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

FANA DEVELOPMENT, LLC
(2025-21)
Sarvis Lane
Section 17; Block 1; Lot 19
RR Zone
----- X

PUBLIC HEARING - THREE-LOT SUBDIVISION

Date: December 4, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: JONATHAN CELLA

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

2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. The Planning Board
4 would like to welcome you to their
5 meeting of the 4th of December. This
6 evening we have four agenda items. The
7 first one is a public hearing.

8 At this time we'd like to call the
9 meeting to order with a roll call vote.

10 MR. DOMINICK: Present.

11 MS. DeLUCA: Present.

12 MR. MENNERICH: Present.

13 CHAIRMAN EWASUTYN: Present.

14 MS. CARVER: Present.

15 MR. WARD: Present.

16 MR. CORDISCO: Dominic Cordisco,
17 Planning Board Attorney.

18 MS. CONERO: Michelle Conero,
19 Stenographer.

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

22 CHAIRMAN EWASUTYN: At this point
23 we'll turn the meeting over to Dave
24 Dominick.

25 MR. DOMINICK: Please stand for the

2 Pledge of Allegiance.

3 (Pledge of Allegiance.)

4 MR. DOMINICK: Please silence your
5 cellphones or put them on vibrate. Thank
6 you.

7 CHAIRMAN EWASUTYN: The first
8 application on the agenda this evening is
9 Fana Development, LLC, project number
10 25-21. It's a public hearing for a
11 subdivision plat for three lots. It's
12 located on Sarvis Lane in an RR Zone.
13 Jonathan Cella is presenting the project.

14 At this time Ken Mennerich will
15 read the notice of hearing.

16 MR. MENNERICH: "Notice of hearing,
17 Town of Newburgh Planning Board. Please
18 take notice that the Planning Board of
19 the Town of Newburgh, Orange County,
20 New York will hold a public hearing
21 pursuant to Section 274-A of the
22 New York State Town Law and Chapter
23 163-8J of the Town of Newburgh Code
24 on the application of Fana Development,
25 LLC, project number 2025-21, three-lot

subdivision. The project proposes a three-lot subdivision of a 6.9 plus or minus acre parcel of property located on Sarvis Lane. All lots proposed will be 2 plus or minus acres. One of the lots is a flag lot with a 30-foot wide strip for access. Each of the lots will access Sarvis Lane with two new driveways and one existing access point. The proposed lots will be served by individual wells and subsurface sanitary sewer disposal systems. The project site is located in the Town's RR Zoning District. The project address is a vacant parcel on Sarvis Lane. The project is known on the Town Tax Maps as Section 17; Block 1; Lot 19.

A public hearing will be held on the 4th day of December 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 interested persons will be given an

2 opportunity to be heard.

3 By order of the Town of Newburgh
4 Planning Board. John P. Ewasutyn,
5 Chairman, Planning Board Town of
6 Newburgh. Dated 10 November 2025."

7 CHAIRMAN EWASUTYN: Jonathan.

8 MR. CELLA: Good evening. I'm
9 Jonathan Cella.

10 We're doing a three-lot residential
11 subdivision of a 6.9 acre parcel located
12 in the RR Zoning District.

13 The lots will be serviced by
14 individual wells and septics.

15 Each lot will have an individual
16 driveway directly to Sarvis Lane with one
17 having a longer driveway to a 25-foot
18 flag pole. That will be the largest
19 parcel -- I'm sorry. This is a 2-acre
20 parcel. There's a 2.3 and a 2.26.
21 They're all relatively about the same
22 size.

23 All lots meet the Town Zoning
24 requirements for the zoning district.

25 We performed onsite soil testing

2 for the sewer systems.

3 We're disturbing less than an acre
4 of land for the development of the three
5 lots.

6 CHAIRMAN EWASUTYN: Thank you. If
7 there's anyone here that has any questions
8 or comments, please raise your hand and
9 give your name.

10 MR. FEDDER: Bill Fedder.

11 I'm just curious, are the wells
12 drilled?

13 MR. CELLA: Not yet.

14 MR. FEDDER: Will approval be
15 dependent on -- conditional on well
16 production?

17 CHAIRMAN EWASUTYN: No, it's not.

18 MR. FEDDER: Will that be a
19 condition of approval, if it's a viable
20 well?

21 CHAIRMAN EWASUTYN: We don't
22 critique that. It's not in the code.
23 What's in the code is that they have an
24 approved subdivision and an approved
25 septic design for the subdivision, but

2 wells don't fall under that category.

3 MR. FEDDER: Somebody could be
4 stuck with a dry lot.

5 CHAIRMAN EWASUTYN: Excuse me?

6 MR. FEDDER: Someone could be stuck
7 with a dry lot. Thank you.

8 CHAIRMAN EWASUTYN: Any additional
9 questions or comments?

10 (No response.)

11 CHAIRMAN EWASUTYN: At this point
12 I'll turn the questions over to Planning
13 Board Members. Dave Dominick.

14 MR. DOMINICK: No additional comments.

15 MS. DeLUCA: Nothing further.

16 MR. MENNERICH: No questions.

17 CHAIRMAN EWASUTYN: I think no at
18 this time.

19 MS. CARVER: I don't have additional
20 questions.

21 MR. WARD: No additional.

22 CHAIRMAN EWASUTYN: Jim Campbell,
23 Code Compliance.

24 MR. CAMPBELL: I had a couple of
25 comments which I believe you received.

2 On the plans there are two scales
3 that are mentioned. In the title block
4 there's one and below the layout is
5 another one that's different.

6 The only other thing we ask is to
7 dimension the driveway width, the
8 turnaround and the turnouts.

9 MR. CELLA: We'll add the dimensions
10 for that.

11 MR. CAMPBELL: Add the dimensions.
12 It's a lot easier at inspection time.

13 CHAIRMAN EWASUTYN: Dominic Cordisco,
14 can you cover for Pat Hines for his review
15 since he's not at the meeting this evening?

16 MR. CORDISCO: Yes. Certainly.
17 Pat had three technical comments on this.

18 The first is that the subsurface
19 sanitary sewage disposal system requires
20 the stamp of an engineer.

21 The second is that the applicant's
22 representative has identified the limits
23 of disturbance on the site at .93 acres.
24 Any disturbance in excess of 1 acre on
25 the site will require coverage under the

2 DEC stormwater general permit for SPDES.
3 Notes should be added to the plans
4 requiring stakeout of the limits of
5 disturbance as depicted on the plans in
6 order to ensure that less than 1 acre of
7 disturbance occurs. Areas of disturbance
8 should be demarcated with orange
9 construction fencing prior to the
10 issuance of a building permit on any lot.

11 Number three is a roadway dedication
12 parcel of .26 plus or minus acres to the
13 Town of Newburgh along Sarvis Lane is
14 proposed. Legal documents for the
15 property to transfer must be provided.

16 CHAIRMAN EWASUTYN: Thank you.

17 Any additional questions or comments
18 from the public?

19 (No response.)

20 CHAIRMAN EWASUTYN: Would someone
21 move to make a motion to close the public
22 hearing on Fana Development, LLC, application
23 number 25-21.

24 MR. MENNERICH: So moved.

25 MS. CARVER: Second.

2 CHAIRMAN EWASUTYN: I have a motion
3 by Ken Mennerich. I have a second by
4 Lisa Carver. Any other comments from the
5 Board?

6 (No response.)

7 CHAIRMAN EWASUTYN: Roll call vote.

8 MR. DOMINICK: Aye.

9 MS. DeLUCA: Aye.

10 MR. MENNERICH: Aye.

11 CHAIRMAN EWASUTYN: Aye.

12 MS. CARVER: Aye.

13 MR. WARD: Aye.

14 CHAIRMAN EWASUTYN: Dominic Cordisco,
15 can you give us conditions of approval.

16 MR. CORDISCO: The first thing that
17 the Board would need to consider would be
18 the adoption of a negative declaration
19 for this project.

20 CHAIRMAN EWASUTYN: Would someone
21 move to declare a negative declaration on
22 application number 25-21.

23 MS. CARVER: So moved.

24 CHAIRMAN EWASUTYN: Lisa Carver
25 moved for a motion.

2 MR. WARD: Second.

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

6 MR. DOMINICK: Aye.

7 MS. DeLUCA: Aye.

8 MR. MENNERICH: Aye.

9 CHAIRMAN EWASUTYN: Aye.

10 MS. CARVER: Aye.

11 MR. WARD: Aye.

12 CHAIRMAN EWASUTYN: Motion carried.

13 The conditions of approval.

14 MR. CORDISCO: Yes. One would be
15 to address the outstanding engineering
16 and Code Compliance comments.

17 Two would be the offer of dedication
18 documents must be prepared and submitted
19 for the Planning Board Attorney's review
20 as well as the Town Attorney's review and
21 the Town Engineer's review.

22 Additionally, you also have rec
23 fees that would be due for two new lots.
24 However, there are no performance
25 securities associated with this because

2 there are no public improvements that are
3 being proposed.

4 CHAIRMAN EWASUTYN: And the dollar
5 amount for each lot?

6 MR. CORDISCO: I forget what town
7 I'm in.

8 CHAIRMAN EWASUTYN: \$2,000 per lot.

9 MR. CORDISCO: Yes. Thank you.
10 Sorry.

11 CHAIRMAN EWASUTYN: There will be a
12 rec fee of \$4,000 associated with the
13 subdivision.

14 MR. CORDISCO: Yes, sir. We'll
15 certainly put that number in the approval
16 resolution.

17 CHAIRMAN EWASUTYN: Thank you.

18 Having heard the conditions of
19 approval for Fana Development, application
20 number 25-21, presented by Planning Board
21 Attorney Dominic Cordisco, would someone
22 move for that motion.

23 MR. DOMINICK: So moved.

24 MR. WARD: Second.

25 CHAIRMAN EWASUTYN: I have a motion

2 by Dave Dominick. I have a second by
3 John Ward. Can I have a roll call vote
4 starting with Dave Dominick.

5 MR. DOMINICK: Aye.

6 MS. DeLUCA: Aye.

7 MR. MENNERICH: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MS. CARVER: Aye.

10 MR. WARD: Aye.

11 CHAIRMAN EWASUTYN: Motion carried.

12 MR. CELLA: Thank you.

13

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 9th day of December 2025.



MICHELLE CONERO

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

- - - - - X
In the Matter of

AVION VENTURES - WAREHOUSE
(2024-16)

Pomarico Drive
Section 86; Block 1; Lot 37.222
IB Zone

- - - - - X

SITE PLAN & ARCHITECTURAL REVIEW BOARD

Date: December 4, 2025
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: CONNOR McCORMACK
JOSEPH MUCCIN

- - - - - X

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

2 CHAIRMAN EWASUTYN: Item number
3 two is application 24-16, Avion
4 Ventures - Warehouse. It's a site
5 plan being presented tonight and ARB.
6 It's located on Pomarico Drive in an
7 IB Zone. It's being represented by
8 Justin Dates of Colliers Engineering.

9 MR. McCORMACK: Good evening,
10 Members of the Board. Just for the
11 record, I'm not Justin Dates. I am
12 filling in. I'm Connor McCormack of
13 Colliers Engineering & Design.

14 The last time we were in front of
15 the Board for this project was back in
16 May, May 1st, when we had the public
17 hearing. Since that time we've been
18 working on several items.

19 We've addressed the outstanding
20 site plan comments. We submitted an ARB
21 application and architectural elevations.
22 We've also had several back-and-forth
23 submissions with the New York State DOT
24 regarding the improvements in the State
25 highway. The last larger one was working

out the permitting associated with the DEC wetlands.

Because it's been so long, I can give a brief recap of the project for the Board. Pomarico Drive is located in the IB Zone. This is a proposed warehouse that is 56,000 feet in size.

A total of six loading docks are proposed.

Thirty-four parking spaces are proposed.

Two stormwater mitigation areas are proposed.

A water main extension is proposed as part of the project to service the building.

Additionally, there will be a sanitary pump station that will discharge out to Pomarico Drive.

The project is also located on Pomarico Drive which is a private drive. We're proposing to widen sections of the road to the Town standards.

We've also responded to the public

1 comments, DOT multiple times, and we
2 included correspondence from the DEC on
3 the wetland permitting. Essentially
4 where they are at, they're ready to issue
5 a permit once the Board would grant a --
6 make a SEQRA determination.

7 At this point I'm happy to go over
8 any additional comments or more detail on
9 any items.

10 CHAIRMAN EWASUTYN: Comments from
11 Board Members. John Ward.

12 MR. WARD: You received the comments
13 from our traffic consultant?

14 MR. McCORMACK: Yes.

15 MR. WARD: There was one comment he
16 had in reference to the merge going in,
17 the two lanes when you come out. They're
18 going west in the right-hand lane. He's
19 concerned about that with the exit.

20 MR. McCORMACK: Correct. This
21 turn, the right into the site. I'm
22 actually lucky enough to have Joe Muccin
23 from our company who is the traffic
24 engineer for the project. We did note
25

2 that and will respond to it. If there's
3 anything specific, we'll respond in
4 writing.

5 MR. WARD: I mentioned no left turn
6 possibly for that intersection because
7 they fly through there, for one.

8 How would you put it. Traffic
9 backs up with the Pilot and everything
10 else there.

11 MR. McCORMACK: No left turn out of
12 the site?

13 MR. WARD: Yes.

14 MR. McCORMACK: I know this was a
15 previous comment that Justin had noted at
16 the public hearing. I don't know if the
17 DOT had any response on restricting the
18 movement.

19 CHAIRMAN EWASUTYN: Joseph, for the
20 record, do you have a business card?

21 MR. MUCCIN: I do.

22 CHAIRMAN EWASUTYN: Can you give
23 that to Michelle Conero.

24 At the same time, can you come
25 forward and talk to the Board.

2 MR. McCORMACK: Just the comment on
3 restricting access to the site.

4 MR. MUCCIN: As part of the DOT's
5 review, we haven't had anything specific
6 on the left turn out. We are in the
7 process right now of responding to the
8 DOT's latest comment. I think we're down
9 to about a handful, if that.

10 We can look into that further and
11 give you a formal response if you'd like.

12 MR. WARD: Have you had any update
13 in reference to DEC?

14 MR. McCORMACK: Yes. I have a good
15 update. We originally got the wetlands
16 validated in December of '24. As
17 everyone knows, the wetlands regulations
18 changed in January. They made us go
19 through the process again. We did the
20 parcel JD, we submitted -- resubmitted
21 the wetland validation. They validated
22 it again a couple months later. For the
23 last six months we've been going through
24 the permitting process for the proposed
25 improvements within the buffer.

2 Just to be clear, right here you
3 can see the DEC regulated wetland that's
4 onsite. There's the 100-foot adjacent
5 area associated with it. The closest
6 disturbance that we ever get is 25 feet
7 away from the wetland limits. It's
8 really just to outlet our drainage pipes.

9 The proposed improvements that are
10 within the buffer are strictly for
11 stormwater mitigation purposes, so no
12 impervious area.

13 We've been going back and forth
14 with the DEC. We attached the latest
15 correspondence from them where they
16 basically say, I have it here, that
17 they're ready to issue a permit pending a
18 SEQRA determination by the Planning
19 Board.

20 As far as the DEC wetland items,
21 we're essentially at the finish line.

22 MR. WARD: Thank you.

23 CHAIRMAN EWASUTYN: Lisa Carver.

24 MS. CARVER: Do you have a tenant
25 yet?

2 MR. McCORMACK: They do not. Based
3 on discussions with the applicant, it's a
4 lot easier to market the property once it
5 has conditional approvals or it's further
6 along in the process as to what warehouse
7 tenants are looking for when they're
8 looking for a property.

9 MS. CARVER: Will it be a
10 distribution warehouse? Will it be
11 limited to a specific type of warehouse?

12 MR. McCORMACK: We just have
13 warehouse. We went through the process
14 not to restrict the potential tenants as
15 much as possible. It's based on the
16 number of employees, truck trips, hours
17 of operation. That was all basically
18 what's allowed by code so that we could
19 seek the correct tenant. It just opens
20 up the possibilities without limiting it.

21 I will say what we're proposing,
22 the use, the proposed improvements, the
23 building height, setbacks, there's no
24 proposed variance -- we're no longer
25 seeking any variances as part of the

project.

MS. CARVER: Thank you.

CHAIRMAN EWASUTYN: I have no comment at this time.

MR. MENNERICH: You mentioned that you were going to widen sections of Pomarico Drive. How much of the drive is going to be widened?

MR. McCORMACK: I can give you a linear foot. I think it's about 700 feet. I don't have my long scale on me, but it's -- if you know where the Peterbilt is, I believe that's right here, it's fairly wide up until that left turn into their site and then it narrows down more. It essentially looks like a residential driveway. That will be -- most of it will be 24 feet wide, but there are multiple sections where we had to bump it out to 26 to meet fire code requirements for the pull-offs. I think it generally varies.

MR. MENNERICH: So all the houses -- in front of the three houses it will

2 be widened?

3 MR. McCORMACK: Correct. The Town
4 Engineer, Pat Hines, did request that we
5 put notes on the plan that those driveways
6 cannot be blocked during construction.
7 We updated the construction sequencing
8 to, you know, accommodate entrances into
9 those neighbors' sites.

10 When I talk about the road widening,
11 we're essentially holding the side that's
12 closest to the neighbors and expanding
13 into the hill, away from the neighbors.

14 CHAIRMAN EWASUTYN: Stephanie DeLuca.

15 MS. DeLUCA: I have two questions,
16 actually. One pertains to the widening
17 of the road, but having some sort of
18 buffer or fencing or something. The
19 residents that live there, they've been
20 concerned about that, having children and
21 whatnot. I was wondering if there was
22 anything that was going to be put there.
23 I don't know, maybe --

24 MR. McCORMACK: We don't have any
25 fencing proposed.

2 this plan. He was -- let me get the
3 exact term here. Bear with me. It's
4 possible that we could propose additional
5 lighting off -- each one of the residents
6 has a utility pole per their service
7 connection for electrical. The existing
8 pole that I believe serves Peterbilt has
9 that light on it. We have the ability to
10 add a light to an existing pole. It's
11 not proposed now. I would just really, I
12 guess, see what the Board would want. If
13 that is something you want, it could also
14 be timed to the hours of operation based
15 on the tenant that goes in. That's
16 something that's an option. It's really
17 do we want to provide more lighting near
18 the residents or do we want to keep it
19 more rural as it is today.

20 MS. DeLUCA: Okay. Thank you.

21 MR. DOMINICK: Nothing further.

22 CHAIRMAN EWASUTYN: Stephanie had a
23 question. Is the lighting timed as if to
24 say at certain hours, if there are no
25 vehicles going through, then they're dim?

2 Obviously when something then does
3 appear, begins driving in, is it
4 illuminated?

5 MR. McCORMACK: Right now it's not
6 on a timer, but it has the ability to be.
7 The notes do not restrict timing. That
8 is something, if the Board wants it, we
9 can accommodate it.

10 CHAIRMAN EWASUTYN: Excuse me,
11 Dave.

12 MR. DOMINICK: Nothing further.

13 MR. WARD: I have one more
14 question.

15 With turning into Pomarico, the
16 turning radius for a 52-foot truck with
17 the corner there, I don't think you have
18 it --

19 MR. McCORMACK: A specific left in
20 or a right in?

21 MR. WARD: A right in, going
22 westbound.

23 MR. McCORMACK: Is the concern that
24 the vehicle won't be able to make it into
25 the site?

2 MR. WARD: Turning in, you have to
3 turn wide into the other lane.

4 MR. McCORMACK: So right now we're
5 proposing to pull this curb back to not
6 clip the curb as we're turning this right
7 in. Maybe I don't follow exactly the
8 comment, because we have the vehicle on
9 here.

10 MR. WARD: If you take a tractor
11 trailer truck turning in there, you're
12 going to hit on the right-hand side, the
13 diner side.

14 MR. McCORMACK: That's why we
15 pulled this curb back. That's what this
16 plan is depicting. We picked a WB-67
17 turning into the site. Based on that,
18 we're proposing to pull this curb back.
19 All of that work is in the right-of-way.

20 MR. WARD: Thank you very much.

21 CHAIRMAN EWASUTYN: Questions on
22 the site plan. Jim Campbell, do you have
23 any questions on the site plan?

24 MR. CAMPBELL: Not necessarily
25 questions, but some comments.

2 A copy of the utility plan was sent
3 to the fire chief for review of the
4 hydrants and the FDC connection
5 locations. We received confirmation that
6 that was okay.

7 The parking lot striping detail on
8 sheet C-901 is not compliant with the
9 Town Code. That needs to be corrected.

10 Any proposed signage, freestanding
11 and building mounted, will be required to
12 be evaluated for sizes, locations and
13 have ARB performed.

14 CHAIRMAN EWASUTYN: You have
15 submitted and completed the architectural
16 review sheet. Can we now enter discussion
17 on ARB?

18 MR. McCORMACK: I hope everyone
19 brought their glasses. This was the size
20 plan I was provided. I'll answer any
21 comments as I can. I did not prepare
22 this plan.

23 CHAIRMAN EWASUTYN: Why don't you
24 walk through the building, the colors of
25 the building, points of interest.

2 MR. McCORMACK: So what we were
3 attempting to do here is essentially not
4 propose one monotonous block building.
5 To accommodate that, we have multiple
6 different panels, multiple different
7 colors and banding around the building
8 that will break up the architecture.

9 As far as the materials, the
10 exterior is a combination of fox gray and
11 polar white. There's trim, it's nine
12 feet tall horizontal striping that will
13 be slate gray. The trim is going to be
14 metal sheathing and the panels will be
15 tough wall, which I believe to be like a
16 stucco-coated wall. The roof will be
17 flat. The total height will be in
18 compliance with the zoning, which I
19 believe is forty feet here.

20 There are multiple man doors and
21 loading docks to accommodate fire access
22 within the building.

23 Other than that -- we submitted the
24 plan that has dimensions, colors and
25 materials that correspond to the

application.

CHAIRMAN EWASUTYN: Comments from
Dave Dominick.

MR. DOMINICK: Nothing further.

MS. DeLUCA: Nothing further.

MR. DOMINICK: It looks good.

MR. MENNERICH: No questions.

CHAIRMAN EWASUTYN: You do mention
in the ARB form that all rooftop
mechanicals will be screened. You said
yes?

MR. McCORMACK: I'm just making
sure that's what that says.

CHAIRMAN EWASUTYN: Under parapet.
You did respond to it.

MR. McCORMACK: Yes, it does say
that. Those are not shown on the plan.
There are sections that could be
screened. We'll make sure that happens.
That could be noted on the plan.

CHAIRMAN EWASUTYN: Lisa Carver.

MS. CARVER: Just to confirm, the
height of the building, you said forty
feet?

2 MR. McCORMACK: Yes. That's what
3 the bulk table says.

4 CHAIRMAN EWASUTYN: John Ward.

5 MR. WARD: No more comments.

6 CHAIRMAN EWASUTYN: Jim Campbell,
7 do you want to add to the ARB?

8 MR. CAMPBELL: No. The signage was
9 not addressed.

10 MR. McCORMACK: The freestanding
11 sign. We'll probably come back once we
12 have a tenant so we know what the sign is
13 going to look like. We understand we'll
14 need to come back to the Board for that.

15 CHAIRMAN EWASUTYN: Dominic, it's
16 my understanding, listening to the
17 presentation, that the applicant is
18 looking for a SEQRA determination so then
19 the involved agencies could move forward
20 on the project. Can you help us with
21 that?

22 MR. CORDISCO: Yes. So for this
23 project the long form EAF had been
24 prepared by the applicant originally.
25 This would trigger the need for a Part 2

2 of the EAF which is where the Board would
3 determine whether or not the impacts
4 associated with the project are either
5 none or small impacts, or, on the other
6 hand, moderate to large impacts. As the
7 Board may remember, Pat Hines has walked
8 the Board through a Part 2 EAF in the
9 past. I would be prepared to do the same
10 tonight if you would like. I've worked
11 on, over the course of the meeting,
12 preparing an initial draft of the Part 2
13 EAF. If it's satisfactory to the Board.
14 There are some areas where it's clear
15 that there are no impacts, but there are
16 others where it's really the Board's
17 determination as to whether or not there
18 are potentially significant impacts
19 associated with the project.

20 CHAIRMAN EWASUTYN: Is the Board in
21 agreement to have Dominic go through it?

22 MR. DOMINICK: Yes.

23 MS. DeLUCA: Yes.

24 MR. MENNERICH: Yes.

25 CHAIRMAN EWASUTYN: Yes.

2 MS. CARVER: Yes.

3 MR. WARD: Yes.

4 CHAIRMAN EWASUTYN: Please.

5 MR. CORDISCO: So as I said, these
6 are broken down into categories. For
7 each category, if you answer yes in the
8 general category, then you have to answer
9 whether or not there's a no or a small
10 impact that may occur or a moderate to a
11 large impact that may occur.

12 So for instance, impact on land.
13 Obviously the project is proposing
14 construction and physical alteration of
15 land surface. The answer to that
16 category would be yes, and then
17 underneath that there are -- and of
18 course they don't number them, they put
19 letters. There are seven questions or
20 areas where the project might have a
21 potentially large impact as one of the
22 options. For all of these I would
23 believe that the answer would be no.
24 I'm going to go through them in the
25 interest of time.

The proposed project may involve construction on land where depth to water table is less than 3 feet.

That's not true. I think the depth to the water table for this particular area is 85 feet as identified in the EAF. That would be no.

The proposed action may involve construction on slopes of 15 percent or greater. While there is some construction on areas of the site that have larger than 15 percent grade, I don't believe that there's a significant impact associated with this particular construction.

The proposed action may involve construction on land where bedrock is exposed or generally within 5 feet of existing ground surface. I don't believe that there's any bedrock that's been identified at the surface on this site.

The action may involve the excavation and removal off the site

of more than 1,000 tons. That answer is no.

The proposed action may involve construction that continues for more than one year or in multiple phases. It's not anticipated that construction would take that long.

The proposed action may result in increased erosion. Since there's a stormwater pollution prevention plan, the answer to that would be no as well.

Lastly, the proposed action is not located within a coastal erosion hazard area. There are no other impacts associated with the plan.

Geological features are very particular in terms of unusual land forms on the site, such as cliffs, dunes, fossils or caves. The answer to that entire category would be no.

Impacts on surface water. For that the answer would be yes. We do have wetlands on this site. There is a wetlands specific question, and

1 that is whether or not the proposed
2 action may involve construction
3 within or adjoining a freshwater
4 wetland. That one I leave up to the
5 Board. You do need a wetlands permit
6 from the DEC. I would suggest that
7 since they have to obtain a wetlands
8 permit from the DEC and they have to
9 meet those criteria, the impact on
10 the wetlands would be minor. A small
11 impact may occur. I would suggest
12 that be the response to that particular
13 question.
14

15 The other questions are not
16 relevant. That relates to surface
17 water that involves wetlands.

18 Impact on groundwater. There is
19 additional use of groundwater as a
20 result of the project, although I think
21 it's fairly modest. I believe it was
22 900 gallons per day because of the
23 warehouse.

24 MR. McCORMACK: I had 612, but it's
25 minimal.

2 MR. CORDISCO: That's why I went to
3 law school.

4 CHAIRMAN EWASUTYN: Math.

5 MR. CORDISCO: Math is not my
6 strong point. Not at all. Wait until we
7 get to the kilowatt hours.

8 CHAIRMAN EWASUTYN: To megawatts.

9 MR. CORDISCO: That's right. I'll
10 defer to Lisa on that.

11 Although the answer to the category
12 is yes, I believe that the answer to all
13 of the areas of impacts are no to small
14 impacts.

15 Impact on flooding. Here again
16 the answer is yes. In particular, the
17 project is located within the 100-year
18 floodplain. I defer to the Board as to
19 whether or not that's a small impact or a
20 moderate to large impact.

21 Perhaps Connor has some --

22 MR. McCORMACK: I'll just show the
23 Board where the wetland is in relation to
24 the project. I think it makes it pretty
25 clear. So this is the 100-year floodplain

2 right here. That's all the floodplain.
3 We're nowhere near it. We're not
4 proposing any discharge into it. The
5 SWPPP mitigates the peak runoff, so
6 there will actually be less runoff
7 running into the wetlands. The Board
8 can make a decision on that.

9 CHAIRMAN EWASUTYN: The impact
10 would be?

11 MR. CORDISCO: I would suggest it's
12 a small impact.

13 CHAIRMAN EWASUTYN: Is the Board in
14 agreement?

15 MR. DOMINICK: Yes.

16 MS. DeLUCA: Yes.

17 MR. MENNERICH: Yes.

18 CHAIRMAN EWASUTYN: Yes.

19 MS. CARVER: Yes.

20 MR. WARD: Yes.

21 MR. CORDISCO: The other questions
22 would also, as a result, be answered no
23 within that category.

24 Impact on air. The proposed action
25 is not going to include a state regulated

air emission source. They don't need a permit from the DEC for any air discharges from this facility. The answer to that category would be no.

The next category is impact on plants and animals. The answer there is yes. They do have the Indiana Bat within this area. My suggestion would be the negative declaration and any approval resolution would ultimately include restrictions on the timing of tree removal which would eliminate the impact on Indiana Bats. The answers under the category would be all no or small impact.

Impact on agricultural resources. The answer would be no for that category.

Impact on aesthetic resources. This is whether or not the land use is obviously different from or in sharp contrast to current land use patterns or any scenic or aesthetic resource within the area. I suggest that the answer to that is no.

Impact on historical and archeological

2 resources. Again the answer would be no.

3 Impact on open space and recreation.

4 The answer would be no.

5 Lastly, this is -- not lastly. This
6 is also not in a critical environmental
7 area, so the answer to that category
8 would be no.

9 Impact on transportation is yes.
10 There is an impact on transportation.
11 Given the nature of the development,
12 the proposed project is not going to
13 exceed the existing capacity for the
14 road network in the area. My suggestion
15 would be that these are no or small
16 impacts associated with transportation.

17 Impact on energy. There is going
18 to be an increase in the use of energy
19 for the site. This is where we get
20 to the difference between kilowatt
21 hours and megawatt hours. The relevant
22 question here is whether or not the
23 project is going to use more than
24 2,500 megawatt hours per year. The
25 EAF has identified that it's -- I

2 the answer to this, whether or not
3 there's going to be blasting within 1,500
4 feet of any residence, hospital, school,
5 daycare center or nursing home. The
6 relevant one, I think, there would be
7 residence. I didn't know the answer
8 regarding the blasting.

9 MR. McCORMACK: We don't anticipate
10 blasting as part of this project based on
11 the cuts and depth to bedrock. That's
12 not something we anticipate.

13 MR. CORDISCO: That's borne out by
14 the fact of the depth to bedrock that you
15 previously identified.

16 My suggestion there would be that
17 that would be a no or small impact.

18 The other question is whether or
19 not the action is going to result in
20 light shining onto adjoining properties.
21 They have prepared the lighting plan
22 which shows that the light is restricted
23 and limited to onsite lighting with
24 current standards as far as fixtures are
25 concerned. My suggestion would be that

the answer to that would be no or a small impact as well.

The project will not have an impact on human health. This is relating specifically to exposure to new forms of contaminants. This is not a brownfield site, this is not a proposed use that is dealing with storage of chemicals or contaminants that would potentially affect human health.

The next two categories are interesting ones because they're almost double negatives. Consistency with community plans. You're supposed to answer whether or not the project is not consistent with adopted land use plans. Clearly the project is allowed in the zone, so the answer to that would be no because it is consistent. That's how it's written.

Lastly, consistent with community character. Whether or not the project is inconsistent with existing community character. I guess you understand the

2 project is allowed in the zone and it's
3 consistent with the Town's comprehensive
4 plan. My suggestion is the answer to
5 that would be no.

6 CHAIRMAN EWASUTYN: Thank you.

7 MR. CORDISCO: I've completed that
8 form. I will provide a copy to Mr. Hines.

9 If the Board is in agreement, you
10 could adopt the Part 2 EAF and also ask
11 that Mr. Hines prepare a negative
12 declaration based on the Part 2 EAF.
13 That would conclude your SEQRA
14 determination for this project.

15 CHAIRMAN EWASUTYN: So then we can
16 act on a negative declaration tonight and
17 Pat Hines would formulate that?

18 MR. CORDISCO: Yes, sir.

19 CHAIRMAN EWASUTYN: Thank you.

20 MR. CORDISCO: Any approval should
21 be tabled until the applicant has made
22 progress with their outside agency
23 approvals. There may be project changes
24 as a result of any kind of back and forth
25 they may have with the involved agencies.

2 CHAIRMAN EWASUTYN: So then we
3 could act this evening on the negative
4 declaration subject to Pat Hines
5 preparing the document.

6 Can we also act on ARB approval
7 this evening since we have the form?

8 MR. CORDISCO: Certainly.

9 CHAIRMAN EWASUTYN: Procedurally
10 which should we state first? Move for a
11 negative declaration?

12 MR. CORDISCO: Adopt the Part 2 EAF
13 and adopt a negative declaration. That
14 could be combined into one.

15 CHAIRMAN EWASUTYN: Having heard
16 from Dominic Cordisco that we should
17 adopt a negative declaration and declare
18 a negative declaration this evening,
19 would someone move for that motion.

20 MR. MENNERICH: So moved.

21 MR. DOMINICK: Second.

22 CHAIRMAN EWASUTYN: I have a motion
23 by Ken Mennerich. Was that you, Dave
24 Dominick, that seconded?

25 MR. DOMINICK: Yes.

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

5 MR. WARD: Aye.

6 MS. CARVER: Aye.

7 CHAIRMAN EWASUTYN: Aye.

8 MR. MENNERICH: Aye.

9 MS. DeLUCA: Aye.

10 MR. DOMINICK: Aye.

11 CHAIRMAN EWASUTYN: The motion is
12 carried.

13 MR. WARD: Do you have a copy of
14 the comments from our Town Engineer?

15 MR. McCORMACK: I do.

16 MR. WARD: Just for the record.
17 Thank you.

18 MR. CORDISCO: In regards to that,
19 obviously your next submission should
20 respond to Mr. Hines' comments. I
21 believe also you received comments from
22 Ken Wersted. If you did not, we can
23 provide those to you.

24 MR. McCORMACK: We have comments
25 from MHE, Creighton Manning, Code

2 Enforcement, and we also have other
3 various agencies that we'll be responding
4 to as well.

5 MR. WARD: Thank you.

6 CHAIRMAN EWASUTYN: Would someone
7 move for a motion to grant ARB approval
8 for application 24-16 subject to the
9 presentation that was made tonight by
10 Colliers Engineering and the complete ARB
11 review form that we received.

12 MS. CARVER: So moved.

13 CHAIRMAN EWASUTYN: I have a motion
14 from Lisa Carver. Do I have a second?

15 I'll second that motion.

16 Can I have a roll call vote
17 starting with Dave Dominick.

18 MR. DOMINICK: Aye.

19 MS. DeLUCA: Aye.

20 MR. MENNERICH: Aye.

21 CHAIRMAN EWASUTYN: Aye.

22 MS. CARVER: Aye.

23 MR. WARD: Aye.

24 CHAIRMAN EWASUTYN: Motion carried.

25 Does that conclude the business for

2 this application?

3 MR. CORDISCO: Yes, sir.

4 MR. McCORMACK: Thank you so much.

5

6 (Time noted: 7:43 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 9th day of December 2025.



MICHELLE CONERO

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

- - - - - X
In the Matter of

UNITY PLACE WAREHOUSE
(2025-34)

Old Little Britain Road & Unity Way
Section 97; Block 2; Lots 14.2, 20 & 21
IB Zone

- - - - - X

AMENDED SITE PLAN & LOT LINE CHANGES

Date: December 4, 2025
Time: 7:43 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL

APPLICANT'S REPRESENTATIVES: JONATHAN CAPPELLO
ELIOT SPITZER
DENNIS ROCKS
SEAN O'CONNELL

- - - - - X

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

2 CHAIRMAN EWASUTYN: Item number
3 three is Unity Place Warehouse, project
4 number 25-34. It's before us this
5 evening for an amended site plan and lot
6 line changes. It's located on the
7 northwest corner of Old Little Britain
8 Road and Unity Way. It's in an IB Zone.
9 It's being represented by --

10 MR. CAPPELLO: John Cappello, J&G
11 Law; Eliot Spitzer on behalf of the
12 applicant; Joe Muccin from Colliers
13 Engineers, our traffic expert; Dennis
14 Rocks, our physical PE; and Sean, the
15 architect.

16 As you'll recall, back in 2003 the
17 Board approved an approximate 155,000
18 square foot warehouse on this property
19 which is on the west side of Unity Place
20 at its intersection with Old Little
21 Britain Road.

22 Since that time Eliot's team has
23 been able to purchase the two residential
24 lots that were between the proposed --
25 the approved warehouse and the back of

2 the Kohl's, Home Depot development
3 property. They have recalculated the
4 project and redesigned it a bit to move
5 the project further back from Old Little
6 -- from Unity Place, providing a little
7 more buffer for the residents while using
8 the additional land to increase the area
9 of the proposed warehouse to 240,000
10 square feet, which will allow them to
11 attract, hopefully, a better quality
12 tenant.

13 So with that, what we submitted to
14 the Board is an analysis showing the
15 differing impacts between the 155
16 approved and the 240 as it relates to
17 stormwater.

18 I do note that there was a waiver
19 already granted for the 5 acres. Now
20 we're adding a little more acreage to
21 that SWPPP.

22 We also have provided updated
23 traffic information, which I believe has
24 been reviewed by your traffic engineer.

25 We've updated the landscaping plan.

2 The architecture, as Sean will
3 demonstrate to you, will be substantially
4 similar to what was proposed.

5 I reiterate, the only real change
6 is we were able to move back a little
7 further from the residential zone.

8 With that, I'm going to introduce
9 Dennis, Dennis can present the site plan
10 to you, and then we'll go on to Joe and
11 then Sean.

12 MR. ROCKS: Good evening, Members
13 of the Board and the public. Dennis
14 Rocks from Weston & Sampson, formerly
15 Brooker Engineering.

16 As John mentioned, we were here on
17 August 7th and we presented a concept
18 plan to you. That concept plan is
19 consistent with this plan right here.

20 One of the things we ran through at
21 that August 7th meeting was we provided
22 you with a comparison of the approved
23 plan, the approved 150,000 square foot
24 plan, versus this 240,000 square foot
25 plan. I'd like to do that again briefly

2 since it's been awhile.

3 What has not changed is the length
4 of the building. What has not changed is
5 the treatment along Unity Place. What
6 has not changed is the treatment along
7 Old Little Britain Road.

8 This area has changed a little bit,
9 but not significantly.

10 What has changed is this back
11 portion. What we were able to do here is
12 to extend the building by 90 feet, and
13 then that resulted in pushing back the
14 loading docks and the driveway. What it
15 also enabled us to do was to eliminate
16 the retaining wall back here since now we
17 have additional room.

18 As John pointed out, there were two
19 additional lots that were acquired here
20 that took us from the 14.9 acre parcel
21 to, now we're up to 17.5. It was nice to
22 be able to get rid of that retaining wall.

23 It's the same number of loading
24 docks.

25 It's a little bit more parking.

2 Not much.

3 A little bit less trailer storage.

4 This access point at Unity has not
5 changed at all. This access drive was
6 shifted about 90 feet up because this is
7 -- like I mentioned earlier, this is
8 where the two single-family homes were
9 acquired, and then when we pushed
10 everything back, that included the
11 driveway. So that location has changed a
12 little bit.

13 Again, the intersection sight
14 distance is good for the new location.

15 What we've done since the August
16 meeting -- so when we came here we just
17 had the concept plan. What we've done
18 since is we've completely engineered the
19 site plans now and we've provided that
20 information. You should have all of
21 that.

22 From a layout standpoint, I did
23 mention everything that we went through
24 in terms of the changes.

25 One interesting thing that happened

2 is this first residential lot here, if
3 you can see, their property line currently
4 extends out to the center line of Old
5 Little Britain Road. As part of this
6 application, we're proposing to dedicate
7 that strip so that we have a consistent
8 right-of-way along Old Little Britain
9 Road.

10 We have the full grading and
11 drainage plan. We did extensive soil
12 testing.

13 We're proposing subsurface
14 infiltration. We have a system here,
15 here, here. We have a detention system
16 here.

17 The interesting thing about this
18 property is that for some reason it
19 accepts runoff from the Jehovah site.
20 What we've done is we'll intercept that
21 runoff and we'll treat it and release it.

22 This area is something nice. One
23 of the strategies that the DEC lets you
24 utilize for stormwater management is
25 something called bio-retention. This is

2 a bio-retention basin. It uses
3 vegetation and special soil to treat the
4 water, to detain the water and to slowly
5 release it.

6 We have updated utility designs.

7 Because we're providing a few fire
8 hydrants here, then our water line
9 becomes a public water line subject to
10 Orange County DOH approval, which we'll
11 get.

12 The last time, similarly, we have
13 an updated sanitary design.

14 We have an updated planting plan
15 that is very much consistent with the
16 previous one that we worked with your
17 landscape consultant to develop. That
18 has not changed much.

19 Colliers is here. Joe is able to
20 talk about traffic a little bit.

21 That's really the plan.

22 Why we're here, what we'd like to
23 see, if the Board is ready, we'd like to
24 see if you're ready to declare your
25 intent to be lead agency for SEQRA.

2 Like John was mentioning earlier,
3 what we can do is we can provide more
4 summary of a comparison of the potential
5 environmental impacts for the approved
6 project versus this project. What
7 happened for the previous project is
8 there was a lot of work done, a lot of
9 review done, and it would be nice to be
10 able to benefit from all of the work and
11 review and to build our environmental
12 review for this project on top of that
13 one. What we're proposing is to address
14 the incremental changes associated with
15 this project.

16 I'm available for questions.
17 Otherwise, we can hear from Joe on the
18 traffic and Sean on the architecture. If
19 and when the Board is ready, we can
20 address some of the review comments.

21 CHAIRMAN EWASUTYN: Can we pause
22 for a second?

23 MR. ROCKS: Absolutely.

24 CHAIRMAN EWASUTYN: This is for the
25 Board Members. Do you have any questions

2 for Dennis before we move on to, Joe, is
3 it?

4 MR. ROCKS: Yes.

5 CHAIRMAN EWASUTYN: Any questions
6 on the presentation made by Dennis at
7 this point. Dave Dominick.

8 MR. DOMINICK: I don't know if it
9 would fall under Dennis's realm or
10 Sean's. I'm concerned about the entrance
11 and exit on Little Britain Road and also
12 the exit on Unity Place with this new
13 design concept.

14 MR. ROCKS: I can --

15 CHAIRMAN EWASUTYN: If you'd like.

16 MR. DOMINICK: Dennis, my concern
17 is a couple of things here. On the
18 original 155 plan, it was off Little
19 Britain Road, there was no exit. That
20 was to keep trucks off Little Britain
21 Road. That was a big concern with the
22 neighbors. The fact is at the public
23 hearing there were three tenance of
24 concern, visual, noise and traffic.
25 Traffic being one of them.

2 I think visually it looks pretty
3 good, what you have here, just my
4 opinion.

5 The noise is probably subjective.

6 The traffic now you have going back
7 from that side on Old Little Britain Road
8 leaving the facility when it wasn't that
9 way with the original plans. We were
10 having all the trucks come around the
11 building on Unity Place and out 17K. Now
12 you don't have that.

13 Also, if you decide to split the
14 building because you have two tenants
15 there, which is what you're proposing as
16 well, where does tenant B, let's say the
17 right side of the building, where do they
18 exit? They're going to exit out onto
19 Unity Place and probably then to Little
20 Britain Road. How are you going to
21 prevent that from happening? You have
22 trucks exiting from both facilities onto
23 Little Britain Road the way this plan is.

24 MR. ROCKS: This plan is entirely
25 consistent with the approved plan in that

2 truck access is restricted to Unity Place
3 only, not Old Little Britain Road. There
4 is no truck access.

5 MR. DOMINICK: On your plans here
6 it says there's an in and an out of your
7 facility at the stop sign.

8 MR. ROCKS: That's true. That's
9 true. Here, this is a passenger parking
10 area. These cars will be able to utilize
11 Old Little Britain Road.

12 MR. DOMINICK: Okay. You also had
13 a gate on the 155 and a fence into the
14 warehouse. That's not on this plan
15 either.

16 MR. ROCKS: Yeah.

17 MR. DOMINICK: Yeah.

18 MR. ROCKS: What's interesting is
19 at the very end of the review and approval
20 process, the gate was eliminated. It was
21 not eliminated by the design team.

22 MR. DOMINICK: I don't think it was
23 eliminated by the Board because I pushed
24 for that.

25 MR. ROCKS: What we'd have to do is

2 look into exactly how that happened. The
3 gate was eliminated and now we're
4 accomplishing this with signage and
5 reduced radii. This configuration, it
6 intentionally cannot serve a truck.

7 MR. DOMINICK: I'd like you to
8 incorporate the 155 in your new concept
9 plan the way we had it with the gate, one
10 way in, no exit onto Old Little Britain
11 Road. I'm not sure how you're going to
12 solve that problem with the B side, but
13 that's something you guys should think
14 about as well.

15 MR. ROCKS: The restriction would
16 be for the trucks, not the passenger
17 vehicles?

18 MR. DOMINICK: Correct. We want to
19 eliminate truck traffic on Little Britain
20 Road for the neighbors and to keep that
21 area a residential area.

22 MR. ROCKS: Okay.

23 MR. DOMINICK: Like I said, if this
24 project is divided in half, it's going to
25 have to also resolve that -- you'll have

2 to solve that problem for the B side as
3 well.

4 MR. ROCKS: Right. The fact that
5 it could be divided into two, there's
6 really no impact as far as restricting
7 the trucks onto Old Little Britain Road.
8 All trucks are going on to Unity. This,
9 by the way, was the same way for the
10 approved project.

11 MR. DOMINICK: I'm seeing something
12 different than you submitted. I don't
13 see the gate. I see an in and an out on
14 Little Britain Road.

15 MR. ROCKS: The in and out is for
16 the passenger --

17 MR. CAPPELLO: We will demonstrate
18 that that is only suitable for truck
19 traffic. Maybe Joe can speak to that,
20 that it's only suitable for truck
21 traffic.

22 If the Board wants the gate, we'll
23 consider the -- I think it was a bar, not
24 a gate.

25 CHAIRMAN EWASUTYN: Joe, please

2 stand.

3 MR. MUCCIN: Joe Muccin, Colliers
4 Engineering.

5 Just in talking with Eliot here, he
6 was under the impression that it was
7 eliminated previously in order for fire
8 trucks to access this for emergency
9 situations. That's the best of my
10 understanding of this.

11 MR. CAPPELLO: Can we talk about
12 the radius, how that truck wouldn't be
13 able to use that?

14 MR. MUCCIN: Currently as constructed
15 there, by tightening up that radii, it
16 would be very difficult for a truck to
17 make that turn. Nearly impossible. Then
18 you also have the additional signage out
19 there prohibiting trucks from entering
20 and exiting. So you have a couple of
21 things working in that favor.

22 MR. DOMINICK: You do or you don't.
23 Go down the street to the Sunoco station
24 at 17K and 300 or 7-Eleven, whatever it's
25 called now. It's a tight radius and the

2 trucks still ride over the grass. You
3 can see the divots this time of year.
4 Tightening it up might be a quick
5 solution, but not a long-term solution.

6 MR. MUCCIN: Is there prohibited
7 truck signs as well on that property?

8 MR. DOMINICK: It's a fuel truck
9 making that entrance off 300.

10 MR. MUCCIN: Is there a sign saying
11 that trucks cannot --

12 MR. CAPPELLO: Is there an easier
13 exit, because the majority of the trucks
14 coming into the site will be coming off
15 the Thruway or from 84, coming down Unity
16 Place. On Little Britain, I think there's
17 an issue with the culvert on Little
18 Britain, that truck traffic is prohibited
19 in that area anyway, which is part of
20 that design.

21 MR. DOMINICK: What I would like to
22 see when you come back is some type of
23 solution to eliminate trucks from going
24 onto Old Little Britain Road from the
25 main building, so building A, and then

2 also building B.

3 Also, on your EAF, just for
4 housekeeping purposes, it's the Goodwill
5 Fire District.

6 MR. ROCKS: Thank you.

7 CHAIRMAN EWASUTYN: Stephanie DeLuca.

8 MS. DeLUCA: I guess one of my
9 concerns is in regard to the lighting. I
10 just wanted to ask what type of lighting
11 will you be having around this area,
12 because of the fact that you have
13 neighbors that will be affected by bright
14 lights? I was just curious about that.

15 MR. ROCKS: Right. Before I get
16 into the lights, we will say that the
17 building itself will provide a mass for
18 shielding and for blocking. A lot of the
19 lighting and the activity will be back
20 into here. They're LED lights, they're
21 downcast lights and they have cool
22 temperatures.

23 MS. DeLUCA: Okay. And again, just
24 something that I was thinking about and
25 brought up with the last client here, do

2 the commercial buildings have timers
3 for lighting?

4 MR. ROCKS: They could, however
5 this building has the option to be used
6 twenty-four hours a day.

7 MS. DeLUCA: Okay. Again, I was
8 just concerned for the neighborhood, that
9 the lighting would disturb the neighbors.

10 MR. CAPPELLO: We have specs, but
11 the lighting will be the same as it was,
12 you know, in the prior one. The building
13 is actually -- the lights will be, under
14 this scenario, further away from the
15 neighborhood and screened. It will be
16 the same types with the downcast, night
17 sky compliant and further away.

18 As far as noise, the truck loading
19 area also will be further, it will be
20 blocked by the building. The same
21 concept, but it will be physically
22 further away from the residential area.

23 MS. DeLUCA: So dusk to dawn as far
24 as the lighting is concerned?

25 That's all for now. I may come

2 back.

3 MR. MENNERICH: On the gate that
4 was there and it having been removed
5 because of some fire concerns, movement
6 of fire trucks or whatever it was, that
7 didn't really come from the fire company
8 through this Board. I'm just questioning
9 what the concern was.

10 MR. SPITZER: Is it okay if I
11 speak? Eliot Spitzer.

12 If I recall correctly, Pat Hines
13 made the comment, to my recollection.
14 It's obviously awhile back. We could
15 look back at it. On the final plan I
16 don't think it was there. I think he
17 brought up that issue, that it would
18 block fire trucks coming in and out. We
19 can look back and see why it was taken
20 out. I believe it was done with the
21 understanding -- with the permission of
22 the Board.

23 MR. MENNERICH: I would think the
24 fire trucks would be large in size,
25 similar in size to the trucks that are

2 being used for the facility. If they are
3 all coming in off of -- from 17K over,
4 they would be going --

5 CHAIRMAN EWASUTYN: 300 over.

6 MR. MENNERICH: Yes. Well, off of
7 17K over.

8 MR. SPITZER: Different trucks have
9 different sizes. I happen to be a fire
10 commissioner. It depends on the situation,
11 which trucks you're referring to, the 45
12 foot and 32 foot, whatever trucks.

13 Again, I don't know the specific
14 fire district, but typically you want all
15 entrances available to have -- all for
16 emergency vehicles to get in and out.

17 That's my understanding. We can
18 look back and see why that change was
19 made.

20 MR. DOMINICK: Mr. Spitzer, tonight
21 at our workshop Pat was here and noted
22 the fence and the gate were missing. He
23 was puzzled by it. We don't know why.

24 MR. SPITZER: If I remember
25 correctly, it was taken out of the old

2 plan prior to the -- if it wasn't, then
3 we'll put it back.

4 MR. ROCKS: It was.

5 MR. SPITZER: We can look back and
6 clarify.

7 MR. CAPPELLO: If the fire department
8 is okay, Pat is okay, we'll --

9 CHAIRMAN EWASUTYN: We'll do
10 discovery on this matter throughout the
11 course of reviewing the project.

12 MR. CAPPELLO: We have no objection,
13 if that's what it takes, to put the gate
14 back if that's the consensus from the
15 fire department, Pat. There was no
16 intention to have trucks use that road.

17 CHAIRMAN EWASUTYN: It's a matter
18 to be discussed in the future. Thank
19 you.

20 My only comment on the new entry
21 is, you have a stonewall being shown
22 going up to the new entry and curving
23 around. Can we carry that configuration
24 on the other side of the new entryway?

25 MR. ROCKS: Here?

CHAIRMAN EWASUTYN: Yes. Please.

MR. ROCKS: Yup.

CHAIRMAN EWASUTYN: Lisa Carver.

MS. CARVER: You mentioned there's possibility it could run twenty-four a day. Do you have a tenant in or do you have a specific -- do you on marketing to a type of -- is it to be distribution, manufacturing?

MR. SPITZER: We obviously want to
a wide net to see what's available.
a little bit of a soft market right
We have been talking to some
ts. We have some interest from a
but nothing specific at the moment.
usly whatever their requirements
as long as they are within the code.

Speaking of the lighting, you know, they only work until 10:00 at night, obviously we can shut the lights off at time.

We're not looking to do anything
than what's necessary for the
t, and obviously working within the

2 code of what's allowed and what's not
3 allowed.

4 CHAIRMAN EWASUTYN: Stepping back
5 for a second. Are you considering solar
6 panels on the roof or constructing the
7 building in such a way of presenting the
8 wiring if the future tenant wants solar?

9 MR. SPITZER: If that's what they're
10 requiring. If they want that. Sometimes
11 they do ask for it. If that's something
12 that the Town supports --

13 CHAIRMAN EWASUTYN: I recently
14 completed a program through NYSERDA
15 through Pace Law School. One of the
16 things that was suggested was that you
17 could design a building for solar and do
18 the necessary wiring structurally. If at
19 a later date the tenant was interested in
20 solar, you could install solar. Just a
21 thought process. That's all.

22 MR. SPITZER: That's a good idea.

23 MR. DOMINICK: Sometimes the County
24 comes back with that as a comment.

25 CHAIRMAN EWASUTYN: Correct. Just

2 something for the think tank.

3 MR. SPITZER: Interesting. I don't
4 know that we thought about that. I
5 appreciate that.

6 CHAIRMAN EWASUTYN: John Ward.

7 MR. WARD: With the gate there,
8 that was a big topic with us, the Board
9 itself. I remember it specifically. I
10 want a gate there. Personally the Board
11 I think will, too. There's no way you
12 can have a driver that maybe is not used
13 to it and goes out that way. It won't
14 hurt to have a gate there.

15 As a fire department, we've got
16 fire lanes. When you have apartment
17 houses, buildings, everything, they can
18 open that gate to get in with any
19 equipment. That's my opinion.

20 My other question is, did you
21 receive the comments from our traffic
22 consultant?

23 MR. ROCKS: Yes, we did.

24 MR. WARD: Thank you.

25 MR. SPITZER: We don't have an

2 issue with additional fencing, as long as
3 -- I remember there was some reason why
4 it was removed. We'll just get back at
5 that. If that's a nonissue, we'll put it
6 back.

7 MR. WARD: Very good. Thank you.

8 CHAIRMAN EWASUTYN: Do we go to Joe
9 now or do we go on to Sean now?

10 MR. CAPPELLO: Do you have any
11 additional traffic comments?

12 CHAIRMAN EWASUTYN: I'll bring that
13 to the Board. Do you have any additional
14 traffic comments for Joe? If not, Sean
15 with the architectural will be speaking
16 next. What is the Board's decision?

17 MR. MENNERICH: Go to Sean.

18 CHAIRMAN EWASUTYN: Sean I think
19 your name is. Thank you.

20 MR. O'CONNELL: Good evening,
21 everyone. My name is Sean from Anderson
22 Design Group, the architectural firm
23 representing the project.

24 To follow up on Dennis's
25 presentation, we previously had -- this

2 will be the floor plan of the building.
3 We previously had about a 155 deep
4 warehouse located here. What we did is
5 we increased that depth approximately 90
6 foot to get just a deeper warehouse.

7 This provides all loading docks on
8 the east side that face Kohl's, and where
9 Kohl's loading is as well, to create a
10 bit of a loading area. This frees up the
11 north and south side for the retail areas
12 -- not retail, but the office areas in
13 the corners and for employee parking.

14 I'll try to briefly go through
15 these. There's a lot of drawings, but
16 I'll go through them quickly.

17 On the elevations here, what we did
18 is on those two corners that we're
19 providing office space, we have these
20 nice glass curtain walls for any of the
21 offices that are going in there.

22 When you calculate by average
23 building grade, we have a 40-foot tall
24 building. This is actually 38 foot 6
25 from the slab to the roof. It's just

2 when the grade slopes down where the
3 loading docks are, this increases it
4 slightly.

5 These vertical lines that you see
6 on the elevation, these are spaced every
7 12 foot. That's because the exterior is
8 made out of precast concrete panels.
9 These are 10-inch concrete panels that
10 have a continuous 6-inch insulation in
11 between. It's much better than metal
12 panels in longevity, cleanliness, and
13 even acoustics.

14 Here we have the site plan that was
15 previously shown. The main thing to
16 reiterate on this as well is that the
17 loading space that we're providing in the
18 back stays the same, it just gets a
19 little bit closer to Kohl's, but it backs
20 up to the existing Kohl's loading area as
21 well, as I mentioned. It's the best spot
22 for keeping the loading in one area.

23 We're now getting to the view
24 sheds. This is farthest up on Old Little
25 Britain Road. This is right at the

2 impasse to Kohl's. Currently we're
3 showing this without vegetation. I'll be
4 able to get to the one that we do show
5 vegetation in just a second.

6 You can see here the precast
7 panels. We also have them designed with
8 specific vertical grooves that add more
9 aesthetics to the building. It also
10 slightly increases its acoustical -- the
11 acoustics.

12 The next rendering is from the
13 corner of Unity Place and Old Little
14 Britain Road. Here we get to see the
15 corner element of curtain wall glass for
16 the office space. This is even a double
17 height glass, so it's really bringing in
18 as much natural light into the space as
19 possible.

20 You can also see here the stonewall
21 that was proposed, which, as discussed,
22 we could certainly continue that around
23 the other driving area.

24 MR. DOMINICK: Is that a two-story
25 office building?

2 MR. O'CONNELL: So what we're
3 proposing at the moment is that office
4 would stay one story, but if a tenant
5 moved in and needed more office space, it
6 could potentially have a second floor
7 mezzanine here and utilize a bit more of
8 that natural light.

9 This is further up Unity now, at
10 the other corner, at the other office
11 space. The reason it looks a little bit
12 smaller here is the grade is approximately
13 7 foot higher than the slab down there,
14 so you're actually seeing a little bit
15 less of the building.

16 Then our last without landscaping
17 is right here. This is towards the
18 furthest north entry. This is essentially
19 very similar to the last rendering I
20 showed you. It's just a little further
21 up the street, still looking slightly
22 down towards the building.

23 In the back here is the loading.
24 Here is the wall.

25 Now I can show you very quickly,

2 what we did is we overlaid on the
3 civil drawings the vegetation plan.
4 What we're proposing -- not proposing,
5 but presenting here is landscaping at
6 one year, five years and ten years.
7 You can see the growth of the deciduous
8 trees, the various plantings. You can
9 really tell that towards the ten-year
10 they're much more mature. You'll see
11 in the other renderings that we
12 provided, especially at the corner of
13 Old Little Britain Road, that the trees
14 become much more effective at blocking
15 the view, even of any cars that are
16 driving by that would have their
17 headlights on.

18 We're also specifying for the
19 glass, these are solar band 70 glass.
20 It's low reflectance glass. Any cars
21 that come by, it's very effective at
22 reducing that glare.

23 This is the last rendering with
24 the vegetation growth as well. This
25 is further up on Unity where the

2 secondary entrance is. He mentioned
3 most of the vegetation hasn't changed.
4 In the front here we have a lot of
5 very richer trees, especially at the
6 ten-year, blocking most of the
7 acoustics and view towards the
8 neighborhood.

9 CHAIRMAN EWASUTYN: Dave Dominick.

10 MR. DOMINICK: It looks good. Nice
11 job.

12 MS. DeLUCA: I'm grateful for the
13 timeline of growth. It does look very
14 sparse and not really fitting into the
15 neighborhood, so I'm glad to see that.

16 Do you have anything -- any type of
17 vegetation up closer to -- I'm not sure
18 of this distance, if this is along the
19 wall or is it closer to the building?
20 I'm sorry. Maybe I should look, too.

21 CHAIRMAN EWASUTYN: The sidewalk.

22 MS. DeLUCA: The sidewalk.

23 MR. O'CONNELL: So alongside what's
24 facing the Kingdom Hall, we mostly have
25 more of the trees that are mature and

2 grown much taller. Along the north and
3 south side there was much more smaller
4 vegetation, shrubbery.

5 MS. DeLUCA: So it's along the
6 sidewalk as well?

7 MR. O'CONNELL: I believe so.

8 MS. DeLUCA: By the office
9 entrance, is there anything there?

10 MR. O'CONNELL: Yes. By the office
11 entrance, yes.

12 MS. DeLUCA: Okay. Thank you.

13 MR. MENNERICH: In going from the
14 smaller building to the larger building,
15 it sounds like the landscaping stayed
16 pretty much the same.

17 MR. O'CONNELL: It's a similar
18 design concept. For the most part it
19 stayed the same, but as the building went
20 back a little bit, some of the vegetation
21 at the rear was adjusted. For the most
22 part it kept the same design.

23 MR. ROCKS: The landscaping plan is
24 very consistent with the approved one.
25 We went through a rigorous process with

2 your landscape architect consultant.

3 After that experience, we wanted to stay
4 with what we had earned.

5 MR. MENNERICH: The building design
6 is similar to what was presented before,
7 though, also. Right?

8 MR. ROCKS: Right. The length is
9 the same. The only thing that changed
10 was this moved back 90 feet.

11 MR. MENNERICH: Thank you.

12 CHAIRMAN EWASUTYN: Dennis, would
13 you consider putting in a few EV charging
14 stations? There's none shown on this
15 plan.

16 MR. SPITZER: Sure.

17 CHAIRMAN EWASUTYN: We'll leave the
18 number up to you. Thank you.

19 MS. CARVER: I like the look. I
20 think it looks nice.

21 What is a curtain wall? I don't
22 know what that is.

23 MR. O'CONNELL: There's a slight
24 difference between storefront glass and a
25 curtain wall. Curtain wall glass is

2 typically just like a slab edge, so it's
3 more of a continuous look. Storefront is
4 usually a little bit smaller, has a max
5 height of 10 to 12 foot. It's essentially
6 the same glass, just a little bit of a
7 different structure.

8 MS. CARVER: Thank you.

9 MR. WARD: You did a nice presentation.
10 Thank you.

11 CHAIRMAN EWASUTYN: Jim Campbell,
12 would you like to add anything at this time?

13 MR. CAMPBELL: My comments were very
14 minor compared to everything else. Just
15 that the parking lot striping needs to
16 comply with the Town Code.

17 The proposed signage in the future,
18 freestanding and building-mounted signs,
19 will be required to be evaluated and
20 ARB performed.

21 On the EAF the hours of work state
22 7 to 3. Just be aware that site
23 preparation activities are limited to
24 7:30 to 6:00 within 1,500 feet of any
25 residence, excluding Sundays and public

2 holidays.

3 That's it.

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

6 MR. CORDISCO: I have Pat Hines'
7 comments which I could go through if
8 you'd like.

9 CHAIRMAN EWASUTYN: Please.

10 MR. CORDISCO: Pat noted that the
11 adjoiners' notices were circulated in
12 August 2025.

13 He also says that the Planning
14 Board must recirculate a notice of intent
15 for lead agency as the scope of the
16 project has increased by approximately
17 100,000 square feet and the project has
18 been assigned a new Planning Board task
19 number. I agree with Pat's recommendation.

20 A revised City of Newburgh flow
21 acceptance letter will be required based
22 on increased hydraulic loading.

23 The stormwater pollution prevention
24 plan has been prepared and is being
25 reviewed by Pat's office.

2 As the Board notes, a revised ARB
3 will also be required.

4 Pat has a comment regarding tree
5 preservation. The tree preservation
6 sheet has been provided as part of the
7 plan set. Trees to be removed have been
8 identified on the plans. The tree
9 preservation analysis identified
10 replacement planting in excess of the
11 trees above 75 percent in the IB Zoning
12 District. Tree preservation security
13 for all trees to remain within 15 feet of
14 any grading must be calculated as well.

15 Revised plans should be submitted
16 to the jurisdictional fire department for
17 review of access and hydrant locations.

18 Water system plans must receive
19 approval from the Orange County Health
20 Department for the water main extension
21 with hydrants.

22 Previous plans restricted truck
23 movements to Unity Place in a northerly
24 direction.

25 Demolition permits are required

2 from the Code Enforcement Department to
3 remove the existing residential
4 structures. Notes to that effect should
5 be added to the plans.

6 A detail for the potable fire flow
7 water should be provided. Two separate
8 domestic services are proposed.
9 Warehouses are set to have potentially
10 two different users, see the dashed line
11 in the center of the warehouse.

12 A 5-acre waiver is required from
13 the Town Board for the MS-4 approval.

14 Submission to Orange County
15 Planning Department will also be
16 required.

17 The fire hydrants should be
18 specified as to the Town of Newburgh
19 standards.

20 CHAIRMAN EWASUTYN: Any questions
21 or comments from Board Members?

22 MR. DOMINICK: No.

23 MS. DeLUCA: No.

24 MR. MENNERICH: No.

25 MS. CARVER: No.

2 MR. WARD: No.

3 CHAIRMAN EWASUTYN: It's my
4 understanding, listening to Dominic
5 Cordisco, Planning Board Attorney, that
6 this evening we'll declare our intent for
7 lead agency, we'll recirculate the
8 adjoiners' notice, and the plans are
9 complete enough at this time to also
10 circulate to the Orange County Planning
11 Department.

12 Correct, Dominic?

13 MR. CORDISCO: That's correct.

14 CHAIRMAN EWASUTYN: Would someone
15 move for those actions.

16 MR. MENNERICH: So moved.

17 MS. DeLUCA: Second.

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

22 MR. DOMINICK: Aye.

23 MS. DeLUCA: Aye.

24 MR. MENNERICH: Aye.

25 CHAIRMAN EWASUTYN: Aye.

2 M S . C A R V E R : A y e .

3 M R . W A R D : A y e .

4 C H A I R M A N E W A S U T Y N : M o t i o n c a r r i e d .

5 T h a n k y o u .

6 M R . C A P P E L L O : T h a n k y o u .

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8 (T i m e n o t e d : 8 : 2 5 p . m .)

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

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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 9th day of December 2025.

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MICHELLE CONERO

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

7 GRIMM ROAD - TWO-FAMILY RESIDENCE
 (2025-33)

7 Grimm Road
 Section 76; Block 5; Lot 9
 R-3 Zone

- - - - - X

SITE PLAN - TWO-FAMILY RESIDENCE

Date: December 4, 2025
 Time: 8:25 p.m.
 Place: Town of Newburgh
 Town Hall
 1496 Route 300
 Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
 JAMES CAMPBELL

APPLICANT'S REPRESENTATIVE: MICHAEL HENDERSON

- - - - - X

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

2 CHAIRMAN EWASUTYN: The fourth
3 item and the last item on the agenda
4 is 7 Grimm Road, application 25-33.
5 It's an initial appearance for a site
6 plan for a two-family. It's in an
7 R-3 Zone. It's being represented by
8 Andrew Hennessy.

9 MR. HENDERSON: Michael Henderson
10 from Hennessy Architects.

11 The project is located at 7 Grimm
12 Road. It is a 3,600 square foot
13 single-family home. It abuts the
14 Professional Office/Overlay District.
15 It's directly across the street from,
16 the front of the house is, the Big
17 Lot strip mall. It's like right there.

18 The client wants to convert this
19 to a two-family, and then also have a
20 small 12 by 12 addition in the back
21 for the proposed second tenant.

22 There are a multitude of
23 variances that we'll have to obtain
24 from the Zoning Board to have this
25 happen as well. We're looking for

2 setbacks for that.

3 CHAIRMAN EWASUTYN: At this
4 point I'd like to turn the meeting
5 over to Jim Campbell, Code Compliance,
6 to bring forth the variances that are
7 required.

8 MR. CAMPBELL: I believe the bulk
9 table you used, you used the wrong line
10 item. According to the Town Water and
11 Sewer Departments, the structure does
12 have water and sewer.

13 The variances that would be
14 required are:

15 Lot area, required is 50,000 square
16 feet, provided is 13,712.

17 Lot depth, required is 125, provided
18 is 80.18.

19 Front yard, required is 40, provided
20 is 22.9.

21 Rear yard, required is 50, provided
22 is 2.9.

23 Lot surface coverage, required is a
24 maximum of 40, provided is 45 percent
25 coverage.

2 Those are the variances required.

3 CHAIRMAN EWASUTYN: Would someone
4 move for a motion to have Planning Board
5 Attorney Dominic Cordisco prepare a
6 referral letter to the Zoning Board of
7 Appeals listing the variances that were
8 stated by Jim Campbell, Code Compliance.

9 MR. WARD: So moved.

10 MR. DOMINICK: Second.

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

15 MR. DOMINICK: Aye.

16 MS. DeLUCA: Aye.

17 MR. MENNERICH: Aye.

18 CHAIRMAN EWASUTYN: Aye.

19 MS. CARVER: Aye.

20 MR. WARD: Aye.

21 CHAIRMAN EWASUTYN: Dominic, I'm
22 not sure, is it also at this point that
23 they prepare an adjoiners' notice?

24 MR. CORDISCO: Yes.

25 CHAIRMAN EWASUTYN: So then would

2 someone move for a motion to have Pat
3 Hines prepare an adjoiners' notice for
4 the applicant then to move forward with.

5 MR. MENNERICH: So moved.

6 MS. DeLUCA: Second.

7 CHAIRMAN EWASUTYN: I have a motion
8 by Ken Mennerich. I have a second by
9 Stephanie DeLuca. Can I have a roll call
10 vote starting with Dave Dominick.

11 MR. DOMINICK: Aye.

12 MS. DeLUCA: Aye.

13 MR. MENNERICH: Aye.

14 CHAIRMAN EWASUTYN: Aye.

15 MS. CARVER: Aye.

16 MR. WARD: Aye.

17 CHAIRMAN EWASUTYN: Motion carried.

18 Thank you.

19 MR. HENDERSON: Thank you.

20 CHAIRMAN EWASUTYN: Would someone
21 move for a motion to close the Planning
22 Board meeting of December 4th.

23 MR. WARD: So moved.

24 MS. DeLUCA: Second.

25 CHAIRMAN EWASUTYN: I have a motion

2 by John Ward. I have a second by
3 Stephanie DeLuca. Can I have a roll call
4 vote starting with Dave Dominick.

5 MR. DOMINICK: Aye.

6 MS. DeLUCA: Aye.

7 MR. MENNERICH: Aye.

8 CHAIRMAN EWASUTYN: Aye.

9 MS. CARVER: Aye.

10 MR. WARD: Aye.

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12 (Time noted: 8:32 p.m.)

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

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

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10

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

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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.

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Michelle Conero

MICHELLE CONERO