

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

In the Matter of

GARDNER RIDGE
(02-29)

REQUEST FOR SIX MONTH EXTENSION

Date: July 16, 2026
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Dan Conant, Esq., Cuddy & Feder LLP

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 July 16th Planning Board meeting. This evening, we have five agenda items and two Board business items. And we will start the meeting off with a roll call vote.

MR. DOMINICK: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: 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,

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Town of Newburgh Code Compliance.

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CHAIRMAN EWASUTYN: At this point, we'll turn the meeting over to Jim Campbell, Code Compliance.

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MR. CAMPBELL: All rise for the Pledge.

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(The Pledge of Allegiance was Recited.)

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MR. CAMPBELL: Please silence your cell phones.

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CHAIRMAN EWASUTYN: This evening out of courtesy we are going to start out with the two Board business items, the first one being Gardner Ridge, project number 02-29. It's a request for a six-month extension. The attorney for the applicant, Cuddy & Feder, are here. Can you speak on behalf of it?

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MR. CONANT: Yes. Good evening, Mr. Chairman and the Board. For the record, Dan Conant, attorney with Cuddy & Feder, based out of their White Plains office. I'm

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appearing on behalf of the applicant

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and their request for a six-month

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extension of the conditional final

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site plan approval.

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The applicant and its

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consultants have been working closely

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with Pat Hines over the past several

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months to address the outstanding

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conditions of approval. And pursuant

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to the most recent memo from Pat,

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dated July 15, 2016, the only

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outstanding conditions are

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administrative in nature. The

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applicant needs to provide checks,

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copies of the original bonds, and two

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reported documents, and obtain

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signature of a storm water

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maintenance agreement. And then, the

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project will be eligible for final

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approval.

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CHAIRMAN EWASUTYN: Pat Hines

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with MHE?

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MR. HINES: So, the project

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approval runs until 7 August 2026.

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Six months would be 7 February 2027.

MR. CONANT: I'll just add that there have been no changes in circumstances or environments that would affect the project.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board attorney?

MR. CORDISCO: A six-month extension would be appropriate at this time. Although, it's anticipated that it's actually not going to fully be needed because we believe that the applicant is looking to finalize and get their signed plans.

CHAIRMAN EWASUTYN: Questions or comment from Board members, John Ward?

MR. WARD: No comment.

MS. CARVER: No questions.

MR. BROWNE: No comment.

CHAIRMAN EWASUTYN: No comment.

MR. MENNERICH: No questions.

MS. DeLUCA: No comment.

Gardner Ridge

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MR. DOMINICK: Nothing.

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CHAIRMAN EWASUTYN: Would
someone move for a motion to grant a
six-month extension for Gardner
Ridge, project number 02-29 through
the 6th of February?

MR. HINES: Seventh, I'm sorry.

CHAIRMAN EWASUTYN: Seventh of
February 2027.

MR. WARD: So moved.

MS. DeLUCA: Second.

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

MR. WARD: Aye.

MS. CARVER: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Thank you.

MR. CONANT: Thank you.

Gardner Ridge

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(Time noted 7:03 p.m.)

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Gardner Ridge

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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

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

-----X
In the Matter of

DOLLAR GENERAL - NYS ROUTE 52
(23-25)

-----X
REQUEST FOR SIX MONTH EXTENSION

Date: July 16, 2026
Time: 7:03 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Blaine Galbreath, Primax Properties

-----X
VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The second, kind of, change, but it's in line with the agenda in general, and that's a Board business, that being item number two, Dollar General, which is proposing to be located on Route 52 in the Town of Newburgh. Project number 23-25 is requesting a six-month extension.

MR. GALBREATH: Good evening, Mr. Chairman, members of the Board. Thank you for moving us up this evening. My name is Blaine Galbreath from Primax Properties, 1100 East Morehead Street, Charlotte. We are here to have site plan approval extension. Nothing's changed with the site. I believe the term in Latin is nunc pro tunc. We had site plan approval, it just hasn't been signed.

CHAIRMAN EWASUTYN: Pat Hines?

MR. HINES: So, I'm not going use term that term. This project is

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seeking an extension from

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6 June 2026, until 6 December 2026.

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CHAIRMAN EWASUTYN: Is everyone
in agreement?

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(No Response.)

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CHAIRMAN EWASUTYN: Okay.

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Would someone move for that motion to

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grant the extension through

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December 6, 2026?

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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 my Lisa Carver. Can I have a

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roll call vote starting 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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MR. BROWNE: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. MENNERICH: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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CHAIRMAN EWASUTYN: Okay.

Dollar General - NYS Route 52

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MR. GALBREATH: Thank you.

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(Time noted 7:04 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 28th day of July 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

BRITAIN WOODS
(22-17)
442 Little Britain Road (NYS Route 207)
Section 97, Block 1, Lots 32.1, 32.2, 32.3
& 40.1 1
Zone R-3
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FEIS MULTI-FAMILY
SITE PLAN / 258 UNITS

Date: July 16, 2026
Time: 7:04 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Zack Szabo, Engineering & Surveying
Properties, P.C.
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Britain Woods

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CHAIRMAN EWASUTYN: Following the order of the agenda now, the first item is Britain Woods, project number 22-17. And it's here tonight to discuss the FEIS for a multi-family site plan, 258 units. It's located on Little Britain Road in an R-3 zone, and it's being represented by Ross Winglovitz. And you are?

MR. SZABO: Zack Szabo, Engineering & Surveying Properties.

CHAIRMAN EWASUTYN: What is it?

MR. SZABO: Zack Szabo.

CHAIRMAN EWASUTYN: Thank you, Zack.

MR. SZABO: So, we have submitted the revised FEIS for the Board's acceptance and review. We submitted it on July 29th, so we are waiting for the FEIS acceptance, review.

CHAIRMAN EWASUTYN: At this point, we'll turn the meeting over to

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Dominic Cordisco.

MR. CORDISCO: So, the Board can acknowledge receipt of the revised final Environmental Impact Statement, but because these become the Board's documents when they are satisfied with the response to the comments, the Board will now refer it to its consultants and have their review, as well as their recommendations to the Board. And my suggestion would be to give at least 30 days, if not a little bit longer, to review the proposed changes to the project that are also encapsulated in the revised proposed final Environmental Impact Statement. My suggestion would be to request that the Board's consultants provide their comments to you in advance of the September 3rd meeting and place this on the September 3rd agenda. Subject to, of course, availability of Ken Wersted, I believe there are some

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2 traffic modifications that are being
3 proposed in this current set of
4 plans. And the Board, I think, would
5 be well advised to have Mr. Wersted
6 be present and walking through any
7 concerns that either he may have or
8 you may have regarding
9 traffic-related reviews for the
10 project.

11 CHAIRMAN EWASUTYN: John Ward?

12 MR. WARD: No comment.

13 MS. CARVER: Nothing further.

14 MR. BROWNE: Good, thank you.

15 CHAIRMAN EWASUTYN: No comment.

16 MR. MENNERICH: No comment.

17 MS. DeLUCA: No comment.

18 MR. DOMINICK: None.

19 CHAIRMAN EWASUTYN: Would
20 someone make for a motion to schedule
21 Britain Woods, project number 22-17
22 for the meeting of the 3rd of
23 September?

24 MR. WARD: So moved.

25 MS. DeLUCA: Second.

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

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

MR. WARD: Aye.

MR. SZABO: Thanks so much.

Have a good night.

(Time noted 7:07 p.m.)

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C E R T I F I C A T E

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4 STATE OF NEW YORK)
5 COUNTY OF ORANGE): SS.:
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7 I, VICTORIA CHUMAS ARIAS, a Notary
8 Public for and within the State of New
9 York, do hereby certify:

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

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

19 IN WITNESS WHEREOF, I have hereunto
20 set my hand this 28th day of July 2026.

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VICTORIA CHUMAS ARIAS

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

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In the Matter of

WALMART NEWBURGH NY OPD EXPANSION
(26-14)
442 Little Britain Road (NYS Route 207)
Section 95.1, Block 39, Lot 21
Zone IB
-----X

EXPANSION AMENDED SITE PLAN
ARB

Date: July 16, 2026
Time: 7:08 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Marah MacKenzie, Colliers Engineering &
Design
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Our third item of business this evening is Walmart Newburgh NY OPD Expansion project 26-14. Located on Route 300 --

MR. DOMINICK: John, number two is MKJC.

CHAIRMAN EWASUTYN: I'm moving quick. Thank you. We're going out of order. Let's skip order, we will do that because I know you're coming and you travel a long way. I forget your name. So, we will get a move on to Walmart and then work backwards.

MS. MacKENZIE: Marah MacKenzie, with Colliers Engineering & Design. They represent the Walmart project. This is our second time, second appearance here tonight. We are looking for referral to the Zoning Board of Appeals for a parking variance. I did bring the elevations that we received from the architecture firm with us for the

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Board's review as well, if that is appropriate.

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CHAIRMAN EWASUTYN: Let's start out with questions from Planning Board members. Dave Dominick?

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MR. DOMINICK: Nothing at this time.

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MS. DeLUCA: Nothing.

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MR. MENNERICH: Nothing right now.

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CHAIRMAN EWASUTYN: No comment.

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MR. BROWNE: Nothing.

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MS. CARVER: I have no questions.

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MR. WARD: I don't have anything at this time.

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CHAIRMAN EWASUTYN: We are going to explain to you why we can't move on an action for ARB approval, but that will come into the whole general conversation we're about ready to have. At this point, we'll turn the meeting over to Pat Hines with MHE.

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MR. HINES: So, the majority of this project is located in the Town of New Windsor. A small portion of the addition to the building is in the Town of Newburgh. The New Windsor Planning Board has indicated through Mr. Cordisco that they are going to take the quote/unquote lead on the engineering and planning reviews for that portion of the project in the Town of Newburgh.

The project does require a variance in the Town of Newburgh. It is a unified site plan when it was approved. This project increases the need for parking while the 6,000-square foot addition takes away some parking that exists on the site. The current required parking on the site is 1,044 spaces at five spaces per thousand square feet. The proposal, again, adds 6,158 square feet. For the total building, it will be 214,869, which will require

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100 -- sorry -- a 1,074 spaces. The existing site contains 912. After the addition, there be will 877, so a parking variance of 197 spaces is required.

The Town of New Windsor indicated that they wish to defer ARB to the Town of Newburgh, as this Board does have architectural review Board in its code.

The increased footprint for the building will increase the calculated hydraulic loading of sewage flow from the facility. An amended outside user agreement with the Town of Newburgh will be required. The Town attorney has reviewed the existing outside user agreement and has determined that an amended agreement will be required, and any additions to the building will require modifications to that agreement.

In addition, an increased City of Newburgh flow acceptance letter

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2 will be required. We will defer to
3 the Town of New Windsor when they
4 review the engineering details for
5 that portion of the project in the
6 Town of New Windsor.

7 That's where we're at with
8 this. I believe the Board can refer
9 to the ZBA for the parking variances
10 as outlined in our comment two.

11 MS. MacKENZIE: Can I ask a
12 question?

13 CHAIRMAN EWASUTYN: Sure.

14 MS. MacKENZIE: So, we amend
15 the agreement, hydraulic agreement on
16 the sewage usage with the Town of
17 Newburgh, but we're deferring to the
18 Town of New Windsor with the
19 engineering review?

20 MR. HINES: Yes. This facility
21 conveys its flow to the Town of
22 Newburgh's sanitary sewer system.
23 The original Walmart structure was a
24 hundred percent located in the Town
25 of Newburgh, and the supermarket/food

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2 addition crossed the Town line with
3 the majority of the building still
4 being in the Town of Newburgh. So,
5 it's my understanding that the entire
6 -- there is no split of the flow in
7 the building. It all goes and is
8 treated with the Town of Newburgh.
9 The Town of Newburgh has an
10 intermunicipal agreement with the
11 City of Newburgh that requires the
12 City authorize any increase in flow.
13 It's more of a ministerial act of
14 tallying the amount of capacity the
15 Town has in their plant. But there
16 was a separate intermunicipal or
17 sewer agreement that the Town
18 approved when the project was
19 constructed with the addition. So,
20 that needs to be amended.

21 MS. MacKENZIE: Understood.

22 MR. HINES: They can contact
23 the Town attorney and discuss that.
24 He is aware of that.

25 MS. MacKENZIE: Sure.

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CHAIRMAN EWASUTYN: Dominic Cordisco, your part in the referral to the ZBA?

MR. CORDISCO: Yes. If the Board is satisfied, I can prepare a referral outlining the parking variance that is required.

CHAIRMAN EWASUTYN: And then, once the ZBA receives that, then you can make an application to the ZBA. So, can I have a motion from the Board to have Dominic Cordisco prepare a referral letter the Zoning Board of Appeals?

MS. CARVER: So moved.

MR. WARD: So moved.

CHAIRMAN EWASUTYN: Agreed.

While you're here, can we have an overview of the architectural that you have with you?

MS. MacKENZIE: Yeah.

CHAIRMAN EWASUTYN: Thank you.

MS. MacKENZIE: So, the existing -- this is depicting the

1
2 existing conditions that will be on
3 the building once the current remodel
4 project is completed. You see the
5 gray scheme with the blue? This was
6 previously approved. And then, we
7 have the pickup sign being relocated
8 on to the new expansion wall. So,
9 kind of like modifies some of the
10 signage on the building to be more
11 dedicated to where the specific
12 entries are. We talk about grocery.
13 We talk about where the vision center
14 is, the pharmacy, the outdoor/auto
15 care. So, it kind of -- the signs
16 are smaller on the building, more
17 targeted to the site navigation to
18 where you want to -- to which
19 entrance you want to pull into for
20 your purposes of shopping at the
21 store. And then, obviously, where we
22 want our pickup customers to go.
23 Right there (Indicating), as you can
24 see, kind of with this entrance we
25 also potentially have a flagpole -- a

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flag on one of light poles, I should

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say, that would indicate pickup as

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well. So, that would be visible to

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customers as they come into the site

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entrance, and they see where. Not

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much is changing. This is an

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existing pickup location, so that

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wouldn't be confusing to customers.

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Sometimes, we relocate to one side of

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the building or the other. That is

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not the case here, so yeah.

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MS. CARVER: So, where would

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the sign -- so, you would put a sign

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as you enter. Where is the pole,

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like more towards the bank, kind of?

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MS. MacKENZIE: Yeah. So, can

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you kind of see it on this plan a

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little bit better. I don't think it

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actually depicts -- so, we have a

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light pole right here, (Indicating),

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and I think there is one a little bit

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further down, right here

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(Indicating). So, on the light pole,

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it will have a flag on it as well

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2 that will indicate pickup, as well as
3 building signage for pickup is a
4 little bit smaller on the front
5 facade of the building, right here
6 (Indicting). So, as you are kind of
7 coming in the drive, you can't see
8 that. That's why we have the flag as
9 well.

10 MR. DOMINICK: The exterior
11 color of the building is gray. Is
12 that a dark gray, a light gray? It's
13 pretty dark in the picture, which is
14 probably just because of the print.

15 MS. MacKENZIE: It is because
16 of the print. I know it's really
17 hard to see, but with this right here
18 (Indicating), it's more -- you can
19 see even right here, hopefully, it's
20 a little bit lighter than how it
21 printed out on here as well. So, it
22 is lighter, but it is a gray, a dark
23 gray.

24 MR. DOMINICK: Thank you.

25 MR. MENNERICH: Is the whole

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2 building being repainted then?

3 MS. MacKENZIE: Yes.

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5 national chain upgrade, I guess?

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7 MS. MacKENZIE: It is national
8 branding. This is, yes, what they
9 are trying to do with allowance with
10 each jurisdiction. So, this is their
11 preferred new branding. They use the
12 gray, the blue, and then associated
13 colors that go with it. The true
14 blue is the true new brand standard.
15 They are moving away from the
16 original orange that was associated
17 with pickup to the blue. And that is
18 just an upgrade to the brand
19 standard. But they are...

20 CHAIRMAN EWASUTYN: Additional
21 questions or comments?

22 (No Response.)

23 CHAIRMAN EWASUTYN: I would
24 guess Justin Dates will represent you
25 at the meeting for the variances?

MS. MacKENZIE: I do think so.

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He just had a conflict, so I came

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down from Rochester for the meeting

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here tonight.

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CHAIRMAN EWASUTYN: How nice of

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you. Pleasure meeting you.

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MS. MacKENZIE: It was a

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pleasure meeting you as well.

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CHAIRMAN EWASUTYN: Thank you.

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(Time noted 7:17 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 28th day of July 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

MKJC REALTY, LLC
(25-17)
NYS Route 32, SW of NYS Route 300
Section 34, Block 2, Lot 29.1
Zone IB

-----X

AMENDED SITE PLAN
ARB

Date: July 16, 2026
Time: 7:18 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Scott Sicina, Lanc & Tully Engineering

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

MKJC Realty, LLC

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CHAIRMAN EWASUTYN: The second item of business, if you can follow me, is MKJC Realty, LLC, project number 25-17. It's an amended site plan, ARB. It's here tonight for ARB approval. It's located on Route 32 in an IB zone, and its being represented by John Queenan.

MR. SICINA: Good evening ladies and gentlemen of the Planning Board. My name is Scott Sicina. I work for Lanc & Tully Engineering, here on behalf of John Queenan today. We are representing MKJC Realty. The applicant is seeking approval for an amended site plan for a project that was previously in front of this Planning Board.

The project was originally approved as a 10,000-square-foot two-story commercial office and retail building. Since Planning Board approval, the applicant has decided to remove the proposed second

1
2 floor that was previously intended
3 for storage. The amended site plan
4 that is before you today is identical
5 to the site plan that was previously
6 approved by this Board, the only
7 exception being the removal of the
8 second story of the proposed
9 building. The overall height of the
10 build has been reduced from 35 feet
11 to 25 feet total.

12 Since our last appearance
13 before the Planning Board, the plans
14 have been sent to Orange County
15 Department of Planning. We received
16 a letter back from the County that
17 contained no binding comments.
18 Additionally, adjoiners' notices have
19 been sent out as required. We
20 respectfully request that the
21 Planning Board reaffirm the prior
22 SEQRA determination and grant amended
23 site plan approval for the project.

24 CHAIRMAN EWASUTYN: Pat Hines,
25 MHE?

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MR. HINES: Yup, as was just mentioned, we did circulate to the County. I didn't anticipate having it back in time, but Kari (Phonetic), my assistant, pulled off a miracle there, so we did get the County sign-off with a local determination. I believe it's here for ARB as well.

MR. SICINA: Yup.

MR. HINES: I'm not sure we're amending the site plan because the footprint of the building remains the same. I don't think there's any -- I think we're doing amended ARB is my thoughts here.

CHAIRMAN EWASUTYN: Do you have any --

MR. SICINA: Do we have to amend the site plan if we're taking the story off? I mean, it's going to say one-story instead of two-story on the plans. I don't know.

MR. HINES: I defer to Dominic.

CHAIRMAN EWASUTYN: Dominic?

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MR. CORDISCO: I think the Board could issue an amended site plan approval that reflects the change in the overall plan, even though there's no physical improvements that are changing as far as, like, horizontally on the site. But as you noted, the plans themselves will be updated from two-story to one-story. As well as the Board could consider amended ARB approval at the same time. So, there will be one resolution.

CHAIRMAN EWASUTYN: Questions from Board members, Dave Dominick?

MR. DOMINICK: No.

MS. DeLUCA: No.

MR. MENNERICH: Are the building colors going to be the same on the lower version of the building?

MR. SICINA: Are you going to have the same colors?

MR. CONSORTI: We said --

MR. HINES: There was a

1

2 submission made --

3 (Unintelligible Due to Multiple
4 Speakers.)5 MR. SICINA: They changed the
6 overall color scheme of the building.
7 We had submitted architectural
8 renderings of the new color scheme
9 for the last submission to the
10 Planning Board.

11 MR. MENNERICH: Okay. Thanks.

12 CHAIRMAN EWASUTYN: Jim
13 Campbell, just for the record, is
14 looking to see if he has that earlier
15 submission.16 MR. HINES: I know Ken had a
17 copy of it.18 CHAIRMAN EWASUTYN: Would you
19 mind, we can just talk and walk
20 through it? Could you display that?21 MR. SICINA: The color is white
22 stone for the building facade with a
23 charcoal gray as the center facade
24 and a black trim.

25 CHAIRMAN EWASUTYN: And that is

1

2 the front, rear, and side all the
3 same?

4

MR. SICINA: Yes.

5

6 MS. CARVER: Is there light
7 stone on there, as well, the color or
8 no?

8

9 MR. SICINA: There is brick
10 facade on the bottom. Is that what
11 you are referring to?

11

12 MS. CARVER: I don't know. I
13 see light stone on here.

13

14 MR. CONSORTI: That's on the
15 third page. That part is stone, like
16 you said.

16

17 CHAIRMAN EWASUTYN: And for the
18 record, you are?

18

19 MR. CONSORTI: I'm Matthew
20 Consorti, the owner's representative.

20

21 CHAIRMAN EWASUTYN: Jim
22 Campbell, do you have any comments?

22

23 MR. CAMPBELL: I have no
24 comments.

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25 CHAIRMAN EWASUTYN: Any
additional comments from Board

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members?

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(No Response.)

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CHAIRMAN EWASUTYN: Dominic,
this evening, we are going to revise
a resolution, and can you give me the
conditions?

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MR. CORDISCO: Procedurally,
the Board would be in a position to
do so. It's received a response from
County Planning. It's local
determination. As you noted, the one
other or two other additional
procedural items would be to consider
waiving the discretionary Public
Hearing for amended site plan.

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MR. SICINA: That was waived
last meeting.

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MR. CORDISCO: Was it?

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MR. SICINA: Yeah.

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MR. CORDISCO: My apologies.
At this point, the Board could also
confirm its prior negative
declaration for the project, since no
additional impacts are associated

1
2 with it. You don't have to readopt a
3 new negative declaration. You simply
4 reaffirm your prior negative
5 declaration.

6 CHAIRMAN EWASUTYN: Okay, so
7 the action then is to reaffirm our
8 negative declaration and to grant
9 amended site plan and ARB approval?

10 MR. CORDISCO: Yes, sir, based
11 on the most current set of plans.

12 CHAIRMAN EWASUTYN: Thank you.
13 Would someone move for that motion?

14 MR. DOMINICK: So moved.

15 MS. CARVER: So moved.

16 CHAIRMAN EWASUTYN: I have a
17 motion by Dave Dominick. I have a
18 second by Lisa Carver. Can I have a
19 roll call vote starting with Dave
20 Dominick?

21 MR. DOMINICK: Aye.

22 MS. DeLUCA: Aye.

23 MR. MENNERICH: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. BROWNE: Aye.

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MS. CARVER: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Thank you.

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Do we have a construction plan
in mind as to when you're proposing
to move forward on this? Just out of
conversation.

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MR. CONSORTI: Yes. We'll have
the plans all set for next week. We
will send it to the Building
Department. We'll start building
right away. It's about five weeks
out. I would like to get it before
wintertime and get it underway.

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CHAIRMAN EWASUTYN: So, Joe
Mattina won't look at building plans
until I sign the site plans, correct?
Do we have to do anything as far as
that?

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MR. CORDISCO: This is the
amended site plan approval, so I will
turn the resolution around very
quickly. But this site plan, this
version of it needs to be signed by

1
2 the Chair and filed with the Building
3 Department in order for the building
4 permit to be issued for this
5 particular one. Because, you know,
6 the other site plan is for a
7 two-story building, which this is
8 not. But we will turn that around
9 quickly.

10 MR. CONSORTI: I appreciate it.

11 CHAIRMAN EWASUTYN: Thank you.
12 Best of luck to you.

13 MR. SICINA: Thank you very
14 much.

15 MR. CONSORTI: Thank you.

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17 (Time noted 7:26 p.m.)

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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

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

-----X
In the Matter of

LANDS OF GRZECHOWSKI
(26-11)
14 McDonald Drive
Section 8, Block 1, Lot 42.33
Zone AR

-----X

TWO - LOT SUBDIVISION

Date: July 16, 2026
Time: 7:27 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Jonathan N. Millen, LLS, ACES Land
Surveying

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The fourth item of business is Lands of Grzechowski, project number 26-11. It's a two-lot subdivision located on McDonald Drive in an AR zone, being represented by Jonathan Millen.

MR. MILLEN: Good evening, Mr. Chairman and all of the Board members. It would probably be best to just address the comments that were made previously.

CHAIRMAN EWASUTYN: Okay.

MR. MILLEN: Mr. Jonathan (Name Unintelligible) will be signing off on the plans. He is reviewing them right now. Regarding the water main, we do have an unusual situation we are in. I have not be able to determine who, in fact, owns this private road. The subdivision map lends you to think that this lot here (Indicating) was the owner of this right-of-way. However, the deed for this lot reads up to the cul-de-sac,

1
2 and around, and down. The reason I
3 mention is because there's some
4 question regarding the water lateral,
5 which is coming off the cul-de-sac
6 here whether or not, in fact, it is
7 going through that tax parcel.

8 So, the deed for this lot, the
9 description reads up to the
10 cul-de-sac. The area that's called
11 for on the filed map equals up to
12 this point here on the cross, all of
13 this area (Indicating). I don't see
14 based on the filed map whether there
15 is any indication of who, in fact,
16 would be the owner of the
17 right-of-way for what supposedly is
18 the private road, McDonald Drive.
19 I'm not sure what to do about that.

20 There's a request to provide
21 SEQRA information. We are up to
22 doing that. All we need to know is
23 how we would submit that, this
24 comment, to include the EAF and full
25 scale plan at minimum scale. There

1
2 is a request to have the note
3 regarding the sake out and submission
4 of a plot plan prior to construction.
5 We'll add a note to that effect.

6 The perc test, depth for perc
7 test two, which was 12 inches, will
8 be added to the plan. A note that
9 the sanitary design of the as-built
10 certification to the Town, we'll add
11 a note to that effect. Tree
12 preservation plan will be amended to
13 provide the total inches of the trees
14 and their species. The sub-sanitary
15 sewer system, disposal system, it
16 does have a pump station, and the
17 design will be added per detail.
18 Same thing with the proposed Eljen
19 trench system.

20 Again, water line connection
21 does appear to cross that tax lot, so
22 I don't know how to resolve that
23 right now. Right now, we are calling
24 for it within this right-of-way to go
25 across. But again, who owns this

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McDonald Drive? I have no way of making a definitive result of who, in fact, owns that. There were three lots that were -- four lots that were involved. Neither one of their deeds claim ownership of the right-of-way for McDonald Drive.

MR. HINES: Does the filed map depict it at all?

MR. MILLEN: It does. So, as I mentioned, on the filed map, it's difficult because the filed line work leads you to think that this portion here (Indicating) was a part of any of the lots. Although, when you look at the tax map, the tax map leads you to think it all goes to this lot here (Indicating.) Now, as I mentioned, on the filed map, it calls out an area for this particular lot. And that area is specific to this line coming down across, up, up, up, over, and back across, right across here at this point here (Indicating). That's

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what the area notes. However, the

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fee description -- (Unintelligible)

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-- only goes to the right-of-way and

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then skirts around the right-of-way

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and goes back to here and out back.

7

My guess is as good as yours as to --

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you would think it would be lot four,

9

but it's not represented on the filed

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map or in the deeds.

11

CHAIRMAN EWASUTYN: Dominic?

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MR. CORDISCO: We have to look

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at that, but perhaps they checked

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their title report and --

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MR. MILLEN: Well, I will

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request with Mr. (Name

17

Unintelligible) that we grab a title

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report and see if there is something.

19

Although, he is part of another map

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entirely. This parcel is included in

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this right-of-way down here as far as

22

having been any part of it with

23

respect to this area here. So, I

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guess we could do a title report.

25

MR. CORDISCO: Run tile on

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those lots, and see what it comes

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back with.

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MR. MILLEN: I know as far as
the descriptions go, none of the lots
claim ownership of the right-of-way.

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MR. CORDISCO: Right. Right,
but what Pat, I think, was driving at
was, you know, what's shown on the
filed map, you know, also creates
ownership interest in what's shown on
the map, so --

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MR. MILLEN: Right. But when
you see the map, you'll see it's very
nondescript.

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MR. CORDISCO: Perhaps
intentionally so.

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MR. MILLEN: And the long form
EAF does mention a bat species, and
we are looking into finding out where
this potential bat habitat might be.

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We were hopping -- I think
we've got everything addressed as far
as the changes we are marking to the
plans to address every item in this

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comment list. And I don't know if

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it's possible that we can schedule a

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Public Hearing for this.

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CHAIRMAN EWASUTYN: Jim

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Campbell, do you have any comments?

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MR. CAMPBELL: Yes, I have a

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one comment. On these plans, it

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should show the dimension of the

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width of the driveway.

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MR. MILLEN: Okay. The width

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of driveway here?

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MR. CAMPBELL: Yeah, that it's

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a minimum of 12 feet, scale it out to

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12 feet just to show it.

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MR. MILLEN: Okay, will do.

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MR. CAMPBELL: Makes it easier

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down the road.

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CHAIRMAN EWASUTYN: Pat, any

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additional questions?

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MR. HINES: No, Mr. Millen

22

touched on each of ours. There was

23

the comment, the sizing of the water

24

main, I just wanted to make sure Mr.

25

Cello (Phonetic) does that analysis,

1
2 finds out the pressure of that
3 hydrant, and makes sure that -- it's
4 long run to the house --

5 MR. MILLEN: Right.

6 MR. HINES: And I want to the
7 make sure there's adequate pressure
8 at the house based on the water main
9 sizing. So, we will need that
10 analysis as well.

11 I do note that you are getting
12 an easement from the parcel that may
13 or may not own the road.

14 MR. MILLEN: Right.

15 MR. HINES: I am just
16 wondering if they --

17 MR. MILLEN: We did submit to
18 Mr. Saffioti's office, and I think he
19 is going to forward it to Mr.
20 Cordisco's attention for the easement
21 here and here.

22 MR. HINES: Right. I was just
23 wondering if that could potentially
24 address the water line crossing of
25 that lot too, that same easement may

1

2 be belt and suspenders that -- who or
3 what owns that.

4

5 The other issue is that the
6 water line for the existing
7 structure, you depict that coming off
8 a cul-de-sac, but there is a water
9 valve shown on the new lot flagpole.
10 And I just wondered if that could be
clarified.

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MR. MILLEN: Yes, we'll do
that.

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CHAIRMAN EWASUTYN: So, the new
lot would have access off this
private road?

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MR. HINES: Yeah, the proposed
lot access is off the private road.
I believe the right-of-way agreement
was submitted to Dominic. It's being
reviewed, so I don't think there was
a restriction on re-subdivision on
the lots.

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MR. CORDISCO: There was not.

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MR. HINES: Which was my
concern, why I asked for that. But I

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think there's some clean-up items

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here that we should address so that

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we don't have these questions going

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for a Public Hearing.

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MR. MILLEN: Okay. Seems

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difficult to determine who, in fact,

8

is going to own this right-of-way for

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this private road because I studied

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the file map thoroughly, looked at it

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for long time, and I don't see

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anything there. And again, the file

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map does call for an area, but that

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particular lot in that area only went

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up to this portion right here where

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these two lines run in. I'm not sure

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how that's going to be resolved, how

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we are going to determine who is

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going take ownership of the

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right-of-way.

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MR. HINES: There is a

22

maintenance agreement, correct?

23

MR. MILLEN: Yes, there is a

24

maintenance agreement, of course. It

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has nothing in it regarding the

1
2 actual location or physical
3 constraints of the right-of-way. It
4 would seem to me, if it were up to
5 me, I would make it evenly each
6 person would own equal part of the
7 right-of-way.

8 MR. HINES: If it was being
9 done today, that's what would happen.

10 CHAIRMAN EWASUTYN: I guess we
11 have to table a Public Hearing until
12 we can clarify the information that
13 we need to substantiate. We can move
14 in that direction without scheduling
15 a Public Hearing.

16 MR. MILLEN: Understood.

17 CHAIRMAN EWASUTYN: So, I think
18 in the earlier part of the
19 conversation was mentioned a title
20 search. Dominic, that would create
21 some kind of foundation?

22 MR. CORDISCO: Yeah, I mean, it
23 could be dispositive. But the issue,
24 the lots saying that they have at
25 least the right to use that road, I

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mean, given the road maintenance

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agreement, but it's above my pay

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grade, if you will, for me to be

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advising the Board as to the legal

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rights. To Pat's point, it hasn't

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been established yet.

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MR. MILLEN: I guess the only

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document we could really use is the

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filed map that created it. But

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again, as I mentioned, the

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information that I would hold on a

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file map would be the areas for each

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lot and the calculation of the

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geometry that contributes to that

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there. As mentioned, the actual deed

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of this lot stops at this part on the

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cul-de-sac, runs back in, and goes

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that way. That's the deed. However,

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when you read the filed map and it

21

gives you the area of this lot, the

22

area runs right to these two straight

23

through here. It doesn't say

24

anything about the rest of the --

25

MR. CORDISCO: Are you

1
2 suggesting it is like a gore in that
3 sense of property that, you know,
4 doesn't much up to the descriptions
5 and so becomes essentially a no-man's
6 land.

7 MR. MILLEN: Yeah, that's what
8 I would say.

9 MR. CORDISCO: I think we need
10 to establish that --

11 MR. MILLEN: You need something
12 more than no-man's land.

13 MR. CORDISCO: A little bit
14 more, you know? If that's the end
15 result of the inquiry, then the Board
16 could take that under advisement, but
17 at least understand it at that point.

18 CHAIRMAN EWASUTYN: Who
19 completed the original subdivision?

20 MR. MILLEN: It says right
21 here, so Baker subdivision 4492. I
22 think it was Dolye. I seem to recall
23 it.

24 CHAIRMAN EWASUTYN: Dolye was
25 still fairly active back then. And

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that dated back when?

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MR. MILLEN: 1992, yes, '92.

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CHAIRMAN EWASUTYN: I mean, for the benefit of the conversation, I will look to see what the Planning Board may have in files dating back to 1992.

MR. HINES: John, I think the applicant wants --

ERIC: Eric (Name Unintelligible). I own the property. Dolye family used to own that whole road and all of those slots. So, you are not going to find anything that specifies to the house who owns the road.

MR. MILLEN: Right, but there should have been. It's a private road. Someone has to own it. It was not given to the Town, so someone has to own the road.

CHAIRMAN EWASUTYN: All rigjt, thank you.

ERIC: That is why we got that

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road agreement between all of the

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houses now because now there is --

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MR. MILLEN: I understand, but

5

unfortunately, the agreement doesn't

6

specify where the actual right-of-way

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is that you're sharing or who owns

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it. Like I said, to me, it should be

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that -- go by the deed and say that

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this lot owns up to here, and then

11

the next lot owns up to there, and

12

make it owned by all of the lots.

13

CHAIRMAN EWASUTYN: Let's put

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some more time and work into it, and

15

then you'll communicate back and

16

forth with Dominic Cordisco and Pat

17

Hines?

18

MR. MILLEN: Yes.

19

CHAIRMAN EWASUTYN: Thank you.

20

MR. MILLEN: Is that it?

21

CHAIRMAN EWASUTYN: For now,

22

thank you.

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MR. MILLEN: Thank you. Have a

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great evening.

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(Time noted 7:42 p.m.)

Lands of Grzechowski

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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 28th day of July 20126.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

4 SYLVIA STREET
(26-17)
4 Sylvia Street
Section 18, Block 4, Lot 4
Zone R-2
-----X

INITIAL APPEARANCE
SITE PLAN / TWO FAMILY

Date: July 16, 2026
Time: 7:43 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Nils Fredriksen, RA, Fredriksen
Architecture PLLC
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The fifth item of the agenda, the last item is 4 Sylvia Street, project 26-17. It's initial appearance for a site plan and two-family dwelling. And it's on 4 Sylvia Street represented by Nils Fredriksen.

MR. FREDRIKSEN: Good evening, members of the Board. My name is Nils Fredriksen. I'm representing Travis, Alana (Phonetic) and her mother (Name Unintelligible). The intent here is to convert the lower level to an AU. The exiting configuration makes it very difficult to not exceed the limits of the square feet, which is why we are here in front of you today. The hope is to convert from a single to a two-family use. You know, there is no change to the footprint, really, but we're making pretty big changes on the interior, moving some partitions around, updating finishes.

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And then, on the exterior, we will be replacing the siding, also putting new aluminum-clad windows in. The roofing remains at this. We are making no change to the driveway, no increase in impervious surface. So, really, the only change is that -- the issue is that we're exceeding the 700 square feet, which is why we have to convert it to a two-family.

There are several comments that were sent to us, though. I'm happy to address those. We are on a well water, not Town water, so I did update the zoning to reflect that. It does trigger one additional variance that will be required: We are deficient in lot and in front yard setback. I would like to note that even for a single-family, we are already nonconforming for both of these items. And the septic tank -- so, they've lived there since the 1970s. It's always been used as a

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four-bedroom, which is that fourth bedroom that's in the basement. The lower level that's going to be converted. The comments did note that on file, it's flagged as a three-bedroom. So, what we are doing now is we've engaged somebody to to explore the septic and leach field. If it is undersized or deficient, we will engage a civil engineer and provide an updated plan to address that.

I would like to note that the Building Department comment about the side yard, the 80 foot would be the total side yard --

MR. CAMPBELL: You can disregard that.

MR. FREDRIKSEN: Thank you.

And that's really it. I mean, I have some samples. We also have updated elevations if you do want to look at the exterior changes that come.

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CHAIRMAN EWASUTYN: Sure. If you brought them, why not? I looked at the site. It's an interesting home.

MR. FREDRIKSEN: It is. It's a beautiful mid-century modern. Again, we're really just updating it. It's been over 50 years since there's been real significant work on there, other than some minor additions. So, we're using a product called Shou Ban, it's is a heat-treated charred wood product, and you can take a look at those. The majority of the home is going to use the darker charcoal color, and then we will use that interchangeably on the facade. We also used that product for the window casing, and then the fascia and the soffit will most likely be like a -- (Unintelligible) -- tie into the roof. You are probably going to get dirty hands from that.

So, currently, the home just

1
2 has a single color. Now, we are
3 introducing that darker color and
4 highlighting the entrance with that
5 lighter color there. And then, just
6 little accent pieces to the header of
7 the trim piece over the garage doors
8 takes on that lighter color. We will
9 have the dark garage with the lighter
10 door, just playing with it to give it
11 a little more dimension than we have
12 now. The door is orange, and will
13 remain this orange color, wanted to
14 keep a little of the old character of
15 the home. And then, you can see on
16 the rear here, the same thing. So,
17 the main gate will also have that
18 dark color, and the lighter color
19 will be integrated into this lower
20 level here. Again, the windows are
21 all aluminum-clad with black or dark
22 charcoal to blend in with that.
23 Then, this is that existing lower
24 level, I did highlight with the red
25 outline here.

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We tried a variety of different ways to stay under the 700 square feet to avoid these approvals, but there was really no way to do that with the existing configuration. So, ultimately, we end up over it just a touch. This is that existing bedroom, by the way (Indicating).

It probably doesn't matter, but there was an appraisal in the 1990s that did flag that as a four-bedroom, too. I don't know if it was ever legalized or misinterpreted at some point. But again, we have to go through the process to address the septic tank.

CHAIRMAN EWASUTYN: And the free-standing attached garage, will there be any facade changes to that?

MR. FREDRIKSEN: Correct. It was shown on the elevation as well. It will have the seem treatment as far as the darker side on there.

CHAIRMAN EWASUTYN: Alright.

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Who wants to take lead, Jim Campbell or Pat Hines as far as the variances that are required?

MR. CAMPBELL: So, two variances will be required, one for lot area. So, the area required is 100,000 square feet. Provided is +/- 0.689 acres or approximately 30,000 square feet. And the front yard setback required is 50, and 46.6 is provided. So, there's two variances that would be required.

CHAIRMAN EWASUTYN: Okay. Can I have a motion to have Planning Board attorney Dominic Cordisco prepare a referral letter to the Zoning Board of Appeals?

MS. CARVER: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Lisa Carver. I have a second by 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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MR. BROWNE: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. MENNERICH: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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MR. HINES: John, this is also
an initial appearance, so we will do
the notices as well.

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CHAIRMAN EWASUTYN: Thank you.

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You will work with Pat Hines as
far as the adjoiners' notice that
goes out to everyone within 500 feet?

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MR. FREDRIKSEN: Okay.

17

Are we going to -- I have
already amended everything based on
the comments. We would just put the
ZBA batch together, and once we get
approval, move back to you to close
that out and get a final resolution
on that?

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CHAIRMAN EWASUTYN: Give it a
few days for Dominic Cordisco to

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email over the referral to Siobhan.

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MR. FREDRIKSEN: Of course.

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CHAIRMAN EWASUTYN: And then
you can start with that.

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MR. FREDRIKSEN: If for
whatever reason we have to update the
septic system and the loop takes
longer to close if we have to get
involved with the Health Department,
would you be able to issue a
resolution contingent upon that being
submitted and approved by the
building inspector? Sometimes, the
process can take -- I mean, it's
going to take me a month just to get
a surveyor out there, so it would be
nice to keep the approvals going
while we take care of that in the
background. Again, if we uncover it
is undersized.

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CHAIRMAN EWASUTYN: Let me
understand something. If the septic
tank had to be upgraded --

MR. HINES: The question is

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what the original septic design was
designed for.

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MR. FREDRIKSEN: I am hoping to
find out --

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MR. HINES: Again, if there's
been water-saving fixtures
incorporated since the design, that
is something to look at. But if
there is an added bedroom, then there
is increased hydraulic loading, and
that'll have to be addressed.

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Typically, that's addressed during
the review process. And then, once
the plans are approved for that, they
would go to the Building Department.

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MR. FREDRIKSEN: There is no --
so there's not an option to get
conditional approval if for whatever
reason they did the survey, a civil
engineer, potentially the Health
Department takes --

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MR. HINES: There more than
likely is not a Health Department
involvement.

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CHAIRMAN EWASUTYN: Thank you.

MR. FREDRIKSEN: I am still
looking at probably two months before
I get a civil plan.

MR. HINES: You have ZBA
timeframes too, as well.

MR. FREDRIKSEN: That might
actually align then.

MR. HINES: You could pursue
that, and then after you get to the
ZBA, you'll be back before this
Board. This Board, two-families also
require a Public Hearing, I believe,
as a special use in this zone.

MR. CORDISCO: Yes.

MR. HINES: You will be back.
You have some time, unfortunately, in
the process.

MR. CORDISCO: And it's not
something that they would typically
do. My suggestion would be to see
where you are as you go through the
process.

MR. FREDRIKSEN: No problem.

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Thank you.

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MR. WARD: And don't forget
your samples.

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MR. FREDRIKSEN: Thank you.

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CHAIRMAN EWASUTYN: Alright.

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Can I have a motion to close the
Planning Board meeting of the 16th of
July?

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MS. DeLUCA: So moved.

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CHAIRMAN EWASUTYN: I have a
motion by Stephanie DeLuca. Second?

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MR. DOMINICK: Second.

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CHAIRMAN EWASUTYN: Second,
Dave Dominick. 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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MR. BROWNE: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. MENNERICH: Aye.

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MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

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(Time noted 7:52 p.m.)

4 Sylvia Street

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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
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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