

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

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

----- X

In the Matter of

MOBILITE
(2017-23)

6 Orr Avenue
Section 96; Block 1; Lot 11.1
IB Zone

----- X

WIRELESS COMMUNICATIONS
SITE PLAN

Date: December 21, 2017
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DELUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: PAUL COSTA

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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

MOBILITE

2

CHAIRMAN EWASUTYN: Good evening. We'd like to welcome you to the Town of Newburgh Planning Board meeting of the 21st of December. This evening we have two items on the agenda and one item of Board business.

We'll call the meeting to order now with a roll vote call.

MR. GALLI: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

MR. WARD: Present.

MR. DONNELLY: Michael Donnelly,
Planning Board Attorney.

MS. CONERO: Michelle Conero,
Stenographer.

MR. CANFIELD: Jerry Canfield, Code
Compliance Supervisor.

MR. HINES: Pat Hines with McGoey,
Hauser & Edsall Consulting Engineers.

CHAIRMAN EWASUTYN: At this point in
the meeting we'll turn it over to Stephanie

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

MOBILITE

3

DeLuca.

(Pledge of Allegiance.)

MS. DeLUCA: If you have your cell phones on, if you could either put them on vibrate or turn them off. Thank you.

CHAIRMAN EWASUTYN: The first item we have on the agenda is Mobilite. It's located on 6 Orr Avenue, it's in an IB Zone and it's a wireless communication application. It's being represented by Paul Costa.

MR. COSTA: I guess we had sent over a survey, which the Board had asked for a correct one, showing the property lines with the help of Patrick. It showed that the site is actually in the Town's right-of-way. I think that was one question the Board had.

We also sent over amended documents to correct the height that the Board needed to go forward. So we have the correct height now on all the drawings that we'll be using. Those were the only real outstanding issues.

We have a meeting with the Town Board next week to discuss the project at their work session.

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

MOBILITE

4

MR. DONNELLY: Great.

CHAIRMAN EWASUTYN: Pat, where are we as far as the Planning Board at this point?

MR. HINES: The Board will need to make a SEQRA determination, the project needs referral to the Orange County Planning Department due to it's proximity to the State highway, and also the Town Board determination because it's in the Town right-of-way.

We did receive revised plans. We're going to concede that the survey is the survey. It's stamped and it has references to the Langdon survey. There are no metes and bounds but it clearly shows the utility pole being within the Town right-of-way, which was our concern.

The plans have been revised. There were different elevations in the narrative and differences between drawing to drawing. It's been coordinated, so I think it's appropriate that the plans be referred to Orange County Planning.

A public hearing is required.

CHAIRMAN EWASUTYN: Jerry Canfield, do you have anything to add?

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

MOBILITE

5

MR. CANFIELD: Just for informational purposes, at some point in the future, if and when the project is approved and you file for a building permit, the building department will be employing the Town's tower consultant so there will be an escrow fee to pay for his services and review.

MR. COSTA: Okay.

MR. CANFIELD: The items he'll be looking for is RF emittance, structural and that type of stuff.

MR. COSTA: We have all that. I actually spoke to Mike.

MR. CANFIELD: Just to prepare you.

MR. COSTA: That's fine. I guess we'll talk about the escrow amount.

MR. CANFIELD: Typically we refer the application to him, he reviews it, sends me a scope letter which includes what the dollar amount for the escrow will be, you submit that, then he sends me a tech memo. That's all at the building permit level.

MR. COSTA: Okay. So the Planning Board site approval and then we also need Town

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

MOBILITE

6

Board approval, and they'll tell us what additional approvals we'll need?

MR. DONNELLY: They need to grant you a franchise to erect a structure in the right-of-way. I believe they need to hold a public hearing as well.

MR. COSTA: So it's a franchise agreement.

MR. DONNELLY: They'll need to know a negative declaration was issued by this Board, which I think is about to happen.

MR. CANFIELD: Question, Mike. Removal bonds and waiving of that, is that required on this or --

MR. DONNELLY: If this is a structure under that code, a removal bond is required, but it makes no sense for something like this. I would think we'd have to include that in any approval we grant.

CHAIRMAN EWASUTYN: Any other questions or comments from Board Members?

MR. GALLI: No additional.

MR. DOMINICK: No.

MR. MENNERICH: No.

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

MOBILITE

7

MR. WARD: No.

CHAIRMAN EWASUTYN: Having heard from our consultants, I'll move for a motion to declare a negative declaration and to schedule a public hearing for the 15th of January.

That would be correct, Pat?

MR. HINES: The 18th.

CHAIRMAN EWASUTYN: The 18th of January.

MR. DOMINICK: I'll make the motion.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Motion by Dave Dominick, second by John Ward. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion carried.

You'll work with Pat Hines' office as far as the mailing and all the publications.

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

MOBILITE

8

MR. COSTA: Okay.

MR. HINES: We have a little time for the mailing and such. We may not get the County Planning referral back by then but we can at least have the public hearing. They have thirty days. I don't anticipate getting it out until after the holidays. It will be out next week.

MR. COSTA: Okay. Is that something you guys do or should we --

MR. HINES: I'll coordinate with you. We'll get a list of the properties within 500 feet, we'll make the notice, you address and stuff the envelopes, first class mail stamp it and then they go to the Town Hall here. Charlene Black in the personnel office actually physically mails them.

MR. COSTA: Okay.

MR. HINES: There's a requirement to post the notice on the property as well, but we can -- we'll talk about that. All that has to occur ten days prior.

MR. COSTA: We have time.

MR. HINES: A little bit of time.

MR. COSTA: Okay. Great.

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

MOBILITE

CHAIRMAN EWASUTYN: Have a happy holiday.

MR. COSTA: You too.

(Time noted: 7:05 p.m.)

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 6th day of January 2018.

Michelle Conero

MICHELLE CONERO

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

MOBILITE

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

----- X

In the Matter of

O'HERRON TIMBER HARVEST
(2017-29)

O'Herron Road & Ridgefield Lane
Section 17; Block 2; Lot 120.2 & 133

----- X

PUBLIC HEARING

Date: December 21, 2017
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DELUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

APPLICANT'S REPRESENTATIVE: CHRISTOPHER PRENTIS

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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

CHAIRMAN EWASUTYN: The second item on the agenda is O'Herron Timber Harvest. It's on O'Herron Road and Ridgefield Lane. It's in an AR Zone. It's a public hearing being represented by Christopher Prentis of the Lower Hudson Forestry Services.

At this point I'll ask Mr. Mennerich to read the notice of hearing.

MR. MENNERICH: "Notice of hearing, Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange County, New York will hold a public hearing pursuant to the Municipal Code of the Town of Newburgh, Chapter 83-8 Section E, on behalf of O'Herron Timber Harvest, project 2017-29, for selective harvesting of timber. The project is located in the vicinity of O'Herron Road and Ridgefield Lane, designated on Town tax maps as Section 17, Block 2, Lots 120.2 and 133. The project also has frontage on Frozen Ridge Road. The applicant has applied for a selective timber harvest of 16 acres on two parcels totalling 39 plus or minus acres. The timber harvest will remove a total of 239 trees or 15

1 trees per acre. Said hearing will be held on the
2 21st day of December 2017 at the Town Hall
3 Meeting Room, 1496 Route 300, Newburgh, New York
4 at 7 p.m. at which time all interested persons
5 will be given an opportunity to be heard
6 regarding the proposed timber harvest. By order
7 of the Town of Newburgh Planning Board. John P.
8 Ewasutyn, Chairman, Planning Board Town of
9 Newburgh. Dated 6 December 2017."

10
11 CHAIRMAN EWASUTYN: Mike Donnelly.

12 MR. DONNELLY: The purpose of the
13 public hearing is for the members of the public
14 to bring to the attention of the Planning Board
15 issues or concerns that the Planning Board may
16 not have yet recognized. After the applicant
17 gives a presentation of what is proposed, the
18 Chairman will ask those who wish to address the
19 Board to raise your hand and you'll be
20 recognized. We'd ask you to step forward, tell
21 us your name, spell it if you would so we get it
22 down correctly in the transcript, tell us where
23 you live in relation to the project. Please
24 address your comments to the Board. If you have
25 questions the Chairman will ask either the

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

applicant's representative or one of the Town's consultants to answer those questions if they can be easily answered.

CHAIRMAN EWASUTYN: Christopher.

MR. PRENTIS: Good evening. As the public hearing notice said, I'm proposing a timber harvest on the O'Herron property located off of O'Herron Lane and Ridgefield Lane. There's 39 acres in total. 16 acres is proposed for harvesting. 239 trees, which is approximately 15 trees per acre, are being removed. It would be a selective harvest so there will be no clearing or grading. There won't be any development. Other trees, brush, shrubs will be left intact.

The landing area will be on Ridgefield Lane. It will be kept fairly small, as small as possible, but it is the only place that is possible for a landing on the property.

In terms of duration, if the weather holds out it shouldn't take any longer than about three weeks to complete.

The operations will abide by the Town's work time, dates or days that are allowed.

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

CHAIRMAN EWASUTYN: Questions from the public? As Mike said, would you raise your hand, give your name and your address.

MR. WITTE: Anthony Witte, W-I-T-T-E, 4 Fawn Hill Road, Chester, New York 10918.

So what's your overall purpose for harvesting the trees and clearing out 15 trees per acre?

MR. PRENTIS: You can compare it to a garden. You plant a garden, it eventually grows up, becomes too thick, you have to thin it out. This is a periodic thing. Typically every fifteen to twenty years you would thin out a forest. It promotes better growth for the trees that are retained, helps the trees grow, helps them fight off disease, insects. That's the purpose of it.

MR. WITTE: And do you see this affecting any like ecosystems that are currently living in this place?

MR. PRENTIS: It won't affect any ecosystems. There's a small pond that's there. There's a 75 foot no cut area around that pond, so that's acting as a buffer. There are no

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

wetlands on the property, no streams or anything like that. So in terms of ecosystems being damaged, the answer would be no.

MR. WITTE: Okay. That's all I had.

CHAIRMAN EWASUTYN: Any other questions or comments from the public?

(No response.)

CHAIRMAN EWASUTYN: At this point I'll turn to Pat Hines, our Planning Consultant.

MR. HINES: The only outstanding issue we have is there will be a requirement for a roadway bond for the access road to the landing zone to protect the Town roads if damage occurs. Otherwise that is the only condition that we have outstanding on this.

CHAIRMAN EWASUTYN: Jerry Canfield?

MR. CANFIELD: There is no requirement for a restoration bond. Last time we had talked about this. There was mention of it. Because there will be no clearing and grading, it's just the cutting of the trees, no stumping, there is no restoration bond required.

CHAIRMAN EWASUTYN: Thank you.

MR. HINES: It was interesting. In the

1 application packet, the Orange County Land Trust
2 has a conservation easement over this property.
3 They have reviewed it and it's consistent with
4 their conservation easement. It does allow
5 forestry operations. We do have a letter from
6 them for the record that they have approved of
7 the operation.
8

9 CHAIRMAN EWASUTYN: Thank you.

10 Questions from Board Members?

11 MR. GALLI: When is the approximate
12 start date?

13 MR. PRENTIS: The bids are due sometime
14 in the middle of January. At a bare minimum
15 you're looking at probably the beginning of
16 February by the time contracts and everything are
17 in place. But I would -- I wouldn't count on it
18 starting right away. It probably will be
19 sometime towards the middle to end of spring.
20 The owner would like the work done. The contract
21 is only good until the end of July. It can't go
22 any further past that.

23 CHAIRMAN EWASUTYN: John.

24 MR. WARD: For the public, could you
25 explain how high the stumps are going to be if

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

they're not being removed?

MR. PRENTIS: Stumps are cut as low as possible. There's actually something on the order of 12 percent of the volume and value is in the lowest two feet of the tree. It behooves the purchaser to cut them as low as they can. Typically my contract says one-and-a-half times the diameter of a tree. A 12-inch tree, you know, the stump is only going to be 18 inches max off the ground. Most of them will be a foot or less.

MR. WARD: Thank you.

CHAIRMAN EWASUTYN: Are you here for the public hearing on the timber harvest?

MS. CARDOZA-CRUZ: We are.

CHAIRMAN EWASUTYN: We polled for any comments. Do you have any questions or comments?

MS. CARDOZO-CRUZ: No. Not yet.

CHAIRMAN EWASUTYN: Would you like to hear the presentation one more time so you have a better idea?

MS. CARDOZA-CRUZ: Sure. Sure.

MR. PRENTIS: We're proposing a selective timber harvest on 16 acres out of a 39-

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

acre property located off of O'Herron Road and Ridgefield Lane. There's approximately 15 trees per acre being removed.

What I didn't mention before is that Orange County Land Trust does have a conservation easement on this property. There's no development allowed, or building, no roads allowed. Some people come to these and are worried about development. That's not possible with this property.

Like I say, 239 trees, 15 trees per acre are going to be removed. If the weather holds out, approximately three weeks, give or take, for completion.

The operations will be abiding by the Town's ordinance in terms of hours of the day that we can work and days of the week.

MS. CARDOZA-CRUZ: You guys don't plan on building anything on that property?

MR. PRENTIS: They're not allowed to.

MR. HINES: We discussed it. There's a conservation easement. The Orange County Land Trust has a no development easement basically on this parcel. They did review the timber harvest

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

and we do have a letter in the file that they have accepted the timber harvest as proposed. There's restrictions on what can and can't be done with the parcel.

MR. DOMINICK: Ma'am, just for the record could you tell us your full name and address?

MS. CARDOZA-CRUZ: Kelly Cardoza-Cruz, 10 Ridgefield Lane, Newburgh, New York. We live right in front of the parcel.

MR. HINES: The access to the site is off of Ridgefield Lane, so there will be what they call a landing area, a small parking area created interior to the site where the logs will be brought to and loaded on the trucks. That will be for two or three weeks you may have some truck traffic. Normally it's cut first and then loaded out all at one point.

I'll defer to the forester.

MR. PRENTIS: Typically on a project like this you're probably looking at two to three trucks a week.

MS. CARDOZA-CRUZ: What would be the hours?

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

MR. PRENTIS: Whatever the Town's code is.

MS. CARDOZA-CRUZ: My husband works overnights and he sleeps during the day, and then I have a four-month old.

MR. DONNELLY: The hours of tree cutting are 8 a.m. to 6 p.m. Monday through Friday. Log hauling truck activity is limited to 10 a.m. to 2 p.m. Monday through Friday. No activities on Saturdays, Sundays or public holidays.

MR. WARD: And can you state what you said in reference to why it's being done?

MR. PRENTIS: It's being done overall for long-term forest management. It's thinning out. Eventually forest becomes too thick and mature, so you thin out occasionally. Every fifteen to twenty years you thin out trees, allow other trees to grow. It allows the other trees more vigorous growth, it allows them to fight off insects and disease, and then in another fifteen years or twenty years you would do it again. So it's a continuous process. The parcel will always be forested.

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

CHAIRMAN EWASUTYN: Any additional questions or comments?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a motion to close the public hearing on the O'Herron Timber Harvest application.

MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: A motion by Frank Galli. A second by Stephanie DeLuca. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

At this point we'll turn to Planning Board Attorney Mike Donnelly to give us the conditions for the approval in the resolution.

MR. DONNELLY: This is an action under SEQRA, so as part of the resolution you will need to grant a negative declaration.

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

The terms are fairly standard. We will need the highway superintendent's sign off to make sure that there are no weight regulations applicable to the project. We will need the posting of a roadway bond to the satisfaction of the highway superintendent. The resolution will include a condition that requires compliance with the requirements of Section 83-10 which is standards for granting permits. I quoted from part of that before which is the hours of operation. It's Chapter 83 of the Code. We would require that you post appropriate warning signs before any work begins. The permit shall have a duration of one year from issuance.

CHAIRMAN EWASUTYN: Jerry Canfield, Pat Hines, do you have anything to add to that?

MR. HINES: Nothing.

MR. CANFIELD: No.

CHAIRMAN EWASUTYN: Planning Board Members?

MR. GALLI: No additional.

CHAIRMAN EWASUTYN: Then I'll move for a motion to declare a negative declaration.

MR. MENNERICH: So moved.

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

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich and a second by John Ward. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

I'll move for a motion to grant approval for the timber harvest for O'Herron on Ridgefield Lane subject to conditions presented in the resolution by Planning Board Attorney Mike Donnelly.

MR. GALLI: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli. Second by Dave Dominick. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

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

O'HERRON TIMBER HARVEST

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye. Motion

carried.

Thank you all for coming.

MR. PRENTIS: Thank you. Have a good
holiday.

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

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 6th day of January 2018.

Michelle Conero

MICHELLE CONERO

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

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

----- X
In the Matter of

MATRIX
(2015-26)

Code Compliance Department
Recognition Letter

----- X

BOARD BUSINESS

Date: December 21, 2017
Time: 7:19 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DELUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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

MATRIX

27

CHAIRMAN EWASUTYN: The last item we have on business this evening is a letter. I'll ask Mr. Mennerich to read it.

MR. MENNERICH: The letter is from Matrix dated November 17, 2017. It's sent to Mr. Gil Piaquadio, Supervisor, Town of Newburgh, 1496 Route 300, Newburgh, New York 12550. "Dear Supervisor Piaquadio, I would like to take this opportunity to recognize in writing the exceptional assistance which we at Matrix have received from the leadership and staff of the Code Compliance Department of the Town of Newburgh during the construction of our facility at 108 Route 17K. Mr. Gerald Canfield, as Code Compliance Supervisor, has consistently and professionally led a group of plan examiners, building inspectors and office administrative support personnel throughout our entire approval and construction process. With the assistance of Mr. Joe Mattina and Mr. James Campbell, Mr. Canfield and his team provided timely review of construction documents and thorough inspections of construction progress in the field. The cooperation of the Code Compliance Department was

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

critical to Matrix being able to meet the aggressive schedule of our initial tenant, AmerisourceBergen, whose tenant fit-out was extremely complicated. Despite these complexities and the pressure of a tight schedule, the department worked with us and the tenant to enable a Fortune 12 corporation to make a significant investment in their spectacular facility, creating hundreds of new jobs and becoming a proud member of the community of Newburgh.

The exemplary performance of the department staff was also critical in allowing Matrix to complete the balance of the building for Amscan, Incorporated, another internationally successful firm that has already had a presence in the region.

Matrix Development Group is active in several states in the northeast, and the performance of the building department in each municipality in which we develop is a critical component of creating a successful project. We appreciate the hard work and commitment of the entire Code Compliance Department in working with

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

MATRIX

29

us to develop a spectacular project that is a source of great pride to it's developer, it's tenants and the wonderful Town of Newburgh, it's home. Very truly yours, Richard F.X. Johnson, Principal."

(Applause.)

MR. CANFIELD: I should say it was a team effort. If it wasn't for this Planning Board and this team of consultants -- it was a team effort -- it wouldn't have been as easy as it was. I mean it was a difficult project, difficult time constraints imposed by them, but it was our staff that helped. It was a team effort. Accolades to you folks, Pat and Mike. Thank you.

CHAIRMAN EWASUTYN: I think it's a good way to summarize the year.

(Time noted: 7:22 p.m.)

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 6th day of January 2018.

Michelle Conero

MICHELLE CONERO

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

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

----- X
In the Matter of

GARDNERTOWN COMMONS
(2016-03)

Field Change

----- X

BOARD BUSINESS

Date: December 21, 2017
Time: 7:23 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DELUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

MR. HINES: I received from the

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

engineers for Gardnertown Commons a revised sketch this afternoon. They finished the architecture for the buildings. They were originally 185 foot long. The new architectural plans are now 178, 176 feet long.

The question is whether the Board wants to see that or not. They're within the original footprint, smaller by 10 feet, 12 feet. I didn't print them and bring them tonight.

Is this something you want to see at the next work session or do you want to consider it a field change between Jerry and my office?

MR. MENNERICH: Are they making any architectural changes?

MR. HINES: No. The architecture, the colors, the architectural theme of the buildings are the same. It's just when they did the actual architectural design they do a layout, they shrunk the buildings' length. So it's a small percentage of less impervious surface under each building. It was in the 180s to the 170s. I don't know if I have the exact numbers.

MS. DeLUCA: Did that change the amount of units?

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

MR. HINES: No. It's just when they did the actual layout, the size of the bedrooms probably, the hallways and such, that defines the buildings. Theoretically the building envelop footprint.

CHAIRMAN EWASUTYN: Does the Board want to see that during the work session on the 4th?

MR. GALLI: No. I'm fine with that. It's small.

MR. WARD: As long as it's small.

MR. DOMINICK: No.

CHAIRMAN EWASUTYN: Stephanie?

MS. DeLUCA: No.

MR. MENNERICH: No.

MR. BROWNE: No.

CHAIRMAN EWASUTYN: Then would the Board -- Jerry, do you want to add something?

MR. CANFIELD: In actuality that would create better separations between the buildings, some 10 feet in each scenario between the buildings.

MR. DOMINICK: That's some view when you're on Gardnertown Road.

MR. MENNERICH: Will they submit new

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

plans showing the smaller buildings?

MR. HINES: I have those plans. I got them electronically sent to me today. Some of those small changes between my office and Jerry we can handle. I like to keep the Board advised. It's your decision.

CHAIRMAN EWASUTYN: Would the Board want to make a motion to consider that to be a field change?

MR. GALLI: I'll make that motion.

MR. WARD: Second.

CHAIRMAN EWASUTYN: A motion by Frank Galli. A second by John Ward. I'll ask for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

I'll move for a motion to close the Planning Board meeting of December 21, 2017.

MR. GALLI: So moved.

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

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: Motion by Frank
Galli. Second by Ken Mennerich. I'll ask for a
roll call vote starting with Frank.

MR. GALLI: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

(Time noted: 7:28 p.m.)

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 6th day of January 2018.

Michelle Conero

MICHELLE CONERO