan approval by the Planning Board. The site is substantially in compliance with the requirements for that use in the IB Zoning District and was part of a prior application which was before this Board for the Home Goods tenant space. The project did receive two variances regarding the side yards, the single side yard and both side yards, for the expansion of the loading dock area for the Home Goods renovation. I did note those on the site plan that you have before you.

The applicant is looking to reoccupy the end cap of the larger building on the site. It's the eastern end which is directly adjacent to Route 300. Formally a portion of this was Game

1 Stop. Right next to it is the Personal
2 Touch salon which is actually in the
3 process of being moved over to the west,
4 basically into an adjacent space that
5 they just recently finished. I would
6 anticipate within the next week or so
7 Personal Touch will be moved over to
8 their new location. That essentially
9 frees up this end cap which is 2,775
10 square feet. They are looking to put a
11 proposed Chipotle in that space.

13 Aside from the renovation of the
14 interior space, there are some site
15 improvements that they are also looking
16 to do in coordination with Chipotle.

17 One, we're looking to add in a
18 dumpster enclosure on the northeast
19 corner over here. That would eliminate
20 two spaces on the perimeter. This would
21 be -- right now it looks like a masonry
22 type enclosure, fully gated so you can't
23 see the dumpsters inside of that.

24 Three spaces along Route 300 will
25 be assigned for Chipotle pick-up. You

2 can call in and order and you're assigned
3 1, 2 or 3. They'll tell you which one to
4 park in and pick up your order.

5 Also on the same side, directly
6 east of that space, right now there are
7 seven parking spaces that are directly
8 against the building. We're going to
9 remove four of those for an outdoor
10 seating area. There would be twenty-eight
11 seats.

12 We also will be introducing --
13 we're moving some of that pavement area
14 for a landscape island. I have some
15 evergreen-type vegetation in there just
16 to kind of screen Route 300 from where
17 the outdoor seating is.

18 The exterior of the building, I
19 provided just an elevation to show what
20 we're looking to do there. On the bottom
21 we have some existing condition photos
22 for you to reference. This is the
23 eastern side of the building. Right now
24 it's really just a blank wall. They're
25 going to have a side entrance about in

2 the center of the space.

3 Towards the front of the building
4 they'll be putting in all new windows up
5 to that first band of gray block there.

6 In the front of the building, this
7 is the existing double door and entrance.
8 That will remain. Here, just to the left
9 of the -- west of that is the current
10 door for the Personal Touch salon. That
11 will be closed up and that will become
12 glass as well. So a new door on the side
13 and the main entrance will remain as seen
14 today.

15 In the back, because there were two
16 tenant spaces there are two back doors to
17 the rear of the building. One of those
18 will be removed and it will just be a
19 single rear access to the space.

20 With the parking and removing a
21 couple of spaces, we did look at the
22 overall -- with the unified site plan we
23 looked at the total parking for the
24 center. Required for it based on code is
25 646 spaces. Even with the reduction of

these few spaces, the six I mentioned, we're still providing 702 spaces in total. We're well above the requirement for the Town Code.

Being it is a restaurant, we'll also be introducing a grease trap to the sewer service.

Lastly, in the package that we provided, we had our traffic engineers look at the trip generation and just what that may be at peak from an increase standpoint. The table we provided shows a.m., p.m. and Saturday peaks for the restaurant. We find them to be very de minimus to the overall trips generated from a plaza -- from a development of this size.

That's my summary.

CHAIRMAN EWASUTYN: Thank you.

Dave Dominick.

MR. DOMINICK: Thank you, Justin.

The property. During the growing season they keep this property very well manicured. In the cold season, the

2 winter, it's very well cleared with salt
3 and clearing. Just keep that in mind if
4 you can. We need, with the outside
5 seating, landscaping, something hardy.
6 A salt and traffic-resistant type plant.

7 MR. DATES: Yes. Putting them in
8 an island like that, drought tolerant,
9 salt tolerant. Some soil types, it's
10 compacted over time. We'll look to put
11 plants in there that would survive in
12 that situation.

13 MR. DOMINICK: It was also briefly
14 discussed, just in conversation at work
15 session, that for the seating area,
16 bollards might be an option, just for
17 protection of the people who are outdoor
18 dining.

19 MR. DATES: In which location were
20 you thinking that that --

21 MR. DOMINICK: In the outside L
22 area.

23 MR. DATES: Here?

24 MR. DOMINICK: And then go north.

25 MR. DATES: Okay. We do have a

2 fence or a railing that goes around that.
3 You're just thinking a couple just for
4 safety?

5 MR. DOMINICK: Right. In addition
6 to the fence. The fence is part of the
7 brand I believe.

8 MR. DATES: Yes.

9 MR. DOMINICK: Then the dumpster
10 area is screened? You're going to screen
11 that?

12 MR. DATES: The dumpster is
13 actually proposed up in this corner. We
14 do have some real estate that is outside
15 of the right-of-way that we could look to
16 fence it in there.

17 MR. DOMINICK: I'm sorry. I meant
18 like plastic slats or something in front
19 of the --

20 MR. DATES: Yes, they would be
21 screened.

22 MR. DOMINICK: That's what I meant.

23 MR. DATES: Solid doors.

24 MR. DOMINICK: That's all. Thank
25 you.

2 MS. DeLUCA: Again, I'm excited
3 about seeing something of this coming
4 into this plaza.

5 I was just wondering, overall -- I
6 don't know if you need to speak to
7 management or whatever, but I was
8 concerned about the pedestrian walkways.
9 Is there anything that could possibly be
10 mentioned to include those? I'm not
11 quite sure where, but --

12 MR. DATES: We -- I'm sorry.

13 MS. DeLUCA: Go ahead. Because
14 you're coming in, there's traffic coming
15 in this way, there's traffic going around
16 the other way. Again, just for the
17 safety of the pedestrians, if there could
18 be a designated pedestrian walkway.

19 MR. DATES: So have like a
20 crosswalk?

21 MS. DeLUCA: A crosswalk. Thank
22 you. That's what I meant.

23 MR. DATES: Stripes?

24 MS. DeLUCA: Yes. If you could
25 mention possibly to the manager of this

2 plaza if there could be an additional one
3 down further. I know this isn't this
4 project, but perhaps another one down
5 further near the Marshalls area.

6 MR. DATES: Something --

7 MS. DeLUCA: A crosswalk for
8 pedestrians.

9 MR. DATES: You're thinking about
10 just striping?

11 MS. DeLUCA: Yes. Thank you.
12 Possibly one more. The plaza is so busy.

13 MR. DATES: Correct.

14 MS. DeLUCA: We were thinking one
15 more might be good, too.

16 MR. DATES: Okay.

17 MS. DeLUCA: So one by where you
18 are, and then mention to the management
19 if there could be something -- you know,
20 at least two other ones. One definitely
21 down by Marshalls, and wherever else
22 seems to be highly traveled.

23 MR. DATES: Maybe at Home Goods,
24 kind of in the middle there?

25 MS. DeLUCA: Yes.

2 MR. DATES: We can look at that.

3 MS. DeLUCA: I appreciate that.

4 MR. MENNERICH: No questions at
5 this time.

6 CHAIRMAN EWASUTYN: Just a question
7 of ownership. You worked with WellNow to
8 install a sidewalk on Route 300.

9 MR. DATES: Correct.

10 CHAIRMAN EWASUTYN: There's the
11 remaining linear feet of frontage on
12 Route 300. Who owns that and are you in
13 a position to finish and complete the
14 sidewalk on Route 300? Do you have
15 ownership of it?

16 MR. DATES: So similar to the
17 intersection of Meadow Hill Road and 300,
18 as we're traveling north on 300, there's
19 a similar strip. You can kind of see
20 from the curb line to where the property
21 line is, that is somewhat similar as it
22 goes south. It's a little bit wider down
23 to that intersection. As you go north it
24 kind of tapers.

25 The issue that we see, especially

1
2 along this section, and then also on the
3 south side of the access from Route 300,
4 you have the pole for the traffic signal.
5 It appears that to get a sidewalk around
6 that and then also on this side, we would
7 be in the position that we would need to
8 dedicate lands to DOT. There's not
9 enough frontage between the curb line and
10 the property line that we could get that
11 for the entire stretch.

12 This tenant is very eager to get
13 in. The applicant/owner has a concern of
14 that process tying up the application and
15 delaying them getting in here, really
16 because of the property acquisition that
17 we feel we would need.

18 Their concern on the north side
19 here, this has all been landscaped.
20 There are trees, hedgerows in those spots
21 there. That would mostly get removed to
22 put a sidewalk in to this section based
23 on DOT looks to have, from the curb in,
24 at least that 5-foot buffer of grass
25 strip, the same thing that we did for

2 WellNow, and then the sidewalk. The
3 sidewalk section really puts us right
4 through where that planted island is.
5 Some of that vegetation would be getting
6 removed to put that sidewalk there.

7 CHAIRMAN EWASUTYN: Not to restrict
8 the deadline that you're under, I
9 understand there's a target date that
10 this has to be approved. I'll let Pat
11 Hines speak because he's more knowledgeable
12 than I am.

13 The example of North Plank Road, the
14 shopping center there, there's a project
15 being built, we requested a sidewalk
16 running from the car wash to the main
17 entry of that particular one. The
18 granting of a certificate of occupancy
19 wasn't subject to the completion of
20 the sidewalk, but there was a timeframe.

21 I think that may be equally
22 true further north of where you're speaking
23 of now where there were changes to the
24 Newburgh Mall and there was a suggestion
25 that a sidewalk be placed in. There

were timeframes associated with that.
It was something to work out.

Pat, can you speak about the one
for North Plank Road?

MR. HINES: I think more to the
point is the WellNow facility. That was
approved and allowed to open with a one-
year timeframe in order to put the
sidewalks in. We actually granted it
an extension recently. It has been
completed. We have done that numerous
times, knowing that dealing with DOT
for property acquisition can be an
eighteen-month to two-year adventure
sometimes in order to give DOT
property.

That could be something that the
Board could consider here, the
condition that within some agreed
upon timeframe the applicant would
put the sidewalks in place. Typically
there's security required prior to
the issuance of the CO to make sure
that that sidewalk is constructed.

2 MR. DATES: The WellNow had that
3 exact same condition within the approval.
4 That one was upon occupying the building
5 and getting a CO, there was a one-year
6 timeframe to get the sidewalk constructed
7 initially. We had been back before the
8 Board for a couple of extensions to
9 finish that up.

10 CHAIRMAN EWASUTYN: Keep that in
11 mind for the next time you come back to
12 discuss with the Planning Board.

13 MR. DATES: Okay.

14 CHAIRMAN EWASUTYN: No other
15 comments.

16 MR. BROWNE: Are you proposing the
17 main entrance to be the new entrance or
18 the existing entrance? I'm just curious.

19 MR. DATES: No. The main entrance,
20 again, I would feel is at the front of
21 the building, the double door. This one
22 on the side here is really -- the outdoor
23 seating area is directly adjacent to
24 where the glass is going here. You can
25 get right out to the parking area where

1 they have the three spaces.

2 Yes, those are proposed to be
3 shifted. They're like right up on the
4 front corner of the building now.

5 MR. BROWNE: Thank you.

6 MS. CARVER: How many seats are
7 planned for outdoors and how many seats
8 are planned for indoors?

9 MR. DATES: So outdoor is 28.
10 Indoor is 41. There's 69 total seats.

11 MS. CARVER: Is there a canopy or
12 no? The outdoor would just be for good
13 weather?

14 MR. DATES: It would be seasonal.
15 There would be no canopy.

16 MS. CARVER: Thank you.

17 MR. WARD: Basically everything I'm
18 saying, people said already.

19 Public safety is the crosswalks.
20 What we're asking is talk to management
21 with reference to in front of Marshalls,
22 in front of Home Goods and in front of
23 this project as a crosswalk.

24 Second, Dave mentioned about
25

2 bollards and pylons on the side for the
3 outdoor dining. It's very important.
4 When the cars come around that corner, a
5 fence isn't going to hold a car with
6 somebody hitting the gas pedal or
7 whatever. God forbid they cut it short.

8 Ditto on John in reference to
9 sidewalks. We worked with other people
10 with different projects, including you,
11 in reference to a time on having the
12 sidewalks. We're trying to extend safety
13 for the public on 300. That's one part
14 of it.

15 MR. DATES: Understood.

16 MR. WARD: Thank you.

17 CHAIRMAN EWASUTYN: Jim Campbell,
18 Code Compliance.

19 MR. CAMPBELL: Just a note basically
20 that the sign will require ARB review.

21 Also you need to confirm compliance.
22 I gave a code section in the write-up.
23 I just realized I left out a letter
24 and a number. It should be 185-14.1
25 B(1), (d), (e) and (f). That's in

regard to the signage.

MR. DATES: Thank you.

CHAIRMAN EWASUTYN: Pat Hines with
MH&E.

MR. HINES: The project is a Type 2
action under the State Environmental
Quality Review Act. There's no SEQRA
review required. It's a reuse of a
commercial structure.

ARB approval will be required.

Adjoiners' notices must be sent out
after this meeting. I'll work with
Justin's office in getting that
accomplished.

We noted that the project
previously received variances for the
Home Goods expansion. Those variances
continue to be in effect.

The parking analysis complies with
the unified site plan, and the unified
site plan notes have been incorporated on
this plan.

We would suggest dumpster enclosure
details be provided.

There's a proposed grease trap to be added. We need the sizing for that.

An Orange County Planning submission is required.

We suggest Ken Wersted take a look at the traffic to see if any concerns should be presented to DOT. As Justin said, the traffic is de minimus. He can confirm that for us.

I think we should get detailed plans on the outdoor seating area for the Board to take a look at.

The Board suggested the crosswalks and the sidewalks be addressed in future submissions.

MR. DATES: The future submission will have further detail, of course, on spot elevations, layout for the landscape area, the outdoor seating area. We'll do a blow up of that so you can see how all of that works. ADA compliance with the parking spaces and things of that nature will be on a subsequent plan for sure.

CHAIRMAN EWASUTYN: Pat Hines, the

2 next step before us is to send out the
3 adjoiners' notice --

4 MR. HINES: Yes.

5 CHAIRMAN EWASUTYN: -- and send the
6 plans to the Orange County Planning
7 Department?

8 MR. HINES: They could be sent now.
9 I didn't know if the Board wanted the
10 additional level of detail that was just
11 discussed to be sent. We can send it to
12 the Planning Department at this time and
13 see if they request any additional
14 information.

15 CHAIRMAN EWASUTYN: There may be a
16 slight timeline with this. If the
17 Planning Board is willing to add grace to
18 this and move to circulate the existing
19 plans to the Orange County Planning
20 Department, I think that would benefit
21 the applicant.

22 I'll poll the Board Members. Dave
23 Dominick.

24 MR. DOMINICK: Yes.

25 MS. DeLUCA: Yes.

1 MR. MENNERICH: Yes.

2 CHAIRMAN EWASUTYN: Yes.

3 MR. BROWNE: Yes.

4 MS. CARVER: Yes.

5 MR. WARD: Yes.

6 CHAIRMAN EWASUTYN: So then Pat
7 Hines will prepare the adjoiners' notice.
8 We'll circulate the plans to the Orange
9 County Planning Department. At your
10 return visit you'll follow up on the
11 comments from the Planning Board Members
12 and the Consultants.
13

14 MR. DATES: Yes. Absolutely.

15 MR. HINES: Eventually the Planning
16 Board should discuss whether a public
17 hearing will be required at the next
18 submission.

19 CHAIRMAN EWASUTYN: I have a
20 footnote on that. Thank you.

21 Does the Planning Board want to
22 discuss that now or wait until the second
23 meeting? We'll wait until the second
24 meeting. The Planning Board does have
25 the discretion. They'll decide whether

2 or not they want to hold a public
3 hearing.

4 MR. DATES: Mr. Chairman, MH&E's
5 last comment does talk about Ken Wersted.
6 I'm assuming we haven't gotten any
7 response from him, or feedback?

8 MR. HINES: We have not. I think
9 he was away. You can follow up with him.

10 MR. DATES: All right. Thank you
11 very much.

12

13 (Time noted: 7:45 p.m.)

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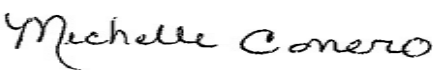
C E R T I F I C A T I O N

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 13th day of October 2025.



MICHELLE CONERO

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

LIVING WATERS TABERNACLE WORSHIP CENTER
(2025-31)

Rock Cut Road
Section 47; Block 1; Lot 22
R-1 Zone

----- X

WORSHIP CENTER

Date: October 2, 2025
Time: 7:45 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVES: JEREMIAH LAUREANO
MELVIN QUINONES

----- X

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

2 CHAIRMAN EWASUTYN: The third item
3 of business is Living Waters Tabernacle
4 Worship Center. It's an initial
5 appearance for a worship center located
6 on Rock Cut Road. It's in an R-1 Zone.

7 It's being represented by? Your
8 name?

9 MR. LAUREANO: My name is Jeremiah
10 Laureano. I'm here on behalf of the
11 pastor. I represent Living Waters
12 Tabernacle Ministries.

13 What we have here is a one-story
14 building located on Rock Cut Road and
15 New York State Route 52. This is a
16 place for worship.

17 We have located 33 parking spaces
18 adjacent to the property that we want
19 to locate in the front, which is near
20 the entrance here.

21 Our entrance is going to be
22 located on Rock Cut Road, which is
23 where we would actually be entering
24 the space.

25 Our septic will be just about

129 feet away from the well.

We are located 136 linear feet from wetlands.

This congregation will be in order on Sundays from 9:00 to 3:00 p.m.; Monday, Tuesday and Wednesday from 7:00 p.m. to 9:00 p.m.; and every fourth Friday of the month from 7:30 p.m. until 9:30 p.m.

CHAIRMAN EWASUTYN: Okay. You received comments from Pat Hines from MH&E?

MR. LAUREANO: Yes.

CHAIRMAN EWASUTYN: You received comments from Jim Campbell, Code Compliance?

MR. LAUREANO: Yes.

CHAIRMAN EWASUTYN: Do you want to begin discussing the comments you received from Pat Hines and the necessity to move forward with those items that have to be looked at and addressed, number one being the survey?

MR. LAUREANO: Yes. Regarding the sprinkler system --

CHAIRMAN EWASUTYN: Let's start with the survey. The sprinkler system, I'm sorry to interrupt you, is associated with the building.

MR. LAUREANO: Correct.

CHAIRMAN EWASUTYN: That is Jim Campbell's comment. Let's start with the comments pertaining to the site plan.

MR. LAUREANO: Sure. So what we have here is what we're stating in lot width is --

CHAIRMAN EWASUTYN: I think what he's saying is you'll need a survey.

MR. LAUREANO: Oh, yes. We do have a survey.

CHAIRMAN EWASUTYN: You do have a survey?

MR. LAUREANO: Yes, sir.

CHAIRMAN EWASUTYN: I'll let Pat Hines speak rather than me speak.

MR. HINES: Sure. So we didn't have a survey that has the metes and

bounds description of all the property lines so we can check the bulk requirements.

We did note that there was a bulk deficiency identified, which may not really be a bulk deficiency. I think the lot is much wider than 191.

MR. LAUREANO: Yes.

MR. HINES: We need that survey. If you have it, you can submit it. Not tonight but in future submissions.

The EAF that was submitted didn't have the last two pages, the summary pages. Those are very helpful to myself and the Board to identify any conditions. That needs to be submitted as well. When you fill it out on the DEC website, it produces those last two pages.

The wetlands delineation I'll say is confusing at best. Typically those are along a line where you can demarcate the wetlands. I don't know where the flags were, I don't know who delineated it, but we need to get a handle on where

1 that wetland is. DEC will ultimately do
2 what's called a validation. You'll
3 request that from DEC and get a wetland
4 validation letter from them regarding
5 their jurisdiction. I couldn't make
6 sense of the location of those flags.
7 They weren't all in a line or anything
8 I could figure out.

10 We have to send out adjoiners'
11 notices, which is a procedural matter.
12 I can work with you or your representative.

13 We just note that the access road is
14 on a County highway. They have very strict
15 information they need on the plans and
16 specific details that will have to be
17 added to the plans. They are the agency
18 that will ultimately approve your access
19 road, realizing there are some sight
20 distance issues.

21 The traffic report identified
22 turning restrictions, but the driveway
23 is set up as a T intersection without
24 those definitive turning restrictions
25 and the left turns in and out that

were in the traffic report. The plans will have to be updated for that.

The project disturbs greater than 1 acre. A DEC/Town of Newburgh stormwater management compliant stormwater pollution prevention plan will have to be provided, including all the items that are required for pre-infrastructure runoff reduction and the hydrologic details for that. The report you gave us kind of gives an analysis of increase or no increase in flow, but that doesn't meet the intent of the DEC's or the Town's regulations.

The sewer flow in the EAF is identified as 50 to 60 gallons. That's very low. The septic system has a 3,000 gallon tank depicted, which would be a tank size equivalent to 2,000 gallons per day. Tanks are required to be 1.5 times your flow. We need to get a handle on the septic design.

The septic has a swale created

1 through it within the area shown for
2 the septic. That's not permitted.
3 Certainly the swale can't be depicted
4 going through the leach fields.
5

6 We have a Tree Preservation
7 Ordinance in Town, Chapter 172.
8 Documentation of compliance with the
9 Tree Preservation Ordinance must be
10 submitted. That will require an
11 analysis of the trees based on that
12 code. It's spelled out very clearly
13 in the code how to do that. This
14 being in an R Zone, it's limited to
15 fifty percent removal of the three
16 protected types of trees, the specimen
17 trees, the protected trees, and there's
18 one more. Offhand it's not coming to
19 my mind.

20 The grading plan needs to tie in
21 to all the existing topography.
22 Currently the grading plan doesn't
23 tie into the existing topography.

24 A site lighting plan is going to
25 be needed. It's a very visible, very

1 busy intersection. I think the site
2 lighting should be addressed very
3 carefully on the site, making sure
4 there's no glare out into the County
5 or State highways as well as
6 providing adequate lighting on the
7 site at that intersection.
8

9 Ken Wersted weighed in on the
10 sight distance. He did note that there
11 are turning restrictions proposed.
12 Those turning restrictions need to be
13 addressed on the plans. That also
14 needs to be coordinated with the
15 County DPW. They are the ultimate
16 authority regarding the sight distance
17 restrictions, turning movements and
18 the location of the driveway.

19 Parking calculations should be
20 provided. That will flow into the
21 septic design. The use of the
22 building, the capacity of the
23 building needs to be addressed, and
24 then the parking calculation will
25 flow from that.

1 The front yard setback. There's
2
3 a particular front yard setback on
4 State and County roadways. It's 60
5 feet rather than the 50 feet typically
6 required in that zone.

7 At the work session the Board
8 discussed the use of rubber bumper
9 blocks for parking. That's not
10 something this Board typically would
11 allow. I think you should review
12 using the curbing on the site to
13 control parking and stormwater runoff.
14 Bumper blocks are just difficult to
15 maintain. They end up in the snow
16 plow pile. They're just very difficult
17 to maintain. Typically commercial
18 site plans like this have curbing to
19 give it that look that the Board is
20 looking for as well as to control
21 the runoff. You can put in drop
22 curbs in areas where you want to get
23 the drainage out of the parking lot
24 rather than having to do a closed
25 pipe drainage system. Take a look at

1 putting curbing in, implementing that
2
3 into the site plan.

4 There's a concrete utility pad
5 with, I think it might be telephone
6 equipment. We need to see if there's
7 an easement associated with that.

8 One of the lines on the survey would
9 depict that. We need that shown on
10 the plan.

11 We have some comments on the
12 septic system proposed, some technical
13 comments that you have obviously.

14 The finished floor elevation for
15 the building.

16 This will eventually require a
17 County Planning referral once a
18 complete application has been submitted.
19 That will require both the traffic
20 report, the stormwater management
21 plans, septic, lighting. The whole
22 packet has to be complete before we
23 send it there.

24 Just a note that there may be
25 additional comments based on the

resubmission for these comments.

There's some work to do on the plans to get them compliant with what the Board needs. I tried to be as complete as to give you that guidance for what needs to be submitted next.

MR. LAUREANO: Understood.

CHAIRMAN EWASUTYN: Will there be a landscape plan also associated with this?

MR. LAUREANO: Say that again.

CHAIRMAN EWASUTYN: A landscape plan.

MR. LAUREANO: Yes.

MR. HINES: I did have that as a comment, I just skipped over it.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance.

MR. CAMPBELL: I have a comment about the site preparation activities. The EAF noted some different hours than what's allowed by code. The code allows 7:30 a.m. to 6:00 p.m. within 1,500 feet of a residence, no Sundays or public holidays.

2 The Town of Newburgh Municipal Code
3 requires sprinklers. What I failed to
4 mention is I believe also the State Code
5 requires sprinklers.

6 MR. LAUREANO: Is that driven by
7 the square footage of the building?

8 MR. CAMPBELL: The State Code or
9 the Town Code?

10 MR. LAUREANO: Both.

11 MR. CAMPBELL: I believe they both
12 are.

13 MR. LAUREANO: So we have to be --

14 MR. CAMPBELL: And the use of the
15 building. The Town Code is a more
16 restrictive local law.

17 MR. LAUREANO: Understood.

18 MR. CAMPBELL: Each one has their
19 own process.

20 MR. LAUREANO: Okay. So if we
21 reduce the square footage, it doesn't
22 matter?

23 MR. CAMPBELL: I would read the two
24 codes.

25 MR. HINES: The Town Code starts at

2,500 square feet and requires sprinklers.
There is a method spelled out in the code.
Should it present a hardship, there's a
variance process that you can address.

MR. LAUREANO: Thank you.

MR. CAMPBELL: All signage and the
building require ARB review.

The ARB in the application needs to
be filled out.

I did have the freestanding sign.
That sign you're allowed 4 square foot
max and a max height of 6 foot. I
believe both of those measurements were
exceeded.

MR. LAUREANO: 4 square feet?

MR. CAMPBELL: 4 square feet, yes.
You're in an R-1 District.

MR. LAUREANO: Okay.

MR. CAMPBELL: You can always, of
course, get a variance.

I didn't know if there were any
building-mounted signs proposed.

MR. LAUREANO: No.

MR. CAMPBELL: I believe you did

1
2 receive my comments.

3 I did send it out to the fire chief
4 and he came back with comments.

5 MR. LAUREANO: Yes. Are they
6 referring to this location here?

7 MR. CAMPBELL: They're concerned
8 about the turning radius once you get
9 inside the entranceway.

10 MR. LAUREANO: So this right here?

11 MR. HINES: They're indicating the
12 turning radius.

13 MR. CAMPBELL: They're concerned
14 about the truck would be stuck in the
15 collapse zone because there's no room in
16 the front.

17 MR. HINES: Because of the proximity
18 of your parking to the building and the
19 sidewalk, the fire trucks would be very
20 close to the front of the building.

21 MR. LAUREANO: Understood.

22 MR. CAMPBELL: That's all I have.

23 CHAIRMAN EWASUTYN: Dave Dominick,
24 comments .

25 MR. DOMINICK: Nothing further. I

think Jim and Pat covered it.

Just to reinforce Pat's comment 21 about curbing and the bumpers, and also the lighting plan.

MR. LAUREANO: We'll work on that.

MR. DOMINICK: Thank you.

MS. DeLUCA: These are just maybe minor concerns. Nonetheless, I feel the need that they need to be expressed.

There's a historic house that's to the north. I'm just wondering how that would be affected.

Also, there's an eagle's nest within the area in terms of environmental concerns. You may want to look at that.

MR. LAUREANO: We'll look into that.

MS. DeLUCA: Thank you.

MR. LAUREANO: I do know any area where we're going to build, there are no trees in this location. We did see trees along the perimeter here and the back here.

MS. DeLUCA: Thank you.

CHAIRMAN EWASUTYN: I think what

Stephanie is saying is there's a possibility the building to the north, contiguous to this property, could be a historic building.

MR. LAUREANO: Understood. Forgive me for my ignorance. If that is a historic building --

CHAIRMAN EWASUTYN: Pat Hines.

MR. HINES: One of the things I'm going to suggest tonight is that the Board declare its intent for lead agency for the environmental review. We will incorporate the New York State Office of Parks, Recreation, Historic Preservation in that circulation. They will weigh in on whether there is any historic or cultural resources in that area. That will be the first indication.

The Board also has the ability, throughout the SEQRA process, to adjust visibility of that structure and your new structure. They may want to have some simulations or photos of the existing structure versus what it's going to look

like from your site after the fact.

CHAIRMAN EWASUTYN: Ken Mennerich.

MR. MENNERICH: Do you currently have a worship center in the City of Newburgh?

MR. LAUREANO: We do have a worship center where we are renting space on Broadway in Newburgh, yes.

MR. MENNERICH: If this new facility is built, will that take the place of renting or will you have two operations?

MR. LAUREANO: We will have one operation. This will take the place.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: No comment.

MR. BROWNE: You have a whole bunch of stuff to work on. We'll see you back again a few times probably.

MR. LAUREANO: Sure.

MS. CARVER: I have nothing further.

MR. WARD: Are you going to be cooking in there?

MR. LAUREANO: No.

MR. HINES: There was an indication

in the narrative that was submitted that there would be preparation of meals that were delivered off the site from the kitchen. The question arises as to the size of the septic system.

MR. QUINONES: We are --

CHAIRMAN EWASUTYN: For the record, your name?

MR. QUINONES: My name is Melvin Quinones. I'm a pastor to the congregation.

The cooking is going to be just preparing meals. It's going to be meals that we're going to prepare that we're going to be taking out and distributing to the unfortunate, the homeless or anybody that would like a meal. It wouldn't be serving food in the facility.

MR. WARD: It's cooking, though.

MR. QUINONES: It's going to be cooking. It's not a commercial kitchen. It's going to be a residential kitchen, a stove, a sink, a microwave if we have to heat something up. There's not going to be cooking like a large -- a lot of time

2 the women cook certain things at home and
3 they'll bring it to the church and prep
4 it. The cooking -- that would operate
5 two Saturdays out of a month, hypothetically
6 let's just say. Maybe they'll show up at
7 10:00 to 11:00. It's basically packing
8 up the food. Most of the food is prepped
9 at home, they bring it in and everybody
10 -- like three or four ladies will work
11 together to pack it up and then the
12 gentlemen will help distribute the food
13 throughout the communities.

14 As far as the use of the water, the
15 biggest thing that we're going to have
16 use of the water is on Sundays. We have
17 a service that runs from 9:00 to like
18 10:30, which is our Spanish service, and
19 then from 11:30 to maybe 1:30, 2:00 we
20 have the English service. The Spanish
21 service right now, we just started it, so
22 let's say if I get six people, it's a
23 lot. We have to start somewhere. There's
24 not a lot of use of water at that time.
25 Flushing the toilet, washing your hands.

1 Within two hours, even if you say
2 they go to the bathroom twice, flush
3 the toilet, wash their hands, I would
4 calculate that more or less like 6
5 gallons of water per person for that
6 time.
7

8 MR. HINES: Yes.

9 MR. QUINONES: In the afternoon
10 we've got about -- although we have 66
11 congregants right now in the parish, we
12 have a total of let's say maybe 50 that
13 will show up for the afternoon service
14 from 11:30 to 1:30. Some of those are
15 infants that are still in diapers. Let's
16 just say out of the 50, if they went and
17 used the bathroom and washed their hands
18 twice within the two-hour period, we're
19 looking at about maybe 150 gallons of
20 water being used, roughly.

21 MR. HINES: DEC publishes hydraulic
22 loading rates. They have a table that
23 shows, based on your building size and
24 your occupancy, how to calculate that.
25 You want to do the worst case because as

2 your congregation expands, you want to
3 have a septic system for that.

4 MR. QUINONES: If we looked at
5 worst case, even though Sunday is the
6 greatest day -- Mondays we get together
7 -- the men get together, let's say, for
8 an hour and a half, two hours in the
9 evening. Tuesdays we have our discipleship
10 class, maybe we have 20 people that get
11 together. A lot of people nowadays, they
12 go online. They'll go to Google Meets or
13 do it online. Within the timing, if we
14 did worst scenario, and even if we said
15 we'd use 300 gallons of water a day, I
16 think that's going to exceed above and
17 beyond the amount.

18 MR. HINES: It's defined. There's
19 almost, for lack of a better term, a
20 cookbook that's published that says a
21 building this size with this number of
22 people, you plug it in, it's 5 gallons a
23 day per person if you're utilizing it on
24 that basis, and then there's a square
25 footage calculation that can be

1
2 incorporated. Your consultant will be
3 able to work that out with you. It's not
4 based on today we have 20 people. You
5 want to do worst case, and it has to be
6 done with those guidelines that are
7 published.

8 MR. QUINONES: Okay.

9 MR. CAMPBELL: Also we may need
10 more than a residential kitchen.

11 MR. QUINONES: Not for the use that
12 we --

13 MR. CAMPBELL: The code is going to
14 dictate that.

15 MR. QUINONES: The code is going to
16 dictate that. We'll look at it.

17 I just have one question for you,
18 if you don't mind. You say we're allowed
19 a 4 foot square sign?

20 MR. CAMPBELL: Yes. 4 square feet.

21 MR. QUINONES: 4 square feet. So
22 the sign would be 2 by 2 with a 6 foot
23 height?

24 MR. HINES: In other instances
25 where worship centers like this have been

constructed, they're allowed in the R-1 or the R Zones, but the signage calculations don't keep up with that use, they've gone to the ZBA and have gotten approval for the signs that they wanted. Right now it's restricted to 4 square feet because it's a residential zone. The Zoning Board has granted relief to that in similar facilities.

MR. QUINONES: Okay.

MR. HINES: No guarantee, but you can apply.

MR. WARD: On Rock Cut Road going southbound and northbound, no matter how you look at it, with your entrance you're close to the light and people -- there's a blind spot coming southbound up the hill. When you come over, your entrance is right there.

The house that we're talking about, it's historical or whatever it is, it doesn't matter, I think you should keep in mind a big buffer zone in between your

property, the parking lot, lighting to shield that house. It's been there for years.

Your guardrails, you have wood. They don't hold up. It should be metal for safety. The elevation of your parking lot is going to drop below that.

The curbing. We recommend the curbing like Pat said. You can do the drainage and everything else. It's safer for everybody.

You'll be covering the Bald Eagle one way or another with this.

MR. LAUREANO: Thank you.

MR. QUINONES: Thank you.

CHAIRMAN EWASUTYN: Any other questions or comments from Board Members or the applicant?

(No response.)

CHAIRMAN EWASUTYN: Pat, at this point we'll do the adjoiners' notice and declare our intent for lead agency?

MR. HINES: Yes. That's what I would suggest.

CHAIRMAN EWASUTYN: Can I have a motion from the Board to move to circulate the adjoiners' notice and to declare our intent for lead agency.

MR. WARD: So moved.

MR. DOMINICK: Second.

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

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: I think it's important to note that on your next presentation you should try and complete a majority of the items that were mentioned by Pat Hines. I think I casually said to you, Melvin, at the early stages, the more frequently that

1
2 you return to the Planning Board with
3 incomplete site plans, the further the
4 reviews will be, the more costly the
5 reviews will be. I think it's very
6 important now to line up a staff of
7 professionals who can begin supporting
8 your concept.

9 MR. QUINONES: Okay. I thank you,
10 John. I thank the Board Members. I
11 thank the panel.

12 Trust me, I started working on
13 these issues from the minute I received
14 them. I mean, I've got the EAF fixed up
15 from 7 to 3. I put 7 a.m. to 6 p.m.
16 That was fixed up.

17 The reason the DEC website maps
18 wasn't placed was because when the print
19 shop did them, they forgot to include
20 them.

21 MR. HINES: That happens a lot.

22 MR. QUINONES: Most of the stuff --

23 CHAIRMAN EWASUTYN: That's minor in
24 nature. I appreciate your effort. The
25 technical items that will create your

2 plan is where you need professionals
3 who have the qualifications to respond
4 to them.

5 MR. QUINONES: Okay.

6 CHAIRMAN EWASUTYN: Thank you.

7

8 (Time noted: 8:15 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 13th day of October 2025.

Michelle Conero

MICHELLE CONERO

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

MONARCH WOODS SENIOR HOUSING COMMUNITY
(2019-28)

Monarch Drive
Section 103; Block 7; Lot 18
Section 47; Block 1; Lot 46
B Zone

----- X

SIX-MONTH EXTENSION OF SITE PLAN APPROVAL

Date: October 2, 2025
Time: 8:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: PATRICK HINES
JAMES CAMPBELL

----- X

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

2 CHAIRMAN EWASUTYN: Item number 4
3 is Monarch Woods Senior Housing
4 Community. This is a site plan for a
5 six-month extension. It's located on
6 Monarch Drive.

7 Mr. Mennerich, do you have a copy
8 of the extension?

9 MR. MENNERICH: Yes. It's from
10 Engineering & Surveying Properties dated
11 September 23, 2025 to the Town of
12 Newburgh Planning Board regarding Town of
13 Newburgh project 19-28, Monarch Woods
14 Senior Community, Monarch Drive, approval
15 extension request. "Dear Chairman
16 Ewasutyn and Board Members, Engineering &
17 Surveying Properties, PC (EP), as the
18 professional representative of the
19 applicant for the project noted above,
20 has obtained all outside agency approvals
21 required for the project, including New
22 York State DOH for water main extension,
23 New York State DEC for sewer main
24 extension, ACOE NYP 29 for wetland
25 disturbance and New York State DEC for

the water quality permit. At this time we are awaiting confirmation from the Town's professionals that all items have been addressed and notifying the applicant of any final fees due. In the interim we would respectfully request a twelve-month extension of the approval so that the final review can be completed and all fees and bonds necessary can be posted. If you have any questions or comments, please don't hesitate to contact this office. Sincerely,
Engineering & Surveying Properties, Ross Winglovitz, PE, Principal."

CHAIRMAN EWASUTYN: Pat, generally we grant two ninety-day extensions.

MR. HINES: We usually run it to six months. Yes.

They're close. I gave the Board a copy of their status memo on the project from 19 September. They are down to maintenance agreements, legal matters and posting of securities.

CHAIRMAN EWASUTYN: Can you offer

the Board a date?

MR. HINES: I have the six-month extension will run from today to 2 April 2026. So April 2, 2026.

CHAIRMAN EWASUTYN: Would someone move for a motion to grant a six-month extension, or two ninety-day extensions, for Monarch Woods Senior Housing Community to April 2, 2026.

MR. DOMINICK: So moved.

MR. WARD: Second.

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

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

(Time noted: 8:18 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 13th day of October 2025.



MICHELLE CONERO

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

- - - - - X
In the Matter of

CATSKILL VETERINARY SERVICES
(2024-26)

5080 Route 9W
Section 82; Block 1; Lot 34
B Zone

- - - - - X

ARCHITECTURAL REVIEW BOARD - SIGNAGE

Date: October 2, 2025
Time: 8:18 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: PATRICK HINES
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: ALISSA DeSTEFANO

- - - - - X

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

2 CHAIRMAN EWASUTYN: The last and
3 final item this evening is Catskill
4 Veterinary Services, project number
5 24-26. It's here for ARB and signage
6 approval.

7 MS. DeSTEFANO: We left this out of
8 our initial presentation I guess --

9 CHAIRMAN EWASUTYN: Can you give us
10 your name, please.

11 MS. DESTEFANO: My name is Alissa
12 DeStefano. I'm the COO of Catskill
13 Veterinary Services.

14 We left this out of our initial
15 presentation. We didn't have the design
16 ready. We have it ready now. We are
17 moved in and everything.

18 This would be straight bolted in.
19 There's no lighting or anything above it.

20 That's really all the information I
21 have. It's basically from Timeless
22 Signs. They said the only information
23 you guys should need, basically, is it's
24 straight bolted in and there's no electric
25 running to it.

2 CHAIRMAN EWASUTYN: Jim Campbell,
3 Code Compliance.

4 MR. CAMPBELL: Did they happen to
5 give you the square footage of the sign?

6 MS. DeSTEFANO: They just gave me
7 the max width, which is 201.6 inches.
8 It's the max allowed. It's a 288 inch
9 width. It's the whole front of the
10 building. That's the max we could go. I
11 believe it's about -- I believe it's
12 about 31 inches high.

13 MR. CAMPBELL: I have to do a
14 little math.

15 CHAIRMAN EWASUTYN: While Jim is
16 calculating, Lisa Carver has a question.

17 MS. CARVER: Do you have anything
18 that says Catskill Veterinary Hospital?

19 MS. DeSTEFANO: It says it right
20 here.

21 MR. DOMINICK: Would you mind
22 passing that around?

23 MS. DeSTEFANO: Sorry, it's not the
24 best.

25 MS. CARVER: So pet urgent care is

2 what's --

3 MS. DeSTEFANO: The urgent care is
4 the larger part of it.

5 MS. CARVER: Okay. That's the only
6 sign?

7 MR. DOMINICK: You're not going to
8 have a freestanding sign out front?

9 MS. DeSTEFANO: No. We do have a
10 banner out there right now just so people
11 know where we are, but that will be
12 removed once -- yeah.

13 MS. CARVER: So that will be the
14 only sign?

15 MS. DeSTEFANO: That will be the
16 only sign. There's a banner in the yard
17 of the parking lot.

18 MS. CARVER: Okay.

19 MR. CAMPBELL: As far as the square
20 footage allowed, you're allowed to have
21 28.5 square feet. You're allowed
22 three-quarters square foot per lineal
23 foot of the building wall, which your
24 building is 38 feet wide in the front.
25 You're allowed 28.5. That sign there is

2 43.34.

3 MS. DeSTEFANO: A little smaller.

4 Okay.

5 MR. HINES: Or go to the ZBA.

6 MS. DeSTEFANO: No. We'll just go
7 smaller. That's fine. We'll just go
8 smaller.

9 MR. MENNERICH: Urgent care, can
10 you tell us what you do for pets?

11 MS. DeSTEFANO: Sure. We do
12 emergency surgery. We do anything from
13 if a dog has an ear infection or if your
14 vet doesn't have an opening or your pet
15 is hit by a car. We also transport. We
16 have a 24-hour facility about forty
17 minutes from there. We do transport
18 after 10 p.m. to other facilities.

19 MR. MENNERICH: Thank you.

20 MR. CAMPBELL: Do you believe if
21 you're making it smaller, you're taking
22 that concept and --

23 MS. DeSTEFANO: Just making it
24 smaller.

25 MR. CAMPBELL: I would think you

2 would be able to do ARB and just have it
3 limited to the size allowed.

4 CHAIRMAN EWASUTYN: Subject to Code
5 Compliance approving it. Is that
6 reasonable?

7 MR. CAMPBELL: Then they don't have
8 to come back.

9 CHAIRMAN EWASUTYN: Can I have a
10 motion from the Board to grant ARB
11 approval for the signage for Catskill
12 Veterinary Services subject to Code
13 Compliance approving the size of the
14 signage.

15 MR. DOMINICK: So moved.

16 MS. DeLUCA: Second.

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

21 MR. DOMINICK: Aye.

22 MS. DeLUCA: Aye.

23 MR. MENNERICH: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. BROWNE: Aye.

1 MS. CARVER: Aye.

2 MR. WARD: Aye.

3 CHAIRMAN EWASUTYN: Motion carried.

4 MS. DeSTEFANO: Thank you.

5 CHAIRMAN EWASUTYN: Can I have a
6 motion to close the Planning Board
7 meeting of October 2, 2025.

8 MS. DeLUCA: So moved.

9 MR. MENNERICH: Second.

10 CHAIRMAN EWASUTYN: I have a motion
11 by Stephanie DeLuca. I have a second by
12 Ken Mennerich. Can I have a roll call
13 vote starting with Dave Dominick.

14 MR. DOMINICK: Aye.

15 MS. DeLUCA: Aye.

16 MR. MENNERICH: Aye.

17 CHAIRMAN EWASUTYN: Aye.

18 MR. BROWNE: Aye.

19 MS. CARVER: Aye.

20 MR. WARD: Aye.

21

22 (Time noted: 8:25 p.m.)

23

24

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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 13th day of October 2025.

Michelle Conero

MICHELLE CONERO