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

ELKAY PARTNERS DEVELOPMENT  
(2024-29)  
Brewer Road  
Section 39; Block 1; Lot 32  
R-3 Zone  
- - - - - X

DRAFT SCOPING DOCUMENT  
MULTI-FAMILY APARTMENTS/SENIOR HOUSING

Date: October 16, 2025  
Time: 7:00 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: LARA PRUSCHKI

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

2                   CHAIRMAN EWASUTYN:   Good evening,  
3                   ladies and gentlemen.   We'd like to  
4                   welcome you to this evening's scheduled  
5                   meeting.   We have four applications on  
6                   the agenda.

7                   The Board is here with their  
8                   consultants in cooperation with the Code  
9                   Compliance Department for reviewing the  
10                  applications before us.

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

13                  MR. DOMINICK:   Present.

14                  MS. DeLUCA:   Present.

15                  MR. MENNERICH:   Present.

16                  CHAIRMAN EWASUTYN:   Present.

17                  MR. BROWNE:   Present.

18                  MS. CARVER:   Present.

19                  MR. WARD:   Present.

20                  MR. CORDISCO:   Dominic Cordisco,  
21                  Planning Board Attorney.

22                  MS. CONERO:   Michelle Conero,  
23                  Stenographer.

24                  MR. HINES:   Pat Hines with MHE  
25                  Engineering.

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

4 CHAIRMAN EWASUTYN: The first  
5 application before us this evening is  
6 Elkay Partners Development, application  
7 number 24-29. It's a draft scoping  
8 document for multi-family apartments and  
9 senior housing. It's located on Brewer  
10 Road in an R-3 Zone. Engineering &  
11 Surveying Properties represents the  
12 applicant.

13 MS. PRUSCHKI: Good evening. Lara  
14 Pruschki with Engineering & Surveying  
15 Properties.

16 We prepared the draft scoping  
17 document for the DEIS. We're in receipt  
18 of Creighton, Manning's and MHE's  
19 comments which we're willing to address.

20 I just had some clarification on  
21 some of the items. First off, the  
22 traffic, there was a comment of including  
23 the Saturday traffic volumes. Creighton  
24 Manning's comment was somewhere along the  
25 lines of where if you do the counts

1                   Elkay Partners Development                   4  
2                   during the weekday and prove that the  
3                   Saturday ones are less, that we can  
4                   justify not including them. I just  
5                   wanted some clarification on which  
6                   language we wanted to include.

7                   Also with the utilities, there were  
8                   comments about the water connection. It  
9                   was our understanding that we are inside  
10                  the water district already. The comments  
11                  regarding the additional water withdrawal  
12                  permits and takings would not be required  
13                  if we're already inside the district.

14                 Then also the cultural resources  
15                 which we're willing to add. I just  
16                 wanted to clarify that we didn't add that  
17                 initially as it wasn't a hit on the long  
18                 form FEAF. That's why we didn't include  
19                 it initially.

20                 CHAIRMAN EWASUTYN: We're going to  
21                 have Pat Hines address the second  
22                 question.

23                 We'll listen to Dominic Cordisco  
24                 now on your first question and your third  
25                 question. Dominic.

MR. CORDISCO: The first question again was?

MS. PRUSCHKI: Regarding the traffic.

MR. CORDISCO: Yes.

MS. PRUSCHKI: Pat had commented that we should include the Saturday traffic counts. In Creighton Manning's letter they addressed that we had similar language in the scoping for the Enclave where if we provided the counts on Saturday and they were less than the weekday peak counts, that we could justify not including them in the study. It was just a preference on which we would like to include.

MR. HINES: It sounds like you're doing the leg work already, the counts and such. It might be just to incorporate them in. You're doing the counts anyway. If they are less, there shouldn't be that much analysis done.

MS. PRUSCHKI: Okay.

MR. CORDISCO: That makes sense.

2 CHAIRMAN EWASUTYN: Okay. The  
3 water district.

4 MR. HINES: I'll confirm that it's  
5 in the water district. I believe there  
6 was discussion in the EAF regarding a  
7 water district extension is required.  
8 I'll confirm whether it's in the water  
9 district or not. I can probably do that  
10 while we're sitting here. I'll check the  
11 parcel.

12 I added the cultural resources  
13 because, although it didn't hit on the  
14 database, the State's database, there can  
15 be structures greater than, I think fifty  
16 years old is the cutoff. I think that  
17 evaluation should be done to see if there  
18 is anything in that area. The State only  
19 has the ones that are eligible or on the  
20 national registry. There could be ones  
21 eligible but not listed. That analysis  
22 should be done.

23 MS. PRUSCHKI: Agreed.

24 MR. CORDISCO: Would you like me to  
25 discuss the process?

1                   CHAIRMAN EWASUTYN:   Sure.

2                   MR. CORDISCO:   Just to refresh the  
3                   Board, the scoping process requires a  
4                   public hearing.  It requires public  
5                   comment on the scope itself.  This Board  
6                   typically conducts those as public  
7                   hearings in the same manner as any other  
8                   public hearing with the additional  
9                   requirement that the notice gets  
10                  published in the Environmental Notice  
11                  Bulletin as well.

12                 In light of that, and given the  
13                 fact that we're now at the second meeting  
14                 in October, my recommendation would be  
15                 that the scoping session be held on  
16                 November 20th, if the Board finds that to  
17                 be acceptable.

18                 The other element of this, and I  
19                 want to bring this up to you, Lara, in  
20                 particular, is that SEQRA does have  
21                 mandatory timeframes for the processing  
22                 of the scope.  Because of my unavailability  
23                 at the prior meeting, Ross Winglovitz had  
24                 agreed to hold this over to tonight's  
25

meeting. This is the first time that you're considering the scope. The SEQRA timeframes are sixty days for the Board to consider and adopt the final scope.

We just want to make sure that we have your consent that that's going to run not only through the November 20th meeting but most likely to the first meeting in December. That way the Board can consider any of the comments that happen at the November 20th meeting, give the applicant an opportunity to revise the scope as needed based on those comments, and then the Board could adopt that scope at the first meeting in December.

Is that acceptable?

MS. PRUSCHKI: Yes, that's acceptable.

MR. CORDISCO: Thank you.

CHAIRMAN EWASUTYN: Any comments from the discussion that Dominic Cordisco



just presented. John Ward.

MR. WARD: Nothing to do with that.  
I have a comment about the traffic study.  
Can I say it?

CHAIRMAN EWASUTYN: Why not.

MR. WARD: Okay. With the traffic  
study, I know the public and everybody  
will say when is the traffic study being  
done. If you can, make sure it's during  
the school year, this way -- a lot of  
times you do it in the summer and there's  
not as much traffic in the neighborhood  
and everything else. Thank you.

MS. PRUSCHKI: Okay.

CHAIRMAN EWASUTYN: Lisa Carver.

MS. CARVER: I have nothing further.

MR. BROWNE: Nothing at this point.

CHAIRMAN EWASUTYN: No.

MR. MENNERICH: Nothing at this  
point.

MS. DeLUCA: I don't have anything  
else.

MR. DOMINICK: Nothing further.

CHAIRMAN EWASUTYN: Would someone

2 move for a motion to hold the public  
3 scoping session on the 20th of November.

4 MS. CARVER: So moved.

5 MS. DeLUCA: Second.

6 CHAIRMAN EWASUTYN: I have a motion  
7 by Lisa Carver. I have a second by  
8 Stephanie DeLuca. Can I have a roll call  
9 vote starting with John Ward.

10 MR. WARD: Aye.

11 MS. CARVER: Aye.

12 MR. BROWNE: Aye.

13 CHAIRMAN EWASUTYN: Aye.

14 MR. MENNERICH: Aye.

15 MS. DeLUCA: Aye.

16 MR. DOMINICK: Aye.

17 MR. HINES: I checked while we were  
18 speaking. You are in the water district.  
19 You do pay water district 1 charges which  
20 means you're in the district. They don't  
21 pay water 2 which means there's no water  
22 fronting on the property. That helps you  
23 because the extension of districts in  
24 this Town would be very complicated.

25 MS. PRUSCHKI: Yes.

2 MR. CORDISCO: Mr. Chairman, I had  
3 one additional comment. I had e-mailed  
4 Ross after the submission of the draft  
5 scope to request that the description of  
6 the action be expanded upon to include  
7 all the various different approvals that  
8 are necessary for the project. I know  
9 there's a separate section of the EIS  
10 that obviously lays all of that out. For  
11 the benefit of the public who will be  
12 reading the scope, I thought it would be  
13 helpful for them to see what approvals  
14 are necessary in the description of the  
15 action, because right now the description  
16 really focuses on the fact of the  
17 construction of the 168 units and doesn't  
18 really discuss the process to get there.

19 MS. PRUSCHKI: Right.

20 MR. CORDISCO: The version that's  
21 up on the Town's website, I don't see  
22 that change being made yet. We'd ask  
23 that that change be made as well as the  
24 other changes you're going to make for  
25 the scope, for finalizing that.

2                   MS. PRUSCHKI: We can address that.

3                   MR. CORDISCO: Thank you.

4                   CHAIRMAN EWASUTYN: Any additional  
5       comments?

6                   MR. CORDISCO: When do you think  
7       you might have those revisions done? The  
8       sooner the better because we have to send  
9       out the notices and get it in the ENB.

10                  MS. PRUSCHKI: I think at least by  
11       next week.

12                  MR. HINES: That's fine. I think  
13       we have an additional Thursday, too. We  
14       have five Thursdays this month.

15

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 24th day of October 2025.

*Michelle Conero*

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MICHELLE CONERO

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

- - - - - X

In the Matter of

5148 ROUTE 9W  
(2024-18)

5148 Route 9W  
Section 43; Block 2; Lot 15  
B Zone

- - - - - X

SITE PLAN/ARCHITECTURAL REVIEW BOARD

Date: October 16, 2025  
Time: 7:10 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: DAVID NIEMOTKO

- - - - - X

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

2 CHAIRMAN EWASUTYN: Our second  
3 application this evening is 5148 Route  
4 9W. It's application number 24-18. It's  
5 here this evening for a site plan and ARB  
6 approval. It's located on 5148 Route 9W.  
7 It's in a B Zone. Dave Niemotko, architect,  
8 is representing the applicant.

9 MR. NIEMOTKO: Hello, everyone. We  
10 received and addressed the comments from  
11 the previous submission as you see in our  
12 cover letter of September 29th, which  
13 included locating the septic tanks and  
14 getting septic reports done, adding some  
15 details regarding pavement and striping.  
16 We did include all of those in the recent  
17 submission. I believe Pat Hines  
18 acknowledged that in his comment letter.

19 We're ready to proceed.

20 CHAIRMAN EWASUTYN: Okay. Jim  
21 Campbell, do you have comments, please?

22 MR. CAMPBELL: I do. Comments were  
23 distributed.

24 Just a reminder that the Zoning  
25 Board granted multiple variances at the

2 July 24th meeting.

3 Building permits are required for  
4 the building additions and the rear  
5 dormer that was constructed without a  
6 permit.

7 Interior work also requires  
8 permits.

9 The project requires ARB, including  
10 the existing or the new building. That  
11 was dealing with the signs. I got word  
12 tonight that the signs were being pulled  
13 from the application at this time.

14 MR. NIEMOTKO: So that's a recent  
15 discovery. The owners would like to  
16 still work on the project and start to  
17 get it moving along. As a result, we'd  
18 like to withdraw any applications, any  
19 requests for ZBA review of the signs,  
20 realizing that we will have to come back  
21 and do the application at a future time  
22 to propose whatever new signs would be  
23 included on the site. We do not want to  
24 make it a part of this process because  
25 they're interested to develop.



2 CHAIRMAN EWASUTYN: We'll have  
3 approved signage at a later date. It's  
4 contrary, really, to the site plan  
5 approval process, but there's history of  
6 us working like that.

7 MR. NIEMOTKO: Fantastic.

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

10 MR. HINES: As Mr. Niemotko said,  
11 we did receive septic reports. The  
12 septic systems on the site were  
13 excavated, camera'd, flow tested. There  
14 were some minor deficiencies identified,  
15 but they're all existing systems  
16 servicing the facilities and they were  
17 all functioning.

18 There's an access and parking  
19 easement that was submitted to Dominic's  
20 office. That will need final approval.

21 The survey for the lot that was  
22 added to the plans has been submitted, so  
23 we have a stamped survey of that.

24 We submitted to Orange County  
25 Planning. They issued a local

2 determination with comments regarding  
3 the previous parking arrangement that  
4 was backing out into 9W. That has  
5 been eliminated by the shared  
6 internal parking and adding the  
7 additional lot.

8 Parking lot striping details  
9 were added.

10 There is minimal construction  
11 activity.

12 After a review of the EAF and  
13 the other information, we would  
14 recommend a negative declaration.

15 The Planning Board should  
16 consider whether to hold a public  
17 hearing on the amended site plan.

18 We just noted that ARB approval  
19 is required.

20 CHAIRMAN EWASUTYN: John Ward,  
21 comments.

22 MR. WARD: No comment.

23 CHAIRMAN EWASUTYN: Lisa Carver.

24 MS. CARVER: Have you started the  
25 addition or not yet?

2                    MR. NIEMOTKO:   The addition?

3                    MS. CARVER:   Yes.

4                    MR. NIEMOTKO:   Yeah, so -- well,  
5                    the good thing about it is you're able to  
6                    see it in three dimensions and you know  
7                    exactly what it looks like.

8                    It has been done.   A violation was  
9                    issued.   We will address that during the  
10                   building permit process.

11                   MS. CARVER:   So it's been started.  
12                   Okay.   Thank you.

13                   CHAIRMAN EWASUTYN:   Cliff Browne.

14                   MR. BROWNE:   Nothing additional.

15                   CHAIRMAN EWASUTYN:   I think not at  
16                   this time.

17                   MR. MENNERICH:   I have no questions.

18                   MS. DeLUCA:   No other questions.

19                   MR. DOMINICK:   Nothing further.

20                   CHAIRMAN EWASUTYN:   In speaking  
21                   with Siobhan in reference to the public  
22                   hearing that was held on the needed  
23                   variances, Siobhan said there were a few  
24                   people in the audience who attended, but  
25                   no one had any comments.   With that

2 history as being a fact, I myself would  
3 move to not hold a public hearing.

4 MR. MENNERICH: Second.

5 MR. BROWNE: Agreed.

6 MS. CARVER: Agreed.

7 MR. WARD: Agreed.

8 MR. DOMINICK: Agreed.

9 MS. DeLUCA: Agreed.

10 CHAIRMAN EWASUTYN: Let the record  
11 show that the Planning Board waived the  
12 public hearing on 5148 Route 9W,  
13 application 24-18.

14 At this point would someone move  
15 for a motion to declare a negative  
16 declaration on said site plan.

17 MR. DOMINICK: I'll make a motion.

18 MS. CARVER: Second.

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

23 MR. WARD: Aye.

24 MS. CARVER: Aye.

25 MR. BROWNE: Aye.

2                    CHAIRMAN EWASUTYN:   Aye.

3                    MR. MENNERICH:   Aye.

4                    MS. DeLUCA:   Aye.

5                    MR. DOMINICK:   Aye.

6                    CHAIRMAN EWASUTYN:   Dominic  
7                    Cordisco, Planning Board Attorney, can  
8                    you speak to us on the conditions of  
9                    approval.

10                   MR. CORDISCO:   Yes.   The conditions  
11                   would include the requirement to address  
12                   Mr. Hines' technical comments as well as  
13                   the signoff and the recording of the  
14                   access and parking easement.

15                   David, I had e-mailed you a couple  
16                   days ago because Pat said they were  
17                   submitted to me, but I could not find  
18                   them.   I was asking you to resend them to  
19                   me by e-mail if you would.

20                   MR. NIEMOTKO:   Not a problem.

21                   MR. CORDISCO:   Thank you.

22                   Additionally, the conditions would  
23                   be to abide by the terms and conditions  
24                   in the negative declaration, to abide by  
25                   the conditions of the ZBA's approval for

2 the project and the fact that only what's  
3 constructed on the plans -- shown on the  
4 plans can be constructed. If there are  
5 any changes in the future, they would  
6 have to come back for an amended  
7 approval.

8 MR. HINES: Are we going to do ARB  
9 after?

10 CHAIRMAN EWASUTYN: We'll make that  
11 part of the --

12 MR. CORDISCO: ARB would be deferred.

13 MR. HINES: I think the signs are  
14 going to be deferred. I think we might  
15 do ARB now. The building ARB you should  
16 get done. I believe a rendering was  
17 submitted with details.

18 MR. NIEMOTKO: That was of the  
19 sign.

20 MR. HINES: I think there was EIFS  
21 going on the building.

22 MR. CAMPBELL: We had one side view  
23 of the building showing, I think, window  
24 changes and EIFS.

25 MR. NIEMOTKO: That was a

2 submission from a while ago. I don't  
3 have that with me. If we have it, I'd  
4 be more than happy to talk about it.  
5 Absolutely.

6 MR. MENNERICH: Is this it?

7 MR. NIEMOTKO: No. That would be  
8 documents associated with the sign  
9 submission that we presented to you so  
10 that you would refer us to the Zoning  
11 Board. That would not constitute any  
12 renderings or elevations for ARB review.

13 MR. HINES: Can you talk about what  
14 is proposed? I don't know what the Board  
15 wants. They're existing buildings.

16 MR. NIEMOTKO: On 5152 the exterior  
17 facade would remain the same. They're  
18 updating it as far as -- the siding and  
19 colors, actually, are there. The three  
20 dimensions and the window layout would  
21 all remain the same.

22 On the beautiful building, 5148, to  
23 the best of my knowledge this is all  
24 remaining in place. We're going to  
25 directly replace some of the windows that

2 are broken, we'll have to point some of  
3 the bricks.

4 Not to confuse the matter, but  
5 originally when we had presented to you,  
6 we were taking off a front of the  
7 building, which I was not happy about,  
8 because of the DOT access and for  
9 parking. We don't need to do that any  
10 longer, so the front facade could remain  
11 as is. I would support that a hundred  
12 percent and allow them to fix it up, to  
13 the extent possible, and maintain that  
14 architectural history.

15 MR. HINES: The brick is going to  
16 remain?

17 MR. NIEMOTKO: Some of the brick is  
18 falling. We would have to do a repair.  
19 When we submit for a building permit we  
20 would probably do an elevation of that,  
21 indicating what bricks would need to be  
22 repaired or removed and a material  
23 substitute.

24 MR. HINES: The building will  
25 remain brick? I think I saw a rendering



2 or a sketch that showed it being covered  
3 in EIFS. I was concerned that the Board  
4 may want that brick --

5 THE APPLICANT: The roof is going  
6 to be a different elevation, the front  
7 part, and then that's it.

8 MR. NIEMOTKO: So there will be  
9 some amendment to the front of this  
10 building here.

11 THE APPLICANT: The way it shows in  
12 the picture.

13 MR. NIEMOTKO: I don't have that at  
14 the moment.

15 THE APPLICANT: At this point I  
16 have to do the same way I can do it. We  
17 can keep it the same way if we have to.

18 MR. NIEMOTKO: Can I go off the  
19 record for a moment? I want to talk to  
20 them.

21 (Pause in the meeting.)

22 MR. NIEMOTKO: Would the Board be  
23 acceptable to our representing right now  
24 that we'll try to maintain the integrity  
25 of the front of the building and if that

2 were to change dramatically, the  
3 Building Department could render that  
4 decision and refer us back, if need  
5 be, for architectural review?

6 CHAIRMAN EWASUTYN: Dave, what do  
7 you think?

8 MR. DOMINICK: Yes.

9 One more quick question. If you  
10 have to repair or replace any brick, are  
11 you going to do color matches as close as  
12 possible?

13 MR. NIEMOTKO: It's going to be  
14 difficult.

15 MR. DOMINICK: That's why I asked.

16 MR. NIEMOTKO: To go a couple weeks  
17 down the road into the future, we could  
18 do an elevation of the building and  
19 delineate what needs to be replaced and  
20 what doesn't and what's the best option  
21 in doing so. If we present that to the  
22 Building Department as part of the permit  
23 plans and they determine that it is a  
24 dramatic change, then they can have the  
25 option to refer us back to you. If they

2 determine that we are trying to maintain  
3 the integrity of the facade to the extent  
4 possible, we would be happy about that.

5 CHAIRMAN EWASUTYN: Jim Campbell,  
6 it's in your hands now.

7 MR. CAMPBELL: As long as it's in  
8 the decision resolution. Typically if  
9 it's something like this where we have a  
10 question, we do ask the opinion of the  
11 Chairman at times, whether it needs to  
12 come back before the Board or not.  
13 Between us I believe we can determine.

14 CHAIRMAN EWASUTYN: Thank you.

15 MR. NIEMOTKO: We appreciate the  
16 consideration. Thank you.

17 CHAIRMAN EWASUTYN: Dominic, do you  
18 want to add verbiage to the resolution?

19 MR. CORDISCO: If I understand, the  
20 ARB approval is being granted by the  
21 Board with the condition that the  
22 applicant is to maintain the integrity  
23 of the appearance of the existing  
24 structures. Any significant deviation  
25 from that would be reviewed by the

2 building inspector and potentially  
3 referred back to the Planning Board  
4 for further ARB review.

5 APPLICANT: Can I just say  
6 something? So the building has two  
7 entrances here. There's a door here,  
8 another door here and there's a third  
9 one here. For me, what I was thinking  
10 is we were just going to close this  
11 out so you don't see two entrances  
12 going in and another one coming out.  
13 I just want to make one whole --  
14 like, make it straight, right. Just  
15 close it in so there's not a gap.  
16 There's no point of me having that  
17 there. Just closing these two doors  
18 and keeping the door here and the  
19 window there.

20 MR. NIEMOTKO: That maintains the  
21 integrity of the building. Based on  
22 those guidelines and comments from the  
23 owner, I think you can see that they are  
24 trying to keep that facade.

25 MS. CARVER: What would you put in

2 place of the door?

3 MR. NIEMOTKO: Stucco goes well  
4 with brick. Matching the brick is going  
5 to be very difficult. I mean, that's the  
6 first thing that comes to my mind. They  
7 don't want to have windows, they don't  
8 want to have doors. It would be a solid  
9 material.

10 CHAIRMAN EWASUTYN: Any other  
11 questions from the Board?

12 (No response.)

13 CHAIRMAN EWASUTYN: One more time,  
14 Dominic, can you refresh our memory on  
15 the resolution conditions of final  
16 approval.

17 MR. CORDISCO: Yes. They would  
18 include addressing the outstanding  
19 technical comments from Mr. Hines, the  
20 approval and recording of the access and  
21 parking easement which you're going to  
22 send over, the fact that they have to  
23 comply with the conditions set forth in  
24 the negative declaration and the fact  
25 that there are no changes that are

2 allowed to the site without seeking an  
3 amended approval from the Board.

4 The Board would also be granting  
5 ARB approval with the language I  
6 previously read, which was that they will  
7 maintain the integrity of the look of the  
8 existing structures. Any significant  
9 deviation would be reviewed by the  
10 building inspector and potentially  
11 referred back to the ARB for further  
12 review.

13 CHAIRMAN EWASUTYN: Would someone  
14 make a motion to grant approval to 5148  
15 Route 9W with the conditions presented by  
16 Planning Board Attorney Dominic Cordisco.

17 MR. DOMINICK: So moved.

18 MR. WARD: Second.

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

23 MR. WARD: Aye.

24 MS. CARVER: Aye.

25 MR. BROWNE: Aye.

2                    CHAIRMAN EWASUTYN:   Aye.

3                    MR. MENNERICH:   Aye.

4                    MS. DeLUCA:   Aye.

5                    MR. DOMINICK:   Aye.

6                    CHAIRMAN EWASUTYN:   Congratulations.

7                    MR. NIEMOTKO:   Thank you, everyone.

8                    Thank you for working with us.   I appreciate  
9                    it.

10

11                    (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 24th day of October 2025.

  
\_\_\_\_\_  
MICHELLE CONERO



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

- - - - - X  
In the Matter of

JAMIE & STODDARD HILL  
(2025-25)

149 Mill Street & 28 Pheasant Hollow Road  
Section 2; Block 1; Lots 61.1 & 91  
RR Zone

- - - - - X

LOT LINE CHANGE

Date: October 16, 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: LARA PRUSCHKI

- - - - - X

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

2 CHAIRMAN EWASUTYN: The third  
3 application this evening is Jamie and  
4 Stoddard Hill, application number 25-25.  
5 It's a lot line change located on Mill  
6 Street and Pheasant Hollow Road in an RR  
7 Zone. It's being represented by  
8 Engineering & Surveying Properties.

9 MS. PRUSCHKI: Lara Pruschki again,  
10 Engineering & Surveying Properties, here  
11 to represent the applicant.

12 We were last before the Board in  
13 August, August 21st, for the initial  
14 presentation where we were referred  
15 to the ZBA for a few variances.

16 We went to the ZBA, acquired the  
17 variances, and we are now back before  
18 the Board. We noted the variances  
19 that were obtained on the plan.

20 We're in receipt of MHE's comments,  
21 which I believe we have addressed all  
22 of them.

23 We provided the private road  
24 access and maintenance agreement to  
25 Dominic for review.

2                    I believe that's it.

3                    CHAIRMAN EWASUTYN:   Pat Hines.

4                    MR. HINES:   Other than the private  
5                    road access and maintenance agreement  
6                    which was to be submitted, otherwise  
7                    they've met everything.

8                    Adjoiners' notices were submitted.

9                    ZBA approval was granted.

10                   Lot lines are Type 2 actions and  
11                   also do not require a public hearing.

12                   It would be able to be approved  
13                   tonight probably, subject to that access  
14                   and maintenance agreement.

15                   CHAIRMAN EWASUTYN:   Jim Campbell,  
16                   do you have anything to add?

17                   MR. CAMPBELL:   I have nothing  
18                   additional.

19                   CHAIRMAN EWASUTYN:   Comments from  
20                   Board Members.   Anyone.

21                   MR. DOMINICK:   No.

22                   MS. DeLUCA:   No.

23                   MR. MENNERICH:   No.

24                   MR. BROWNE:   No.

25                   MS. CARVER:   No.

2                   MR. WARD:    No.

3                   CHAIRMAN EWASUTYN:   Dominic  
4       Cordisco, Planning Board Attorney.

5                   MR. CORDISCO:   This would be a Type  
6       2 action under SEQRA.

7                   The Board also has the ability to  
8       waive the public hearing.  I don't know  
9       if you did that previously.

10                  MR. HINES:   We don't require them  
11       for lot lines.

12                  MR. CORDISCO:   I'm getting confused  
13       on which town I'm in.  I apologize.

14                  In any event, the Board would be  
15       able to consider conditions of approval  
16       which would include the review of the  
17       easement, which I did receive, it came  
18       over yesterday.  I just need to review  
19       it.

20                  MS. PRUSCHKI:   Okay.

21                  MR. CORDISCO:   That would be a  
22       condition of the approval.  Payment of  
23       fees.  That's about it.

24                  CHAIRMAN EWASUTYN:   Having heard  
25       from Planning Board Attorney Dominic

2 Cordisco, would somebody move for that  
3 motion.

4 MR. WARD: So moved.

5 MR. MENNERICH: Second.

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

10 MR. WARD: Aye.

11 MS. CARVER: Aye.

12 MR. BROWNE: Aye.

13 CHAIRMAN EWASUTYN: Aye.

14 MR. MENNERICH: Aye.

15 MS. DeLUCA: Aye.

16 MR. DOMINICK: Aye.

17 MR. HINES: These lots are in the  
18 RR Zone but they are not in the critical  
19 environmental area. I don't know if we  
20 want to mention that in the approval.  
21 Most of the RR Zone is in that critical  
22 environmental area. It's across the  
23 street and not subject to that review.

24 MR. CORDISCO: There's one other  
25 condition I should have mentioned. I'll

2               just put it out there for the record.

3               They should abide by the terms of the

4               ZBA's decision, which they should comply

5               with anyway, but we'll note that in the

6               resolution as well.

7                       CHAIRMAN EWASUTYN:   Okay.

8                       MS. PRUSCHKI:   Thank you very much.

9

10                      (Time noted:   7:30 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  
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proceeding by blood or by marriage and that  
I am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 24th 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

CANNABIS HUTS  
(2025-32)

5306 Route 9W  
Section 23; Block 2; Lot 1  
R-3 Zone

- - - - - X

AMENDED SITE PLAN/SPECIAL USE PERMIT

Date: October 16, 2025  
Time: 7:30 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: DOMINIC CORDISCO, ESQ.  
PATRICK HINES  
JAMES CAMPBELL

- - - - - X

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



2 CHAIRMAN EWASUTYN: Is anyone  
3 familiar, I know there was correspondence  
4 between the applicant's representative  
5 and Jim Campbell as far as the survey.

6 Jim, did she not say thank you for  
7 that information?

8 MR. CAMPBELL: Are you talking  
9 about Cannabis Huts?

10 CHAIRMAN EWASUTYN: Yes. The only  
11 reason why I bring that up is I'm  
12 assuming from the e-mail that she was  
13 preparing for the meeting tonight. Since  
14 they're not here, I just want to --

15 MR. CAMPBELL: I took it as that  
16 she -- well, thanks for the review but  
17 she thought she asked for it to be pulled  
18 from the agenda.

19 CHAIRMAN EWASUTYN: She thought  
20 what?

21 MR. CAMPBELL: It was asked to be  
22 pulled from the agenda.

23 CHAIRMAN EWASUTYN: Does it state  
24 that somewhere?

25 MR. CAMPBELL: In her e-mail that's

2 how she worded it.

3 CHAIRMAN EWASUTYN: Addressed to  
4 you?

5 MR. CAMPBELL: Yes. She said thank  
6 you, but I thought we had this pulled  
7 from the agenda.

8 CHAIRMAN EWASUTYN: Okay. So let  
9 the record show that for application  
10 number 25-32, the applicant requested to  
11 be pulled from the agenda.

12 Would someone make a motion to  
13 close the Planning Board meeting of the  
14 16th of October.

15 MS. DeLUCA: So moved.

16 MS. CARVER: Second.

17 CHAIRMAN EWASUTYN: I have a motion  
18 by Stephanie DeLuca. I have a second by  
19 Lisa Carver. Can I have a roll call vote  
20 starting with John Ward.

21 MR. WARD: Aye.

22 MS. CARVER: Aye.

23 MR. BROWNE: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. MENNERICH: Aye.

2 MS. DeLUCA: Aye.

3 MR. DOMINICK: Aye.

4 (Time noted: 7:32 p.m.)

5

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

7

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

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

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

18 IN WITNESS WHEREOF, I have hereunto  
19 set my hand this 24th day of October 2025.

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*Michelle Conero*

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MICHELLE CONERO