

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

-----X
In the Matter of

LANDS OF JOSEPH M. SAFFIOTTI
(26-13)
21 Sky View Court
Section 17, Block 1, Lot 121
Zone RR
-----X

PUBLIC HEARING
2-LOT SUBDIVISION

Date: August 6, 2026
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Darren C. Doce, P.E.
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. We'd like to welcome you to the Town of Newburgh Planning Board meeting for this 6th of August 2026. We have five agenda items, the first one being a Public Hearing. We will start the meeting off with a roll call vote.

MR. DOMINICK: Present.

MS. DeLUCA: Present.

CHAIRMAN EWASUTYN: Present.

MS. CARVER: Present.

MR. WARD: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board attorney.

MS. CHUMAS ARIAS: Victoria Chumas Arias, court stenographer.

MR. HINES: Pat Hines with MHE Engineering.

MS. MULLARKEY: Quinn Mullarkey with MHE Engineering.

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

Lands of Joseph M. Saffiotti

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CHAIRMAN EWASUTYN: At this point, we'll let Dave Dominick lead the meeting.

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MR. DOMINICK: Please stand for the Pledge of Allegiance.

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(The Pledge of Allegiance was Recited.)

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MR. DOMINICK: Please silence your cell phones or put them on vibrate. Thank you.

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CHAIRMAN EWASUTYN: Our first item of business this evening is the Lands of Joseph M. Saffiotti. It's project number 26-13. It's a Public Hearing for two lot subdivision, located on 21 Sky View Court in an RR zone. And it's being represented by Darren Doce. At this time, Lisa Carver will read the Notice of Hearing.

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MS. CARVER: Notice of Hearing Town of Newburgh Planning Board. Please take notice that the Planning Board of the Town of Newburgh, Orange

Lands of Joseph M. Saffiotti

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County, New York, will hold a Public Hearing pursuant to Section 274-A of the New York State Town Law and Chapter 163-8.J of the Town of Newburgh Code on the application of:

Lands of Joseph M. Saffiotti Subdivision 2026-13. The project proposes a two-lot subdivision of a 10.57 +/- acre of property. The proposed lot will be served by proposed onsite subsurface sanitary sewer disposal system and well. The existing dwelling is served by an existing well and sewage disposal system. The project is known on the Town's tax maps as section 17, block 1, lot 121. The project is located in the towns RR zoning district.

A Public Hearing will be held on the 6th day of August 2026, at the Town Hall meeting room, 1496 Route 3400, Newburgh, New York at 7:00 p.m. or as soon thereafter, at which time all interested persons

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will and given an opportunity to be
heard.

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By order of the Town of
Newburgh Planning Board, John P.
Ewasutyn, Chairman, Planning Board
Town of Newburgh, dated 22 June 2026

CHAIRMAN EWASUTYN: Thank you.
Darren?

MR. DOCE: Good evening.
Darren Doce representing the
Saffiottis on this subdivision. As
everyone heard, this is two-lot
subdivision of an existing 10-acre
parcel that contains an exiting
single-family home. We're proposing
a second single-family home. The
parcel will essentially be subdivided
in half into two five-acre dwellings.
The new home will be serviced by a
well and a septic system, and access
will be off of the existing Sky View
Court. That's basically the
subdivision, simple.

CHAIRMAN EWASUTYN: Does anyone

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here this evening have any questions

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or comments?

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(No Response.)

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CHAIRMAN EWASUTYN: Let the

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record show we had no input from the

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public.

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At this time, we'll turn to our

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consultants. Jim Campbell, Code

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Compliance?

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MR. CAMPBELL: I have no

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comments.

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CHAIRMAN EWASUTYN: Quinn

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Mullarkey, any comments? Do you want

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to speak for Pat Hines?

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MS. MULLARKEY: Pat has the

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comments.

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CHAIRMAN EWASUTYN: Pat Hines,

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with MHE, please speak.

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MR. HINES: Our first comment

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just states that the project is a

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two-lot subdivision of a 10.6 +/-

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acre parcel. We did request that the

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Private Road Access and Maintenance

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Agreement be submitted, and I know

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Dominic received that.

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A note had been placed on the plans identifying that the limits of disturbance are 0.6 acres. Any disturbance greater than one acre would require coverage under the DEC Construction Storm Water Permit.

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In response to the tree preservation ordinance, there are no trees to be impacted by the proposed project. The limit of the existing tree lines has been shown, and the grading is within the open area on the lot.

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We did have a comment on the septic system and received some input from Darren Doce's office and the Health Department. This project is located in the Chadwick Lake critical environmental area, and based on your zoning code for that environmentally sensitive area, it is a Type I action.

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We circulated notice of intent

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2 for lead agency, and we heard back
3 from the New York State Offices of
4 Parks Recreation Historic
5 Preservation identifying they did not
6 want to be lead agency, and that
7 there was -- based on a review, no
8 archeological historical resources
9 would be impacted by the project.
10 Orange County Planning Department
11 also did not have any interest in
12 lead agency. We discussed at the
13 last meeting that this project will
14 not be referred further to them as
15 it's in the exception for referrals.
16 And DEC sent back a lead agency
17 response deferring lead agency to the
18 Town, and just identifying that there
19 is potential wetland areas located --
20 I am going to say -- southeast of the
21 project site, but not on the project
22 area. And I just want Darren to
23 affirmatively note that there will be
24 no impact within 100 feet of those
25 wetlands.

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MR. DOCE: Correct.

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MR. HINES: Again, we did circulate lead agency. The Board could now declare itself lead agency for this Type I action, and I prepared a part two long form EAF for the project for the Board's use. And I provided the Board members with a copy. I can walk through that with the Board whenever you want. If now...

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CHAIRMAN EWASUTYN: Yeah, let's walk through that now. Let's do that.

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MR. HINES: So, a long Environmental Assessment Form was submitted. We heard back from numerous agencies, and they did not have any issues, environmental issues with the project. Number one on the document, impact on land, proposed action may involve construction on or physical alteration of the land surface of the project site. We

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2 identified that as a yes. However,
3 we reviewed the bullet items A
4 through H under that, and we
5 identified no impacts. Proposed
6 action may involve construction on
7 land where depth to water table is
8 less than three. Proposed action may
9 involve construction on 15 percent or
10 greater. We have that as no or
11 small. Proposed action may involve
12 construction on land where bedrock is
13 exposed or generally within five
14 feet. We have that as a no.
15 Proposed action may involve
16 excavation or removal of 1,000 tons
17 of natural material. That is a no.
18 Proposed action may involve
19 construction which continues for more
20 than one year or multiple phases.
21 That is a no. Proposed action may
22 result in increase erosion, whether
23 from physical disturbance or
24 vegetation removal. We identified
25 that as a small impact, and an

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Erosion Sediment Control Plan has

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been provided. And proposed action

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is or may be within a costal erosion

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hazard area. That is a no.

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Number two is impact on

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geological features. Proposed action

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may result in the modification or

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destruction of or inhibit access to

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any unique or unusual land forms on

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the site. That is a no.

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Number three, impacts on

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surface water. Proposed action may

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affect one or more wetlands or other

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surface water bodies. We identified

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that as a yes because of the

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proximity to the wetlands. However,

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item E under that proposed action,

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may cause turbidity in water body,

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either from upland erosion, or

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runoff, or by disturbing bottom

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sediments, we identified that as a

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small impact. Under H there, the

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proposed action may cause soil

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erosion or otherwise create a source

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2 of storm water discharge that may
3 lead to siltation or other
4 degradation of receiving water
5 bodies. We identified that a small
6 impact, and the rest of the items
7 under that were nos.

8 Impact on ground water.
9 Proposed action may result in new or
10 additional use of ground water or may
11 have potential to introduce
12 contaminants to the ground water or
13 an aquifer. We have that a yes, as
14 there is a proposed well. And item C
15 under that, proposed action may allow
16 or result in residential uses in
17 areas without water and sewer
18 service. So, we identified that as a
19 small impact, as this project will be
20 serviced by a well. But again, it's
21 on a five-acre parcel.

22 Number five, impact on
23 flooding. Proposed action may result
24 in development on lands subject to
25 flooding. That is a no.

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Number six, impacts on air and climate. The proposed action may include a state-regulated air emission source or generate greenhouse gas emissions more than 10,000 metric tons of carbon dioxide equivalents. That is a no, and it does not exceed any of bulleted items.

Impacts on plants and animals. Proposed action may result in the loss of flora or fauna. We identified that as a no. And based on the DEC's lead agency response, they did not identify any threatened or endangered species habitat on this site.

Impact on agricultural resources. Proposed action may impact agricultural resources. That is a no.

Impact on aesthetic resources. Land use of the proposed action is obviously different from or in sharp

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contrast to current land use patterns

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between the proposed project and a

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scenic or aesthetic resource. We

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identified that as a no.

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Impact on historic and

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archeological resources. Proposed

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action may occur in or adjacent to

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historic or archaeological resource.

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Based on the responses back from the

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Office of Parks, Recreation, and

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Historic Preservation, that is a no.

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Impact on open space and

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recreation. Proposed action may

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result in loss of recreational

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opportunities or a reduction of an

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open space resource as designated by

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any adopted municipal open space

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plan. That is a no.

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Impact on critical

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environmental areas. Proposed action

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is located within or adjacent to a

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critical environmental area. That is

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a yes. Proposed action may result in

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a reduction of the quantity of the

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2 resource or characteristic for which
3 is was designated. We identified
4 that as no. Proposed action may
5 result in a reduction of the quality
6 of the resource characteristics for
7 which the basis of the designated
8 critical environmental area. And we
9 identified that as a no. There was
10 no other additional impacts
11 identified. One of the requirements
12 in that critical environmental area
13 is any subsurface sanitary disposal
14 system be located 150 feet or more
15 from a water source, increased from
16 the 100-foot appendix 75(a) standard.

17 Impacts on transportation.
18 Proposed action may result in a
19 change to existing transportation
20 systems. That is a no.

21 Impact on energy. Proposed
22 action may cause an increase in the
23 use of energy in any form. We have
24 that as a no because it's -- the
25 thresholds below there A through E

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2 are significantly large thresholds.

3 This is just a single-family

4 residential house.

5 Number 15, impact on noise,

6 odor, and light. Proposed action may

7 result in an increase in noise,

8 odors, or outdoor lighting. We have

9 that as a no. It's a typical

10 residential house.

11 Impact on human health.

12 Proposed action may have impact on

13 human health from exposure to new or

14 existing sources of contaminants.

15 That is identified as a no.

16 Consistency with community

17 plans. The proposed action is not

18 consistent with adopted land use

19 plans. That is a no. The action is

20 permitted under the zoning ordinance.

21 Consistency with community

22 character. Proposed action is

23 inconsistent with existing community

24 character. That was identified as a

25 a no.

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Impact on disadvantaged communities. We have that as a no. And we did note that this projet was submitted prior to June 12th, which required the use of the new EAF form. And this is the new part two that we are using.

And future physical climate risks. Proposed project may be vulnerable to future physical climate risks or increase the vulnerability of human or ecological communities to the future physical climate risks. And we have that as a no. It does not exceed any of the bulleted items A through E below that. So, as the Board concurs with that answer, you would be in a position to adopt this document and issue a negative declaration.

CHAIRMAN EWASUTYN: Having heard from Pat Hines, his advice, at this point, we would declare ourselves lead agency, and we would

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be adopting part two of the EAF?

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MR. HINES: Correct. I defer to Dominic.

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MR. CORDISCO: And as well as declaring a negative declaration for the project.

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CHAIRMAN EWASUTYN: So, the three parts to the motion that we will present right now, the first part would be acknowledging that we are lead agency; the second part, being that we adopt the negative declaration; and the third part, declaring a negative declaration.

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MR. CORDISCO: It would be adopting the part two as presented and adopting the negative declaration.

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CHAIRMAN EWASUTYN: Can we also put in that closing of the Public Hearing?

MR. CORDISCO: Absolutely.

CHAIRMAN EWASUTYN: Okay. So, having heard from our consultants and

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recommendations, would someone move
for that motion?

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MR. DOMINICK: I'll make that
motion.

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MR. WARD: So moved.

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CHAIRMAN EWASUTYN: I have a
motion by Dave Dominick. I have a
second by John Ward. Can I have a
roll call vote?

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MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MS. CARVER: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Motion
carried.

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At this time, Dominick, can you
give us conditions of approval and
final resolution.

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MR. CORDISCO: The project is
actually very straightforward.

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They've already satisfied any

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engineering comments and well as leal
requirements regarding the

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2 maintenance agreement, which is
3 preexisting. The only conditions of
4 the approval would be payment of any
5 outstanding fees, plus a one-lot
6 recreational fee of \$2,000 for the
7 new lot that's being created.

8 CHAIRMAN EWASUTYN: Would
9 someone move for a motion to approve
10 the resolution presented by Dominic
11 Cordisco?

12 MS. CARVER: So moved.

13 MS. DeLUCA: Second.

14 CHAIRMAN EWASUTYN: Lisa
15 Carver, Stephanie DeLuca. Can I have
16 a roll call vote starting with Dave
17 Dominick?

18 MR. DOMINICK: Aye.

19 MS. DeLUCA: Aye.

20 CHAIRMAN EWASUTYN: Aye.

21 MS. CARVER: Aye.

22 MR. WARD: Aye.

23 CHAIRMAN EWASUTYN:

24 Congratulations.

25 (Time noted 7:16 p.m.)

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C E R T I F I C A T E

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

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

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action 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 18th day of August 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

SITE PLAN 29 DANDELION LANE
(26-15)
29 Dandelion Lane
Section 9, Block 1, Lot 94
Zone AR
-----X

SITE PLAN / ARB

Date: August 6, 2026
Time: 7:16 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Todd Maurizzio, Fusco Engineering & Land
Surveying, DPC
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The second item of business this evening is the site plan for 29 Dandelion Lane, project 26-15. It's the site plan and ARB approval. Again, its located on 29 Dandelion Lane in the AR zone. And it's being represented by Todd -- how do you pronounce your last name?

MR. MAURIZZIO: Maurizzio.

CHAIRMAN EWASUTYN: Maurizzio, Thank you.

MR. MAURIZZIO: Can I approach and just give some pictures?

CHAIRMAN EWASUTYN: Sure.

MR. MAURIZZIO: Thank you. My name is Todd Maurizzio from Fusco Engineering. I was in front the Board probably two months ago. We were looking for approval for a single-family dwelling with accessory apartment to a two-family dwelling. We recently went to the ZBA. We have two variances for side yard setbacks. Last time I was here, we had to file

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2 for an extension for those. I did
3 receive the comments from the
4 engineer. One of comments was the
5 onsite septic disposal system. We
6 did a dye test on the system
7 approximately three weeks ago. We
8 found there was no leaching or no
9 issues with the septic system that's
10 installed currently.

11 So, really, that's it. And I
12 showed you elevation, so it doesn't
13 look like a two-family. It doesn't
14 have two entrances from the front.
15 It's on the end of an undeveloped
16 cul-de-sac. It just has a garage
17 entrance on the left, so it doesn't
18 depict, you know, it doesn't give you
19 that vibe that it's a two-family
20 dwelling.

21 And I gave you that because I
22 think that was the next comment from
23 the engineer, you know, will this
24 have to be -- is it subject to the
25 architectural review board. I think

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2 that's it.

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CHAIRMAN EWASUTYN: Jim
Campbell, any comments?

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MR. CAMPBELL: I have no
comments.

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CHAIRMAN EWASUTYN: Pat Hines?

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MR. HINES: Yes. Our first
comment had to do with the sanitary
disposal system. We did not get the
dye test results, but during the work
session, Quinn was able to review the
information provided and found it to
be acceptable.

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MS. MULLARKEY: Yup.

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MR. HINES: So, we do have a
dye test report from the engineer.
The two-family homes are subject to
ARB. We did confirm that the ZBA
granted an extension to the variance
on 25 June 2026. We had adequate
parking under the two-family
requirements exist; there are two
garage spaces and two driveways on
the site. The project does not need

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to go to County Planning, as that was

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identified at the previous meeting.

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It's an extension, and I believe it

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needs to be scheduled for a Public

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Hearing.

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CHAIRMAN EWASUTYN: Any

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comments from the Board?

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(No Response.)

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CHAIRMAN EWASUTYN: Can I have

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a motion to set 29 Dandelion Lane for

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a Public Hearing on the 3rd of

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September.

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MR. DOMINICK: So moved.

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MS. CARVER: Second.

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CHAIRMAN EWASUTYN: I have a

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motion by Dave Dominick. I have a

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second by Lisa Carver. Can I have a

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roll call vote staring with John

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Ward?

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MR. WARD: Aye.

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MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Todd, you
will work with Pat Hines as far as
the mailings?

MR. MAURIZZIO: Yes.

CHAIRMAN EWASUTYN: Thank you.

MR. MAURIZZIO: I'd like to
mention I did get a fictitious email
that said it came from Newburgh
Planning. I don't know if you are
aware they are going around.

CHAIRMAN EWASUTYN: Wanting you
to pay money?

MR. MAURIZZIO: Yeah. Just for
your attention in case you didn't
know. It looks pretty legitimate,
too. It was from the Chairman,
signed by...

CHAIRMAN EWASUTYN: We forward
them onto the town supervisor, town
clerk, councilman for the Planning
Board, just to make them aware of
this ongoing hacking.

MR. HINES: Maybe we can put
that on the agenda again. I didn't

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know that was still happening.

CHAIRMAN EWASUTYN: Yeah.

MR. DOMINICK: That's a problem going up and down the Hudson Valley too, not just here.

MR. MAURIZZIO: Middletown came through -- we had somebody actually go through and almost try to call. Two of their banks told them no. It was in Middletown, as well, signed by the chairman, his signature. Right people -- has all of the right peoples' names. It has my name, you know, 3,500 for the septic --

MR. HINES: It's because we're posting the projects online.

CHAIRMAN EWASUTYN: Thank you.

(Time noted 7:21 p.m.)

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C E R T I F I C A T E

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

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

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action 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 18th day of August 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

CANNABIS RETAIL DISPENSARY AT CORTLAND
COMMONS
(26-18)
5440 Route 9W
Section 2, Block 1, Lot 60
Zone B
-----X

INITIAL APPEARANCE
AMENDED SITE PLAN / SPECIAL USE PERMIT

Date: August 6, 2026
Time: 7:22 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Brandon Petrella, RA, AIA, Mauri
Architects, PC
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The third item of business is Cannabis Retail Dispensary at Cortland. It's initial appearance for amended site plan and special use permit. It's located on Route 9W in a B zone. It's being represented by Brandon Petrella. Brandon?

MR. PETRELLA: Good evening. Thank you for having me again. I see some familiar faces. You may remember about a year ago, we had approval for the dispensary. At that time, there wasn't clear -- at least I wasn't clear on the ability to have drivethrough in a dispensary. It has been made clear to us. It is legally allowed with Town approval, so that's their only requirement. They need a letter of approval from the Town saying that they can operate a drivethrough, and therefore, it is legal. It's actually written right in the initial law for cannabis

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2 dispensaries.

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One thing that happened initially when we first went through this project is I was unaware of some changes that were in the opposite building that actually changed the parking requirements. When we went from what we thought was drivethrough fast food restaurant to the retail dispensary, we thought we had increased the parking count. We got those additional parking spots by stacking the drivethrough lane. Obviously, we can't do that anymore, so I went back and reviewed the project again. And it actually turned out this was a retail space all along. Some restaurant space had been added to this, and we actually require only 61 spaces based on those uses.

The Town Code, and this -- I noticed some comments that came through earlier. The Town Code also

1
2 says that a fast food drivethrough or
3 -- I forget what the other
4 terminology was -- needs three
5 pick-up only transaction spaces. So,
6 I haven't included those in my
7 parking calculation, which came up to
8 64 spaces required for this project
9 as it is today. There's currently 68
10 parking spaces, so when I came to you
11 before, unfortunately, I
12 misrepresented the project. We
13 actually had plenty of parking, and
14 now that we are going back to what
15 should be, we have plenty of parking
16 now.

17 No other changes are proposed,
18 no physical changes to the site, no
19 operational changes. This will
20 strictly be you order online, you
21 come pick up. You don't order there.
22 There's no order board. It's a
23 simple transaction. Your ID is
24 checked, you're dispensed whatever
25 you ordered, and you drive away.

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Other than that, I will take any

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questions you have.

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CHAIRMAN EWASUTYN: Questions

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from Board members?

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MR. DOMINICK: No. You

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answered one of my questions.

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MS. DeLUCA: About the

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ordering, how does that take place?

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Describe the process of ordering.

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MR. PETRELLA: So, mobile phone

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or online, you go to their website.

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I don't remember if they have to set

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up a username that checks your ID

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initially, but your ID is checked and

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scanned when you pick up. So, it is

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just like ordering anything else

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online except instead of having it

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delivered to your home, you've got to

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go get it. ID is checked, and that's

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it.

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MS. DeLUCA: Okay. I am just

23

curious because I always thought that

24

there was, you know, that it was a

25

pretty strict process as far as the

1
2 identification of the person, and
3 matching up, and all of that.

4 MR. PETRELLA: Well, yeah.
5 That's why they have to present their
6 ID.

7 MS. DeLUCA: I thought it was a
8 face-to-face kind of...

9 MR. PETRELLA: Well, yeah.
10 When you come through the
11 drivethrough, that person who places
12 the order and that name has to be the
13 ID and the person driving the car.
14 They can't be a secondary person.
15 You know what I mean? That person --
16 it's -- it's actually a little more
17 stringent than picking up a
18 prescription at a pharmacy, right?
19 You don't even present an ID there.
20 You can just say your name. This,
21 they have to identify you, they have
22 to verify your age, and you have to
23 be the person. So, the transaction
24 happens at the window. That
25 verification happens at the window,

1
2 almost if you were to walk into the
3 dispensary. Your ID is checked at
4 the door, so you come in the door,
5 you hand them your ID, they look at
6 you, they verify you're of age, and
7 they allow you in.

8 MS. DeLUCA: Okay. I am just
9 saying this off the cuff because how
10 would you know that you are not
11 giving that drug to somebody next to
12 you in the passenger seat? You know
13 what I'm saying? It's that kind of
14 stuff that I'm concerned about.

15 MR. PETRELLA: Obviously, I
16 can't say that that can't happen.
17 We, as the dispensary, are
18 responsible for making sure that that
19 person who receives it is the one who
20 ordered it, is of age, and is legally
21 allowed to obtain that product. Once
22 they have that product, unfortunately
23 I can't stop them from giving it to a
24 passenger if they came in the store
25 and walking outside and giving it to

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somebody else. Obviously, that's

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beyond our ability to control. And

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that would be the same thing here.

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MR. DOMINICK: Brandon, I did

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have a question. I apologize. Do

7

you have anything from the State, a

8

document or a cannabis regulation

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that stays that drivethrough is

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permitted?

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MR. PETRELLA: Yes. Actually,

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I did notice that that was a

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question, so what we did was we

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reached out to OCM. So, this is an

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email from my client to OCM just

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asking about it. Now, their response

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is basically what I told you. They

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don't give a formal approval, their

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license doesn't get amended until we

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have approval from you and forward

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that to them. Once that happens,

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then their license does become

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amended, I believe. And actually,

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that email does reference the New

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York Code Rules and Regulations,

1
2 Section 123.10 subsection B, which
3 talks about drivethroughs permitted
4 as a right for retail dispensaries.

5 MS. DeLUCA: How new is that?

6 MR. PETRELLA: That's actually
7 been there, and I just wasn't
8 familiar with when we came in the
9 first time. It just wasn't something
10 that this operator had worked with,
11 and I was not familiar with it. But
12 yeah, it's been part of the law, I
13 think, since originally. Again, it,
14 unlike other parts of state law, is
15 preempted by your approval, so if you
16 don't allow drivethroughs in an area,
17 for example, that can stop it. It's
18 not like where the state can approve
19 a location, and then as long as you
20 have opted into retail dispensaries,
21 you can't say no, we don't want that
22 in this location because the state
23 preempts local laws. Except, in this
24 case, your local laws preempt the
25 drivethrough.

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CHAIRMAN EWASUTYN: Do you have additional copies?

MR. PETRELLA: I do have one more.

CHAIRMAN EWASUTYN: Give one to Pat Hines.

MR. HINES: I think Jim Campbell should have that.

MR. PETRELLA: I will email you copies.

CHAIRMAN EWASUTYN: I have no further comments. Lisa?

MS. CARVER: No, you've answered any questionings I have. Thank you.

MR. WARD: My question was like, you are saying ID when you drive up, do you physically take that license and scan it?

MR. PETRELLA: They scan it, yeah.

MR. WARD: That's what I'm saying. The procedure inside, you said they just see the ID.

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MR. PETRELLA: It's the same procedure when you come in the door out there. They will take the ID, they have to scan it, verify it's real, goes through the state registration, yeah.

MR. WARD: And my other thing was you said you'd email a copy of this? That's fine.

MR. PETRELLA: Yes, I will email for the Board.

MR. WARD: Yeah. Thank you.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance?

MR. CAMPBELL: Sort of unrelated to this, you may not know this, Brandon, do they have gatherings or something at the dispensary?

MR. PETRELLA: Not that I know of. You mean kind of like a wine tasting kind of thing?

MR. CAMPBELL: Is there any consumption onsite?

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MR. PETRELLA: There is no consumption. It's not allowed. They would lose their license if they were found to do that, so if you are a retail dispensary, onsite use is prohibited. In fact, one of the things I can say, beyond our doors, we're not really responsible for. If somebody lights up outside of a dispensary, we actually are responsible for making sure that they stop. On premises, we are responsible for it. So, again, that is something that they could lose their license for.

MR. CAMPBELL: That's all I've got.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: We just noted that the drivethrough depicted on your plans is not representative of what's actually out there. That drivethrough goes across the drive-in aisle.

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MR. PETRELLA: We should show the dotted line and the roof. All we are showing is the drivethrough window. So, we will put the roof back on there.

MR. HINES: And we discussed at the work session lighting. I believe there is lighting under that.

MR. PETRELLA: Correct.

MR. HINES: If that could be addressed.

Second comment is to get something from the Office of Cannabis Management. I think that any resolution coming in the future should reference that the Code Compliance Department should get that updated license, however that gets worded.

The parking analysis we looked at and we concur that based on the uses currently on the site and the restaurant use is transferring from this building to the other building,

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2 almost the exact same square footage
3 identifies the 64 spaces required
4 while 68 are identified. Myself and
5 Jim Campbell discussed whether the
6 fast food drive-in/drive-up
7 establishment short-term parking is
8 required. I am going to defer to
9 Jim. I think he had a discussion,
10 but I don't they are bringing
11 anything out to people parked in the
12 parking lot.

13 MR. PETRELLA: That's the
14 thing. You're not ordering. It's
15 ready for you when you get there, so
16 I don't think you need that. If we
17 want to designate those spots, we
18 obviously have them, but we'd love to
19 just leave it open.

20 MR. CAMPBELL: In the office,
21 we did start a conversation about
22 this. It was sort of left
23 unfinished, so I do not have a
24 definitive answer.

25 MR. PETRELLA: I mean, to me,

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2 it's signage, right? So, it's a
3 sign. Whichever way you guys decide,
4 let us know, and we will update the
5 paper.

6 MR. CAMPBELL: Okay.

7 MR. HINES: So, this is the
8 initial appearance for the amended
9 site plan special use, so adjoiners'
10 notices must be sent out. I can work
11 with your office on getting that done
12 and the process. I think you are
13 familiar with it. The facility is
14 located on a state highway, so County
15 Planning referral for the special use
16 is required. And also, there will be
17 a need for Public Hearing, but
18 typically, we don't do those until we
19 hear back from County Planning.

20 CHAIRMAN EWASUTYN: Okay.
21 Having heard from Pat Hines, at the
22 end of tonight's meeting we will
23 circulate to the County Planning
24 Department. Pat Hine's office will
25 prepare adjoiners' notices, and you

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are familiar with that. And until we

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hear back from the County, which

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should be within 30 days, we'll be in

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a position to schedule for a Public

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Hearing.

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MR. PETRELLA: Very good.

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Thank you so much for your time.

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(Time noted 7:34 p.m.)

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C E R T I F I C A T E

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

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

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action 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 18th day of August 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

356 Meadow Avenue
(26-19)
356 Meadow Avenue
Section 60, Block 3, Lot 51.1
Zone B

-----X

INITIAL APPEARANCE
AMENDED SITE PLAN / EV CHARGERS

Date: August 6, 2026
Time: 7:34 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Nicholas Gasparo, Woodhollow Contracting
Corp.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Fourth item of business is 356 Meadow Avenue, project number 26-19 it's an initial appearance/amended site plan for EV chargers. It's on Meadow Avenue. It's a B zone. And it's being represented by...

NICHOLAS: Nicholas -- (Last Name Unintelligible.)

CHAIRMAN EWASUTYN: Thank you.

NICHOLAS: Thank you. So, here we are proposing a new 1,200 amp 480-volt three-phase service coming off an existing transformer, which was directed by Central Hudson to serve two 320-kilowatt level three EV chargers with a 640-kilowatt power cabinet made my Autel.

CHAIRMAN EWASUTYN: Okay. You received Pat Hines's comments.

NICHOLAS: I directly did not, but I can definitely check. It was probably sent to Mary Hansen.

CHAIRMAN EWASUTYN: Dave

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2 Dominick will share with you --

3 NICHOLAS: Thank you. I did
4 not receive these yet, probably going
5 to soon through email. We can
6 definitely check out all of these.
7 We do have parking calculations. Our
8 required is 165 based off of the
9 usage on the site. There is 138
10 currently existing, and because the
11 addition of EV spaces actually does
12 not count toward total parking count,
13 that leaves us with 177. So, as far
14 as parking is concerned, there is
15 still plenty of parking based on what
16 is required.

17 And I see that you're saying
18 there is reduction of six when there
19 is four. There is a scope change.
20 We will definitely amend this to be
21 more accurate. There was at one
22 point six chargers, six spaces, and
23 that got reduced down to four.

24 CHAIRMAN EWASUTYN: Jim, do you
25 want to speak on the bulk

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requirements?

MR. CAMPBELL: Yes. My
comments were sent to permits@ --

NICHOLAS: @Woodhollowdesigns,
yes.

MR. CAMPBELL: The zoning
information on sheet E100, that needs
to be corrected.

NICHOLAS: Okay.

MR. CAMPBELL: I don't know
where those numbers came from, but IB
district, schedule E, and you
probably should use row B-5
(Phonetic) when you update that.

NICHOLAS: Okay.

MR. CAMPBELL: Then, according
to 185-18(C)(4)(b), front yards
abutting all county/state highways
shall be 60 feet. And they also go
into how it can be calculated to be
less. So, the following two
variances will be required: Route
300 front yard existing 50.4 feet,
required 60 feet or to be determined

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2 when you calculate it out. One side
3 yard existing 29.5, required 30. I
4 did check past history of the parcel.
5 I did not find any existing variances
6 except for area of signage.

7 MR. CAMPBELL: And then, I was
8 curious about the distance from the
9 curb line to the property line for
10 the units and proposed trenching, if
11 that is going to encroach on the
12 neighboring parcel.

13 NICHOLAS: No. So, this dash
14 line right here is the property line
15 on the plans, so from our units to
16 that. So, this is exceeding five
17 feet from this, our edge of the
18 equipment pad to the property line,
19 that exact dimension we can get to
20 you. We can pull that out
21 exclusively. But no, the trenching
22 should not interfere with the
23 neighboring property because the
24 trenching -- so, we come across
25 through here and then down, so the

1
2 trenching that is required for this
3 is pretty much just going to run
4 straight under. So then, there is
5 going to be...

6 MR. CAMPBELL: Alright. That's
7 all I've got.

8 CHAIRMAN EWASUTYN: Pat Hines,
9 would you like to add to Jim
10 Campbell's comments?

11 MR. HINES: This is an initial
12 appearance, so adjoiners' notices
13 have be to circulated. It sounds
14 like a referral to the ZBA will be
15 required. It also will need to go to
16 County Planning, but I think we
17 should get the updated bulk
18 requirement and bulk tables before
19 that is sent. I don't know if you
20 want to authorize that to be sent
21 when we receive those or if we want
22 to wait for another meeting to do
23 that.

24 CHAIRMAN EWASUTYN: How would
25 the Board like to move? Do you want

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to wait for Pat Hines to receive the
change, or what do you recommend to
the Board?

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MR. HINES: I think if you
authorize the submission to the
County, once we ge the revised bulk
tables, we can make that submission.
It will save some time, but they do
have time. They have to go to the
ZBA.

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CHAIRMAN EWASUTYN: And the
Board will move for a motion for
Dominic Cordisco to prepare the
referral letter to the Zoning Board
of Appeals?

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(All Respond Yes.)

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CHAIRMAN EWASUTYN: Everyone is
in agreement with the referral
letter. Pat Hines will work on
circulating to the Orange County
Planning Department when he gets
what's necessary. And the adjoiners'
notices you can start. You are
familiar with that.

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NICHOLAS: Yes.

MR. HINES: Your office has
done them before. I don't know if
you have...

NICHOLAS: I'm sure you worked
with Mary Hansen.

MR. HINES: Yup, we worked
through Mary quite often. You had
several projects in town. I believe
that is who the comments went to,
Woodhollow permitting --

NICHOLAS: I don't receive
those emails. I am with the
engineering department.

MR. HINES: Got you.

NICHOLAS: Any permitting
emails go directly to Mary Hansen.

MS. CARVER: Can I ask a
question?

CHAIRMAN EWASUTYN: Yes.

MS. CARVER: Where are you
pulling the primary from to serve the
--

NICHOLAS: So, it's coming out

1
2 of -- this is an existing transformer
3 that's sitting in front of an
4 existing building. Central Hudson
5 themselves advised that we can pull
6 out of that.

7 MS. CARVER: They did, okay.
8 So, that is why you located the
9 parking spaces there?

10 NICHOLAS: Yes.

11 MS. CARVER: I was just
12 curious.

13 NICHOLAS: There was a lot of
14 play with the owners about where
15 exactly they are going to go. And
16 eventually, they kind of settled in
17 the middle. There is another, around
18 up here (Indicating), there is
19 another set of buildings, a strip
20 mall situation. I believe this is a
21 dentist's office. So, they put them
22 in the middle and thankfully, there
23 was that transformer there.
24 Otherwise, we were going to have pull
25 from a pole on the street.

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MS. CARVER: That would have
been a long distance.

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One other comment, on sheet
E30, it says Meadow Hill Road. I
think it's Meadow Avenue.

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NICHOLAS: It is Meadow Avenue.
That is probably a typo.

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MS. CARVER: I just wanted to
mention that.

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NICHOLAS: Thank you for that.

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MR. DOMINICK: John, I have a
question.

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CHAIRMAN EWASUTYN: Nicholas,
you are in a high visibility corner
there. Stop & Shop to the west of
you, manicured, beautiful
landscaping, impeccable curb appeal.
And you have the bank, 300. And then
you have the bank, again, impeccable
landscaping. Get to your complex, it
lacks a lot of love, you know? It
looks like it hasn't been mowed in
over a month, or cleaned up, or
refreshed. None of that, which kind

1
2 of surprises me because you want it
3 to stand out as your neighbors stand
4 out. I would like to see around the
5 transformer or our the main power
6 supply some greenscape. And I'm very
7 reluctant to say "greenscape" given
8 what the current condition is, you
9 know, because I don't think they're
10 going to last. So, I would like to
11 recommend that you put a chain-link
12 fence with some privacy slats around
13 it just to soft it, to hide that, I
14 should say.

15 NICHOLAS: Okay. I can
16 definitely bring that up as a
17 suggestion. As far as the
18 maintenance and care of this,
19 unfortunately, there isn't much that
20 Woodhollow has in that regard.

21 MR. DOMINICK: I disagree. I
22 think you have a lot of stay in that.
23 If you're putting your product there,
24 you want your product to stand out.
25 You don't want your product to look

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terrible.

NICHOLAS: Absolutely, I do agree. We are just not the main property...

MR. DOMINICK: But you can relay the message.

NICHOLAS: Yeah, of course. Yeah. We can definitely work around planting or putting up fencing to soften up that area because I do agree. I have seen aerials of the site, and this could be better maintained.

MR. DOMINICK: So, let's do fencing, have that fencing with privacy slats.

NICHOLAS: Sure.

CHAIRMAN EWASUTYN: Is everyone in approval of that?

(All Respond Yes.)

CHAIRMAN EWASUTYN: Thank you.

NICHOLAS: Thank you.

(Time noted 7:45 p.m.)

356 Meadow Avenue

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C E R T I F I C A T E

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

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

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action 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 18th day of August 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

81 WEYANTS LANE
(26-20)
81 Weyants Lane & Weyants Lane
Section 17, Block 1, Lots 53.1, 53.3 &
53.12
Zone AR R2
-----X

INITIAL APPEARANCE
LOT LINE CHANGE

Date: August 6, 2026
Time: 7:46 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Jessica Zalin, Esq., Cuddy & Feder LLP
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The last item of business we have this evening is 81 Weyants Lane. It's initial appearance for a lot line change located on 81 Weyants Lane and Weyants Lane in an AR and R-2 zone. And it's being represented by Taylor Palmer or --

MS. ZALIN: No Taylor Palmer tonight. My name is Jessica Zalin. I'm an attorney with the law firm of Cuddy & Feder. Unfortunately, Mr. Palmer had a conflict tonight, so I am here appearing on his behalf.

MS. CARVER: Could you repeat your name?

MS. ZALIN: My name is Jessica, last name Zalin, Z-A-L-I-N.

MR. McCORMICK: And Connor McCormick with Colliers Engineering & Design.

MS. ZALIN: We are here tonight in connection with request for a lot line change. We are seeking to

1
2 modify the boundary line between
3 these two parcels that you see before
4 you. This one right here
5 (Indicating) is 81 Weyants Lane Lane.
6 This other large parcel is a 63 --
7 approximately 63-acre parcel that is
8 -- I don't believe a number has
9 actually been assigned to that
10 property. It is a vacant undeveloped
11 wooded area at the moment.

12 To provide some background,
13 before we were involved with this
14 project, the owners of these two
15 parcels came to an agreement for the
16 owner of this parcel, 81 Weyants, to
17 sell this just under half acre strip
18 of land on the west side of that
19 property to the owner of the larger
20 property here to facilitate access to
21 that larger property. They came to
22 that agreement. They signed a deed.
23 They recorded that deed without
24 coming to this Board for approval of
25 the lot line change or presenting

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this proposal. This was -- when the deed was filed with the county clerk, the county clerk flagged it, brought it to the Town attorney's attention, at which point we were asked to come in and follow the appropriate channels to get an approved plat back before the county filed it. So, we are now here to request that this Board look at this proposed lot line change and confirm whether this transfer can occur with approved subdivision plat that we then record.

I will note that both properties that you see before you will remain zoning compliant after this change. We are not proposing any development at the moment. We are not proposing any ground disturbance. We are just proposing to memorialize this private agreement between the two land owners.

CHAIRMAN EWASUTYN: Dominic Cordisco?

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MR. CORDISCO: Yes, sir. I mean, this is a lot line change, so it's an expedited process in the Town of Newburgh. No Public Hearing is required, and no referral to the County is also required. So, at this point, you know, adjoiners' notices, however, are required, and so the Board can't take action tonight. They have to provide the opportunity for the adjoiners to review and potentially comment on the project, even though there is no formal Public Hearing. So, the Board could authorize the adjoiners' notices tonight.

MS. ZALIN: Okay.

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

MR. HINES: No. It's a Type II action under SEQRA. The resulting lot that has the residence is compliant after the zone change -- after the lot line change, and

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adjoiners' notices are required even
for the lot line change.

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CHAIRMAN EWASUTYN: Comments
from Board members?

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MR. DOMINICK: Jessica, did you
put this together? I have to
comment. This is very professional,
and made very easy, and job well
done.

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MS. ZALIN: I cannot take
credit for it, but this is typical of
the work that is done by my firm, so
I will accept the congratulations on
their behalf.

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MR. CORDISCO: It was not
Taylor Palmer?

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MS. ZALIN: It was also not
Taylor Palmer. Taylor Palmer had a
hand in it.

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MR. CORDISCO: I know Taylor,
and that is not Taylor.

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MR. DOMINICK: Very well done.
It reminded me when I worked at West
Point and prepared the read-aheads

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for the General. Loved it.

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MS. ZALIN: My colleague Daniel
Conan (Phonetic) took the lead on
putting this together. I will pass
along the commendation.

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MR. DOMINICK: Thank you.
That's all I have.

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CHAIRMAN EWASUTYN: Would this
be an opportune time? The notice to
-- the adjoiners' notice has to be
out for 10 days before any action
will be taken. Would it be
reasonable at this time, the Board is
in agreement, to put this on the
agenda, place it on the agenda for
the meeting of September 3rd?

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MR. HINES: Yes, I think that
could happen.

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CHAIRMAN EWASUTYN: I will ask
for a motion from the Board --

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MR. WARD: I have a question.

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CHAIRMAN EWASUTYN: Go ahead.

MR. WARD: At the work session,
you were listening on?

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MS. ZALIN: Yes.

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MR. WARD: What is the trailer
that is parked on there?

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MS. ZALIN: I don't have an
answer to that question right now. I
did drive by the property after the
work session just to get a sense of
what you were talking about. And I
will confirm with our client what is
going on before we're next here.

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MR. WARD: Very good. Thank
you very much.

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CHAIRMAN EWASUTYN: Can I have
a motion to set 81 Weyants Lane, the
lot line change, for the
September 3rd agenda?

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MR. DOMINICK: So moved.

MS. DeLUCA: Second.

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

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MR. WARD: Aye.

MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Thank you.

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MS. ZALIN: Thank you.

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CHAIRMAN EWASUTYN: Can I have
a motion to close the Planning Board
session -- excuse me -- meeting,
actually, of the 6th of August 2026?

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MS. DeLUCA: So moved.

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MR. WARD: Second.

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CHAIRMAN EWASUTYN: Stephanie
DeLuca, John Ward. Can I have a roll
call vote starting with John Ward?

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MR. WARD: Aye.

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MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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(Time noted 7:51 p.m.)

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81 Weyants Lane

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C E R T I F I C A T E

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

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

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That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

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

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VICTORIA CHUMAS ARIAS