

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

-----X
In the Matter of

XTERIOR PRO, LLC
(26-08)
171 South Plank Road
Section 60, Block 3, Lot 17.2
Zone IB
-----X

PUBLIC HEARING
AMENDED SITE PLAN / ARB

Date: October 1, 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
STEPHANIE DeLUCA
DAVID DOMINICK
KENNETH MENNERICH
JOHN WARD

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

APPLICANT'S REPRESENTATIVE:
Jonathan Cella, P.E.
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Planning Board of the Town of Newburgh would like to welcome you to their meeting of the 1st of October 2026. This evening, we have five agenda items, one Board business item. And the first item listed on the agenda would be a Public Hearing. So, at this point, we are going to call the meeting to order with roll call vote.

MR. DOMINICK: Present.

MS. DeLUCA: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MR. WARD: Present.

MR. DOMINICK: Dominic Cordisco, Planning Board attorney.

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

MS. MULLARKEY: Quinn Mullarkey, MHE Engineering.

Xterior Pro, LLC

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MR. CAMPBELL: Jim Campbell,

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Town of Newburgh Code Compliance.

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CHAIRMAN EWASUTYN: At this

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time, I'll turn the meeting over to

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Dave Dominick, Planning Board member.

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MR. DOMINICK: Please stand for

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the Pledge of Allegiance.

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(The Pledge of Allegiance was

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recited.)

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MR. DOMINICK: If you could

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please silence your cell phones or

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turn them off, we appreciate it.

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Thank you.

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CHAIRMAN EWASUTYN: Our first

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item of business is Xterior Pro, LLC,

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application number 26-08. It's a

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Public Hearing on amended site plan

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and architectural review. It's in an

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IB zone, and it's being represented

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by Jonathan Cella. At this point,

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Ken Mennerich will read the Notice of

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Hearing.

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MR. MENNERICH: Notice of

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Hearing, Town of Newburgh Planning

COPYCAT COURT REPORTING

Xterior Pro, LLC

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Board. Please take notice that the

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Planning Board of the Town of

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Newburgh, Orange County, New York,

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will hold a Public Hearing pursuant

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to Section 274-A of the New York

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State Town Law and Chapter 163-8.J of

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the Town of Newburgh Code on the

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application of:

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Xterior Pro, LLC, project

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2026-08. The project proposes an

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addition to an existing structure of

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approximately 455 square feet.

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Proposed structure will be

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2,347 square feet. A car port is

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proposed to the rear of the

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structure. The existing building is

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served by municipal water and sewer.

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The project has received Zoning Board

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of Appeals variances. The project is

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located on a 0.39-acre parcel of

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property in the Town's IB zoning

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district. Access to the site will be

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from New York State Route 52 (South

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Plank Road). The project is known on

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the Town's tax maps as section 60,
block 3, lot 17.2.

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A Public Hearing will be held
on the 1st day of October 2026, at
the Town Hall meeting room, 1496
Route 300, Newburgh, New York at 7:00
p.m. or as soon thereafter, at which
time all interested persons will be
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 09
September 2026.

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CHAIRMAN EWASUTYN: Thank you.
Jonathan, please.

MR. CELLA: Thank you. Good
evening. Jonathan Cella, I'm
representing the applicant. The
property's located in the IB zoning
district as an existing structure
known as 171 South Plank Road. The
property's just to the east of
Tarsio's Bowling Alley. And we are

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proposing a small addition in the front, facing the road, and then a small addition in the rear with the garage. The property is currently paved, and the improvements include the additions mentioned, as well as minor parking lot improvements, including striping, a new sign, and dumpster enclosure. We are -- the property also -- the proposal also includes relocating an existing exterior storage container.

Property's located in an IB zoning district. It's approximately 17,000 square feet. And we received a handful of area variances from the Town's Zoning Board of Appeals for setbacks. And property's serviced by municipal water and sewer.

CHAIRMAN EWASUTYN: Thank you.

Questions from members of the Board, please raise your hand and offer your name.

MR. DOMINICK: Audience. You

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mean audience, not Board.

CHAIRMAN EWASUTYN: What did I say?

MR. DOMINICK: Board.

CHAIRMAN EWASUTYN: Okay. By the audience. I feel like we are in our living room, so everyone's the same. But I stand corrected.

Any questions or comments?

(No Response.)

CHAIRMAN EWASUTYN: Okay. Let the record show that there is no public comment on the hearing.

Jim Campbell, Code Compliance?

MR. CAMPBELL: My only comment would be is that the last meeting you agreed to put the signs back to what was approved at the ZBA, so any plan updates would need to reflect that.

CHAIRMAN EWASUTYN: Quinn Mullarkey with MHE?

MS. MULLARKEY: At the prior meeting, the September 3, 2026, my office had prepared some comments, a

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just detailed cleanup of the plans,
so we would just like to see those
plans cleaned up. But that's all we
have.

CHAIRMAN EWASUTYN: Jonathan,
do you have any examples of ARB?

MR. CELLA: Perfect timing.

MR. LEMA: Sorry. I apologize.
I'm running late.

CHAIRMAN EWASUTYN: For the
record, you are?

I'm the property owner. My
name is David, David Lema.

CHAIRMAN EWASUTYN: Is that
okay?

(Court Reporter Indicating.)

CHAIRMAN EWASUTYN: She didn't
quite get it.

MR. LEMA: My name is David
Lema, L-E-M-A. We have a proposed
rendering of the structure. It's --
the addition would be here
(Indicating), and it's got a black
roof and dark blue siding. We're

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going to do the whole facade as well

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as a PVC fence in the rear. I am

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going to pass them around.

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CHAIRMAN EWASUTYN: Please.

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MR. LEMA: It's an improvement.

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And the sign here, I'm sorry.

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CHAIRMAN EWASUTYN: Questions

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or comments from Planning Board

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members?

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MR. LEMA: Sample of the siding

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and the roofing.

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MR. BROWNE: This is going to

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be the whole building as shown?

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MR. LEMA: The siding -- there

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is already siding, so I will just

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continue through with the same brand

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and same color.

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MR. BROWNE: The same material?

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MR. LEMA: Same material, yeah.

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MR. BROWNE: Thank you.

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MR. DOMINICK: Jonathan, the

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outstanding comments from MHE from

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September 3rd, when Quinn mentioned,

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kind of --

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MR. CELLA: We are going to address everything. I just have to update the map. I didn't know that I had to resubmit the plans prior to the Public Hearing, but we'll address everything if we can -- as a condition.

MR. DOMINICK: Thank you.

CHAIRMAN EWASUTYN: Okay. If there's no further comments or questions from the public, would someone move for a motion to close the Public Hearing?

MS. DeLUCA: So moved.

MR. MENNERICH: Second.

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

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

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MR. DOMINICK: Aye.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board attorney, can you give us -- it's a type II, action, so walk us through it.

MR. CORDISCO: Yes, sir. Thank you. You are correct; it is a type II action. And so, there is no work that needs to be done in connection with SEQRA. And as Quinn had mentioned, there was a courtesy referral to DOT, but there's been no response from DOT, so there's nothing to do there. You've had your Public Hearing. You've closed the Public Hearing. If you'd like, you could move at this point to grant amended site plan approval. The conditions would include the plan cleanup items that Mr. Cella acknowledged, compliance with the requirements of the Zoning Board of Appeals variance decision, and then payment of fees.

MR. WARD: And the ARB.

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MR. CORDISCO: Well, the ARB would be part of the approval resolution, absolutely. And as a result of the renderings that were shown to the Board tonight, the project would have to be built in compliance with what is shown.

CHAIRMAN EWASUTYN: Are the Planning Board members satisfied?

(All Respond Yes.)

CHAIRMAN EWASUTYN: Would someone then move for that motion?

MR. WARD: So moved.

MR. BROWNE: Second.

MR. DOMINICK: Second.

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

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

Xterior Pro, LLC

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MR. BROWNE: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Motion

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carried.

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MR. CELLA: Thank you.

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MR. LEMA: Thank you.

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(Time Noted 7:09 p.m.)

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Xterior Pro, LLC

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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 13th day of October 2026.



VICTORIA CHUMAS

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

2-LOT SUBDIVISION

Date: October 1, 2026
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

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

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Lands of Grzechowski

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CHAIRMAN EWASUTYN: Second item of business is the Lands of Grzechowski. It's project number 26-11. It's a two-lot subdivision located on McDonald Drive in an AR zone. And it's being represented by Jonathan Cella.

MR. MILLEN: Millen.

CHAIRMAN EWASUTYN: John Millen.

MR. MILLEN: Good evening everyone. I am going to just pick up with the responses to the previous comments. Jonathan Cella is the engineer on this project. He will sign off on the plans when necessary. It was requested that the stamps bear the stamp of an engineer.

The water service, we are also dealing with Jonathan Cella. He is going to supervise a company that will come in and provide an analysis for the sizing of the water service. The comment was based on the length

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2 of the proposal water service and
3 analysis of the existing pressure at
4 the interconnected point, and the
5 elevation of the proposed structure
6 should be provided, which we will
7 take care of between now and the next
8 meeting.

9 The waterline connection for
10 the proposed residence appears to
11 cross tax lot 101. This is waterline
12 connection (Indicating). It does,
13 indeed, cross over. And this
14 right-of-way apparently was just
15 based on my reading of the
16 requirements for what a right-of-way
17 should be for this cul-de-sac. But
18 as it turns out to be, it is, in
19 fact, owned by the next door
20 neighbor, which are also -- well,
21 their name is Mark Ranery (Phonetic)
22 and (Name Unintelligible) Ranery.
23 And we will prepare a suitable
24 easement for the waterline to cross
25 their property. As I understand it,

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2 they are also currently the owners of
3 McDonald Drive.

4 CHAIRMAN EWASUTYN: And why do
5 you say that?

6 MR. MILLEN: Well, I see no
7 other -- well, I guess I haven't seen
8 any indication that the Town is
9 dealing with McDonald Drive.

10 MR. CORDISCO: From the
11 paperwork that you submitted, it is a
12 private road.

13 MR. MILLEN: Right.

14 MR. CORDISCO: And this
15 property has right-of-way over it to
16 access it.

17 MR. MILLEN: Right. All of the
18 properties, typically, you would find
19 it down the center of one side of
20 them, but in this case, it's all
21 owned by this parcel here. So, we
22 will obtain a suitable easement for
23 crossing the water main there.

24 There was some request for
25 additional information on the 239

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2 review, including SEQRA information
3 provided. When I spoke with Pat
4 Hines prior to this, he said that it
5 wouldn't be an issue and that we
6 didn't need to address that.

7 The environmental assessment
8 report identified the bat --
9 protected bat species. And per the
10 DEC, as long as no trees are removed
11 after November 1st, this would not be
12 an issue.

13 CHAIRMAN EWASUTYN:
14 November 1st through when?

15 MR. MILLEN: Of any year.

16 CHAIRMAN EWASUTYN: Start date
17 and end date?

18 MR. MILLEN: They didn't give
19 us an end date, but I will determine
20 --

21 MR. CORDISCO: Excuse me. It
22 would be April 1st.

23 MR. MILLEN: April 1st.

24 CHAIRMAN EWASUTYN: Thank you.

25 MR. MILLEN: We will note that

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on the plan.

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Again, McDonald Drive, we've already established that. And as I mentioned, Jonathan Cella will be signing off on the septic design for this as indicated here. And hopefully we will have no issues with the Town water -- I mean -- yes, with the Town water. And I will respectfully request, if it's suitable to the Board, that we schedule a Public Hearing for this.

CHAIRMAN EWASUTYN: Comments from Planning Board members, Dave Dominick?

MR. DOMINICK: Jonathan, just a quick question.

MR. MILLEN: Yes, sir.

MR. DOMINICK: On the new site, you're proposing a curb that runs parallel to the driveway. The new site is pretty high up in elevation. And my only concern was if any runoff coming down there, are you channeling

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2 it maybe to prevent it from going
3 into the --

4 MR. MILLEN: Yes.

5 MR. DOMINICK: But then, are
6 you creating another problem by going
7 down McDonald Drive?

8 MR. MILLEN: What I am trying
9 to do is not allow the water to go
10 onto the property that is to the
11 south and then route it down through
12 here (Indicating). I don't
13 anticipate that there would be enough
14 flow there that's reoccurring to
15 require any significant drainage.
16 There may -- as you can see, there's
17 going to be an easement required for
18 the grading here, or we are going to
19 put a small wall to mitigate the
20 grading on adjoining property.

21 As I understand it -- is that
22 your sister, the next door neighbor
23 owner?

24 UNKNOWN SPEAKER: Correct.

25 MR. MILLEN: So, we really

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don't anticipate much issue with

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regard to that. But there will be a

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curb running down here to mitigate

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any water flow going into the

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neighbor's property as a result of

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our water.

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MR. DOMINICK: Thank you, sir.

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MR. MILLEN: You're welcome.

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CHAIRMAN EWASUTYN: Stephanie

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DeLuca?

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MS. DeLUCA: No, nothing

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further.

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CHAIRMAN EWASUTYN: Ken

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Mennerich?

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MR. MENNERICH: Can you give us

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a little idea of what the pressure is

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on that waterline?

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MR. MILLEN: You know, to be

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frank, I have no idea what it this.

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But we are going to have a

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significant professional analysis

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done by a reputable agency, and

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Jonathan Cella will supervise that

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for us.

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MR. MENNERICH: Thank you.

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CHAIRMAN EWASUTYN: No comment.

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MR. BROWNE: I have nothing
more, John. Thank you.

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MR. WARD: What is the width of
the driveway?

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MR. MILLEN: Twelve feet, and I
apologize that it's not on there, but
it will be on there. It's a
12-foot-wide driveway, paved.

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MR. WARD: Thank you.

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MR. MILLEN: You're welcome.

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CHAIRMAN EWASUTYN: Jim
Campbell, Code Compliance?

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MR. CAMPBELL: Nothing
additional.

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CHAIRMAN EWASUTYN: Quinn
Mullarkey, MHE?

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MS. MULLARKEY: I will say that
with the water service you've got to
get the pressure reading on the
hydrant. Just coordinate that with
the water department --

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MR. MILLEN: Okay.

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MS. MULLARKEY: Reach out to them, and they will go out there and do the opening of the hydrant.

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I will follow up on the Orange County Planning Department and just confirm they need nothing further at this point.

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MR. MILLEN: Okay. Thank you so much. I appreciate it.

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CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney.

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MR. CORDISCO: I think, at this point, it would be appropriate for the Board to schedule the mandatory Public Hearing.

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CHAIRMAN EWASUTYN: Would someone move a for a motion to set Lands of Grzechowski -- if I am pronouncing it correctly -- two-lot subdivision for a Public Hearing on the 19th of November?

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MR. DOMINICK: So moved.

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MS. DeLUCA: Second.

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CHAIRMAN EWASUTYN: Okay. Can

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I get a roll call vote started with

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John Ward?

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MR. WARD: 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: And you

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know the procedure for working with

12

MHE for the Public Hearing notice?

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MR. MILLEN: Yes.

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CHAIRMAN EWASUTYN: Okay.

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MR. MILLEN: Okay. Thank you

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very much. Appreciate the Board's

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time.

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(Time Noted 7:18 p.m.)

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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 13th day of October 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

TRIDENT
(26-04)
142 Route 17K
Section 95, Block 1, Lot 63.1
Zone IB
-----X

AMENDED SITE PLAN
EV CHARGING STATION

Date: October 1, 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
STEPHANIE DeLUCA
DAVID DOMINICK
KENNETH MENNERICH
JOHN WARD

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

APPLICANT'S REPRESENTATIVE:
Jennifer Dering
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Trident

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CHAIRMAN EWASUTYN: Our third item of business is Trident, projet number 26-04. It's amended site plan for EV charging stations. It's located on Route 17K in an IB zone. It's represented by Greg Demarse.

MS. DERING: I'm Jennifer Dering. I'm representing the client today.

CHAIRMAN EWASUTYN: Thank you, Jennifer.

MS. DERING: We submitted an updated set of plans to MHE and received comments from them. The application is for an amended site plan to place two EV chargers, charging stations that will provide four spaces for charging on the subject parcel.

The Orange County Department of Planning issued a letter on 4/21, I believe, and the comments were that the department has received the above-referenced site plan. It's

1
2 found no evidence that significant
3 intermunicipal or county-wide impacts
4 would result from its approval.

5 We have been in touch with DOT,
6 but have not gotten anything back
7 from them yet to see if they have any
8 issues because we are along that 17K
9 right-of-way.

10 One other comment was to add
11 bollards and trees, screening trees
12 within that right-of-way as well as
13 our transformer will be there. We've
14 added the trees and the bollards.
15 The transformer's there. We don't
16 see any issue with DOT, but we have
17 not gotten that affirmation yet.

18 And then, there was another
19 comment to confirm that the
20 disturbance would not encroach onto
21 the neighboring parcel or to provide
22 a temporary construction easement.
23 We don't anticipate encroaching at
24 all. Everything will be on the West
25 side. And there is actually a fence

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2 that runs along the property line, we
3 can't -- like no conduits, no
4 bollards, no charging stations or
5 anything can cross over. Any
6 questions?

7 CHAIRMAN EWASUTYN: Dave
8 Dominick, Planning Board member?

9 MR. DOMINICK: Nothing further.
10 Thank you.

11 MS. DeLUCA: Nothing further.

12 MR. MENNERICH: No questions.

13 CHAIRMAN EWASUTYN: No comment
14 at this point.

15 MR. BROWNE: The physical fence
16 that's there, that's a physical fence
17 right on the property line, or is it
18 --

19 MS. DERING: Looking at the
20 survey map and the fence, it looks
21 like it's maybe an inch or two off of
22 the property line, but we would never
23 go that close anyways.

24 MR. BROWNE: Okay. So, what
25 I'm looking for is that there's no

1

2 way to encroach on the neighboring --

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MS. DERING: No, because when they put the fence in, it will prevent us from putting a conduit there, so we wouldn't -- we wouldn't do that.

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MR. BROWNE: And with the transformer going on the DOT easement, you need to get permission from them to do that, correct?

12

13

MS. DERING: Yeah, we are in the process of doing that now.

14

MR. BROWNE: Okay.

15

16

CHAIRMAN EWASUTYN: Is that slab really a 12-inch slab?

17

MS. DERING: Yeah.

18

19

CHAIRMAN EWASUTYN: Really? Wow. That's a --

20

MS. DERING: It's a good slab.

21

22

CHAIRMAN EWASUTYN: It's a good slab, for sure.

23

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MS. DERING: You don't want it to crack or anything because that causes us bigger problems down the

Trident

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road.

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CHAIRMAN EWASUTYN: John Ward?

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MR. WARD: Do you have a plan

5

B, just in case, with DOT?

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MS. DERING: That's a good

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question. We haven't assumed a plan

8

B, yet. We're assuming that we are

9

going to get approval. I think it's

10

-- like, in my engineering opinion, I

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think they won't have any problem

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with it. But there is always a plan

13

B.

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MR. WARD: Thank you.

15

MS. DERING: Where there's an

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engineering problem, there's an

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engineering solution.

18

MR. WARD: That's why I said.

19

CHAIRMAN EWASUTYN: Thank God

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for rocket ships. Jim Campbell, Code

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Compliance?

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MR. CAMPBELL: Nothing

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additional.

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CHAIRMAN EWASUTYN: Quinn

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Mullarkey?

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MS. MULLARKEY: I think there was a note on the plan. And Jim actually pointed it out that the transformer, if not permitted to be in the DOT right-of-way, would be located in the parking spot nearest that island there. So, if that's the case, we would just need to see a parking analysis for the site just confirming that taking out that one parking spot isn't --

MS. DERING: Doesn't cause any problems.

MS. MULLARKEY: Correct.

MS. DERING: Understood. If we have to go to plan B, we will make sure that's included.

CHAIRMAN EWASUTYN: I think the motion before us this evening is to schedule Trident, project number 26-04, for a Public Hearing. I make a suggestion to the Board that we schedule that for the 19th of October. Would someone move for that

Trident

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motion?

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MR. WARD: So moved.

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CHAIRMAN EWASUTYN: I have a
motion by John Ward. Do I have a
second?

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MR. BROWNE: 16th of October?

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MR. DOMINICK: John, we said
November, I thought?

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(Unintelligible Due to Multiple
speakers.)

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MR. CORDISCO: You said
October.

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CHAIRMAN EWASUTYN: Did I just
say October?

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MR. DOMINICK: Yes, sir.

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CHAIRMAN EWASUTYN: I
apologize. Sometimes, the redundancy
of a lot of this is -- but again, for
November 19th.

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MR. DOMINICK: Yes.

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CHAIRMAN EWASUTYN: For the
Public Hearing. I have a motion by
John Ward. I have a second by...

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MR. BROWNE: Second.

Trident

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CHAIRMAN EWASUTYN: Cliff

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Browne. Can I have a roll call vote

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starting with Dave Dominick?

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MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

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MR. MENNERICH: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: Jennifer,

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you will work with MHE Engineering as

13

far as the Notice for Public Hearing?

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MS. DERING: Yes, we will.

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Thank you.

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(Time Noted 7:23 p.m.)

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Trident

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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 13th day of October 2026.



VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

MONARCH WOODS SENIOR HOUSING COMMUNITY
(19-28)

Monarch Drive

Section 103, Block 7, Lot 18

Section 47, Block 1, Lot 46

Zone B
-----X

AMENDED SITE PLAN

Date: October 1, 2026

Time: 7:23 p.m.

Place: Town of Newburgh

Town Hall

1496 Route 300

Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
Ross Winglovitz, P.E., Engineering &
Surveying Properties, P.C.
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Our fourth item of business is Monarch Woods Senior Housing Community, project number 19-28. It's an amended site plan located on Monarch Drive. It's in a B zone, and it's being represented by Ross Winglovitz.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties. I'm here with John Cappello, J&G Law, on behalf of Monarch Woods. The project has been before you some time. We had conditional final approval. We are looking to amend the plan to include a gazebo at the rear of each building for some outdoor covered space for each of the buildings. That is really the only change that's proposed.

We did get your comments from your consultants, and we really don't have any problem, other than Mr. Campbell pointed something out. And

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I have to say, I regret to -- I agree with him. It's that building, so we made sure we stood out of the front yard. But because it's in front of the building, there's a separate section that prohibits that gazebo from being in the front yard in front of the building. I thought there would be a section -- many towns have a section where site plan approval neglects that or allows it to do that. And you have that section, but it doesn't include gazebos or anything like that. It includes other amenities, but not a gazebo. So, we would propose to remove that gazebo from the plan and then only have to do the one gazebo.

CHAIRMAN EWASUTYN: Jim Campbell, Code Compliance.

MR. CAMPBELL: I have nothing additional. He's removing it. There are no issues.

CHAIRMAN EWASUTYN: Quinn

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Mullarkey.

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MS. MULLARKEY: So, attached to my comments, we just provided a copy of the status of all of the conditions of approval from the prior approval. I won't go through all of them, but one thing to note is this project was approved prior to the latest version of the DEC construction storm water general permit, so the SWPPP that was prepared would have to be updated to reflect the new GP permit issued in 2025. And a SEQRA consistency analysis would have to be completed on this project.

CHAIRMAN EWASUTYN: Comments from Board members, Dave Dominick?

MR. DOMINICK: Ross, well, first, I'm glad that you agreed with Jim. He is a very smart individual, and I'm glad we're all on the same playing field. With that, the gazebo, I'm just throwing it out

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there, can you just relocate it so

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it's is not within --

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MR. WINGLOVITZ: No, because of

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the way of the shape of the building

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and that yard, it's a radius. So,

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anywhere we go behind there is going

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to be within front of the building.

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MR. DOMINICK: Challenging.

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MR. WINGLOVITZ: Yeah. I mean,

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if the front yard were like this

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(Indicating), that would be fine.

14

But the problem is, because of the

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radius, we're continually in front of

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the building on one side or the

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other.

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MR. DOMINICK: Or you can even

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enlarge then the one you're keeping,

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if you wanted to.

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MR. WINGLOVITZ: Yup, just

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potentially, we could do that.

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MR. DOMINICK: Thank you.

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MS. DeLUCA: No further

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comment.

MR. MENNERICH: No questions.

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CHAIRMAN EWASUTYN: Just out of -- a curious question. Do you have another project before us now pending, and there you show a 346-square-foot similar item? Does that sit in the front yard? It's really not relative to this meeting. Think about it.

MR. WINGLOVITZ: Yeah. I was thinking there's a couple. Brighton Green, years ago we did that when we had that bus shelter in the front yard, right? We've done that several times. That's why I was thinking it was an exemption when I saw Jim's comment. So --

MR. CAMPBELL: I believe that one went to ZBA, similar to Gardner Ridge went to ZBA.

MR. WINGLOVITZ: Yeah, it's possible.

CHAIRMAN EWASUTYN: By the way, that's a nice project. That turned out nice, Brighton Green. It's a

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nice, walkable community. That was
my only question.

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MR. BROWNE: Nothing more.

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Thank you.

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MR. WARD: Nothing more. Thank

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you.

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CHAIRMAN EWASUTYN: So, Dominic

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Cordisco, Planning Board attorney,

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would you prepare a referral to the

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ZBA?

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MR. CORDISCO: Well, I believe

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that the applicant is going to remove

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the gazebo that is the offending

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gazebo.

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CHAIRMAN EWASUTYN: He is going

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to move it altogether?

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MR. WINGLOVITZ: Remove it.

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MR. CORDISCO: Remove it, yeah.

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MR. CAMPBELL: Can I comment?

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So, it can't be close -- what is the

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distance from the building, the

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closest part to the street? You may

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be able to get it off to one of those

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MR. WINGLOVITZ: We may be able to relocate it to the right side, Jim, if you're looking at it right from the back of the building. Do we need to be a specific distance from the building, 10 feet?

MR. CAMPBELL: Yeah. Yes.

MR. WINGLOVITZ: I don't know if --

MR. CAMPBELL: If the building is 60 feet --

MR. WINGLOVITZ: What Jim is suggesting is we relocate it over here so it's no closer than the closest part of the building to the front yard, so we can still provide it and still meet the code.

MR. CAMPBELL: Yup.

MR. WINGLOVITZ: I like that suggestion.

MR. DOMINICK: Told you. He is two for two.

CHAIRMAN EWASUTYN: Quinn, you're right about the SEQRA

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consistency analysis. When do we,

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Dominic Cordisco, when do we discuss

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that?

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MR. CORDISCO: So, this project

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requires referral to the County

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Planning Department because it's a

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site plan amendment, and it's not

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exempt as part of the municipal

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agreement that the County has entered

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into with the Town, which exempts

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certain classes of projects from

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referral to the County. And so, as a

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result, this Board should refer this

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project, at this point, to the County

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for its review and comment. And once

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the 30 days is up from that referral,

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the Board will be in a position to

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affirm its prior SEQRA determination

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for the overall project. And then,

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you can also decide as to whether or

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not to hold a second Public Hearing

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on a site plan amendment. It is

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waivable by the Board, if the Board

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so chooses.

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CHAIRMAN EWASUTYN: Would
someone make a motion then to refer
Monarch Woods Senior Housing
Community, project 19-28, to the
Orange County Planning Department?

MR. DOMINICK: So moved.

MR. WARD: Second.

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

MR. WARD: Aye.

MR. BROWNE: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. MENNERICH: Aye.

MS. DeLUCA: Aye.

MR. DOMINICK: Aye.

MR. WINGLOVITZ: Thank you.

MR. BROWNE: And you're going
to keep the second gazebo and just
move it off?

MR. WINGLOVITZ: Yeah. We are
going to keep the second one and
we're going to rotate it, so when we

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come back, it will be behind the

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closest point of the building.

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MR. BROWNE: Okay. Thank you.

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MR. WINGLOVITZ: Thank you.

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(Time Noted 7:31 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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13

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

MKJ Park, LLC
(22-32)
NY State Route 32
Section 34, Block 2, Lot 29.1
Zone B
-----X

SITE PLAN

Date: October 1, 2026
Time: 7:31 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
John Queenan, P.E., Lanc & Tully, PC
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The Planning Boards's last agenda item is MKJ Park, LLC, project 22-32. It's a site plan located on Route 32 in B zone. It's being represented by John Queenan.

And a week or two earlier, this applicant met at a consultant's meeting with consultants for the Town of Newburgh. The project was discussed, and Dominic Cordisco, you want to start the conversation on that?

MR. CORDISCO: Yes. And Mr. Wersted participated by phone. The applicant has been working through the DOT process necessary for the highway work permit for the project. I have deferred to John Queenan as to the particulars, but my understanding is that the design that DOT is willing to consider for approval for the entrance would restrict the size of the trucks to a WB-50 truck.

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MR. QUEENAN: Correct.

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MR. CORDISCO: And so, as a result, they are proposing to put up signage, you know, at that intersection to notify trucks that trucks larger than that size would not be permitted to make that turn. Mr. Wersted was going to confer with the Department of Transportation regarding that, and also would defer to the Board as to any comments or concerns that you have, and then also communicate those to the DOT. And so, with that, I think the applicant is here to make their pitch. Did I steal all of your thunder? I'm sorry.

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MR. QUEENAN: Good evening. John Queenan with Lanc & Tully Engineering. Also here with me is -- (Unintelligible), applicant's attorney for the MKJ Park. I think Dominic Cordisco did a very good summary. So, we have been working

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2 with the DOT for over a year now to
3 get to this point. And so, what came
4 of all of this is, part of this
5 project will be widening Route 32,
6 pretty much along, I will say, the
7 frontage of the property to install a
8 left-turn lane into the site. DOT
9 wants a left-turn lane. And in doing
10 so, what happens is, based on our
11 available land and configuration of
12 the property, the WB -- they're
13 called 67 truck, which is your
14 standard 53-foot trailer truck --
15 when he makes the turn out of the
16 driveway, he encroaches into the
17 left-turn lane. And so, we went back
18 and forth with DOT about whether they
19 really want the left-turn lane or
20 not. They decided they did, and that
21 since the encroaching of just that
22 truck encroaches, they wanted to
23 restrict the driveway from those
24 trucks either coming in or out,
25 regardless. The trade off to that

1
2 was DOT is permitting the driveway to
3 be full use for everyone else,
4 passenger cars can make lefts in,
5 rights in, everything -- full access,
6 minus any other trucks. Trucks can
7 come in left and right but leaving
8 only right. So, that's -- that's
9 where we're at.

10 And in turn, when we got
11 through to the end, they said that
12 they would like to receive some
13 commitment or correspondence from the
14 lead agency, indicating that you are,
15 I guess, also in concurrence with
16 that arrangement, and that it would
17 be enforced as part of either the
18 SEQRA approval and/or the site plan
19 as a condition. And upon receiving
20 that correspondence, they will in
21 turn send correspondence back that
22 the conceptual design is approvable,
23 and that they are in agreement. And
24 then, we can come back to you with
25 that later so that we can finish our

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SEQRA process. That's where we're

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at.

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CHAIRMAN EWASUTYN: Thank you.

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I wouldn't say that he stole all of

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your thunder.

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MR. QUEENAN: A little bit.

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MR. CORDISCO: No, not at all.

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MR. QUEENAN: He says it much

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better than me.

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MR. CORDISCO: No. I disagree.

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CHAIRMAN EWASUTYN: Let's see

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what Dave Dominick has to say and

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heat his thunder.

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MR. DOMINICK: Have a seat,

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John. We've got to talk.

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MR. QUEENAN: Sure.

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MR. DOMINICK: No further

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comments. You have done everything

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you can that we asked so far.

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MR. QUEENAN: And even through

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the process, the applicants have

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approached both property owners to

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try to get a piece to straighten it

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out, and neither were willing to

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really do that.

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MR. DOMINICK: I have no
further questions, John.

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MS. DeLUCA: No further.

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MR. MENNERICH: No questions.

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CHAIRMAN EWASUTYN: No comment.

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MR. BROWNE: I would just say
on paper, it's agreeable.

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MR. QUEENAN: Thank you.

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MR. WARD: No comment.

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CHAIRMAN EWASUTYN: Quinn
Mullarkey?

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MS. MULLARKEY: We just want to
confirm that MHE comment letter from
April 2025, I believe that was last
correspondence we have --

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MR. QUEENAN: Correct.

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MS. MULLARKEY: Just make sure
that those comments have been
addressed. And if the Board so
decides, they would authorize Ken
Wersted to prepare the letter to DOT
on behalf of the Board.

CHAIRMAN EWASUTYN: Dominic

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Cordisco, Planning Board attorney?

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MR. CORDISCO: That would be the appropriate next step, and that would certainly, you know, provide the ability for the applicant to continue to work with the DOT on this. This has been a gating item for them because the Public Hearing was held back in April of 2025, where there was concerns stated about traffic regarding the site. And since that time, the Board has not taken any action under SEQRA, so there has been no decision made as far as that's concerned. At least, that's my recollection according to my notes.

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MR. QUEENAN: A hundred percent correct.

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MR. CORDISCO: And so, the applicant needs to finalize this conceptual design with the DOT in order for the Board to move forward.

CHAIRMAN EWASUTYN: Would the

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Board move for a motion to have Ken

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Wersted of Creighton Manning reply

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back to the DOT that the conceptual

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plan as presented this evening and

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the restrictions as shown, the

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Planning Board is in favor of that

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action?

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MR. WARD: So moved.

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MS. DeLUCA: Second.

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CHAIRMAN EWASUTYN: I have a

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motion by John Ward. I have a second

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by Stephanie DeLuca. Can I have a

14

roll call vote starting with Dave

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Dominick?

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MR. DOMINICK: Aye.

17

MS. DeLUCA: Aye.

18

MR. MENNERICH: Aye.

19

CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MR. WARD: Aye.

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MR. QUEENAN: Thank you very

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much. Have a good night.

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(Time Noted 7:38 p.m.)

MKJ Park, LLC

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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

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

-----X
In the Matter of

NEWBURGH COMMONS
(23-24)
-----X

BOARD BUSINESS

Date: October 1, 2026
Time: 7:39 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE:
N/A
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Ken

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Mennerich will read the extension

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request for Newburgh Commons, which

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is noted under Board Business,

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project number 23-24.

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MR. MENNERICH: This is a

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letter from Stanley Schutzman, P.C.,

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Attorney at Law, addressed to John P.

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Ewasutyn, Chairman, Town of Newburgh

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Planning Board, 308 Gardnertown Road,

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Newburgh, New York 12550. Regarding:

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Request for extension of resolution

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of site plan and ARB approval for

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Newburgh Commons, Route 9W, Newburgh,

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New York.

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Dear Chairman Ewasutyn. We

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represent 5450 Route 9W, LLC, the

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owner of the above referenced

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property. I write this letter to

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request, for the first time, an

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extension with respect to the Town of

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Newburgh Planning Board's Site Plan

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Approval Resolution for Newburgh

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Commons, project 2023-24, filed

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2 September 25, 2024, copy attached.

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Further in that connection, I note that both the owner and the Planning Board have made a significant investment in this project and that there should be no negative impact or consequences in granting the requested site plan approval extension. With my client still working on the conditions of the approval resolution and with the expiration period upon us, my client is requesting that the Newburgh Commons approval resolution be extended for the maximum permissible period.

Thanking you and the Planning Board members in advance for your due consideration and approval of this extension request.

I am sincerely yours, Stanley
A. Schutzman.

CHAIRMAN EWASUTYN: Dominic
Cordisco, Planning Board attorney, in

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matters like this, the extension is

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provided for six months; is that

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acceptable?

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MR. CORDISCO: It can be. It

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could be up to a year.

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CHAIRMAN EWASUTYN: How would

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you advise us? He is writing about

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the maximum, so how would you advise

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us?

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MR. CORDISCO: Since he's

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entitled to a year, I would suggest

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that he be provided with a year,

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especially given today's climate, you

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know, as far as construction is

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concerned and the cost associated

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with that. I think Mr. Schutzman

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makes good-faith showing that they

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have been working on the project,

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that it has not been abandoned. The

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code provides for an initial period

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of two years. This particular

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approval was made in September of

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2024, so they've made a timely

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request now for their extension.

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They've used up their initial two years, and they're entitled to an additional year.

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CHAIRMAN EWASUTYN: So, can you offer the dates that the motion will reference?

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MR. CORDISCO: Yes, so this would be backdated, actually, because it was a timely request that went from September 25. And so, that would be September 25 to -- and if I may just pull up the date -- for September of 2027. My suggestion would be that it would run until September 16th of 2027, as that would be the meeting. That would coincide with your meeting in September. Although, to be clear, they may not be entitled to any further extensions at that time.

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CHAIRMAN EWASUTYN: Very good. I like that clarification. Would someone then move for the motion having heard from Dominic Cordisco?

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MR. MENNERICH: So moved.

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MS. DeLUCA: Second.

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CHAIRMAN EWASUTYN: Thank you.

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I have a motion by Ken Mennerich. I

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have a second by Stephanie DeLuca.

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Can I have a roll call vote stating

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with Dave Dominick?

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MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

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MR. MENNERICH: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MR. WARD: Aye.

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CHAIRMAN EWASUTYN: I like the

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realities of life that -- in today's

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world, you know, a year is kind of

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necessary. Alright. So, then can I

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have a motion to close the Planning

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Board meeting of 1st of October?

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MS. DeLUCA: So moved.

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MR. WARD: Second.

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CHAIRMAN EWASUTYN: I have a

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motion by Stephanie DeLuca. I have a

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second by John Ward. Can I have a

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roll call vote starting with Dave

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Dominick?

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MR. DOMINICK: Aye.

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MS. DeLUCA: Aye.

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MR. MENNERICH: Aye.

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CHAIRMAN EWASUTYN: Aye.

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MR. BROWNE: Aye.

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MR. WARD: Aye.

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(Time Noted 7:43 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