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

5 FANA DEVELOPMENT, LLC  
6 (2025-21)

7 Sarvis Lane  
8 Section 17; Block 1; Lot 19  
9 RR Zone  
- X

10 PUBLIC HEARING - THREE-LOT SUBDIVISION

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

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

19 ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
20 JAMES CAMPBELL

21 APPLICANT'S REPRESENTATIVE: JONATHAN CELLA  
22

23 - X  
24 MICHELLE L. CONERO  
24 Court Reporter  
24 845-541-4163  
25 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

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

20 A public hearing will be held on  
21 the 4th day of December 2025 at the  
22 Town Hall Meeting Room, 1496 Route 300,  
23 Newburgh, New York at 7 p.m. or as  
24 soon thereafter, at which time all  
25 interested persons will be given an

2 opportunity to be heard.

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.

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.

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.

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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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.

18

19

20

21

*Michele Conero*

22

— MICHELLE CONERO —

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

5 AVION VENTURES - WAREHOUSE  
6 (2024-16)

7 Pomarico Drive  
8 Section 86; Block 1; Lot 37.222  
9 IB Zone  
- X

10 SITE PLAN & ARCHITECTURAL REVIEW BOARD

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

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

19 ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
20 JAMES CAMPBELL

21 APPLICANT'S REPRESENTATIVE: CONNOR McCORMACK  
22 JOSEPH MUCCIN  
23 - X

24 MICHELLE L. CONERO  
24 Court Reporter  
24 845-541-4163  
25 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

2 out the permitting associated with the  
3 DEC wetlands.

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

9 A total of six loading docks are  
10 proposed.

11 Thirty-four parking spaces are  
12 proposed.

13 Two stormwater mitigation areas are  
14 proposed.

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

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

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

25 We've also responded to the public

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

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

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

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

15 MR. McCORMACK: Yes.

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

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

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

2 project.

3 MS. CARVER: Thank you.

4 CHAIRMAN EWASUTYN: I have no  
5 comment at this time.

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

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

24 MR. MENNERICH: So all the houses  
25 -- 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 MS. DeLUCA: Okay.

3 MR. McCORMACK: I would have to  
4 look -- this is a private driveway that  
5 is shared by multiple lots. I would have  
6 to look at what is allowed to be proposed  
7 within that to commit to something like  
8 that.

9 MS. DeLUCA: My other question  
10 pertains to lighting. What kind of  
11 lighting will you have there?

12 MR. McCORMACK: So right now --  
13 that was commented on by Pat as well.  
14 Right now, as to not propose bright  
15 lights adjacent to the neighbors, we were  
16 limiting -- like, our last proposed light  
17 is right at the access to Pomarico Drive.  
18 There's a minor amount of spillover into  
19 Pomarico Drive. It's very minimal here.  
20 We're not proposing anything for the rest  
21 of the length of Pomarico Drive. There  
22 is one existing light right back at that  
23 intersection of Peterbilt, right before  
24 it narrows down. I discussed this with  
25 Justin Dates who is the RLA who prepared

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

2 application.

3 CHAIRMAN EWASUTYN: Comments from  
4 Dave Dominick.

5 MR. DOMINICK: Nothing further.

6 MS. DeLUCA: Nothing further.

7 MR. DOMINICK: It looks good.

8 MR. MENNERICH: No questions.

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

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

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

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

22 CHAIRMAN EWASUTYN: Lisa Carver.

23 MS. CARVER: Just to confirm, the  
24 height of the building, you said forty  
25 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.

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

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

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

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

24 The action may involve the  
25 excavation and removal off the site

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

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

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

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

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

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

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

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

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

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

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

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

25 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 forget the number. It's like 82,000  
3 kilowatt hours.

4 MR. McCORMACK: I don't have that  
5 off the top of my head.

6 MR. CORDISCO: Even I understand  
7 megawatt hours and kilowatt hours are --

8 MS. CARVER: A big difference.

9 MR. CORDISCO: Yes. My suggestion  
10 would be that the answers within that  
11 category would be no to small impact.

12 Impact on noise, odor and light.

13 There is obviously going to be outdoor  
14 lighting, so the -- and also the  
15 potential for noise. The answer to the  
16 overall category is yes.

17 The specific questions, the first  
18 one would be whether or not the action is  
19 going to produce sound above noise levels  
20 established by local regulation. My  
21 suggestion would be the answer to that  
22 would be no. They do have to comply, in  
23 any event, with the noise ordinance as  
24 far as operating the facility.

25 The second one, and I didn't know

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

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

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

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

22 Lastly, consistent with community  
23 character. Whether or not the project is  
24 inconsistent with existing community  
25 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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## 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 9th day of December 2025.

18

19

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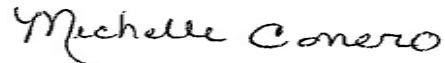
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MICHELLE CONERO

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

5 UNITY PLACE WAREHOUSE  
6 (2025-34)

7 Old Little Britain Road & Unity Way  
8 Section 97; Block 2; Lots 14.2, 20 & 21  
9 IB Zone  
- X

10 AMENDED SITE PLAN & LOT LINE CHANGES

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

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

19 ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
20 JAMES CAMPBELL

21 APPLICANT'S REPRESENTATIVES: JONATHAN CAPPELLO  
22 ELIOT SPITZER  
23 DENNIS ROCKS  
SEAN O'CONNELL  
- X

24 MICHELLE L. CONERO  
Court Reporter  
845-541-4163  
25 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.

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.

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

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

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.

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.

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.

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?

2 CHAIRMAN EWASUTYN: Yes. Please.

3 MR. ROCKS: Yup.

4 CHAIRMAN EWASUTYN: Lisa Carver.

5 MS. CARVER: You mentioned there's  
6 a possibility it could run twenty-four  
7 hours a day. Do you have a tenant in  
8 mind or do you have a specific -- do you  
9 plan on marketing to a type of -- is it  
10 going to be distribution, manufacturing?

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?

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.

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.

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?

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.

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.

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.

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                   MS. CARVER: Aye.

3                   MR. WARD: Aye.

4                   CHAIRMAN EWASUTYN: Motion carried.

5                   Thank you.

6                   MR. CAPPELLO: Thank you.

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

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# 3 CERTIFICATION

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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

MICHELLE CONERO

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

5 7 GRIMM ROAD - TWO-FAMILY RESIDENCE  
6 (2025-33)

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

10 SITE PLAN - TWO-FAMILY RESIDENCE

11 Date: December 4, 2025  
12 Time: 8:25 p.m.  
13 Place: Town of Newburgh  
14 Town Hall  
14 1496 Route 300  
14 Newburgh, NY 12550

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

19 ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
20 JAMES CAMPBELL

21 APPLICANT'S REPRESENTATIVE: MICHAEL HENDERSON  
22

23 - X  
24 MICHELLE L. CONERO  
24 Court Reporter  
24 845-541-4163  
25 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.

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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15 this matter.

16 IN WITNESS WHEREOF, I have hereunto  
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Michelle Conero

MICHELLE CONERO