

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

- - - - - X

In the Matter of

NEWBURGH TOWNE CENTER - CHIPOTLE

Project No. 2025-30
1433 Route 300
Section 60; Block 3; Lot 29.11
IB Zone

- - - - - X

SITE PLAN/ARCHITECTURAL REVIEW

Date: November 20, 2025
Time: 6:58 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: JUSTIN DATES

- - - - - X

MICHELLE L. CONERO
Court Reporter
(845) 541-4163
Michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: We're going to
3 call the meeting to order. It's not quite
4 7:00, but then everyone will have a chance
5 to speak.

6 The Town of Newburgh Planning Board
7 would like to welcome you to their meeting
8 of the 20th of November 2025. This
9 evening we have four applications on the
10 agenda. One of the applications is for a
11 public hearing on a scoping document for a
12 multi-family/senior housing project.

13 At this point we'll call the meeting
14 to order with a roll call vote.

15 MR. DOMINICK: Present.

16 MS. DeLUCA: Present.

17 MR. MENNERICH: Present.

18 CHAIRMAN EWASUTYN: Present.

19 MR. BROWNE: Present.

20 MS. CARVER: Present.

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

23 MS. CONERO: Michelle Conero,
24 Stenographer.

25 MR. HINES: Pat Hines with MHE

2 Engineers.

3 MR. WERSTED: Ken Wersted, Creighton
4 Manning Engineering, Traffic Consultant.

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

7 MR. LINDEMAN: James Lindeman, law
8 clerk for the Planning Board Attorney.

9 CHAIRMAN EWASUTYN: Thank you.

10 At this point we'll turn the meeting
11 over to Dominic Cordisco, Planning Board
12 Attorney.

13 MR. CORDISCO: Please rise for the
14 Pledge.

15 (Pledge of Allegiance.)

16 MR. CORDISCO: If you would kindly
17 silence or turn off your cellphones so
18 that they don't go off during the meeting.
19 Thank you.

20 CHAIRMAN EWASUTYN: The first agenda
21 item is project number 25-30, Newburgh
22 Towne Center - Chipotle. It's a site plan
23 and ARB. It's located in an IB Zone on
24 Route 300.

25 Justin Dates with Colliers

Engineering will make his presentation.

MR. DATES: Thank you, Mr. Chairman.
Justin Dates, Colliers Engineering &
Design.

We were last before the Board to
present our initial application for a
proposed Chipotle to take up the end cap
in the Newburgh Towne Center shopping
center.

Since that time, a couple of things
procedural and design plans have been
further developed based on that meeting.

We did circulate the adjoiners'
notices as required by the Board for the
application.

The project was referred by the
Board to Orange County Planning. They
came back with no comments and a local
determination.

As I said, we advanced the plans,
included items from your consultants as
well as items that the Board brought up.

Just to recap the proposal. This is
the building on the northern side of the

2 site. This corner of the building was a
3 former Game Stop and there was a nail
4 salon which has been relocated to create
5 the roughly 2,700 square feet for the
6 proposed Chipotle. The owner is looking
7 to renovate that space into a Chipotle.

8 On the western -- sorry. On the
9 eastern side of that there would be an
10 outdoor seating area. Inside there are
11 forty-one seats and outside there's an
12 area for twenty-eight seats that are
13 currently parking spaces right now which
14 will be renovated into an outdoor patio.
15 There are three parking spaces to the
16 north that will be reserved, two for ADA
17 and one as a regular parking stall.

18 We have included detailed plans.
19 There will be a landscaped island created,
20 so we'll have some evergreen shrubs,
21 perennials, to create a buffer between the
22 outdoor seating area and the adjacent
23 parking there.

24 There are two 10-foot LED light
25 poles that will be going in on that patio

2 area just to light up the outside space
3 adjacent to the building.

4 The building itself is getting very
5 minor renovations to the exterior. They
6 will be doing a new double access door
7 into the front on the south side of the
8 building and a proposed doorway on the
9 east that will open up to the outdoor
10 seating area. There are currently two
11 exit doors to the rear on the north side
12 of the building. They'll be removing the
13 one on the left-hand side and preserving
14 the one on the far right.

15 On the outside of the outdoor
16 seating area, also where they were
17 proposing the side door here, that masonry
18 will be opened up. It's about 44 and a
19 half feet with all glass, more or less to
20 meet the limits of the outdoor seating
21 area on that side.

22 A couple of the items that the Board
23 Members raised as concerns we addressed in
24 this revised application, sheet 301 in
25 your set. There was concern just with

1 this outdoor seating area being directly
2 adjacent to the drive aisles of the plaza
3 and incorporating some bollards along
4 there as protection. We did do that from
5 this front bottom corner, and it wraps
6 around the seating area. It will be five
7 feet. We have four-inch steel bollards
8 filled with concrete to go around that
9 curb line.
10

11 There was a request for striped
12 crosswalks at a couple of locations within
13 the plaza. What we did is there will be
14 one coming across. There's a new
15 crosswalk here directly in line with
16 Chipotle, which I'll go into more detail
17 on how that is connected. We're also
18 looking to put a crosswalk across the main
19 drive aisle at Home Goods as well as at
20 Marshalls. Those will be striped,
21 identifying crosswalks across that drive
22 aisle to the front entrances of those
23 stores.

24 Lastly, there was a discussion of a
25 sidewalk along Route 300. During the

WellNow application, this Board requested similar improvements along Route 300 of introducing a sidewalk. That project did bring it up to the southern boundary of this applicant's parcel. It's a dead-end sidewalk there. We are proposing to take that -- start from that dead end, go north along the Route 300 frontage and then wrap into the site, so go west into the site, and provide two crosswalks of that Route 300 driveway access. So there would be one that would go directly to the west as a crosswalk, kind of towards the AT&T store, so anyone could get easily into that area of that facility. The other one would be crossing north of that drive aisle again and coming in at the Chipotle location.

We're here tonight to take any further questions from the Board.

We are hoping that we can touch on a couple of things. One would be to discuss that the Board has the option to waive the public hearing. We would request that

they do that for this particular project.

I'd like to also seek additional site plan approval and ARB approval for the project. They're very eager to break ground and get this site work going. Hopefully we can get it before the weather really impacts us. They are looking to mobilize very soon if possible.

CHAIRMAN EWASUTYN: Thank you.

Comments from Board Members. Dave Dominick.

MR. DOMINICK: Great presentation, Justin. Thank you for taking the suggestion on the bollards. I appreciate that very much.

MR. DATES: You're welcome.

MS. DeLUCA: Also I want to thank you for the other additional crosswalks as well, for adding them in there. That's going to make it a lot easier for the public. Thank you.

MR. MENNERICH: I have the same thank you for the changes you've made.

CHAIRMAN EWASUTYN: It's an

2 improvement to the Route 300 corridor to
3 have a sidewalk which allows for
4 pedestrians walking, for those who do
5 walk. Thank you for that.

6 MR. DATES: Sure.

7 MR. BROWNE: I appreciate the
8 effort. Looking good. Thank you.

9 MS. CARVER: I have a question. In
10 relation to the crosswalk going from the
11 sidewalk to AT&T, where is that in
12 relation to the entrance when you come in
13 off of 300? I'm just curious. You know
14 how you turn in off 300?

15 MR. DATES: Yes. I'll just approach
16 and show you.

17 MS. CARVER: Sure.

18 MR. DATES: So this is the Route 300
19 entrance and here's AT&T. That crosswalk
20 comes straight across where we removed a
21 parking space. They come in here, right
22 along the sidewalk on that northern side
23 of AT&T.

24 MS. CARVER: Okay. Thank you. I
25 was trying to picture it.

2 CHAIRMAN EWASUTYN: Jim Campbell,
3 Code Compliance.

4 MR. CAMPBELL: As we noted, the
5 signs require ARB review.

6 If the Board approves the ARB for
7 the signage, then we can verify sizes,
8 et cetera for the building permit
9 application.

10 CHAIRMAN EWASUTYN: Thank you.

11 Ken Wersted with Creighton Manning.

12 MR. WERSTED: We had two comments
13 related to the crosswalk, namely being
14 just straightening out the striping as you
15 cross the signalized light.

16 Then, because this will introduce
17 pedestrians and a connection to the north
18 end of this plaza, if you could provide
19 just a handicap curb ramp as you come up
20 to the front of the store.

21 MR. DATES: Understood. We can do
22 that.

23 MR. WERSTED: Thank you.

24 CHAIRMAN EWASUTYN: Pat Hines with
25 MH&E.

MR. HINES: Some of this will
reiterate what Justin said.

The project was submitted to the
Orange County Planning Department in
October. County Planning recommended a
local determination with no comments.

Adjoiners' notices were sent out per
the Town Code.

We talked about the crosswalks and
those being added to the plans.

Outdoor seating has been further
detailed, along with the landscaping plan
that was requested.

A 1,500 gallon grease trap is
identified and designed on the plans to
protect the Town sewer from the restaurant
use.

We have a comment on the sewer line
that's jogging around that grease trap
with a 90-degree turn to be addressed.

The Board previously held off on
discussing the public hearing and
identified that they would make a
determination tonight.

2 A dumpster enclosure has been added
3 to the plans on the northerly portion of
4 the site, and details of that are shown.

5 Three parking spaces are designated
6 for pick-up areas.

7 Again, ARB approval is required for
8 the structure and signage.

9 The sidewalk would require security
10 to be posted as part of the approval as
11 well.

12 CHAIRMAN EWASUTYN: Do you have ARB
13 samples that you could put up now?

14 MR. DATES: That was provided with
15 the application. We have really two main
16 frontages. The south elevation where the
17 entrance exists today will remain. This
18 eastern elevation is the same side as the
19 outdoor seating area that we had
20 described. The block there and brick
21 accents are really all proposed to remain.

22 The improvements really are
23 replacing the doors, windows and
24 storefronts on the front, as well as
25 introducing, as I said, the door to the

2 outdoor seating and the glass siding here
3 in that same area. So again, it's about
4 44 and a half feet. That will be glass as
5 opposed to that block wall.

6 There are some photos that were just
7 shown of the existing so you can kind of
8 see. Those colors are what would remain.

9 CHAIRMAN EWASUTYN: The new signage
10 will be located where on the building?

11 MR. DATES: Right now it's been
12 shown on the front and this eastern side
13 of the elevation. That is something that
14 the tenant is reviewing, the signage.

15 As the Board has done on past
16 projects, we would -- if everyone aligns
17 with how Mr. Campbell explained it, we'd
18 look to forego the signage approval
19 tonight, there are concerns about that,
20 and come back at another time to seek that
21 approval.

22 CHAIRMAN EWASUTYN: Jim Campbell,
23 are you okay with that?

24 MR. CAMPBELL: Yes.

25 CHAIRMAN EWASUTYN: The Planning

2 Board has the discretion under site plans
3 to waive a public hearing. I'll poll the
4 Board Members now. Dave Dominick.

5 MR. DOMINICK: John, I find that a
6 public hearing is not necessary because
7 the proposed Chipotle restaurant is
8 replacing an existing commercial space
9 that was previously approved there. Our
10 traffic advisor, Ken Wersted, said there
11 would be no significant increase in
12 traffic generated within that compound.
13 Given that information, I don't think we
14 need a public hearing.

15 CHAIRMAN EWASUTYN: Stephanie DeLuca.

16 MS. DeLUCA: I agree.

17 CHAIRMAN EWASUTYN: Ken Mennerich.

18 MR. MENNERICH: I agree.

19 CHAIRMAN EWASUTYN: I agree.

20 MR. BROWNE: I also agree.

21 MS. CARVER: I agree. Also, there's
22 no residential close by, so that's another
23 reason I agree.

24 CHAIRMAN EWASUTYN: Let the record
25 show that the Planning Board waived the

2 public hearing on the site plan and ARB
3 for Newburgh Towne Center, application
4 number 25-30.

5 At this point we'll turn the meeting
6 over to Pat Hines with MH&E.

7 MR. HINES: The Board would be in a
8 position -- it's a Type 2 action. I'll
9 defer to Dominic on that. The Board would
10 be in a position to issue a conditional
11 final approval conditioned on the
12 technical comments of Ken Wersted's office
13 and my office, and I believe there would
14 be some minor landscape security required
15 as well as security for the sidewalks if
16 they are not to be constructed immediately.

17 I don't know if you're looking for
18 that deferral like you did with WellNow.
19 That would be up to the Board.

20 MR. DATES: Could I present that
21 proposal, too? Similar to the WellNow as
22 I mentioned, they were also looking to get
23 in and start the construction of the site.
24 The tenant wants to do that as well for
25 Chipotle. For WellNow we needed to work

2 with DOT to gain approvals and permits for
3 the construction of that sidewalk within
4 the right-of-way. That's a lengthy
5 process that could hold this project up
6 for quite some time. It could potentially
7 lose this tenant.

8 We request, as the Board has done in
9 the past, to approve the site plan as
10 proposed with addressing the comments, and
11 that the DOT review and approval process
12 could run outside of the site plan
13 approval with the timing as WellNow, that
14 the sidewalk was to be constructed within
15 one year of the CO. That would be the
16 minimum. Or, if there's a little extra
17 time in there, maybe the Board would
18 consider it. That's what we'd like to
19 have for this particular project as well.

20 CHAIRMAN EWASUTYN: Is the Board in
21 agreement with that?

22 MR. DOMINICK: Yes.

23 MS. DeLUCA: Yes.

24 MR. MENNERICH: Yes.

25 CHAIRMAN EWASUTYN: Yes.

2 MR. BROWNE: Yes.

3 MS. CARVER: Yes.

4 CHAIRMAN EWASUTYN: I think we
5 applied the same matter to the Starbucks
6 on North Plank Road.

7 MR. HINES: Yes.

8 MR. CORDISCO: As well as Resorts
9 World.

10 CHAIRMAN EWASUTYN: At this time
11 I'll turn the meeting over to Dominic
12 Cordisco, Planning Board Attorney.

13 MR. CORDISCO: As Pat mentioned, the
14 action is a Type 2 action, so no further
15 review is required under the State
16 Environmental Quality Review Act.

17 Since the Board waived the public
18 hearing, and you also received the
19 comments from the Orange County Planning
20 Department, procedurally you're in a
21 position to consider approval.

22 Approval conditions would include
23 addressing the outstanding engineering and
24 traffic comments that the applicant has
25 received, posting of landscape and

2 sidewalk security and completing the
3 sidewalk within one year of the
4 certificate of occupancy.

5 I would note for the Board that
6 that's actually more than one year from
7 now because the applicant obviously hasn't
8 obtained the certificate of occupancy yet.
9 That should provide plenty of time for
10 them to start the process with the DOT now
11 and to complete it within that timeframe.

12 CHAIRMAN EWASUTYN: Any questions or
13 comments from anyone?

14 (No response.)

15 CHAIRMAN EWASUTYN: Would someone
16 move for a motion to grant approval for
17 the site plan for Chipotle, project number
18 25-30, subject to the conditions that
19 Planning Board Attorney Dominic Cordisco
20 presented.

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

22 MS. DeLUCA: Second.

23 CHAIRMAN EWASUTYN: I have a motion
24 by Dave Dominick. I have a second by
25 Stephanie DeLuca. Can I have a roll call

3 MR. DOMINICK: Aye.

5 MR. MENNERICH: Aye.

7 MR. BROWNE: Aye.

9 CHAIRMAN EWASUTYN: Motion carried.

11

13

14

15

16

17

18

19

20

21

22

23

24

25

2

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

4

5

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

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

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

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 2nd day of December 2025.

18

19

20

21

22

23

24

25

MICHELLE CONERO

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

ELKAY PARTNERS DEVELOPMENT

Project No. 2024-29
Brewer Road
Section 39; Block 1; Lot 32
R-3 Zone
----- X

PUBLIC SCOPING DOCUMENT
MULTI-FAMILY APARTMENTS & SENIOR HOUSING

Date: November 20, 2025
Time: 7:18 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVES: LARA MONROE
ROSS WINGLOVITZ
STANLEY SCHUTZMAN

----- X
MICHELLE L. CONERO
Court Reporter
(845) 541-4163
Michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The second item
3 is Elkay Partners Development, project
4 24-29. It's here this evening for a
5 public hearing on the scoping document.
6 It's for multi-family apartments and
7 senior housing. It's located on Brewer
8 Road in an R-3 Zone. It's being
9 represented by Lara Pruschki and Ross
10 Winglovitz.

11 Ken Mennerich will read the notice.

12 MR. MENNERICH: "Notice of hearing -
13 public scoping session, Town of Newburgh
14 Planning Board. Please take notice that
15 the Planning Board of the Town of
16 Newburgh, Orange County, New York will
17 hold a public scoping session pursuant to
18 Section 617.8 of the Environmental
19 Conservation Law. Public scoping is
20 required under 6CRR-NY-617 State
21 Environmental Quality Review. On the
22 application of Elkay Development Senior
23 Housing Project, project 2024-29. The
24 project involves the proposed construction
25 of 168 apartment units on a 29.67 plus or

minus acre parcel of property. The project will include three residential structures. The project is seeking senior density bonus under the Town Code Section 155-48B(4). Additional amenities include a clubhouse, pool, playground and other outdoor recreation facilities are proposed. The project will require extension of the Town's municipal water and sewer system to serve the project site. The project is located in the Town's R-3 Zoning District. The project is known on the Town Tax Maps as Section 39; Block 1; Lot 32. The draft of the DEIS scope is on file in the office of the building inspector located at 21 Hudson Valley Professional Plaza, Newburgh, New York and online at www.townofnewburghny.org. The public scoping session will be held on the 20th day of November 2025 at the Town Hall Meeting Room, 1496 Route 300, Newburgh, New York at 7 p.m. or as soon thereafter, at which time

all persons wishing to provide input on the scope will be given an opportunity to be heard. By order of the Town of Newburgh Planning Board. John P. Ewasutyn, Chairman, Planning Board Town of Newburgh. Dated 3 November 2025."

CHAIRMAN EWASUTYN: Thank you.

At this point we'll turn the meeting over to Dominic Cordisco, Planning Board Attorney, to present information based upon the meeting this evening.

Dominic.

MR. CORDISCO: Thank you, Mr. Chairman.

Tonight's public hearing is on the Proposed DEIS scope for the project. The purpose of a DEIS scope is to identify specific environmental issues, studies and alternatives that must be analyzed in what's called the draft environmental impact statement or DEIS. The purpose of the scope is to focus the DEIS on the project's likely significant environmental impacts, to eliminate

irrelevant issues and establish the analytical methods and geographical boundaries that are to be used, and to ensure that all the agencies and the public understand in advance what the environmental review will cover. In short, the scope functions as a road map for producing a draft environmental impact statement.

The most helpful comments for the Board to receive are recommendations for things to be included in the scope. You may make general comments about the project, and they will be noted and they will be part of the record, but they're really not relevant to tonight's hearing because tonight's hearing is on what should be or should not be included in the environmental review.

This project has just started this process. There will be a second public hearing once all of the studies have been completed and once all the

1 detailed engineering has been
2
3 completed. That public hearing will
4 also be held and will be a review on
5 the substance of the project.

6 Tonight's public hearing really
7 is about what should be included, what
8 should be studied and what are the
9 impacts or the concerns that you may
10 have. As I said, there will be a
11 second public hearing, and that will
12 happen in a number of months from
13 now, whenever the applicant has
14 completed everything that they are
15 going to have to do for the project.
16 If you received a public notice for
17 tonight's public hearing, you will
18 also receive a public notice for that
19 public hearing when it happens. We
20 don't know right now when that will
21 happen. It will depend on how the
22 process plays out.

23 Tonight's hearing, I should say,
24 is not a question and answer session.
25 It's not a debate with the Board or

with the applicant. This is an opportunity for the public to suggest items that should be included in the scope. If you do have a question that can be answered tonight, the Chairman may ask the applicant's representative to answer your question, otherwise your concerns will be part of the official record of the matter.

Comments are limited to three minutes. We will be timing them. If there's additional time, the Board may provide you with an additional opportunity to speak again. If you want, you can also submit your comments in writing. The Board will accept written comments for ten days after tonight, ending on Monday, December 1st.

MS. MONROE: My name is Lara Monroe with Engineering & Surveying Properties. I'm here with Ross Winglovitz from Engineering & Surveying Properties and counsel to the applicant, Stanley Schutzman.

Just a brief overview of the project for the public's benefit. This is a proposed multi-dwelling housing development including the senior bonus density. It will be 168 units with 19 of them being designated for senior housing over three buildings located on Brewer Road. The main access will be off of Brewer Road.

There's also a clubhouse proposed in the front here.

There will be a loop road around the complex with parking included around, amenities in the center of the loop road, including some pickleball courts and a proposed dog park.

The emergency access to the property will be connecting to Carolina Court.

The project will be serviced by municipal water and sewer.

The Planning Board had prepared a Part 2 EAF which identified the impacts that we were going to study in the scope. Just a list of those that we will be

preparing studies for. We will be doing land resources in the form of geology, soils and topography, surface water resources, plants and animals, agricultural resources, aesthetic resources including lighting, landscaping and visual impacts, historic and archeological resources, transportation, utilities, land use and zoning, socioeconomic, fiscal, and then finally community services. The EIS that will be prepared will address all of those impacts through individual studies and information that we will analyze through the detailed design of the project.

CHAIRMAN EWASUTYN: As Mr. Cordisco said in his presentation, if you have a question or a comment, please raise your hand and give your name. There's a timeframe of three minutes which will allow everyone to have the opportunity to speak. Please raise your hand.

The lady in the back.

JENNIFER: My name is Jennifer. You

said that everyone received a mailing.
How many mailings went out?

CHAIRMAN EWASUTYN: I have a list
here. I think it's 150, 180.

JENNIFER: Only 150?

CHAIRMAN EWASUTYN: Can I explain to
you how we receive -- Pat Hines, would you
speak on that.

MR. HINES: The mailings for this
were done in compliance with typical
public hearing notifications that we do,
as well as the adjoiners' notices. A 500-
foot radius is prepared for those mailings.
We get that from the Town assessor's
office. I submit a form to the assessor
and she prepares a list of the addresses
to be mailed to. That 500-foot radius
is the mailing.

The project was also advertised
in the Environmental Notice Bulletin
which is a DEC publication. Both the
positive declaration and the scoping
session have been published in the
DEC's Environmental Notice Bulletin

as well as the newspaper publication
that Mr. Mennerich had read.

JENNIFER: Also on Facebook by a
neighbor.

UNIDENTIFIED SPEAKER: That's
how we found out.

JENNIFER: You said we could
submit written comments, but you
didn't say where.

MR. CORDISCO: They get submitted to
the Planning Board office which is in the
notice.

JENNIFER: Like e-mail them or --

MR. CORDISCO: E-mail is preferred.

JENNIFER: -- snail mail? The
e-mail address is?

CHAIRMAN EWASUTYN: Planningboard@
townofnewburgh.org.

JENNIFER: Great. Thank you.

CHAIRMAN EWASUTYN: Ma'am.

MS. TREPICONE: Good evening. My
name is Jay Trepicone. I reside at 26
Vermont Drive.

My concerns, after reading the draft

DEIS, were traffic congestion within the neighborhood as well as 9W and North Plank Road. During peak hours it's challenging to get through and around the area, and the potential for Vermont Drive to become a thoroughfare, adding density to the residential street.

There's one proposed single access entrance and exit off of Brewer Avenue and the location is just above an incline which has a limited view shed for oncoming traffic. It's a potential that should be considered.

Regarding utilities. I would be curious to see when the DEC approves the sewer main extension, when the Health Department approves the required water main extension with hydrants, and the analysis of the downstream pump station for water and sewer.

At the June 25th meeting there was a positive jurisdictional determination that the DEC -- it was received from the DEC regarding the wetlands. I would be curious

to see when the maps were signed by the DEC.

I know the stormwater management area has not been identified. I would be curious to see a stormwater management plan because our backyard is already soupy and our sump pump runs continually.

Just on a personal note, as my husband and I mature, we don't want to spend our money and time mitigating water issues. Since a lot of trees are going to be removed for this project, that's a concern for us.

I'm curious about the preliminary geotech. It applies blasting with dynamite. I'm curious to know how they're going to mitigate that for the surrounding properties.

Other concerns. The development group is out of South Surrey Canada. At the October 3rd meeting the chairman asked if a rental office would be onsite. I just wanted to know if that was confirmed, because as an outside concern, how are

they going to manage the property being not local? It's not like it's a Farrell community where you can access them within the Town of Newburgh.

Regarding construction plans, is there a plan to mitigate runoff during pre-construction?

Are there plans to mitigate noise, water runoff and dirt and dust during construction?

Will an erosion and sediment control plan be available for public view?

I'm also curious to know if there's going to be a natural or landscaped buffer proposed for the properties located on the border of the property. I'd like to see the landscaping plans and the lighting plans.

Last, and thank you for the time, it is a change to the character of the neighborhood. We're primarily a residential neighborhood. I know we have Barclay Manor, but Barclay Manor was built in the '60s and that's almost like grandfathered

in. Our development was built in the '80s. It's really not so out of character because they were there before us. All our streets, the streets are all residential. It's a little out of character with what we have.

Thank you for your time. I appreciate it.

CHAIRMAN EWASUTYN: The lady in the back.

MS. SPILOTROS: Good evening. I'm Nathaly Spilotros, I'm a resident of 60 Hy Vue Drive, directly adjacent to the proposed development.

Given the note to just stick to input on the impacts of the plan, I just want to highlight and agree with my colleague here. You don't build 168 units when there's no water lines, no sewer lines, inadequate roads and strained emergency services. That's not responsible planning. That's a big problem.

What we're hoping to ask is to

deny the density bonus. This project is too large for this location.

We would love to see an independent expert's review, that's not paid for by the developer, of traffic, fiscal and infrastructure impacts.

We would also love to see a worst-case scenario analysis for the environmental impacts. There are red flags all over the impact statement as they currently stand. We want those addressed in an independent review.

We would like to extend the public comment periods that are upcoming to allow for thorough community review.

We'd also love to consider the cumulative impact of this and other proposed development in the future.

As I mentioned earlier, the red flags in this impact evaluation are everywhere. What will we find when

we dig deeper? We have one chance to get this right, and I hope there's no going back. Our community will live with the consequences of this for generations. I hope we take that into consideration.

Thank you.

CHAIRMAN EWASUTYN: The gentleman.

ANTHONY: Good evening. My name is Anthony. I live across -- directly across the street from the property borders of the proposed development.

I'm sure you're aware that the DEC has issued a positive declaration noting that this project will have significant effects on traffic, stormwater, sewer, water capacity, emergency services and neighborhood character.

Our infrastructure cannot handle this development, and roads, intersections, water pressure, sewer capacity, emergency services are already stressed.

Water pressure is already terrible

at my house. Every summer the water levels are low at some point in the summer at Chadwick. Hundreds more units will make it worse.

The scale of three massive buildings are incompatible with our neighborhood.

The project provides no tangible benefits to the residents.

The most recent Town data that I could find shows a 7.6 percent rental vacancy rate, meaning there's already ample housing available in terms of rentals. 82 percent of homes in the Town of Newburgh are owner occupied, which means we're planted here, this is our home. We love it the way it is and we really don't want the character to be changed. That's what makes the Town so great.

This development does not meet housing needs, it disrupts a stable residential neighborhood, creating major safety, traffic and infrastructure problems. It is oversized, unsafe and

incompatible with our community.

I'm here to urge the Board to reject this development completely and scale it back to single-family homes.

Either way, a couple asks that we have. Can you promise or require a full draft environmental impact statement, an independent third-party review that is not funded by the developer? That's clearly a conflict of interest. We request that the third-party reviews include traffic during peak hours, not just in the middle of the afternoon when nobody is on the roads; a review of the water pressure; the sewage construction, the effects that's going to have on the neighborhood during and after construction; the effect on the wildlife and the environment; stormwater; and emergency service impacts.

I know I've spoken to some elderly neighbors. Already urgent cares, hospitals are overwhelmed. We're going to add a whole bunch more units. It's not responsible.

I'd also like to request that the public notice letter be sent out to a much larger radius than 500 feet. I can throw a baseball 500 feet. That's not right. It should be sent to the entire Town of Newburgh as this changes the entire community.

Having all these extra traffic trips every day, it's hundreds of more cars on our roads that are totally overwhelmed. The traffic at 5:00, it takes me twenty-five minutes to get to Market 32 and it's three miles away. Hundreds of more trips on the roads. It's not just the 500-foot radius, it's the entire Town of Newburgh because it adds extra traffic.

Last, I also want to share that our community has organized quickly already. In just the last two days we launched a petition regarding this proposed development. We have gathered over 300 signatures from

residents in the Town of Newburgh who are deeply concerned and opposed to this project. That level of response shows how strongly the community feels against this project. This is not a small or isolated concern. This is a widespread, immediate and rogue call for responsible planning and for protecting the character and safety of our Town.

The Town's comprehensive plan emphasizes preserving neighborhood character, protecting quality of life and aligning development with infrastructure capacity. This proposal violates all three.

Please stand up for those of us who love Newburgh and want to protect our community and our home.

MR. CORDISCO: I just want to make two important clarifications. The first one is that it was not the Department of Environmental Conservation that made a positive declaration saying that there is the likelihood of significant --

1 Elkay Partners Development
2 ANTHONY: Sorry. I --

3 MR. CORDISCO: If you listen. I
4 want to make two important clarifications.
5 The first one is that it was not the
6 Department of Environmental Conservation
7 that made the positive declaration saying
8 that there is likely going to be
9 significant environmental impacts for this
10 project. It was this Planning Board that
11 did so.

12 ANTHONY: I apologize.

13 MR. CORDISCO: The second thing is,
14 this Board has no discretion and no
15 ability to change the mailings that are
16 required for the project. It's required
17 as a result of Town Code. They can send
18 the mailings that they can send. That's
19 what was required and that's what they
20 did.

21 UNIDENTIFIED SPEAKER: Excuse me.
22 Not everyone, even within that complex,
23 received those letters. For instance, I'm
24 two or three houses next to him and he
25 never received it.

MR. CORDISCO: As I said earlier, it's not a debate. If you have questions or comments regarding the scope --

UNIDENTIFIED SPEAKER: I'm just indicating that those letters are not really going out the way they should, I think. Not enough. That's my point.

CHAIRMAN EWASUTYN: The gentleman in the back.

PUBLIC SPEAKER: I just want to agree with everything that they said and also note that this is an area that is not developed. It's forest. It's one of the last areas of forest in the neighborhood which is pretty developed. I stress the environmental impact.

I also am pretty concerned about 19 units for senior housing out of 168. This is kind of a luxury development that's just throwing in senior housing for, like, a tax break. That's really, I think, damaging to the neighborhood, the character of the neighborhood, and it's really against the spirit of why we would

build housing for seniors in the first place.

Those are my comments.

CHAIRMAN EWASUTYN: Ma'am.

PUBLIC SPEAKER: I live at 14 Vermont Drive. I'm living there for thirty years. I saved up enough money to buy a house with my husband who is disabled. He was very ill. I used to travel to the Bronx an hour and a half so that I could make my payments on my mortgage and have a nice home. I love this whole community. All the people, they're all different nationalities. We all get along. We all love each other. It's just beautiful. It's a shame that it's going to be put to that. It's a shame. It's not fair to us.

PUBLIC SPEAKER: I won't speak nearly as eloquently or as preparedly as all of you people have. I feel like I need to speak for those who can't speak for themselves, and that is the animals.

I live on Jacks Pond Road. The new

2 development of homes that has gone in on
3 Fostertown and Brewer, forgive me, I don't
4 know the name of the development, but we
5 have felt a serious increase in the impact
6 of these animals being squeezed out. I
7 love animals so I don't mind that there
8 are more deer, more possum, more skunks,
9 more chipmunks, more bears. I live on
10 five acres. I feel like they've been so
11 squeezed from every direction that they
12 are just going into this small, small --
13 my dogs are covered in ticks since that
14 development has begun, and that's with
15 treating my property and my animals.

16 I just think -- my heart breaks for
17 the herds of deer in my driveway, for the
18 -- there's just not enough water for them.
19 There are even more birds because there
20 are so few trees. My heart breaks for the
21 animals.

22 I know the, forgive me, engineer,
23 planner. I don't know who you are. I'm
24 sorry. Whoever spoke first. I heard her
25 mention the word animals, but in the scope

2 of studies I would really hope that
3 someone does a really deep dive, a really
4 deep dive into the meat and potatoes of
5 what this is going to do to our local
6 wildlife.

7 CHAIRMAN EWASUTYN: The gentleman.

8 MR. ROSA: My name is Ryan Rosa. I
9 live at 19 Vermont Drive. I'm at the
10 intersection of Brewer Road, so I'm
11 directly across from the forest where we
12 regularly see bears, deer, as my neighbors
13 have been sharing about. The wildlife
14 around us are already being squeezed out
15 of their spaces. I regularly see three
16 baby bears running through my neighbors'
17 backyards that we would have to alert them
18 to.

19 With a 168-unit complex going into
20 the space between Brewer and Hy Vue, I
21 can't even imagine the amount of wildlife
22 we'll start seeing now, even further
23 endangering our neighbors, the wildlife
24 that can't be easily corralled, and also
25 for them to have the homes that they need.

2 Additionally, for us in our own
3 town, we regularly deal with water boiling
4 notices, water main breaks that have
5 happened multiple times in the last year
6 itself.

7 Traffic break-ups for the smallest
8 things. A woman fell on her scooter the
9 other day and North Plank Road was backed
10 up for over an hour. I don't know when
11 they're doing these studies on the traffic
12 that's backing up in our areas, but adding
13 168 units, two-car driveways or garages in
14 the space, that's over 300 cars that are
15 going to be added into this very small
16 area. If any of you have ever driven in
17 the space, it's literally circling a
18 block. To add an increase like this feels
19 completely -- it's completely negligible.

20 If you're going to be able to take
21 the time and resources to allocate changes
22 to our water mains, to our sewers, which
23 some of my neighbors have not been able to
24 have the adequate change to sewage. They
25 haven't been able to navigate the errors

2 and issues they've seen with the problems
3 with the space that's being allocated for
4 the new storm drains. I already heard my
5 neighbors talk about their backyards being
6 sippy and soaked. This feels like another
7 addition to some of the major concerns
8 that people have in dealing with the homes
9 they've lived in for thirty plus years.

10 We definitely ask for the Board and
11 everyone involved to please put everything
12 you can into finding as much information
13 about the impact that this is going to
14 have, not just on the community and the
15 people that have lived here for so long,
16 but also on the actual change of resources
17 and infrastructure that we have around us.

18 CHAIRMAN EWASUTYN: Those who
19 haven't had the opportunity to speak?
20 Sir.

21 MR. MURIAK: My name is Robert
22 Muriak and I live at 17 Vermont Drive. I
23 was the fourth house occupied in that
24 development. Everybody here knows it's a
25 beautiful neighborhood, great people.

Vermont Drive has become a cut off
for traffic all the time.

We've seen a few bears around. We
haven't seen those in a while.

CHAIRMAN EWASUTYN: Thank you.

Additional questions or comments?

MR. FEDDER: Bill Fedder. A little
off base. I think the title of senior
housing is inappropriate because the
inference is that all the houses there are
going to be for seniors. Using that
moniker is not fair for broadcasting.

Senior bonus, that's how you term it
in the Town lingo. Senior housing is not
appropriate I don't think.

Thanks.

CHAIRMAN EWASUTYN: Any additional
questions or comments?

(No response.)

CHAIRMAN EWASUTYN: Dominic Cordisco,
Planning Board Attorney.

MR. CORDISCO: As I noted earlier,
the comments can be submitted in writing
up until December 1st, by close of

business on December 1st, which is Monday. They can be submitted, as John had mentioned, to his e-mail address or they can be delivered by mail to the Town's Planning Board office. The address is on the Town's website.

If there are no further public comments, I would suggest that the Board consider closing the public hearing.

MR. ROSA: Just a quick question. The second public meeting, I guess from the response that they have, what's the timeline for them to do the independent reviews or the draft environmental scope?

MR. CORDISCO: What happens after this is that the Board will consider the comments made tonight and anything in writing and consider revising the draft scope, the version that's on the Town's website at this point. Once the Board adopts that final version of the scope, then the applicant will have to prepare the studies, and then they'll have to submit them to the Board for the Board's

review. There are typically several rounds of reviews and revisions that are associated with that, because the Board's obligation at that point is to make sure that the studies that are being prepared by the applicant match up to what's required in the scope. The Board will then, at some point, deem the document ready for public review. When that happens, there will be a notice of a second public hearing, and then there will be a full opportunity for the Board to hear all sorts of comments as to what should or shouldn't happen there, detailed engineering review as well as everyone's opinion about various different aspects of the project. After that, after that, there will then be what's called a final environmental impact statement that will have to be prepared that will respond to every single comment that's been submitted to the Board. That becomes part of the record for the Board to inform its decisionmaking process, as well as all the

other agencies.

There are some aspects of this project that are not before the Planning Board's review. Obviously anything that's before the Department of Environmental Conservation for wetlands review is going to be conducted by them. The Town Board also has a role here, because the Town Board has to consider granting the density bonuses that have been discussed and sought by the applicant, as well as deciding whether or not to provide sewer services as an outside user since this property is not within the sewer district. Those are Town Board decisions, not Planning Board decisions.

MR. ROSA: Thank you.

CHAIRMAN EWASUTYN: Ma'am.

PUBLIC SPEAKER: Thank you for outlining that the way you did. It sounds really lengthy.

My question is twofold. One, everything you just said, is that a year?

Secondly, the entities or people or

persons who do the environmental impact studies, are they always hired by the developer or is there an independent third party? Who chooses who does those studies?

MR. CORDISCO: The way the process works in New York is that the studies are paid for by the applicant. They've hired a firm that prepares those studies. They will submit those to the Board and then the Board has its own independent consultants that are reviewing them to ensure that that information provided is adequate so that the Board can conduct its review.

PUBLIC SPEAKER: Is adequate or accurate?

MR. CORDISCO: It's both. It's both.

PUBLIC SPEAKER: I mean no disrespect.

MR. CORDISCO: I use the term adequate because that's the term that's used in state law in determining whether or not it's ready for a public hearing.

2 The studies have to be adequate and
3 match up to the scope in order to get to
4 that public hearing that I've been
5 referring to.

6 You're right, it is a lengthy
7 process. It depends on how quickly the
8 applicant moves to prepare those studies.
9 It wouldn't be, you know, in my mind any
10 sooner than four months, more likely at
11 least six months until you get to that
12 public hearing as a reasonable answer.
13 That's moving quickly.

14 PUBLIC SPEAKER: Thank you.

15 CHAIRMAN EWASUTYN: The lady in the
16 back.

17 PUBLIC SPEAKER: A quick question
18 that's a little bit unrelated. When, if
19 at all, has due diligence been conducted
20 on the developer and its past development
21 projects? Is any of that information
22 publicly available?

23 MR. CORDISCO: It's not statutorily
24 part of this Board's review. It's not
25 something that the Board can consider.

1 There's very specific criteria that the
2 Board -- that the Planning Board has to
3 consider that are set forth in the Town
4 Code. Items as to wherewithal of the
5 applicant and what type of projects they
6 have done is not directly relevant to
7 that. I mean, if there's information that
8 you have as the public that you want to
9 put forward, that's one thing. It's not
10 within the Board's purview to conduct its
11 own independent review of anyone that
12 comes before the Board. Anyone that comes
13 before the Board looking to either put in
14 a Chipotle or to subdivide their property
15 or do a lot line change, the Board doesn't
16 look at the character and fitness of the
17 applicant in deciding whether or not to
18 consider those applications.

19 PUBLIC SPEAKER: A quick question.
20 I'm sorry. When will we be able to review
21 their plan to make sure that it is senior
22 housing? I'm assuming this is a market
23 rate development project. When will we be
24 able to look at their, sort of, process
25

for ensuring that seniors will actually be able to live in these 19 units out of the 168 that they are proposing to build?

MR. CORDISCO: That would likely be information included in the draft environmental impact statement that will be subject to that public hearing.

MR. HINES: There are requirements in the Town Code that covenants have to be filed designating those as senior housing. The Town Code has certain size requirements for those senior units. The idea behind that is that they're more affordable.

If this project moves forward and comes to fruition, there are legal documents that are filed through the Town Board and the Town Attorney's office to ensure that.

PUBLIC SPEAKER: When you say more affordable, you don't mean designated affordable housing? Market rate?

MR. HINES: The code was crafted many years ago to reduce the size of the "senior restricted housing" to have the

price point more in line with what they can afford. It is not affordable housing by any means.

PUBLIC SPEAKER: It's a market --

MR. HINES: Market rate.

CHAIRMAN EWASUTYN: Any additional questions or comments?

(No response.)

CHAIRMAN EWASUTYN: Comments from Board Members. Dave Dominick.

MR. DOMINICK: No additional comments. There's a lot more to cover and a longer road to go down.

I do appreciate everyone giving their input to the applicant and the Board tonight. Thank you.

MS. DeLUCA: I have to agree with Dave. Your questions and comments were excellent, thorough, very well researched and we do appreciate your input. Thank you.

MR. MENNERICH: I agree with the comments that have been made by the Planning Board Members.

2 CHAIRMAN EWASUTYN: I think no at
3 this time. I have no additional comments.

4 MR. BROWNE: A little more
5 information. Every meeting that we have
6 is on our website as far as the minutes.
7 That's all out there.

8 Also, every meeting that we have is
9 open to the public. Every meeting is
10 documented on the website as far as the
11 topics and the applicants that will be
12 here. If you take a few minutes, look at
13 the website, look at the thing, then you
14 see every time that this applicant is
15 here, you will know they are here and you
16 can come and sit and observe and witness
17 whatever is taking place here so you don't
18 have to be kept in the dark, you don't
19 have to wait until the next meeting, the
20 next public hearing to know what's going
21 on. You can be here and take part.
22 They're not public hearings, you're not
23 able to speak, but you can witness and
24 hear and observe everything that's going
25 on with this application, the whole

process.

MS. CARVER: Thank you for all of your comments. I think you made very good points. We appreciate everyone coming out.

CHAIRMAN EWASUTYN: A final comment from the gentleman in the back who was raising his hand.

PUBLIC SPEAKER: I just wanted to know whether it would be made available on the website, the draft, or we would have to actually --

MR. CORDISCO: There are written copies of it here. It already is on the Town's website.

CHAIRMAN EWASUTYN: There's a copy up here. You're talking about the draft scoping document?

PUBLIC SPEAKER: Yes.

CHAIRMAN EWASUTYN: There's a copy here if you'd like one.

MR. HINES: It was posted almost a month ago on the Town's website. I posted it early, knowing there was interest.

2 MR. ROSA: The last one. I'm sorry.
3 Where can everyone find the e-mail address
4 just to send the comments to by December
5 1st?

6 CHAIRMAN EWASUTYN: I just mentioned
7 it. Planningboard@townofnewburgh.org.

8 MR. HINES: It's on the agenda.
9 There are copies of the agenda by the door
10 right there.

11 CHAIRMAN EWASUTYN: At this point
12 I'll move for a motion to close the public
13 hearing on Elkay Partners Development,
14 project number 24-29, the public scoping
15 for the multi-family senior housing.
16 Would someone move for that motion.

17 MS. CARVER: So moved.

18 MS. DeLUCA: Second.

19 CHAIRMAN EWASUTYN: I have a motion
20 by Lisa Carver. Who seconded it?

21 MS. DeLUCA: Stephanie.

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

25 MR. DOMINICK: Aye.

2 MS. DeLUCA: Aye.

3 MR. MENNERICH: Aye.

4 CHAIRMAN EWASUTYN: Aye.

5 MR. BROWNE: Aye.

6 MS. CARVER: Aye.

7 CHAIRMAN EWASUTYN: Motion carried.

8 Thank you.

9

10 (Time noted: 7:57 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 2nd day of December 2025.

MICHELLE CONERO

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

CFB REALTY, LLC

Project No. 2025-26
121 Wells Road
Section 39; Block 1; Lot 19
R-2 Zone

----- X
FOURTEEN-LOT SUBDIVISION

Date: November 20, 2025
Time: 8:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVES: DAVID NIEMOTKO

----- X
MICHELLE L. CONERO
Court Reporter
(845) 541-4163
Michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The third
3 item of business this evening is CFB
4 Realty, LLC, project number 25-26.
5 It's before the Board tonight for a
6 fourteen-lot subdivision. It's
7 located on 121 Wells Road in an R-2
8 Zone. It's being represented by
9 David Niemotko.

10 MR. NIEMOTKO: Mr. Chair, I would
11 welcome the opportunity -- he's only
12 asking for an extension. If that's the
13 case, I know he wants to go, I would give
14 my place to Tom and let him present, if
15 it's okay with you.

16 CHAIRMAN EWASUTYN: That's fine.

17 (Time noted: 8:00 p.m.)

18 (Time resumed: 8:05 p.m.)

19 CHAIRMAN EWASUTYN: The last item of
20 business this evening is CFB Realty, LLC,
21 project number 25-26. It's a fourteen-lot
22 subdivision located on 121 Wells Road in
23 an R-3 Zone. It's being represented by
24 David Niemotko.

25 MR. NIEMOTKO: Hello, everyone.

2 David Niemotko from the architectural firm
3 representing the project.

4 The layout really hasn't changed
5 much at all since our last presentation.
6 We still have the lots along Wells Road,
7 four of them, and then ten lots off of the
8 proposed cul-de-sac.

9 We did further the design regarding
10 grading.

11 We did get DEC approval.

12 I will get the maps signed once we
13 change names and I take over the land.
14 We're just waiting for that to happen.

15 We did receive the comment letter,
16 so I'm willing to talk it through. I know
17 there are a lot of items. I'm willing to
18 -- most of them I know we have to further
19 a lot of the designs. I could bring the
20 Board, Pat and everybody up to date on
21 where we're at.

22 I do agree, of course, with the DEC
23 wetland permit because we are encroaching
24 on a 100-foot buffer with our grading. We
25 had that prepared and are ready to submit.

2 We were kind of waiting to get to this
3 point to see. This layout has pretty much
4 gone through an evolution and it seems
5 like it will be okay. Actually, we'll
6 probably make that submission tomorrow or
7 Monday.

8 The same would hold true. We're
9 doing the DEC and we're going to be
10 wrapping up the sewer, and also we'll make
11 submission to Orange County DPW probably
12 tomorrow or Monday. We're ready to do
13 that.

14 Again, we're just kind of waiting to
15 get to a point where the whole layout was
16 evolving and seemed to be agreeable to
17 everyone.

18 I do have a specific question
19 regarding referral to the Town Board. I
20 did call the town clerk today. I
21 understand now the process would be a
22 referral from you or from Pat to the Town
23 Board for me to start discussing those
24 items with them. If we're at a point --
25 that's my understanding. That's what I

2 was told. If we're at a point where you
3 could refer us to the Town Board to talk
4 to them about a name for the street and --

5 MR. HINES: That doesn't necessarily
6 need a referral. Typically I think I
7 described in there that you suggest three
8 names, you submit them to the Building
9 Department, they check them across the 911
10 addressing system, and then they'll submit
11 them to the town clerk. It will be added
12 routinely to a Town Board work session.

13 MR. NIEMOTKO: Okay.

14 MR. HINES: There's no referral from
15 this Board.

16 MR. NIEMOTKO: The same for the
17 lighting?

18 MR. HINES: To determine if there's
19 going to be a lighting district, yes.

20 MR. NIEMOTKO: So first to the
21 Building Department or --

22 MR. HINES: Work through the
23 Building Department first. That will get
24 it -- that's the first step to get it on
25 the agenda.

2 MR. NIEMOTKO: Fine.

3 I had one specific question on the
4 sewer. We did develop it more so than
5 what's here. We'd like to propose a sewer
6 manhole on this side of the street and
7 feed the force mains to it and then
8 gravity feed to the existing manhole for a
9 few reasons. One, if this ever has to be
10 serviced, it won't affect this. They can
11 do it right here and just service these
12 ten homes. Is that something that's
13 agreeable or --

14 MR. HINES: In theory that works.
15 There will also need to be force main
16 clean-outs added to the plan as well.

17 MR. NIEMOTKO: We agree.

18 That's everything that I have at the
19 moment.

20 CHAIRMAN EWASUTYN: While we're on
21 the subject of sewer, page 5 of the long
22 form EAF referenced the wastewater
23 treatment plant to be used and you note
24 the Town of Newburgh. The Town of
25 Newburgh doesn't have a wastewater

2 treatment plant.

3 Pat.

4 MR. HINES: The Town of Newburgh
5 sewage is treated by the City of Newburgh
6 through an intermunicipal agreement. It's
7 conveyed through the Town of Newburgh's
8 collection system and ultimately to the
9 City of Newburgh. There will be a need
10 for a City of Newburgh flow acceptance
11 letter. Moving forward, you'll provide a
12 calculation of the hydraulic loading from
13 the fourteen houses and that will be
14 submitted under a Town letter to the City
15 to kind of check the allocation box that
16 that capacity is dedicated to this
17 project.

18 MR. NIEMOTKO: Not a problem. I
19 understand.

20 CHAIRMAN EWASUTYN: Thank you.

21 If there are no further questions --

22 MR. HINES: The only action you can
23 take tonight is -- we circulated notice of
24 intent for lead agency on September 12th.
25 This Board could declare itself lead

2 agency now for environmental review.

3 CHAIRMAN EWASUTYN: Thank you.

4 Would someone move for a motion to
5 declare ourselves lead agency for 121
6 Wells Road.

7 MR. MENNERICH: So moved.

8 MS. DeLUCA: Second.

9 CHAIRMAN EWASUTYN: I have a motion
10 by Ken Mennerich. I have a second by
11 Stephanie DeLuca. Can I have a roll call
12 vote starting with Lisa Carver.

13 MS. CARVER: Aye.

14 MR. BROWNE: Aye.

15 CHAIRMAN EWASUTYN: Aye.

16 MR. MENNERICH: Aye.

17 MS. DeLUCA: Aye.

18 MR. DOMINICK: Aye.

19 CHAIRMAN EWASUTYN: Thank you.

20 MR. NIEMOTKO: Thank you, everyone.
21 Have a great holiday. Have a great
22 Thanksgiving. Hope to see you in
23 December.

24 CHAIRMAN EWASUTYN: If there are no
25 further questions; Dominic, I would like

2 to, I don't know if the word is congratulate
3 you, but you served the Town well. You
4 served the Planning Board well. It's a
5 great pleasure to work with you. Thank
6 you.

7 MR. CORDISCO: Thank you for saying
8 so. I was just saying beforehand, Pat has
9 been here since 1996 and Ken shortly
10 thereafter. I'm the newbie still. I've
11 only been here since 2019. It's a real
12 pleasure to represent the Town. Thank you
13 for not only the opportunity but for
14 continuing to have faith. I hope I've
15 been growing into the job.

16 CHAIRMAN EWASUTYN: Thank you.

17 Would someone move for a motion to
18 close the Planning Board meeting of the
19 20th of November.

20 MS. DeLUCA: So moved.

21 MR. BROWNE: Second.

22 CHAIRMAN EWASUTYN: I have a motion
23 by Stephanie DeLuca. I have a second by
24 Cliff Browne. Can I have a roll call vote
25 starting with Dave Dominick.

1 CFB Realty, LLC

73

2 MR. DOMINICK: Aye.

3 MS. DeLUCA: Aye.

4 MR. MENNERICH: Aye.

5 CHAIRMAN EWASUTYN: Aye.

6 MR. BROWNE: Aye.

7 MS. CARVER: Aye.

8

9 (Time noted: 8:15 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 2nd day of December 2025.

MICHELLE CONERO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

- - - - - X
In the Matter of

LONGVIEW FARMS

Project No. 2006-39
Barbara Drive
Section 20; Block 1; Lots 1 & 3.36
AR Zone

- - - - - X

SIX-MONTH EXTENSION - SUBDIVISION

Date: November 20, 2025
Time: 8:01 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: THOMAS DePUY

- - - - - X

MICHELLE L. CONERO
Court Reporter
(845) 541-4163
Michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: Ken Mennerich
3 will read the request for an extension.

4 MR. MENNERICH: The letter is from
5 T.M. DePuy Engineering & Land Surveying,
6 PC. It's dated October 31, 2024. It's
7 to Honorable John Ewasutyn, Town of
8 Newburgh Planning Board, 21 Hudson Valley
9 Professional Plaza, Newburgh, New York
10 12550, regarding Longview Farms, Town of
11 Newburgh. "Dear Mr. Chairman, on behalf
12 of the owners, Hudson Properties, LLC, we
13 wish to be placed on the November 20, 2025
14 Planning Board agenda to request an
15 extension of the resolution of final
16 subdivision approval for Longview Farms.
17 We are awaiting signature of drawings by
18 the Orange County Health Department in
19 order to complete the filing process. All
20 other items have been completed. Thank
21 you. Very truly yours, Thomas M. DePuy,
22 PE/LS."

23 MR. DePUY: I'm looking for an
24 extension. Actually, I dropped --

25 CHAIRMAN EWASUTYN: For the record

2 you are?

3 MR. DePUY: Tom DePuy.

4 I actually dropped plans off at the
5 Health Department. They're going to sign
6 them for the technical approval and then
7 I'll go in and get mylars and paper prints
8 made so we can get the section 2 filing
9 completed.

10 CHAIRMAN EWASUTYN: Pat Hines, do
11 you have anything to add to this?

12 MR. HINES: We don't. Mr. DePuy has
13 mentioned that the County Planning --
14 County Health Department approvals are in,
15 and that was one of the major hurdles to
16 get complete for the conditions of final.

17 We would have no exception to a
18 six-month extension.

19 MR. DePUY: I do have one question.
20 This is for section 2 and then we're going
21 to start on section 3. I have to keep
22 coming in and getting extensions on
23 section 3?

24 MR. HINES: I believe so.

25 MR. DePUY: All right.

2 MR. CORDISCO: That's correct.

3 MR. DePUY: All right.

4 CHAIRMAN EWASUTYN: Section 2, just
5 for the record, will allow for how many
6 building lots?

7 MR. DePUY: Four building lots.

8 CHAIRMAN EWASUTYN: And then when
9 the time comes, section 3 would be for how
10 many?

11 MR. DePUY: I believe eighteen.
12 There is a section 4 that has, I think,
13 six or something like that.

14 CHAIRMAN EWASUTYN: Thank you. So
15 the date that we're extending this to,
16 Ken?

17 MR. WERSTED: 4 December 2025
18 through 4 June 2026.

19 CHAIRMAN EWASUTYN: Would someone
20 move for that motion.

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

22 MS. CARVER: Second.

23 CHAIRMAN EWASUTYN: I have a motion
24 by Dave Dominick. I have a second by Lisa
25 Carver. Can I have a roll call vote

2 starting with Dave Dominick.

3 MR. DOMINICK: Aye.

4 MS. DeLUCA: Aye.

5 MR. MENNERICH: Aye.

6 CHAIRMAN EWASUTYN: Aye.

7 MR. BROWNE: Aye.

8 MS. CARVER: Aye.

9 CHAIRMAN EWASUTYN: Thank you.

10 MR. DePUY: Thank you.

11 John, I'll give you a call on how
12 many mylars and paper prints you need.

13 MR. HINES: First you need a letter
14 from my office. That will get you to
15 John.

16 MR. DePUY: Okay.

17 CHAIRMAN EWASUTYN: Just to bring it
18 up for general conversation, and it's
19 written in the resolution, the Planning
20 Board chairman isn't allowed to sign site
21 plans, lot line changes or subdivision
22 plats until Pat Hines of MHE does his
23 final review to say those maps are in
24 compliance with the conditions of the
25 resolution. There is a checks and

2 balance. Thank you.

3 MR. DePUY: I'll submit you a final
4 set of drawings.

5 MR. HINES: Yes.

6 MR. DePUY: Thank you.

7

8 (Time noted: 8:05 p.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 2nd day of December 2025.

MICHELLE CONERO