

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

In the Matter of

FABULOUS EVENTS, INC.
(22-23)

NYS Route 32 & Crab Apple Ct.
Section 34, Block 2, Lots 25.2, 54, 76, 77
Zone B

SITE PLAN / ONE YEAR EXTENSION

Date: November 6, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: John Queenan, P.E.

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Fabulous Events, Inc.

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Planning Board would like to welcome you to their meeting of the 6th of November 2026. This evening we have seven agenda items and would like to start by calling the meeting to order in a roll call vote.

MR. DOMINICK: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MS. CARVER: Present.

MR. WARD: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board Attorney.

MR. HINES: Pat Hines, with MHE Engineering.

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

CHAIRMAN EWASUTYN: At this time in the meeting, we will turn it over to Lisa Carver.

COPYCAT COURT REPORTING

Fabulous Events, Inc.

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MS. CARVER: Please stand for
the The Pledge of Allegiance.

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(The Pledge of Allegiance was
recited.)

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CHAIRMAN EWASUTYN: The first
application we have in this meeting
is Fabulous Events, project number
22-23, is here for a site plan
one-year extension. It's located in
a B zone. John Queenan will not be
representing the project tonight.
Ken Mennerich will read the request
for the extension.

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MR. MENNERICH: It's a letter
dated October 6, 2025, to the Town of
Newburgh Planning Board, Mr. John
Ewasutyn, Chairman, regarding
Fabulous Events, Inc., section block
lot 34-2-25.2 54, 74, 76, and 77.
Planning Board project number
2022-23, site plan New York State
Route 32.

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"Dear Chairman Ewasutyn and
Planning Board Members: On behalf of

Fabulous Events, Inc.

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the owner and applicant, I would like

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to request a one-year extension of

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the conditional site plan approval

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for Fabulous Events, Inc. site plan.

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The plan was conditionally approved

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and filed in December 2023. The

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owners are currently working through

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obtaining New York State DOT approval

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for the driveway entrance.

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The applicant would

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respectfully request the Board's

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consideration of granting a one-year

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extension of the conditional site

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plan approval for the project

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beginning from December 2023. If you

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should require any additional

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information or have any questions,

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please do not hesitate to contact our

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office.

21

Very truly yours, Lance &

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Tully, P.C., John Queenan."

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CHAIRMAN EWASUTYN: Pat Hines

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at MHE, can you give us an extension

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date?

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MR. HINES: Yes. I have the original approval as October 5th, '23. It must have been filed with the Town clerk in December, so I would suggest that we do it from 6 December 2025 until 6 December 2026, based on Mr. Queenan's letter. There have been no changes -- your code is good for two years in approval. And there has been no changes -- substantial changes in conditions on the site, the environment, or the zoning requirements, so a one-year extension would be appropriate.

CHAIRMAN EWASUTYN: Would someone move for that motion?

MR. DOMINICK: So moved.

MS. DeLUCA: Second.

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

Fabulous Events, Inc.

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MR. WARD: Aye.

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MS. CARVER: Aye.

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MR. BROWNE: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. MENNERICH: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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(Time Noted: 7:04 p.m.)

Fabulous Events, Inc.

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C E R T I F I C A T E


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

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

That 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 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

FANA DEVELOPMENT LLC
(25-21)

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

-----X
SUBDIVISION PLAT / 3 LOTS

Date: November 6, 2025
Time: 7:04 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Jonathan Millen, LLS

-----X
VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The second item this evening is Fana Development LLC. The application number is 25-21. It's a subdivision plat for three lots located on Sarvis Lane and in an RR zone, represented by Jonathan Millen.

MR. MILLEN: Good evening. So, there were a number of comments that we had to address per the last meeting for the three-lot subdivision. We have widened the driveway area between lots one and three. We have a description that's almost completed for the area that is going to be needed for the Town. We have a turn out to lot one right here. We calculated the limits of disturbance all of the way around and understand, per the instructions, that we will be putting up an orange fence around the perimeter. And we will ensure that it is less than one acre graded, which I do not perceive

1
2 being a problem. Septic designs and
3 details have been added to our sheet
4 too. We sent our notices out, and
5 there are no -- (Unintelligible) --
6 on this parcel.

7 Does anybody have any questions
8 or concerns?

9 CHAIRMAN EWASUTYN: Comments?
10 Dave Dominick?

11 MR. DOMINICK: Nothing.

12 MS. DeLUCA: I have nothing.

13 MR. MENNERICH: Nothing more.

14 CHAIRMAN EWASUTYN: No comment.

15 MR. BROWNE: Nothing more.

16 Thank you.

17 MS. CARVER: No comment.

18 MR. WARD: No comment.

19 CHAIRMAN EWASUTYN: Jim
20 Campbell with code compliance?

21 MR. CAMBPELL: Yeah, I have a
22 couple comments. I think the scale
23 on the drawing is incorrect. I think
24 it should be four scale.

25 MR. MILLEN: Well, that's --

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yes.

MR. CAMPBELL: And we just need a couple things for the emergency vehicle access. Some of it is just dimensioning. You know, you should just dimension the width of the driveway, you know, 12 feet typical or whatever. You didn't put in the turnout. If you could, dimension that also.

MR. MILLEN: Yes.

MR. CAMPBELL: And then the lower driveway, lot one, requires a turnaround.

MR. MILLEN: Okay.

MR. CAMPBELL: Mention that also.

MR. MILLEN: All right. We will take care of that.

MR. CAMPBELL: Thank you. That is all I've got.

CHAIRMAN EWASUTYN: Pat Hines, at MHE?

MR. HINES: As Mr. Millen

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mentioned, the access strip to the

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center lot has been aligned out to 25

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feet, which allows better

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construction for the driveway.

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MR. MILLEN: 30 feet.

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MR. HINES: 30?

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MR. MILLEN: Mm-hm.

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MR. HINES: The highway

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superintendent reviewed the plans and

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was questioning the driveway on lot

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three and the width. That is an

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existing condition.

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MR. MILLEN: Right.

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MR. HINES: And once we advised

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him of that, he had no further

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comments. The limits of disturbance

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was discussed. It's at 0.93 acres,

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less than one acre. But we request

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that a note be added to the plans

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that a stakeout is required from the

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limits of disturbance to assure that

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the entire project, all three lots,

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remains less than one acre.

25

Septic system designs have been

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prepared, but we need a stamp from a
surveyor for that. And a public
hearing is required and could be
scheduled at this time.

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CHAIRMAN EWASUTYN: Dominic
Cordisco, Planning Board attorney?

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MR. CORDISCO: I concur. The
Board could schedule a public
hearing. The recommended date would
be the first meeting in December,
which I believe is December 4th.

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CHAIRMAN EWASUTYN: Okay.
Would someone move for a motion to
schedule a public hearing for Fana
Development LLC, project number
25-21, for a public hearing on the
4th of December?

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MR. WARD: So moved.

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MS. CARVER: Second.

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

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MR. WARD: Aye.

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MS. CARVER: Aye.

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MR. BROWNE: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. MENNERICH: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: And you

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will work with Pat Hines's office as

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far as a Notice of Hearing?

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MR. MILLEN: Yes, sir.

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(Time Noted: 7:08 p.m.)

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C E R T I F I C A T E

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

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

That 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 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

SOUTH PLANK HOLDINGS, LLC
(25-20)

209 S. Plank Road
Section 60, Block 3, Lot 2
Zone B

-----X
AMENDED SITE PLAN EV CHARGING STATIONS

Date: November 6, 2025
Time: 7:09 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: Nikolas Hontoria

-----X
VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

South Plank Holdings, LLC

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CHAIRMAN EWASUTYN: The third application this evening is South Plank Holdings, LLC. It's project number 25-20. It is an amended site plan for EV charging stations. It's located on 209 South Plank Road in the B zone, and it's being represented by...

MR. HONTORIA: Nikolas Hontoria.

CHAIRMAN EWASUTYN: Nikolas, nice to meet you.

MR. HONTORIA: Nice to meet you.

So, for this site, we are planning on doing the two dual-port 240 kilowatt EV chargers with all of its equipment localized. Over here, there is going to be a nine by nine transformer and 800-amp trans S and two 400-amp disconnects, one for each charger.

CHAIRMAN EWASUTYN: Questions from board members?

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MR. DOMINICK: Nothing.

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MS. DeLUCA: Nothing.

4

MR. MENNERICH: Nothing.

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CHAIRMAN EWASUTYN: No comment.

6

MR. BROWNE: No.

7

MS. CARVER: No questions.

8

MR. WARD: I don't have any.

9

CHAIRMAN EWASUTYN: Jim

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Campbell, Code Compliance?

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MR. CAMPBELL: I have no

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comment.

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CHAIRMAN EWASUTYN: Pat Hines

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at MHE?

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MR. HINES: Notices were

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circulated. We referred the project

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to the Orange County Planning

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Department. They issued a local

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determination with a recommended or a

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divisory comment to assure that the

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utility transfer will not create

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visible obstructions from the eastern

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driveway. That transformer is far

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enough back that it will not impact

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the site distance from the state

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2 highway. The project previously
3 received variances for preexisting
4 non-conformities, which remain valid.

5 It's a Type II action under
6 SEQRA. The project could be approved
7 tonight with those specific
8 conditions. I believe it's a Type II
9 action. Dominic can confirm that.

10 MR. CORDISCO: That's correct.
11 It is a Type II action, and the public
12 hearing was previously waived on
13 September 18th.

14 CHAIRMAN EWASUTYN: Questions
15 or comments from board members?

16 MR. DOMINICK: No.

17 MS. DeLUCA: No.

18 MR. MENNERICH: No.

19 MR. BROWNE: No.

20 MS. CARVER: No.

21 MR. WARD: No.

22 CHAIRMAN EWASUTYN: Having
23 heard from Pat Hines of MHE and
24 Dominic Cordisco, Planning Board
25 attorney, would someone move for a

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motion to grant approval for the

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amended site plan for the EV charging

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stations, project number 25-20?

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MR. MENNERICH: So moved.

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MS. DeLUCA: Second.

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CHAIRMAN EWASUTYN: We have a

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motion by Ken Mennerich. We have a

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second by Stephanie DeLuca. Can I

10

have a roll call vote starting with

11

Dave Dominick?

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MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

14

MR. MENNERICH: Aye.

15

CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MS. CARVER: Aye.

18

MR. WARD: Aye.

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CHAIRMAN EWASUTYN: And for the

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records, we have been hearing back

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from the office. They can deliver

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site plans for signature? They are

23

anxious to get signed site plans.

24

MR. HINES: Yes. Typically,

25

wait for the resolution, but I

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believe there is no specific
condition.

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CHAIRMAN EWASUTYN: That is why
I raised the question.

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MR. HINES: Yes.

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CHAIRMAN EWASUTYN: You will
coordinate the submission.

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MR. HONTORIA: Okay.

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CHAIRMAN EWASUTYN: I think we
agree we need four sets for the
Planning Board record.

12

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MR. HONTORIA: Okay.

14

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CHAIRMAN EWASUTYN: And one set
for yourself.

16

MR. HONTORIA: Okay.

17

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CHAIRMAN EWASUTYN: Give a
call and arrange a date to drop them
off.

19

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MR. HONTORIA: Yeah, we can
definitely call you and arrange a
time for that.

21

22

23

CHAIRMAN EWASUTYN: Great.

24

Thank you.

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MR. CORDISCO: Mr. Chairman,

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since there are no special conditions

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on this one, would you forego an

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approval resolution?

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CHAIRMAN EWASUTYN: No. I

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think just for the record, we'll have

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them. But since there isn't any, we

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will handle the sign. They've been

9

anxious.

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MR. CORDISCO: Understood.

11

Thank you. I will turn that right

12

around.

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CHAIRMAN EWASUTYN: Good

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question.

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MR. CORDISCO: Thank you.

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(Time Noted: 7:12 p.m.)

South Plank Holdings, LLC

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C E R T I F I C A T E

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

I, VICTORIA CHUMAS ARIAS, a Notary
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I further certify that I am not related
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I am in no way interested in the outcome of
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my hand this 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

READE HOTEL CAPITAL
(25-24)

1 Crossroads Court
Section 95, Block 1, Lot 45.12
Zone IB

-----X
AMENDED SITE PLAN EV CHARGING STATIONS

Date: November 6, 2025
Time: 7:12 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: Paul Simihtis, P.E.

-----X
VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The fourth application before us this evening is Reade Hotel Capital, project number 25-24. It's an amended site plan for EB charging stations, located 1 Crossroads Court in the IB zone. It's being represented by Paul Simihtis, P.E. Paul?

MR. SIMIHTIS: Good evening board members. I'm Paul Simihtis. I represent the Hampton Inn ownership and EV Plus, the guys supplying the EV chargers. I believe this site plan here addresses the comments we had from MHE and the Building Department. We moved the stations and the bollards out of the parking space. So, we're creating two little retaining walls, a little concrete platform with a railing, and that should address all the issues/ comments we had. We did the circulations. I'm not seeing any other issues, so...

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CHAIRMAN EWASUTYN: Comments
from board members?

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MR. DOMINICK: Paul, can you
just refresh our memory? What was
the kilowatt of the chargers? Level
two? Level three?

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MR. SIMIHTIS: They are 40, but
they are going to be load-managed.
We are only going to provide a
200-amp. It's all about cost because
the, you know, the facilities get,
upgraded, and it all comes with a
cost. So, they'll load manage
within, you know, the service that we
designed for.

17

MR. DOMINICK: Thank you.

18

19

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21

MR. SIMIHTIS: It works. I
mean, that's what everybody's doing
right now. It's a big initial
investment.

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MR. DOMINICK: Thank you.

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MR. SIMIHTIS: The hotel isn't
going to own this. I think they have
some agreement. It's like a sales

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agreement where people get

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reimbursed, they chare, and all of

4

that.

5

MR. DOMINICK: Thank you.

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CHAIRMAN EWASUTYN: Stephanie?

7

MS. DeLUCA: No, nothing.

8

MR. MENNERICH: No questions.

9

CHAIRMAN EWASUTYN: No comment.

10

MS. CARVER: Nothing further.

11

Thanks.

12

MR. WARD: No comment.

13

CHAIRMAN EWASUTYN: Jim

14

Campbell, Code Compliance?

15

MR. CAMPBELL: My previous

16

comments have been addressed.

17

CHAIRMAN EWASUTYN: And those

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comments were?

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MR. CAMPBELL: It was the work

20

activity, construction activity

21

hours, and changes made to the plans

22

to put everything beyond the curb

23

line.

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CHAIRMAN EWASUTYN: Okay, thank

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you. Pat Hines of MHE?

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MR. HINES: Again, our first comment just describes the action as it was described by the applicant's representative. Adjoiners' notices have been circulated. Orange County Planning Department issued a local determination with no comments. As Mr. Campbell just mentioned, small retaining walls were incorporated into the plans to allow the bollards and chargers to be placed behind the curb.

It's a Type II action. I believe we previously waived the public hearing on this, and we would be in a position to issue an approval.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board attorney?

MR. CORDISCO: My notes didn't indicate a waiver, so if you would consider that tonight, I agree with Pat. It is a Type II action under SEQRA, so no further action is

1
2 required. You do have the local
3 determination from county planning,
4 and if the Board is inclined to waive
5 the public hearing, you would be in a
6 position to grant, once again,
7 approval similar to the prior project
8 with no special conditions.

9 CHAIRMAN EWASUTYN: For the
10 records, the Planning Board has
11 discretionary decisionmaking when it
12 comes to waiving a public hearing.
13 And if we could support that
14 reasoning, I will turn to Dave
15 Dominick now.

16 MR. DOMINICK: I think we can
17 waive the public hearing, John.
18 There is minimal impact to the site
19 and to the surrounding area. And for
20 that reason, I don't think it
21 warrants -- I don't believe it
22 warrants a public hearing --

23 CHAIRMAN EWASUTYN: Thank
24 you.

25 MR. DOMINICK: -- necessary.

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CHAIRMAN EWASUTYN: Poll board
members. Stephanie DeLuca?

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MS. DeLUCA: Agreed.

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MR. MENNERICH: Agreed.

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CHAIRMAN EWASUTYN: Agreed.

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MR. BROWNE: Agreed.

8

MS. CARVER: I agree.

9

MR. WARD: I agree.

10

CHAIRMAN EWASUTYN: Let the

11

records show that the Planning Board

12

waived the public hearing on Reade

13

Hotel Capital, project number 25-24.

14

Dominic Cordisco, Planning

15

Board attorney?

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MR. CORDISCO: At this point,

17

the Board could consider granting

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approval. I would say conditional

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approval, except there are no

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conditions other than payment of

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fees. It's similar to the prior

22

application.

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CHAIRMAN EWASUTYN: Having

24

heard the recommendations of Planning

25

Board attorney Dominic Cordisco,

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2

would someone move to grant approval

3

for the amended site plan for the EV

4

charging stations, project number

5

25-24?

6

MR. DOMINICK: So moved.

7

MR. MENNERICH: Second.

8

CHAIRMAN EWASUTYN: We have a

9

motion by Dave Dominick. We have a

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second by Ken Mennerich. Can I have

11

a roll call of votes starting with

12

John Ward?

13

MR. WARD: Aye.

14

MS. CARVER: Aye.

15

MR. BROWNE: Aye.

16

CHAIRMAN EWASUTYN: Aye.

17

MR. MENNERICH: Aye.

18

MS. DeLUCA: Aye.

19

MR. DOMINICK: Aye.

20

CHAIRMAN EWASUTYN: Thank you.

21

We will coordinate -- call the

22

office, and we'll coordinate a day

23

that you can deliver the plans to be

24

signed.

25

MR. SIMIHTIS: For the design

1

2

plans or...

3

CHAIRMAN EWASUTYN: Excuse me?

4

5

MR. SIMIHTIS: The design plans
for this...

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7

CHAIRMAN EWASUTYN: The full
set of plans that you have before us.

8

9

MR. SIMIHTIS: Okay. This is
the site plan, one drawing.

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16

MR. HINES: They will just need
four copies of that and one copy for
your client, and they will be
stamped. But you have to coordinate
a date. Call the office and
coordinate a date when they can be
dropped off.

17

MR. SIMIHTIS: Yes.

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MR. HINES: You are all set.

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(Time Noted: 7:18 p.m.)

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C E R T I F I C A T E

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

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

That 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 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

3 MARINERS COURT - PAPALEO
(24-35)

3 Mariners Court
Section 121, Block 1, Lot 7
Zone R1

-----X

CLEARING & GRADING

Date: November 6, 2025
Time: 7:18 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
David Niemotko Architect, P.C.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Our fifth item this evening is 3 Mariners Court - Papaleo. It's project number 24-35. It's before us this evening for a clearing and grading permit. It's located at 3 Mariners Court in an R1 zone, and is being represented by David Niemotko, Architect.

MR. NIEMOTKO: Hello, everyone. First of all, thank you for all of your support with the Federation event two weeks ago. We appreciate it because, as we mentioned, we thanked you then, and I personally just want to give you thanks now because we do put a lot of effort into it.

So, we are here because --

CHAIRMAN EWASUTYN: And we were there for what purpose, for the records? Seriously. I'm serious.

MR. NIEMOTKO: I am on the Federation Board and the Orange County Planning Board.

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CHAIRMAN EWASUTYN: And all
Planning Board members attended this
four-hour training session.

MR. NIEMOTKO: You did.

CHAIRMAN EWASUTYN: Thank you.

MR. NIEMOTKO: Yes, full
support. It was fantastic.

CHAIRMAN EWASUTYN: You're
welcome. It was beneficial.

MR. NIEMOTKO: Thank you.

So, we're here to present 3
Mariners Court. There have been a
few changes since our last
submission. And as you can tell from
the comment letter and from the
notices that were issued from the
Building Department, one of the major
changes is the introduction of a
retaining wall to hold back the earth
from the property line. Originally,
we had designed it to be tapered on
different plateaus. Now, the way
things have evolved on the site,
we're proposing one retaining wall to

1
2 hold back the earth. It would -- the
3 top of the retaining wall would be
4 about at an elevation of 80. Around
5 the house, the elevation of the grade
6 is around 100. So, you'd still have
7 a 20-foot differential between the
8 two, but it would create a much less
9 steeper slope, a lot less steeper
10 than originally was existing on the
11 site.

12 CHAIRMAN EWASUTYN: We are
13 going to turn to Pat Hines at MHE.

14 MR. HINES: So, we have quite a
15 few comments on this. We believe
16 that this should be submitted with a
17 new clearing and grading application.
18 It is substantially different in the
19 fill volume and the footprint of the
20 fill purposed in existing condition.
21 The retaining wall you mentioned is
22 approximately 20 feet high.

23 MR. NIEMOTKO: Yes.

24 MR. HINES: That top of the
25 wall that you mentioned at 80, the

1

2

bottom of the wall is somewhere

3

around 60.

4

MR. NIEMOTKO: Sure.

5

MR. HINES: That could have a

6

significant visual impact on

7

neighbors that wasn't discussed at

8

the last public hearing. There was

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no wall. Now, apparently, there

10

might be a partial wall constructed

11

there now.

12

MR. NIEMOTKO: That is correct.

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MR. HINES: And that is

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proposed to get 10 feet high. We

15

have some concerns about the design

16

of that wall and recommend some

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geotechnical work be incorporated

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into that design based on the amount

19

of fill that has been placed.

20

We had concerns regarding

21

impacts to the Town's storm water

22

collection system that need to be

23

addressed. There's a catch basin on

24

the adjoining property just to the

25

southwest of that wall. That needs

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2 to be maintained.

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We recently were notified by
the DEC of an eagle nest in that
area. I provided that email.

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MR. NIEMOTKO: You did.

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MR. HINES: So, anything --
prior to any approvals with this
Board, coordination with the DEC is
going to be required to be
undertaken. And there are work
timeframe limits that maybe imposed
by the DEC. We're looking for
specifications. The wall currently
shows an engineered backfill without
any specifications on that, so we
would be looking for that. I believe
the wall should be treated as an ARB
review by the Planning Board for the
visual look of that wall based on its
location in a residential
neighborhood and possibly having
visual impacts on other residential
properties.

The limits of disturbance have

1
2 increased and should be clearly
3 delineated there. The source of the
4 survey data should be identified on
5 the plans. I believe the Building
6 Department requested an existing
7 condition survey. I don't know where
8 that data came from or where the
9 existing and proposed focal are where
10 that is out there. I think an
11 existing survey should be done to
12 determine the impacts of the site to
13 date and where we are going with this
14 potential clearing and grading
15 application.

16 There may be a need for
17 landscaping along the retaining wall.
18 That would be during the ARB process.
19 And a new public hearing would be
20 required based on the changes and the
21 conditions of the site and the
22 purposed engineering changes.

23 So, I think a new application
24 would be in order to start this
25 process. And some additional

1

2 information are going to be required.

3

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CHAIRMAN EWASUTYN: Jim
Campbell, Code Compliance?

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MR. CAMPBELL: The conditions
of the resolution dated January 16,
2025 were never met, and the clearing
and grading permit was never issued
to do the work that has been
performed. There is currently a stop
work order in place regarding this
work.

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The retaining wall will require
a building permit, full design by a
licensed professional, third-party
inspections, and certification when
complete by a New York State licensed
professional. Based on the
quantities of import, area of
coverage and the addition of the
retaining wall, a full geotechnical
evaluation is required.

23

24

25

And then, please note per the
Town of Newburgh Municipal Code
Section 83, site preparation

1
2 activities shall only be conducted
3 between hours of 7:30 and 6:00 p.m.,
4 when within 1,500 feet of any
5 residence. No site preparation
6 activity shall be conducted on
7 Sundays or public holidays without
8 express consent the with permit.

9 The next five are comments from
10 the inspector handling the stop work
11 order and stuff like that. Storm
12 water prevention measures for the
13 fill that has been brought in. Five
14 catch basins and a manhole have been
15 affected. And concerns if there's
16 any buildup of silt in the basins and
17 pipes. A large amount of fill has
18 been removed from the storm water
19 easement. How much, and where did it
20 go? Drainage pipes that start on the
21 north side Papaleo driveway would be
22 connected to the storm water system.
23 And final grading and seeding plan.

24 CHAIRMAN EWASUTYN: Dominic
25 Cordisco, Planning Board attorney?

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2

MR. CORDISCO: Yes. As Mr.

3

Campbell noted, this project did

4

receive prior approval, so there is

5

no pending application before the

6

Board. This is an update, you know,

7

and placed on the agenda for that

8

purpose for these plans. But the

9

Board had previously acted and

10

approved the set of plans back in

11

January of this year. And so I

12

concur with Mr. Hines that, you know,

13

given the fact that the prior plan

14

was approved, and now that there are

15

significant changes and deviations

16

from that plan, including the

17

introduction of a significant amount

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of fill, as well as a 20-foot

19

retaining wall, that the scope and

20

nature of this application -- well,

21

the scope and nature of what's

22

proposed requires a new application

23

and would encourage the applicant to

24

submit that.

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CHAIRMAN EWASUTYN: Do you have

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any questions or comments?

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MR. NIEMOTKO: Yeah, I have a few I would like to share, perhaps to help work through the process. Was -- a clearing and grading permit application was submitted, but the permit was never issued on it. Was there a --

MR. CORDISCO: It's a two-step process, so the prior application required Planning Board review, and then the Planning Board approval, which is in the form of a resolution. That had a number of conditions, but then the actual clearing and grading permit would be issued by the Building Department once those conditions were satisfied.

MR. NIEMOTKO: And the conditions were not...

MR. CORDISCO: The conditions were not satisfied, but were commenced nonetheless.

MR. NIEMOTKO: Minor hiccup.

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We can work through that. You know,

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I can understand the thought about

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the retaining wall. The amount -- we

5

can determine the amount of fill. We

6

created the planks --

7

(Unintelligible) -- from the original

8

grade to what's being proposed now,

9

so I'm not sure what a survey would

10

accomplish. Because since we can

11

determine the height that we want,

12

the amount of fill based on the

13

previously existing conditions from

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before the project started to now,

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so -- and also, I'm trying to get

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away from a survey also for time

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constraints, you know? They are all

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very busy. You know, we would like

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to move the process along. I'm sure

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the Board does. The Town does. The

21

owner does. So, I was hoping that

22

you would consider us evaluating that

23

and providing that information to

24

you.

25

CHAIRMAN EWASUTYN: I think

1
2 that it's two questions. The first
3 one, Pat Hines will respond to. The
4 second one, I question the fact that
5 the DEC is concerned about the
6 location of a bald eagle, and
7 suggesting that everything halt on
8 the project. But let's take one
9 thing at a time.

10 Pat Hines, the survey.

11 MR. NIEMOTKO: Sure.

12 MR. HINES: Currently, the
13 plans don't have a reference of where
14 the survey information came from, the
15 base survey. And I believe there has
16 been some activity there. You have
17 Planning Board approval but not a
18 building permit for the original
19 clearing and grading. I think it's
20 important that we get a handle on
21 what's there and what happened.

22 Apparently, there is a
23 retaining wall shown there. I don't
24 know how that was placed on that
25 plan, if it's really in that

1

2

location, without a survey. I don't

3

know where the -- if the grading at

4

the top of the hill is consistent

5

with the original proposed grading or

6

not, which could impact the slope

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down to the retaining wall. I think

8

there is a lot of questions on what's

9

occurred there to date. I think we

10

need to get a handle on that and

11

what's proposed for this board to

12

review moving forward.

13

MR. CORDISCO: And if I could

14

add to that. The survey data would

15

have been required and was required

16

for the original approval, so because

17

you're -- the Board is essentially

18

comparing existing conditions with

19

post-future conditions with a

20

clearing and grading permit. Since

21

the topography has been changed

22

without a survey, now you would not

23

be evaluating what the existing

24

conditions would be.

25

MR. NIEMOTKO: It's not the

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answer I was looking for, but I can

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see the validity in it. I mean, we

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are working towards a purposed

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design. I would venture to say an

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as-built survey or a survey at that

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time would be beneficial. Right now,

8

a survey is not going to show any

9

conditions that are worth building

10

upon. It's going to show an

11

unfinished condition on the site.

12

MR. CORDISCO: Understood.

13

MR. HINES: It's going to show

14

a difference between what was

15

approved by this board, what exists

16

on the site today, and what's

17

purposed here, so this board could

18

give it an evaluation under the

19

clearing and grading requirements.

20

MR. NIEMOTKO: Okay.

21

MR. HINES: The footprint is

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larger. The volume of fill is

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larger. This is a different plan

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than was approved by this board and

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commenced without a building permit.

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MR. CORDISCO: And I would encourage that no changes should occur. You know, so if the survey is done, but then if work continues and that continues to be a changing set of circumstances, if you follow my meaning.

MR. NIEMOTKO: And the second part of that question?

CHAIRMAN EWASUTYN: Well, I think the DEC in their comment stated something in January. The window is over with for doing work where there is a bald eagle. But at the same time, the DEC -- speak on the DEC. The letter is attached.

MR. HINES: Attached to the email that the Town received for several projects going on in this area, the DEC emailed the Town regarding the review and approvals of any projects in this area based on the location of a -- I will say a sensitive habitat for bald eagles.

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They don't want to say why. So, we
need their sign-off and concurrence.

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Clearly, they say that all work
should stop in the vicinity of this
subdivision and that they need to
review each project. So, a
submission of ultimately whatever
plan is proposed should be submitted
to DEC. They will most likely impose
time of year conditions on when work
can be done based on the proximity of
that sensitive habitat.

14

15

16

MR. NIEMOTKO: And that's going
to apply to all of the projects going
on currently?

17

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MR. HINES: Yes. I believe the
Building Department has been
addressing that. The email was
received by the Building Department.

21

22

23

MR. CAMPBELL: I believe some
of the projects have been released.
Which ones, I don't remember.

24

25

MR. NIEMOTKO: Because they
received previous DEC approval. They

1

2

went through the process.

3

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MR. HINES: They recently went through the process after receiving the email.

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MR. NIEMOTKO: Okay.

CHAIRMAN EWASUTYN: I think for the records, Ken Mennerich will read the email that was received, paragraph two, from the DEC.

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MR. MENNERICH: Paragraph two, "With respect to this neighborhood surrounding the eagle nest, it looks like there is also ongoing work on several other parcels that should have been reviewed by us and wasn't. To avoid unpermitted impact to eagles, no further work on any of the parcels located between Mariners Court and Anchor Drive should take place until the owners/developers have consulted with both DEC and the U.S. Fish and Wildlife Service regarding impacts and state and federal permitting. And, in addition

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to those parcels, no further work on

3

any of the parcels bordering Anchor

4

Drive, Mariners Court, or a portion

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of River Road above these two streets

6

should take place after the next

7

nesting season beginning on

8

January 1st if the work hasn't been

9

reviewed by DEC and USFWS.

10

MR. NIEMOTKO: Okay. So, we

11

will submit a new application for

12

clearing and grading along with the

13

required documents that the Board is

14

requesting and to move the project

15

along.

16

CHAIRMAN EWASUTYN: Thank you.

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MR. NIEMOTKO: Have a good

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evening.

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(Time Noted: 7:35 p.m.)

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C E R T I F I C A T E

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

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

That 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 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

ROUTE 9W CATERING FACILITY
(25-28)

5500 Route 9W
Section 8, Block 2, Lot 27.1
Zone B

-----X

AMENDED SITE PLAN

Date: November 6, 2025
Time: 7:35 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: Ross Winglovitz

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The sixth application this evening is Route 9W Catering Facility, project number 25-28. It's an amended site plan located on Route 9W in a B zone and is being represented by Ross Winglovitz, Engineering & Surveying Properties.

MR. WINGLOVITZ: This is Renice Marley, the applicant. Ross Winglovitz, Engineering & Surveying Properties. We were before you about a month and a half ago. I think Reuben from our office represented the project. She has acquired the diner that's been closed for a while, and she is reopening it as a catering facility. We originally talked to Jim and were referred to the Planning Board, because the use had been discontinued for more than a year, to come back to the Planning Board to get the use reapproved for this property.

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So, there was a number of items that the Board came up with at the last meeting. We had provided a response to the majority of them. We do have comments from Jim and Pat, and I would be glad to review them with you at this time.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance?

MR. CAMPBELL: The building addition, which would be to the left side of that drawing, has a sprinkler system. It's tank system, so that would have to be maintained and in working condition. Depending on the amount of work that is performed within the rest of the building, and I think there is a dollar value on that if the building needs to be sprinkled, I don't think that would be triggered.

MR. WINGLOVITZ: Looking at the plans that we've got so far, the preliminary plans with the architect,

1
2 they're moving a couple walls in the
3 bathroom, so it's pretty minor.

4 MR. CAMPBELL: The accessible
5 parking has been increased to conform
6 with the 2020 Building Code. The ZBA
7 approved the front yard deficiency
8 back in 2011 when the addition was
9 initially purposed.

10 Parking calculations have been
11 updated to show an occupancy load of
12 110.

13 The freestanding sign is going
14 to be required for a referral to the
15 ZBA, one for the distance from the
16 property line and two for the height
17 of the sign. Max height of the sign
18 is posted 14 feet. The sign is
19 showing plus or minus 15.5 in height.
20 So, two variances would be required.

21 The building mounted sign
22 complies with the Town of Newburgh
23 Municipal Code, and the sing would
24 require ARB.

25 MR. WINGLOVITZ: Just regarding

1
2 the freestanding sign, Renice has
3 indicated she would remove it, if
4 necessary. She would like to keep
5 it, but she just doesn't want to slow
6 down the process. I don't know if
7 there is a way that we could be
8 referred to the ZBA and have a
9 condition on the approval that the
10 sign either needed to be removed or
11 get a ZBA variance prior to the C of
12 O being issued just so that she could
13 move forward?

14 CHAIRMAN EWASUTYN: Good
15 question. Who can answer that?

16 MR. HINES: I will defer to
17 Dominic, but we had that discussion
18 at the work session.

19 CHAIRMAN EWASUTYN: Thank you.

20 MR. CORDISCO: There is
21 precedent for the Board including
22 that as a condition along those lines
23 where, you know, the project could be
24 approved subject to, you know, the
25 changing of that sign would require

1
2 either ZBA variances for it, which
3 would anticipate giving that it's an
4 existing sign at that location, you
5 know, would likely occur. I can't
6 speak for the ZBA, of course, but I
7 would anticipate that that would be a
8 reasonable request to the ZBA. But
9 the rest of the project could move
10 forward while that's pending if
11 that's the route that you choose to
12 go. Or, alternatively, if you don't
13 want the sign, you're welcome to
14 remove the sign. Either way, you
15 would have to have those before the
16 CO.

17 MR. CORDISCO: That would be an
18 acceptable condition to us.

19 CHAIRMAN EWASUTYN: Thank you.
20 Pat Hines at MHE?

21 MR. HINES: Yes. Adjoiners'
22 notices have been circulated. We did
23 confirm that the ZBA granted
24 variances in 2011 for the front yard
25 setback. The lot coverage is the

1
2 same today as it was in the 2011 ZBA
3 era when it got approved, so we're
4 assuming that that was valid then.

5 We talked about the sprinkler
6 system. Ross's office has provided
7 us with a valid sanitary sewer permit
8 from the DEC. That name will have to
9 be changed eventually, but the permit
10 is valid right now.

11 MR. WINGLOVITZ: The
12 application was made.

13 MR. HINES: The applicants have
14 identified that they will patch the
15 potholes re-stripe the parking lot.
16 The Town's standard striping detail
17 should be used when that is done. I
18 know the Board discussed that last
19 time.

20 They've identified that the
21 dumpster enclosure will be
22 reconstructed utilizing the existing
23 fencing. And it's kind of grown --
24 vegetation has grown up in there and
25 just needs to be redone.

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They identified that the site is served by a well. There is a water line constructed by New York City DEP to serve the aqueduct tunnel project in front of the site, but I don't believe that connection to that are currently permitted as it's currently owned by New York City DEP. In the future, that may become available for you, which would give you municipal water, rather than the well if you so choose.

A local determination letter has been received from the County with no intermunicipal or county-wide impacts. My office sent a letter to DOT on September 10th, and we have not received a response.

It's a Type II action, so a coordinated review is not required. And they are using the existing driveways, so DOT approval is not required. But I felt that it was important that we notify them of the

1
2 project, but they have not responded
3 in a timely manner.

4 It's a Type II action, we
5 believe, and the Planning Board
6 should discuss whether to have a
7 public hearing or not.

8 All out previous comments have
9 been addressed, and most of those
10 comments I just gave are statements
11 of fact on the site.

12 CHAIRMAN EWASUTYN: I am going
13 to start with project comments. John
14 Ward, do you have any project
15 comments?

16 MR. WARD: No comment.

17 MS. CARVER: Nothing further.

18 MR. BROWNE: Nothing additional
19 on the project.

20 CHAIRMAN EWASUTYN: I think no.

21 MR. MENNRICH: Not me.

22 MS. DeLUCA: No.

23 MR. DOMINICK: Thank you for
24 taking my consideration repairing the
25 parking lot. I appreciate that.

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Thank you.

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CHAIRMAN EWASUTYN: Let's talk about the discretionary authority that we have for holding public hearings on site plans. Would someone want to move for a motion to not hold a public hearing subject to what's supporting information?

MR. DOMINICK: Yes, sir. I think we can waive the public hearing. Ninety-nine percent of this project is intentionally inside of the building itself. It is an existing building on a busy Route 9W. For that reason, I think we can waive the public hearing.

CHAIRMAN EWASUTYN: Thank you. Stephanie DeLuca?

MS. DeLUCA: Agreed.

MR. MENNRICH: Agreed.

CHAIRMAN EWASUTYN: I agree.

MR. BROWNE: Agreed.

MS. CARVER: I agree.

MR. WARD: I agree.

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CHAIRMAN EWASUTYN: Let the record show that the Planning Board waived the public hearing for Route 9W Catering Facility, project number 25-28, supported by the statement made from Dave Dominick, Planning Board member.

At this point, we'll turn the meeting over to Dominic Cordisco, Planning Board attorney.

MR. CORDISCO: Yes. As Pat had mentioned this is a Type II action, so no action is required under SEQRA in connection with this project.

As we discussed earlier, the Board could consider granting conditional approval. Those conditions would include addressing any outstanding engineering comments as well as the discussion regarding the signage relating to the freestanding sign. Now, the sign on the building is compliant, so that sign could move forward while they

1
2 process whatever path you take in
3 connection with the freestanding
4 sign. And so, the terms there would
5 be that the applicant, as a condition
6 of the approval, would either have to
7 remove the sign or obtain variances
8 from the Zoning Board of Appeals
9 because of its setback deficiency, a
10 setback in height, I believe, as
11 well. And that would have to be
12 accomplished either way, one way or
13 the other, prior to the issuance of
14 the CO for the project.

15 The other -- there are no other
16 --

17 MR. HINES: So, there would be
18 an ARB approval that we would also
19 have to consider. I know the signs
20 were submitted. And the ARB could
21 possibly be crafted that should the
22 freestanding sign receive approval
23 from the ZBA, that we reviewed it
24 here at this time rather than having
25 to come back.

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MR. BROWNE: Would we need to give a referral to the ZBA if we want to go that direction?

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CHAIRMAN EWASUTYN: Right. So, to make it clear for the records, are we granting ARB approval this evening, or are we going to wait until they get the ZBA variance?

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MR. HINES: Well, I think they submitted some information on the signage. So, I think you could do that tonight. And the freestanding sign could be approved subject to the ZBA that you've reviewed it, if it's consistent when it goes to the Building Department, that you have also already reviewed that. That's up to the board.

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CHAIRMAN EWASUTYN: Cliff Browne would like for us to move for a motion to have Dominic Cordisco, Planning Board attorney, prepare a referral letter to the ZBA for the required variance that may be needed

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for the signage, so can we move to

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have Dominic Cordisco move forward on

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that?

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MR. WARD: So moved.

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MS. CARVER: Second.

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CHAIRMAN EWASUTYN: We have a

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motion by John Ward. We have a

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second by Lisa Carver. Can I have a

10

roll call vote starting with Dave

11

Dominick?

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MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

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MR. MENNERICH: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MS. CARVER: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: And for the

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records, Dominic, I apologize. Can

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you give her the records, the

22

conditional approval for the amended

23

site plan for Route 9W Catering

24

Facility, project number 25-28?

25

MR. CORDISCO: Yes. So, this

1
2 would be conditional site plan
3 approval as well as ARB approval.
4 The conditions would be that the
5 applicant would need to either remove
6 the sign or the freestanding sign,
7 rather, or obtain variances for its
8 deficiencies. And that would have to
9 be done prior to an issuance of a
10 certificate of occupancy for the
11 project.

12 They have to address any
13 outstanding engineering comments and
14 pay fees associated with the Board's
15 review of the project.

16 CHAIRMAN EWASUTYN: Any
17 questions or comments from board
18 members?

19 (No Response.)

20 MR. CORDISCO: And to be clear,
21 I'm sorry, but as Pat had mentioned,
22 this would also be ARB approval. I
23 believe I had said that, but the ARB
24 approval would include the
25 freestanding -- the design of the

1
2 freestanding sign, assuming that it
3 receives the variances.

4 CHAIRMAN EWASUTYN: Having
5 heard conditions of approval
6 presented by Dominic Cordisco,
7 Planning Board attorney, for Route 9W
8 Catering Facility, project 25-28,
9 would someone move for that motion?

10 MR. WARD: So moved.

11 MR. MENNERICH: Second.

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

17 MR. DOMINICK: Aye.

18 MS. DeLUCA: Aye.

19 MR. MENNERICH: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MR. BROWNE: Aye.

22 MS. CARVER: Aye.

23 MR. WARD: Aye.

24 CHAIRMAN EWASUTYN:
25 Congratulations. Good luck to you.

Route 9W Catering Facility

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MS. MARLEY: Thank you.

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(Time Noted: 7:47 p.m.)

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C E R T I F I C A T E

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

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

That 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 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

SAFE HAVEN SELF-STORAGE
(22-04)

14 Crossroads Court
Section 95, Block 1, Lot 74
Zone IB

-----X

AMENDED SITE PLAN U-HAUL RENTALS

Date: November 6, 2025
Time: 7:47 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: Ross Winglovitz

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The seventh and last agenda item this evening is Safe Haven Self-Storage, project number 22-04. It's an amended site plan for U-Haul rentals. It's located at 14 Crossroad Court. It's in a IB zone, and it's being represented one more time by Ross Winglovitz of Engineering & Surveying Properties.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties. We were here before the Board I think it was August. The Board had waived the public hearing, and we had a procedural issue. We hadn't done the notices and the postings, which have now been completed. The project is an amendment to an existing site plan for EV chargers and to allow U-Haul rental trucks of 18 feet or smaller from the building. I see we've got our planning determination. I would

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be glad to answer any questions you

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have.

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CHAIRMAN EWASUTYN: Comments

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from board members? Dave Dominick?

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MR. DOMINICK: Nothing further.

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MS. DeLUCA: No, nothing.

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MR. MENNERICH: No questions.

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CHAIRMAN EWASUTYN: I think no.

10

MR. BROWNE: No, thank you.

11

MS. CARVER: Nothing further.

12

MR. WARD: No comment.

13

CHAIRMAN EWASUTYN: Jim

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Campbell, Code Compliance?

15

MR. CAMPBELL: I have no

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comments.

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CHAIRMAN EWASUTYN: Pat Hines

18

of MHE?

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MR. HINES: We just noted that

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the U-Haul trucks will be limited to

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18 feet or smaller to fit in the

22

parking spaces as delineated on the

23

site today.

24

Ajoiners' notices were

25

completed, and the Orange County

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Planning Department issued a local
determination with no evidence of
significant intermunicipal or
county-wide impacts.

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CHAIRMAN EWASUTYN: Dominic
Cordisco, Planning Board attorney?

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MR. CORDISCO: Yes. It's noted
this is Type II action. The variance
was previously -- oh, I'm sorry.
This is an unlisted action is what I
had it down as. My apologies.

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MR. HINES: Unlisted, yes.

MR. CORDISCO: The Board should
consider whether or not you would
want to hold a public hearing for
this matter.

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CHAIRMAN EWASUTYN: Comments
from board members on holding a
public hearing? Dave Dominick?

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MR. DOMINICK: I believe we can
waive the public hearing based upon
the applicant and what he is prepared
to do to that site has no impact to
the surrounding area.

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MS. DeLUCA: Again, I agree.

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MR. MENNERICH: I agree.

4

CHAIRMAN EWASUTYN: I agree.

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MR. BROWNE: Agreed.

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MS. CARVER: Agreed.

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MR. WARD: Agreed.

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CHAIRMAN EWASUTYN: Let the record show that the Planning Board waived the public hearing on Safe Haven Self-Storage, project number 22-04, supported by the documentation of the presentation by Dave Dominick, Planning Board member.

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At this time, we will turn the meeting back to Dominic Cordisco, Planning Board attorney.

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MR. CORDISCO: As Mr. Dominick mentioned, the project is unlikely to impact any surrounding properties, and so the Board could be in a position to consider a negative declaration for this unlisted action at this time.

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CHAIRMAN EWASUTYN: Would

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someone move for that motion?

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MS. DeLUCA: So moved.

4

MR. DOMINICK: So moved --

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second.

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CHAIRMAN EWASUTYN: Who else

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moved? You moved, and who was the

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second?

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MR. DOMINICK: Stephanie.

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CHAIRMAN EWASUTYN: Sorry,

11

didn't hear that. Dave Dominick

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second the motion. Can I have a roll

13

call starting with John Ward?

14

MR. WARD: Aye.

15

MS. CARVER: Aye.

16

MR. BROWNE: Aye.

17

CHAIRMAN EWASUTYN: Aye.

18

MR. MENNERICH: Aye.

19

MS. DeLUCA: Aye.

20

MR. DOMINICK: Aye.

21

CHAIRMAN EWASUTYN: Motion

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carried.

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Conditions of approval for Safe

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Haven Self-Storage, project number

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22-04, Dominic Cordisco?

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MR. CORDISCO: Mr. Chairman, a bunch of these projects are hitting it out of the park today. There's no special conditions associated with this project other than payment of fees, which is not normal for the Board's practice. But in any event, my recommendation would be authorizing a preparation of a resolution for site plan approval. The only conditions will be the general conditions, primarily payment of fees and maintaining the approval and extensions, if necessary.

CHAIRMAN EWASUTYN: Having heard from Planning Board attorney Dominic Cordisco, would someone move for that motion?

MR. WARD: So moved.

MS. CARVER: Second.

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

1

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Dominick?

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MR. DOMINICK: Aye.

4

MS. DeLUCA: Aye.

5

MR. MENNERICH: Aye.

6

CHAIRMAN EWASUTYN: Aye.

7

MR. BROWNE: Aye.

8

MS. CARVER: Aye.

9

MR. WARD: Aye.

10

CHAIRMAN EWASUTYN: And we have

11

one item of board business.

12

MR. WINGLOVITZ: Thank you.

13

CHAIRMAN EWASUTYN: Thank you,

14

Reuben.

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MR. WINGLOVITZ: I wish I was

16

Reuben's age.

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CHAIRMAN EWASUTYN: You'll get

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there someday.

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(Time Noted: 7:52 p.m.)

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C E R T I F I C A T E


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

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

That 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 19th day of November 2025.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

20 Jennifer Rose Way
Single-Family Residence
Zone RR

-----X

EROSION AND SEDIMENT CONTROL

Date: November 6, 2025
Time: 7:52 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The one item of Board business is 20 Jennifer Rose Way. It's an erosion and sediment control for a single-family residence in an RR zone. Pat Hines will speak to us on that.

MR. HINES: Yes. So, this is a minor project that is proposed in the RR zone, which is the reservoir residential zone. It is in the Town's critical environmental area, so because it's in that area, it's in the Chadwick Lake watershed, all projects in that area are required to be reviewed by the Planning Board.

Basically, it requires an erosion and sediment control permit or a review of that, and there is some lot coverage issues. This one doesn't exceed any of that.

So, we have addressed this in the past where my office works directly with the Building Department to review the erosion and sediment

1
2 control plans, the other compliance
3 issues in the critical environmental
4 area portion of your zoning, and than
5 we will issue a letter that the
6 project complies or addressed that.
7 But it requires basically a Planning
8 Board approval, but I think it's for
9 a deck, right, or a small addition to
10 the house? So, there is no large
11 impervious surfaces, so they just
12 need to give us a plan with erosion
13 and sediment control on it, and they
14 can move forward.

15 CHAIRMAN EWASUTYN: Would
16 someone move for a motion for Pat
17 Hines, MHE, to prepare a memo to the
18 Code Compliance Department that 20
19 Jennifer Rose Way would be in
20 compliance when they implement the
21 erosion and sediment control plan?

22 MR. WARD: So moved.

23 MS. DeLUCA: Second.

24 CHAIRMAN EWASUTYN: I have a
25 motion by John Ward. I have a second

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by Stephanie DeLuca. Can I have a

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role call vote starting with Dave

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Dominick?

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MR. DOMINICK: Aye.

6

MS. DeLUCA: Aye.

7

MR. MENNERICH: Aye.

8

CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

10

MS. CARVER: Aye.

11

MR. WARD: Aye.

12

CHAIRMAN EWASUTYN: Would

13

someone move for a motion to close

14

the Planning Board meeting of the 6th

15

of November 2025.

16

MS. DeLUCA: So moved.

17

MR. WARD: Second.

18

CHAIRMAN EWASUTYN: I have a

19

motion by Stephanie DeLuca, a second

20

by John Ward. May I please have a

21

roll call vote?

22

MR. DOMINICK: Aye.

23

MS. DeLUCA: Aye.

24

MR. MENNERICH: Aye.

25

CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MS. CARVER: Aye.

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MR. WARD: Aye.

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(Time Noted: 7:54 p.m.)

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