

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

-----X
In the Matter of

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

PUBLIC HEARING
SITE PLAN / ARB

Date: September 3, 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
DAVID DOMINICK
KENNETH MENNERICH

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

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

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. The Planning Board would like to welcome you to their meeting of the 3rd of September 2026. We have eight agenda items, one Public Hearing, and one Board business item. So, we will start the meeting by having a role call vote, please.

MR. DOMINIC: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. BROWNE: Present.

MS. CARVER: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board attorney.

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

MR. HINES: Pat Hines with MHE Engineering.

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

MR. WERSTED: Ken Wersted, Creighton Manning Engineering,

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traffic consultant.

CHAIRMAN EWASUTYN: Thank you.

At this point, we'll turn the meeting over to Dave Dominic.

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

(The Pledge of Allegiance was recited.)

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

CHAIRMAN EWASUTYN: Our first item of business this evening is 29 Dandelion Lane, project number 26-15. It's here this evening for a Public Hearing, site plan, and ARB approval. It's located on 29 Dandelion Lane in an AR zone, and it's being represented by today from Todd from Fusco Engineering and Landscaping. At this time, Ken Mennerich will read the Notice of Hearing.

MR. MENNERICH: Town of Newburgh Planning Board, 21 Hudson

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Valley Professional Plaza, Newburgh,

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New York 12550. Notice of Hearing

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Town of Newburgh Planning Board.

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Please take notice that the Planning

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Board of the Town of Newburgh, Orange

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County, New York, will hold a Public

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Hearing pursuant to Section 274-A of

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the New York State Town Law and

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Chapter 163-8.J of the Town of

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Newburgh Code on the application of:

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Site plan 29 Dandelion Line

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Lane project 2026-15. The project is

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seeking approval of an existing

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two-family structure on 2.234 +/-

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acre parcel of property. The

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existing dwelling is served by an

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existing well and subsurface sewer

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disposal system. The project is

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known on the Town tax maps as

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Section 9, block 1, lot 94. The

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project is located in the Town's A-R

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zoning district.

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A Public Hearing will be held

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on the 3rd day of September 2026, at

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the Town Hall meeting room, 1496

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Route 3400, Newburgh, New York at

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7:00 p.m. or as soon thereafter, at

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which time all interested persons

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will and given an opportunity to be

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heard.

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By order of the Town of

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Newburgh Planning Board, John P.

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Ewasutyn, Chairman, Planning Board

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Town of Newburgh, dated 07 August

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2026.

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CHAIRMAN EWASUTYN: Thank you,

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Mr. Mennerich. Todd, would you

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present the project, please?

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MR. MAURIZZIO: Good evening,

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my name is Todd Maurizzio from Fusco

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Engineering. This is 29 Dandelion

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Lane. As you can tell, it's a

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single-family house, currently a

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single-family house with an accessory

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apartment. So, they are looking for

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an approval for a two-family

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structure. So, you can clearly see

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the structure presents itself as a

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2 single-family with single door and
3 then a breezeway door here. We have
4 gotten some variances for the
5 project, but we have been in front of
6 the Board a couple times. It's
7 pretty straightforward. It's at the
8 end of a cul-de-sac. It's out of
9 sight. It's an existing dwelling.
10 That's basically what the project is.
11 Very simple.

12 CHAIRMAN EWASUTYN: Any
13 questions or comments from the
14 public? Please raise your hand and
15 give your name.

16 MR. FEDER: Bill Feder,
17 Rockwood Drive. I know you've done a
18 dye test on the septic system, but
19 I'd just like to raise some awareness
20 of the concerns for the septic
21 system. Fairly shallow bedrock in
22 the area. Very flat area; doesn't
23 drain very well. Two family's going
24 to be a stress. Plus, I've seen some
25 evidence in that area of stagnant

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2 water in front lawns on the
3 properties and nearby streets as
4 well. Apparently -- (Unintelligible)
5 -- so, I just wanted that to be on
6 the record for long-term for the
7 compliance department.

8 CHAIRMAN EWASUTYN: Thank you.

9 Any additional questions or
10 comments from the public.

11 (No Response.)

12 CHAIRMAN EWASUTYN: Jim
13 Campbell, Code Compliance.

14 MR. CAMPBELL: Nothing
15 additional.

16 CHAIRMAN EWASUTYN: The
17 Building Department has reviewed the
18 system, you are familiar with their
19 system?

20 MR. CAMPBELL: Yes, and we did
21 get the letter from the engineer.
22 The house was constructed initially
23 for that many bedrooms.

24 CHAIRMAN EWASUTYN: Okay. And
25 how many bedrooms are we talking

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2 about?

3 MR. CAMPBELL: Six.

4 CHAIRMAN EWASUTYN: Pat Hines
5 with MHE?6 MR. HINES: As was mentioned, a
7 letter from the applicant's engineer
8 regarding a dye test and flow test on
9 the septic system was received dated
10 July 15th. It is subject to ARB
11 approval. And we don't have any
12 other outstanding comments.13 CHAIRMAN EWASUTYN: Todd, do
14 you have an example of, I guess, what
15 you would be showing the ARB approval
16 that we would be working on this
17 evening? Can you display that for
18 me, the photo?19 MR. MAURIZZIO: You want to see
20 the photo?21 CHAIRMAN EWASUTYN: No, just
22 make it more the center item.23 MR. MAURIZZIO: That's a, you
24 know, small porch with a single swing
25 door and then a breezeway, so it does

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2 represent itself as a single-family
3 house. Going to a review board, I
4 don't think it would change anything,
5 you know, in regards to it looking
6 like a two-family. Maybe
7 aesthetically, if you want a
8 different color siding or things like
9 that, but it's really at the end of a
10 cul-de-sac. It's not like -- nobody
11 is it really driving by it. It's the
12 end of the cul-de-sac, so the only
13 people that are really going to
14 approach the house is the people that
15 are living there.

16 CHAIRMAN EWASUTYN: Any
17 additional questions for comments
18 from the public?

19 (No Response.)

20 CHAIRMAN EWASUTYN: I will move
21 for a motion to close the Public
22 Hearing on 29 Dandelion Lane, project
23 number 26-15. Would someone make for
24 that motion?

25 MR. DOMINICK: So moved.

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MR. MENNERICH: Second.

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CHAIRMAN EWASUTYN: I have a motion by Dave Dominic. I have a second by Ken Mennerich. Can I have a roll call vote starting with Dave Dominick?

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MR. DOMINICK: 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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MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board attorney, can you give us conditions of approval? Number one, does the board want to move to grant ARB approval for the photo that's displayed on the Board.

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(All Respond Yes.)

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CHAIRMAN EWASUTYN: Let the record show that the Planning Board approved the ARB rendering for 29 Dandelion Lane. Dominic Cordisco, Planning Board attorney, would you

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give us conditions of approval?

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MR. CORDISCO: Yes, it's very simple. The project itself is, of course, exempt from SEQRA, since it's a two-family residence, so there is nothing further to be done as far as SEQRA is concern. And the only conditions would be payment of fees because there is no other outstanding technical comments.

CHAIRMAN EWASUTYN: Thank you.

Any questions or comments from Planning Board members?

(No Response.)

CHAIRMAN EWASUTYN: Would someone move for a motion presented by Planning Board Attorney Dominic Cordisco?

MR. MENNERICH: So moved.

MS. CARVER: So moved.

CHAIRMAN EWASUTYN: I have a motion by Ken Mennerich and a second by Lisa Carver. Can I have a road roll call vote starting with Dave

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Dominick?

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MR. DOMINICK: 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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MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Thank you.

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We will need to be signing site plans

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on this.

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MR. MAURIZZIO: Okay. Thank

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you.

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(Time noted 7:08 p.m.)

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29 Dandelion Lane

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C E R T I F I C A T E

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

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

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

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

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VICTORIA CHUMAS ARIAS

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

-----X
In the Matter of

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

LOT LINE CHANGE

Date: September 3, 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
DAVID DOMINICK
KENNETH MENNERICH

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Daniel Conant, Esq., Cuddy & Feder LLP
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: The Planning Board's second item of business this evening is 81 Weyants Lane, project number 26-20. It's a lot line change located 81 Weyants Lane and Weyants lane. It's in an AR and R-2 zone, and it's being represented by...

MR. CONANT: Daniel Conant, attorney with Cuddy & Feder.

MR. McCORMACK: And Connor McCormack with Colliers Engineering.

CHAIRMAN EWASUTYN: Thank you.

MR. CONANT: Good evening, Chairman and members of the Board. This is a fairly straightforward application, and I know one of my colleagues appeared last month. To briefly go over this, just to orient everyone in the room in case members of the public haven't have a chance to review. This is a straightforward lot line change where the applicant -- (Unintelligible) -- seeks to a

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acquire approximately 0.45 acres from the property at 81 Weyants Lane. And this is a corrective application to address a subdivision by deed that our clients were unaware of at the time when they entered into an agreement that they needed to receive this Board's approval, initially.

There is no disturbance or development proposed in connection with this. And it is a type II action under SEQRA, so it is exempt from the State Environmental Quality Review Act. And I am aware that at the meeting in the beginning of August, this Board raised a question about the trailer on the premises. That trailer has been removed.

MR. McCORMACK: I took a photo as of lunchtime today. It's gone.

MR. CONANT: So, we are happy enter that photo into the record.

CHAIRMAN EWASUTYN: Can you

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show the photo because -- it's been

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moved off site or relocated on the

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site?

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MR. McCORMACK: It's not

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located on the property anymore. I'm

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not sure exactly where he located it,

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but there is a big spot where the

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vegetation was flattened, so you can

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tell it was removed. It's hard.

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It's a picture of nothing because

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they did remove it.

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MR. CONANT: I have pictures of

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where it was, if you need that for

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comparison. And I note that we

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received --

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MR. BROWNE: It was moved to

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work.

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MR. McCORMACK: Off the

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property. I don't know where he took

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it. It was an RV. The client

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removed it from the property. He

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didn't specify what location. He

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didn't relocate it somewhere else on

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the site. It's off the property.

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MS. CARVER: So, it's not under
the wires, the transmission lines?

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MR. McCORMACK: You can see the
wires in the upper left-hand corner
there.

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MS. CARVER: Okay.

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CHAIRMAN EWASUTYN: Thank you.
Comments from Pat Hines or Jim?

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MR. HINES: Again, the project
is line lot change only transferring
0.45 +/- acres of property between
adjoining lots. The lots are in both
the R-2 and AR zoning districts. The
adjoiners' notices were sent out. It
is a type II action, as was
mentioned. We had a comment
regarding the trailer, which has been
addressed. And we have no other
outstanding comments.

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CHAIRMAN EWASUTYN: Dominic
Cordisco?

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MR. CORDISCO: At this point,
unless the Board has any additional
concerns, we can move to approval.

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CHAIRMAN EWASUTYN: Would
someone move for a motion to grant
approval for the lot line change for
project number 26-20, Weyants Lane?

MS. CARVER: So moved.

MR. DOMINICK: Second.

CHAIRMAN EWASUTYN: We have a
motion by Lisa Carver. I have a
second by David Dominick. Can I have
a roll call vote starting with Dave?

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

CHAIRMAN EWASUTYN: Motion
carried.

MR. McCORMACK: Thank you.

MR. CONANT: Thank you.

(Time noted 7:12 p.m.)

81 Weyants Lane

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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 16th day of September
21 2026.

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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
Zone R-3
-----X

FEIS MULTI-FAMILY
SITE PLAN / 258 UNITS

Date: September 3, 2026
Time: 7:13 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

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 third item of business this evening is Britain Woods, project number 22-17, is here before us this evening an FEIS and multi-family site plan consisting of 258 units. It's located in R-3 zone. And Ross Winglovitz or Engineering & Surveying Properties will be presenting the site plan.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering & Surveying Properties. I'm hear with Zach Szabo, the project engineer, and the project counsel. Project has been before you for many years. We actually got a DEIS [Sic] accepted. I was looking back, it was '24, summer of '24 we had a couple Public Hearings, modified the plan, and then wetlands regulations came into effect. And we had to work through that, and then the wetland regulations went out of effect and

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were no longer regulated. But we

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proceeded after that kind of all went

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through, proceeded with this FEIS.

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There was the first draft submitted

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in February and then initial comments

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from the Town. We addressed those

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comments in a resubmission in July of

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this year, and we are here before you

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tonight to discuss any comments on

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our responses in the FEIS.

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CHAIRMAN EWASUTYN: Pat Hines

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at MHE Engineering?

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MR. HINES: Yes. As was

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mentioned, we had previously

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commented on the FEIS. Our comments

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were addressed in latest submission.

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The Storm Water Pollution Prevention

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Plan has been updated and is

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acceptable for the purposes of the

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FEIS. It will be an ongoing

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documents as the project moves

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through site plan review process.

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But that has been incorporated -- the

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latest SWPPP has been incorporated

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 We have a comment regarding kind of discussion regarding DOT construction of the improvements proposed of Little Britain Road and Old Little Britain Road, and I will defer to Ken on discussing that, how that is going to be implemented and what is required of this project.

CHAIRMAN EWASUTYN: Ken Wersted with Creighton Manning Engineers?

MR. WERSTED: We had some additional comments on the FEIS and one site plan comment that had to do with a tree location that will be addressed. We had some back and forth with the applicant on the discussion of the language of the fair share contribution that's written into the FEIS as it stands. We had some clarification on it both in the timing of the DOT project and the applicant's responsibility for that. From their consultant speaking

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2 with DOT's consultant, we understand
3 that the design of the 207 Old Little
4 Britain Road improvements are largely
5 done. We're expecting DOT to approve
6 those shortly. However, off the
7 course of the next year there are
8 right-of-way accusations that DOT
9 needs to go through. So, we are not
10 expecting that project to be put out
11 to bid until winter of say 2027, 2028
12 and construction to start in the
13 spring or summer of 2028. So, money
14 is allocated for it and it's just the
15 timeline that DOT needs, you know, to
16 go through that process.

17 That being said, that process
18 is continuing to move forward. The
19 applicant did clarify, and we would
20 get written into the FEIS, that
21 should those improvements not be
22 processed by DOT, that the applicant
23 would pick those up and complete that
24 before their building permit. We've
25 got that language just to work out

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and clarify in the FEIS outside. Of that, I think we are in a good spot relative to all of our comments being addressed with a couple of red lines left.

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CHAIRMAN EWASUTYN: Comments from Board members, David Dominick?

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MR. DOMINICK: No additional.

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MR. MENNERICH: No questions.

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CHAIRMAN EWASUTYN: No

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questions.

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MR. BROWNE: No.

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CHAIRMAN EWASUTYN: Lisa

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Carver?

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MS. CARVER: Nothing further.

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CHAIRMAN EWASUTYN: Dominic

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Cordisco, Planning Board attorney?

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MR. CORDISCO: I saw Mr.

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Winglovitz nodding his head, but

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nodding his head doesn't show up on

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the transcript of the meeting.

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MR. WINGLOVITZ: Yes. Our

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client has agreed that they are in

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full understanding that that

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2 improvement needs to be completed,
3 and if it's their responsibility
4 because the DOT does not proceed,
5 they will do it. The only thing we
6 ask is that if there it anybody else,
7 we be able to be get into a fair
8 share agreement with any other people
9 who may have that same requirement.
10 That would be solely, I guess, on our
11 origin, not at the Town's?

12 MR. CORDISCO: It is a
13 difficult situation for the Town to
14 be in to force a third-party that has
15 not applied for anything yet to then
16 come along and say, Oh, by the way,
17 you get the benefit of this work that
18 was done before you, but now you have
19 to contribute some amount, you know,
20 to another third-party. So, with
21 that being said, my recommendation
22 would be that as part of the FEIS,
23 and certainly any condition of
24 approval, that the developer would
25 enter into a developer's agreement

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2 with the Town Board that would
3 specify the mechanics of the various
4 different items.

5 MR. WINGLOVITZ: We agree.

6 CHAIRMAN EWASUTYN: Stan
7 Schutzman, attorney, do you have any
8 comments?

9 MR. SCHUTZMAN: Nothing
10 further, Mr. Chairman.

11 CHAIRMAN EWASUTYN: Dominic,
12 can you give us the condition that
13 we'll be -- the action we'll be
14 moving on?

15 MR. CORDISCO: And if I --
16 right before I do that, I think the
17 Board at this point is willing to
18 conditionally adopt the FEIS, subject
19 to the provisions that were
20 discussing tonight - redline would be
21 prepared, shared with the Board's
22 consultants. The Board's consultants
23 would then advise the Chair and the
24 Board that the concepts that were
25 discussed tonight have been

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satisfactorily added into the FEIS,
and then the FEIS can be circulated.

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So, we anticipate that that would
happen in fairly short order, since

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these are not significant changes.

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That being said, the SEQRA

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requirements, as you know, is that

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there is a 10-day waiting period

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after the document itself gets

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circulated. But then, there is also

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a 30-day requirement for the adoption

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of a finding statement. Our thought

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was that Engineering Properties would

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prepare a draft of that finding

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statement and then submit it for our

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review and revision, as necessary, in

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understanding that you also agree

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that that would be the way that it

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would be happening. And also, as a

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result, the 30-day requirement for

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adopting the finding statement will

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depend in part, you know, on your

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actual submission of it.

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MR. WINGLOVITZ: We agree with

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2 that approach.

3 MR. CORDISCO: Okay. Thank

4 you.

5 With that being said, you know,

6 the Board could conditionally adopt

7 the FEIS and authorize circulation

8 subject to the revisions being made

9 the document and reviewed as

10 discussed tonight.

11 CHAIRMAN EWASUTYN: Under the

12 advice and discussion of Dominic

13 Cordisco, Planning Board attorney,

14 would someone move for that motion?

15 MR. MENNERICH: So moved.

16 MR. BROWNE: Second.

17 CHAIRMAN EWASUTYN: I have a

18 motion by Ken Mennerich. I have a

19 second by Cliff Browne. Can I have a

20 roll call vote starting with David

21 Dominick?

22 MR. DOMINICK: Aye.

23 MR. MENNERICH: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. BROWNE: Aye.

Britain Woods

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MS. CARVER: Aye.

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MR. WINGLOVITZ: Thank you.

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(Time noted 7:21 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

AVION VENTURES-WAREHOUSE
(24-16)
Pomarico Drive
Section 96, Block 1, Lot 37.222
Zone IB
-----X

SITE PLAN / ARB

Date: September 3, 2026
Time: 7:21 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Connor P. McCormack, P.E., Colliers
Engineering & Design
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Item

3

Number four, Avion

4

Ventures-Warehouse, project 24-16.

5

It's here this evening for site plan

6

review. It's located on Pomarico

7

Drive in an IB zone, and it's being

8

rented by Connor P. McCormack of

9

Colliers Engineering & Design.

10

MR. MCCORMACK: Hello again.

11

Connor McCormack, Colliers

12

Engineering & Design. So, I will

13

just -- it's been maybe about six

14

months since I was in front the Board

15

for this project, so I will give a

16

recap of the direction we received at

17

the end of last meeting and what we

18

have been working on since then.

19

There's comments from MHE.

20

There is a couple outstanding

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agencies that we needed to follow up

22

with to get permits. The primary

23

one that was the concern of the Board

24

was the DOT and the traffic

25

improvements. So, at that last

1
2 meeting, we had a a conceptual
3 approval from the DOT regarding the
4 Traffic Impact Study. In that study,
5 it recommended modifications. We
6 prepared the set of plans showing the
7 modifications, the additional left
8 turn lane that's proposed, the
9 re-striping, as well as some pavement
10 modifications. This was submitted to
11 to DOT at the beginning of June.
12 Have yet to receive comments on that,
13 so that is still pending with their
14 office. It's essentially what we had
15 previously noted in the Traffic
16 Impact Study; it's just showing it in
17 plan format so the -- you know --
18 which is what the Board requested.

19 The only other outside agency
20 that we also got approvals for was
21 the Orange County Department of
22 Health for the water main
23 modification. I would be happy to go
24 through the comments from MHE that we
25 received today or if Board wants any

1

2

more details on the project.

3

4

CHAIRMAN EWASUTYN: Let's start
with comments from Board members.

5

MR. DOMINICK: Nothing for me.

6

MR. MENNERICH: No questions.

7

8

CHAIRMAN EWASUTYN: There is
one question as far as the DEC
permit --

9

10

MR. McCORMACK: Yes.

11

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CHAIRMAN EWASUTYN: -- for
discharging in the wetlands. Pat
will speak to the expiration date on
this.

15

16

17

18

MR. HINES: We just noted that
the DEC permit has a very short
timeframe. I don't know if that's a
type-o.

19

20

MR. McCORMACK: I will double
check it.

21

22

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MR. HINES: It expires January
1st of upcoming. It was like an
eight-month permit or something.
Normally, they are five years, so I
don't know --

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MR. McCORMACK: We were one of those first projects that went through the process when it changed in the Supreme Court ruling, so I will follow up on that.

CHAIRMAN EWASUTYN: Cliff Browne?

MR. BROWNE: No, nothing more. Thank you.

CHAIRMAN EWASUTYN: Lisa Carver?

MS. CARVER: Nothing further.

CHAIRMAN EWASUTYN: Ken Wersted, traffic consultant?

MR. WERSTED: Thank you.

We know that the plans are being progressed. The original concept was just that. It was a concept of the improvements on Route 17K, and the Planning Board was hesitant to grant any type of approval on a site plan with such preliminary plans with DOT. So, Connor and the applicant are going

1
2 through that DOT process to move
3 those along to a more detailed design
4 that potentially is ready to be -- to
5 pull the permit for from DOT if and
6 when they are ready to pull permits
7 for the building. So, I appreciate
8 that progress moving forward, and
9 largely the plans all involve the
10 re-striping and slight widening of
11 Route 17K near Pomarico Drive to the
12 west. And at the intersections of
13 Lakeside and Pilot in the east and
14 westbound on and off ramps of 84,
15 there are signal detection upgrades
16 and other software equipment being
17 proposed as part of that portion of
18 the application from the applicant.

19 So, I think with this first
20 round essentially of DOT comments on
21 the those detailed plans, as long as
22 they are largely technical in nature
23 and not, you know, not significant in
24 the sense of moving the road or
25 adding some type of different, you

1
2 know, traffic control, then the path
3 that you are on is largely going to
4 be, you know, a detail-oriented
5 approval from DOT eventually.

6 CHAIRMAN EWASUTYN: Pat Hines?

7 MR. HINES: Yeah, we have some
8 other comments. The SWPPP needs to
9 get revised to take into account the
10 work within the state highway
11 corridor. In looking at these plans,
12 there's a little more work
13 grading-wise and widening that, I
14 think, showed up on these plans
15 rather than the schematics you'd
16 given us. So, that SWPPP needs to be
17 revised. There's an outstanding
18 comment on the SWPPP regarding some
19 soil testing versus using a liner for
20 the SWPPP. That was outstanding.
21 That will need to be addressed. And
22 then, the boiler plate information on
23 the front end of the SWPPP needs to
24 be provided.

25 There is still is that sanitary

1
2 sewer filled with waste item. I
3 don't know if you've done any further
4 investigation on that.

5 MR. McCORMACK: I have, a lot
6 of deep digging plans from the 70s
7 and 80s. A lot of the information
8 provided from your office was
9 extremely helpful. What we're --
10 essentially, the pump station as its
11 designed is largely the same.
12 Instead of being force main to
13 gravity connection, it's going to
14 have to be force main to force main
15 connection.

16 MR. HINES: That's what I was
17 anticipating.

18 MR. McCORMACK: Yeah. And
19 after looking at the plans, that is
20 what everything else is along that
21 stretch is. It doesn't turn to
22 gravity until way to the east down
23 17. So, the only thing I would like
24 to do is follow up with your office
25 office with something from the DPW or

1
2 the sewer department to just get the
3 details on how you want that
4 connection to the -- I believe it's
5 an eight-inch force main.

6 MR. HINES: Did you investigate
7 that manhole?

8 MR. McCORMACK: Yes, I opened
9 it myself. It's is not filled with
10 waste. It was a concrete structure
11 that had debris on top of it, so I
12 think someone didn't want to --

13 MR. HINES: Wasn't ambitious.

14 The rest of our comments have
15 to do with the securities and stuff
16 that will be needed in the future.
17 We are looking for limits of --
18 identifying the limits of disturbance
19 with orange construction fencing
20 prior to making clearing and grading,
21 also that the limits of DEC wetlands
22 be demarcated in the field, so that
23 would be notes.

24 The project does have a tree
25 clearing restriction timeframe for

1
2 protection of threatened bat species.
3 And that's where we're at. I think
4 you added a note, but we want to be
5 sure that access to the properties on
6 Pomarico Drive must be maintained at
7 all times during your construction.
8 And I believe that note was added,
9 but I just want to reiterate that --

10 MR. McCORMACK: I will check
11 that.

12 MR. HINES: -- that is an
13 important component to this project,
14 coordinated with the state highway
15 improvements as well as the
16 improvements in Pomarico Drive. We
17 heard from the public during the
18 Public Hearing quiet a bit about
19 that.

20 CHAIRMAN EWASUTYN: It's a
21 difficult question to answer. When
22 are you anticipating getting feedback
23 from the DOT?

24 MR. McCORMACK: Like I said,
25 it's next Tuesday, I believe, will be

1
2 three months since we submitted. I
3 would have thought we would have had
4 comments. We had followed up; we
5 tried to call them earlier in the
6 week, and don't have the comments
7 yet, so your guess is as good as
8 mine. With that in mind, this is
9 really the intent of the applicant is
10 to -- you know, we progress the
11 design so that the Board has a better
12 understanding of what we are
13 proposing. What we would request, or
14 if Board feels is it an appropriate
15 time is request a conditional
16 approval with the DOT permitting,
17 obviously, being a conditional item.
18 This is allows the applicant market
19 it as a conditionally-approved site
20 while we wait for the comments from
21 DOT and to respond to them. And I
22 would expect a similar wait time on
23 the second round.

24 CHAIRMAN EWASUTYN: Interesting
25 question. Mr. Cordisco, we have neg

1

2 dec for the project?

3 MR. CORDISCO: You have.

4 CHAIRMAN EWASUTYN: So, you're
5 suggesting that the Board consider a
6 conditional approval subject to the
7 signoff from the DOT?8 MR. McCORMACK: And the
9 addressing.10 CHAIRMAN EWASUTYN: No further
11 discussion. Pat Hines?12 MR. HINES: If you are going to
13 entertain that, it would also be
14 subject to our comments dated today's
15 date.16 CHAIRMAN EWASUTYN: Ken
17 Wersted, traffic consultant?18 MR. WERSTED: I have no further
19 comments. I would support that
20 avenue.21 CHAIRMAN EWASUTYN: Dave
22 Dominick, comments on that?23 MR. DOMINICK: What happens if
24 the DOT makes some substantial change
25 and the applicant maybe feels it's

1
2 too much or it's out of their budget?
3 What happens then?

4 CHAIRMAN EWASUTYN: Good
5 question.

6 MR. WERSTED: We ran into this
7 issue on the warehouse off of 17K
8 between I think it was Corporate
9 Woods and --

10 CHAIRMAN EWASUTYN: Scanel
11 (Phonetic). That was the Scanel
12 project, and that's where they wanted
13 the entryway to change somewhat.

14 MR. WERSTED: So, the applicant
15 had proposed two lanes exiting. We
16 had approved it as part of the site
17 plan. DOT came back and said no to
18 two lanes, you can have one. The
19 applicant had to return to the
20 Planning Board to get an amended site
21 plan. If there are substantive
22 changes that would affect them, the
23 difference being here is that the
24 site plan is separate from the road
25 improvement plans. So, I don't think

1

2 that there is anything that DOT would

3 comment on relative to the 17K plans

4 that would affect the site plan.

5 However, I think with that condition

6 it would still be -- the condition

7 would still cover satisfaction of

8 DOT. So, if DOT were to come back

9 and say we want a third lane down

10 17K, then it would be up to the

11 applicant to meet that, or they

12 wouldn't be able to pull the permit

13 for it.

14 MR. HINES: Typically, the

15 resolution could contain language

16 that says if any substantive changes

17 required by DOT, they have to return

18 back to the Board.

19 MR. McCORMACK: We would be

20 okay with that.

21 MR. DOMINICK: Thank you.

22 CHAIRMAN EWASUTYN: Ken

23 Mennerich?

24 MR. MENNERICH: I was glad to

25 see that you agreed to put in the

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structure so they could support

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panels if the owners wanted to do

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that. Thank you.

5

CHAIRMAN EWASUTYN: No comment.

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MR. BROWNE: No additional

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comments.

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MS. CARVER: I know you said

9

you're waiting for DOT for comments.

10

Have you had communication with

11

anyone?

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MR. McCORMACK: Yup, we have

13

been following up regularly.

14

MS. CARVER: So, you have

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actually spoken with them?

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MR. McCORMACK: Our traffic

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group is in touch with them

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constantly.

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CHAIRMAN EWASUTYN: So, is

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everyone comfortable with idea that

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if there are major changes that the

22

DOT requests, then they would come

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back before the Board?

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(All Respond Yes.)

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CHAIRMAN EWASUTYN: Dominic

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Cordisco, can you give us conditional approval?

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MR. CORDISCO: Yes. So, this would be conditional site plan approval. The conditions would include addressing all outstanding engineering comments, all outside agency permitting, including DOT as well, including keeping us apprised of your progress with those agencies. There would be a Storm Water Facility Control Agreement that would have to be entered into and approved by the Town Board. It would have to post storm water and security and inspection escrow, landscaping securities, tree preservation securities, bonding for the improvements in to Pomarico Drive. And also the standard conditions, which we include in our approval resolutions, is that what's being applied for is what can be built on the site without any changes that

1
2 addresses the suggestion from Ken
3 Wersted, as well, so that if there
4 are any changes that are required as
5 a result of outside agency
6 permitting, it does require return to
7 this Board for an amended approval.

8 MR. McCORMACK: Okay.

9 CHAIRMAN EWASUTYN: Questions
10 or comments from Board members.

11 (No Response.)

12 CHAIRMAN EWASUTYN: Having
13 heard conditions of approval
14 presented by Dominic Cordisco, would
15 a Board member move for that motion?

16 MR. DOMINICK: So moved.

17 MR. BROWNE: Second.

18 CHAIRMAN EWASUTYN: I have a
19 motion by David. I have a second by
20 Cliff. Can I have a roll call vote
21 starting with Dave Dominick?

22 MR. DOMINICK: Aye.

23 MR. MENNERICH: Aye.

24 CHAIRMAN EWASUTYN: Aye.

25 MR. BROWNE: Aye.

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MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Motion

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carried.

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MR. McCORMACK: Thank you very

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much.

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(Time noted 7:34 p.m.)

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C E R T I F I C A T E

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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

READY COFFEE
(26-02)
1422 Route 300
Section 60, Block 3, Lot 23
Zone IB
-----X

SITE PLAN / ARB

Date: September 3, 2026
Time: 7:34 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Sean F. Peters, P.E., H2M Architect &
Engineers
-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Ready Coffee

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CHAIRMAN EWASUTYN: Item number five is Ready Coffee, project number 26-02. It's here this evening for site plan and ARB review. It's located 1422 Route 300 in an IB zone. It's being represented by Sean Peters of H2M Architect & Engineers.

MR. PETERS: Thank you. So, I would like to give the Board a background on some of the project -- on the progress on this project since we were last here. Overall, the general site layout hasn't changed from our original sketch plan. Some of the more significant changes relate to the storm water design that passed was added for compliance with your code. Since the last time we were before this Board, we did appear before the Zoning Board of Appeals for the necessary variances for this project. You'll notice the building footprint is rather small for this site given the lot area. And there

1
2 was a need to locate this building
3 further to the rear of the lot in
4 order to provide necessary queuing.
5 This queuing was discussed with the
6 ZBA as well as with the DOT to allow
7 for safe maneuvering through the
8 site. We also spoke to the fire
9 department and got their approval for
10 circulation throughout the site as
11 well as -- like I said, developing
12 the storm water design. So, the
13 storm water design for the site,
14 again, that's, you know, one of the
15 bigger changes that has happened.
16 So, what we're proposing -- we went
17 out and did a geotech testing. We're
18 proposing an underground detention
19 system, which then discharges to
20 Route 300, and we are proposing
21 on-site water and sewer storm water
22 connections.

23 So, we are in receipt of your
24 consultant's comments. We generally
25 don't object to them. There was a

1
2 few that I did want to the touch on,
3 unless the Board has questions first
4 on any of this.

5 CHAIRMAN EWASUTYN: Let's hear
6 some of the things you're
7 questioning.

8 MR. PETERS: The first comments
9 that I wanted to just kind of speak
10 to were comments received from your
11 engineer. There was a comment about
12 an easement line being shown for this
13 access over here (Indicating). In
14 our next submission, we can show that
15 easement line. We just ask that the
16 final dedication of the easement be
17 ultimately a condition of your
18 approval just in case there is any,
19 you know, sort of comments that come
20 up that shift that.

21 There was a question about
22 where the water service curb stop was
23 located. That's located on the
24 corner of the property, so I just
25 waned to point that out.

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2 Another question from
3 engineering was regarding the
4 proposed sewer connection. So, the
5 existing sewer, which is shown here,
6 it ties into a tank. There is a
7 gravity fed line, and there is also a
8 force main that both tie into a tank
9 and then tie into a four-inch PVC,
10 which is gravity fed and tied into
11 the main. So, the project's
12 intention is to tie into that
13 four-inch PVC to avoid further
14 disturbance along Route 300.

15 MR. HINES: I want to make sure
16 there is not a septic system on that
17 site. Is that --

18 MR. PETERS: Yeah. I think
19 only intent or the only reason why
20 there is a tank is because you have
21 the gravity and the force main tying
22 in at the same of point before being
23 gravity fed to the main on the
24 street.

25 MR. HINES: You are going to

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get rid of that and just have a
gravity --

MR. PETERS: It's just going to
to be --

(Unintelligible Due to Multiple
Speakers.)

MR. PETERS: What?

MR. HINES: You're just going
to have the gravity sewer line?

MR. PETERS: Yeah, we'll tie
right into the end. We have an end
elevation from our sewer -- from our
survey, and we'll just tie in right
to there.

CHAIRMAN EWASUTYN: Does that
require a city flow acceptance
letter?

MR. HINES: It doesn't because
it's already tied in with a bigger
structure. This is smaller than the
existing structure on the site.

MR. PETERS: The existing
structure is the Happy Habits Smoke
Shop. It's about 1,300 square feet.

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This Ready Coffee project is under
700 square feet. It's almost half
the size of the existing structure.

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I did also want to touch on a
few comments from the traffic
consultant. We didn't take any
exception to the proposed signage
comments. There was a comment about
this atypical curb layout. That is a
function of the turning analysis and
swinging that, you know, that fire
response/emergency response vehicle
through the site. We just minimized
the amount of paving that was needed
and kind of, you know, dictated that
curb based on what was necessary for
the turning analysis. There was a
question about the access to the rear
of the site. Access to the rear of
the site for employees that are going
to be servicing these vehicles. So,
this sidewalk here isn't the primary
access for employees that are going
to be serving vehicles. It's really

1
2 more for circulation around the site.
3 I know we haven't developed
4 architectural plans yet, but there
5 will be a sliding door here
6 (Indicating). And employees would
7 come in and out to serve these cars
8 that are queued here. We would
9 propose keeping those two upstream
10 bollards to protect the canopy, but
11 maybe potentially removing those
12 lower bollards that are downstream to
13 kind of allow some more
14 maneuverability for employees so they
15 are not so constrained, you know,
16 when they are servicing vehicles in
17 this area.

18 There was a comment also about
19 this hatched area here. This was
20 originally shown -- so, when our
21 surveyor went through all of the
22 records from the site, there appeared
23 to be a taking here. We have done a
24 title -- we've done a title search,
25 we've looked at the deed, we looked

1
2 at the STIP roadway improvement plan,
3 and ultimately, the conclusion was
4 that this has expired a number of
5 years ago. I think survey pulled it
6 in because they pull everything into
7 their drawings, but that isn't
8 something that is an issue or
9 something that the DOT is currently
10 planning on developing for this site.

11 The other question that I did
12 want to just make sure that we are on
13 the same page about, I know there was
14 a comment that came up, I believe
15 from building, maybe possibly
16 engineering as well, was about
17 parking. So, the code requirements
18 for a restaurant is based off of
19 either, I believe, it's 40 -- one
20 stall per 40 square feet of seating
21 area or one stall per four seats
22 within the restaurant. Ready Coffee
23 is primarily a drivethrough, as I
24 know a number of you have seen the
25 other Ready Coffee in Newburgh. So,

1
2 there is no interior bathrooms, there
3 is no interior seating, so those code
4 requirements that would typically
5 dictate how many stalls we need for
6 this space, you know, are not really
7 relevant. So, that is something I
8 wanted to make sure the Board was
9 comfortable with with our proposed
10 parking.

11 So, just to walk you through
12 what we are proposing here. There's
13 going to be three short-term parking
14 spaces for customers, should they
15 choose to park at the site. Again,
16 typically, you're pulling in, you're
17 getting your coffee, and you're
18 leaving. There is not really a need
19 to park on the site because there's
20 no bathrooms, there's no interior
21 seating area here. But we did
22 provide those spots in the event that
23 a customer did want to park for some
24 reason, check their phone, whatever
25 the need might be. That leaves an

1
2 additional six parking spaces. A
3 typical staffing for Ready Coffee for
4 their shifts, I believe it's six-hour
5 visits or -- yeah. So, for these
6 shifts, it's typically anywhere from
7 three to four employees at the site.
8 So, there would be six stalls
9 remaining, not counting the three
10 that are now going to be for
11 customers. There will be six stalls
12 remaining for the three or four
13 employees that was going to be, you
14 know, working at the site. So, that
15 was our -- obviously, we are very
16 limited on space on this site, but we
17 have a high level of comfort with
18 this proposed layout and feel that it
19 does serve the needs of this atypical
20 application.

21 CHAIRMAN EWASUTYN: Jim
22 Campbell, Code Compliance, can you
23 review the site plan comments?

24 MR. CAMPBELL: Yeah. I
25 mentioned about the parking, that

1
2 there was no calculation present on
3 the plans. The three spots are
4 actually required for overflow with
5 the drivethrough, and that is
6 supposed to be separate from any
7 other parking on the site, that is in
8 addition to. I don't know what -- I
9 would have to look further into
10 parking as far as that. You want me
11 to go into my other...

12 MR. PETERS: Was there anything
13 else with that? Because I think that
14 -- would that then -- I mean, really,
15 would that kind of serve the same
16 purpose for overflow? Because, I
17 mean, again, this is not really --
18 the primary function of, I think, the
19 code's application is for a
20 restaurant and for people that, you
21 know, are sitting or seating and
22 dining, which is not a function of
23 this use. So, would that kind of
24 serve that purpose, then serve the
25 need for anybody that would be a

1
2 customer coming to the side, or you
3 feel like there needs to be
4 separate...

5 MR. CAMPBELL: Well, the way I
6 read that code section it is a
7 separate item for that overflow or
8 adequate for pickup order delays for
9 each drive-up, drivethrough, walk-up,
10 or pickup windows. So, you also have
11 a pickup window, don't you?

12 MR. BONNEM: So, we do have a
13 pickup window --

14 CHAIRMAN EWASUTYN: For the
15 records, your name, please?

16 MR. BONNEM: Jed Bonnem, with
17 Ready Coffee. So, we do have a
18 pickup window. I think the spaces
19 Sean described are really focused on
20 serving those pickup customers at
21 that window. The first part of the
22 code that you read was about if there
23 are service delays at the
24 drivethrough. Here, I don't think
25 any of these parking spaces would

1
2 serve that need just because it's one
3 way. They would not be able to pull
4 back around to the front of the
5 building. I mean, we serve I think
6 two million people in all of our
7 stores this year. I don't think I've
8 have ever seen anyone fully pull
9 around the store or need to. And I
10 just think that would be impractical
11 here. In my mind, the spaces we are
12 talking about are to serve what we
13 call the "walkup window." It's not
14 really a pickup window because no one
15 is ordering ahead. They get out of
16 their car, they walk up to that
17 window, they order. It's you know, a
18 great minority of our visitors.
19 Maybe two or three percent of our
20 visitors use that walkup window.

21 MR. PETERS: And to Jed's
22 point, you know, should there be a
23 delay at one of these. There is two
24 serving aisles, so there would be the
25 ability for a car to then -- say

1

2

there was a delay at this first

3

window, it would allow the ability

4

for someone to then, you know, pass

5

into that second aisle should there

6

be a delay at one of the aisles.

7

MR. CAMPBELL: I could look

8

further into the parking situation.

9

CHAIRMAN EWASUTYN: You had

10

comments on signage.

11

MR. CAMPBELL: Yes --

12

CHAIRMAN EWASUTYN: Can you

13

speak up a little? It's hard to hear

14

you.

15

MR. CAMPBELL: We need detailed

16

information on the signage, menu

17

boards, building-mounted signs,

18

freestanding signs. It all has to be

19

addressed.

20

MR. PETERS: Okay. Yes, we can

21

provide that in an upcoming

22

submission.

23

CHAIRMAN EWASUTYN: Thank you.

24

Ken Wersted?

25

MR. WERSTED: Sean, thank you

1
2 for your comments that addressed many
3 of mine. Could you also explain a
4 little bit on your delivery process?
5 The type of vehicle, where that
6 delivery is going to take place, and
7 how the site operates under that, you
8 know, condition.

9 MR. PETERS: I think that was a
10 very fair comment. I did discuss
11 this with Ready Coffee. So, typical
12 deliveries would be in a sprinter van
13 or as large as a box truck. I think
14 if there is a need to dedicate a
15 space for, you know, a van to pull
16 in, they can. However, Ready
17 Coffee's typical operations, they
18 would experience deliveries outside
19 of normal hours of operation. And if
20 for some reason that couldn't be
21 achieved, the delivery would then be
22 scheduled for the middle of the day,
23 which is outside of their peak hours
24 of traffic through the site. But
25 nothing larger than, you know, a

1
2 sprinter van or a box truck, which
3 could pull into, you know, a parking
4 space and drop off deliveries.

5 MR. WERSTED: I would think it
6 wouldn't impact your canopy. Your
7 canopy would be tall enough.

8 MR. PETERS: No. And I think
9 we would direct -- deliveries would
10 be routed though the front of the
11 building to kind of avoid that fall.
12 But yes, because the fire truck
13 apparatus also has the ability to
14 pass around this, so the box truck
15 would as well.

16 MR. WERSTED: Okay, thank you.

17 CHAIRMAN EWASUTYN: Pat Hines
18 at MHE?

19 MR. HINES: We hit on most of
20 my comments. I did have a comment on
21 the, kind of, lack of landscaping.
22 It's a small site, and they're
23 proposing more hard seating areas,
24 like retaining wall seating areas, so
25 I just wanted to call that to the

1

2

Board's attention to make sure

3

they're okay with that.

4

5

Moving forward, I have some

6

technical comments on water and

7

sewer, which we provided some details

8

for. One of the -- this project is a

9

type II action, so it won't get

10

circulated, but we would follow up

11

typically with a letter to DOT

12

advising them that this project is

13

before us as a type II action, so

14

that will help you proceed through

15

your DOT permitting. They will give

16

it a SEQRA number or their review

17

number based on that. And it also

18

needs County Planning referral. And

19

I think the plans are at a good level

20

of detail that they could go to

County Planning.

21

CHAIRMAN EWASUTYN: Comments

22

from Board members, David Dominick?

23

MR. DOMINICK: Thanks, Sean,

24

for clearing up some of that parking.

25

That was a big concern of mine today.

1
2 Because if you have, let's say four
3 employees working, two outside, three
4 in, or however that's divided up,
5 nine parking spots, eight regular,
6 plus one handicapped, you know, half
7 your staff is taking up parking, you
8 know? And I think you do have
9 seating at this place, which is
10 outdoor seating, you know? It's with
11 the concrete benches and that, so you
12 might have folks congregating during
13 nice weather, as they did with the
14 Dairy Queen outside. They're not
15 going to stay as long maybe as a
16 competitor with their laptop and do
17 remote work, but you will have some
18 congregation.

19 The other thing is the
20 footprint of the canopy. Is that
21 going to provide adequate coverage
22 for the employees that are working
23 out there? And refresh my memory, is
24 that a solid canopy?

25 MR. PETERS: Yeah, so that

1
2 would be solid cover. And I know
3 it's hard to see on this plan, it's a
4 dash line, so it's in this area right
5 here (Indicating). So, employees,
6 you know, that are passing through
7 that sliding door we discussed here,
8 would then be serving from underneath
9 this area, so they would be protected
10 by the canopy when they are serving
11 that area.

12 The seating walls, I do take
13 your point. I think Ready Coffee
14 likes, for any of their projects, to
15 be visually appealing, and
16 attractive, and have that curb appeal
17 for anybody passing through.
18 Obviously, there is a primary
19 corridor for the town. I believe
20 that was their, you know, original
21 intent with this earlier on rendering
22 that we had of the building, but I
23 could see how that could promote some
24 people wanting to sit and drink their
25 coffee for a little bit. Again, I

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6

think the number of people that just want to pass through far outnumbered that, and we do have those spaces in the front, but I do note that comment as well.

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MR. DOMINICK: And under the canopy, will there be, for lack of a better term, a pedestrian walkway for your employees to prevent -- to be safe, safe from two lanes of traffic and the various sizes of vehicles that go through there?

14

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21

MR. PETERS: I think that's definitely something that we can, you know, add to the plans. Again, I know the architectural plans have been developed. We know exactly where that doorway -- I don't see any reason why we can't have a pedestrian access across.

22

23

MR. DOMINICK: Not only across, but maybe down the middle.

24

MR. PETERS: Yeah, all right.

25

MR. DOMINICK: Thank you.

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CHAIRMAN EWASUTYN: Ken
Mennerich?

MR. MENNERICH: I have no
questions.

CHAIRMAN EWASUTYN: One more
time. Your removal of snow, how is
that going to factor into the design
of this site plan?

MR. PETERS: So, right now, I
think most of the snow would either
be pushed into this area over here
(Indicating), or in the back, we are
proposing a drop curve along this
back area. I know it's a little hard
to see, but that dashed line is for a
drop curb, so that would allow
vehicles to push snow to the back of
the site.

CHAIRMAN EWASUTYN: Okay. No
further questions.

MR. BROWNE: No questions.
Thank you.

MS. CARVER: You mentioned
deliveries outside of the hours of

1

2

operation. What are the hours of

3

operation for this site?

4

MR. BONNEM: 5:00 a.m. to 9:00

5

p.m.

6

MS. CARVER: And then, one more

7

thing. The easement, do you have any

8

language -- do you have anything from

9

the owner?

10

MR. PETERS: So, the storage

11

property that is to the south of our

12

parcel, there has been discussions of

13

that. That was one of the first

14

steps Ready Coffee took before they

15

even looked into developing this

16

fully. We do have a letter from them

17

stating their willingness to access

18

through this site. That was

19

something, again, that did come up

20

with our discussions with DOT as

21

well.

22

MS. CARVER: Because that's

23

basically needed to get --

24

MR. PETERS: A hundred percent.

25

It is a big step, right?

Ready Coffee

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MS. CARVER: Thank you.

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CHAIRMAN EWASUTYN: Dominic
Cordisco, any questions or comments?

5

MR. CORDISCO: No, sir.

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CHAIRMAN EWASUTYN: And so, the
matter before us would be to
circulate to the Orange County
Planning Department?

10

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MR. HINES: County Planning
239, and we'll also do a letter to
DOT. I'm not sure they're aware of
the project, but just to put it in
the file.

15

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CHAIRMAN EWASUTYN: A later
submission will look at ARB for the
project and the proposed landscaping
for the project?

19

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MR. HINES: Correct.

CHAIRMAN EWASUTYN: So, would
someone move for a motion to
circulate to the Orange County
Planning Department and to notify the
DOT as far as a courtesy later.

25

MR. DOMINICK: Make a motion.

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MS. CARVER: Second.

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CHAIRMAN EWASUTYN: I have a motion by David Dominick. I have a second by Lisa Carver. Can I have a roll call vote starting with David?

7

MR. DOMINICK: Aye.

8

MR. MENNERICH: Aye.

9

CHAIRMAN EWASUTYN: Aye.

10

MR. BROWNE: Aye.

11

MS. CARVER: Aye.

12

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CHAIRMAN EWASUTYN: Motion carried. Thank you.

14

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17

MR. PETERS: When should we anticipate the SWPPP comments? I would love to address everything as soon as possible.

18

19

20

MR. HINES: As soon as I can get them to you. I can't answer that right now.

21

MR. PETERS: Thank you.

22

23

MR. HINES: It was a pretty detailed SWPPP you submitted.

24

25

MR. Peters: I tried. Thank you.

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CHAIRMAN EWASUTYN: On the subject of SWPPPs, I have a general curiosity, and again, it's unpredictable. Now that the rain that we're receiving, has pipe sizes been increased to accommodate additional rain?

MR. HINES: A while back, the regulations were changed to incorporate what is called "extreme weather events," and the the flow rates to plug into the Storm Water Pollution Prevention Plans were raised to address those extreme whether events, as we are calling them now.

CHAIRMAN EWASUTYN: And possible change in the pipe size?

MR. HINES: Which would result in that, the long term, when you plug those rates in.

CHAIRMAN EWASUTYN: Thank you.

(Time noted 7:55 p.m.)

Ready Coffee

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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

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

AMENDED SITE PLAN / ARB

Date: September 3, 2026
Time: 7:56 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

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

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Xterior Pro, LLC

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CHAIRMAN EWASUTYN: The sixth item of business is Exterior Pro, LLC. It is an amended site plan and ARB. It's located on 171 South Plank Road in an IB zone, and it's being represented by Jonathan Cella.

Ken Mennerich has another appointment, and he was nice enough to come here for the meeting.

MR. MENNERICH: Thank you.

CHAIRMAN EWASUTYN: There's a lot to be said about old-school people. Please, Jonathan.

MR. CELLA: Thank you, Chairman. We're here for a commercial site plan of 171 South Plank Road. The property is located in the IB zoning district, and it's approximately 0.4 acres about 17,000 square feet. We're proposing an office for contractor's operation. We have been before the Zoning Board, and we got the variances we needed for the proposed addition in the

1
2 front and then proposed addition in
3 the rear. I had to coordinate -- we
4 are going with the approved sign
5 sizes, so I just have to coordinate
6 the plans with that. We are
7 providing the required parking,
8 onsite parking of the site is
9 accessed by New York State 52, South
10 Plank Road, and there's an easement
11 along the property line between the
12 subject property and adjacent
13 property that they shared the parking
14 lot for at least the access. The
15 project depicts all of the proposed
16 improvements. It's connected to
17 existing water and sewer, so there is
18 no improvements required for that.

19 CHAIRMAN EWASUTYN: So, the
20 sign that's being proposed is the
21 same height they received the
22 variance for?

23 MR. CELLA: Correct.

24 CHAIRMAN EWASUTYN: Jim?

25 MR. CAMPBELL: Back in the day,

1
2 they received variances for the signs
3 for the front yard setback
4 freestanding sign to be 6.7 foot and
5 the side yard setback to be 13.3
6 feet. And the total height of the
7 sign was 9 feet, I believe, yeah,
8 9-foot-12.

9 CHAIRMAN EWASUTYN: So, what
10 they are proposing now is in
11 compliance with the ZBA?

12 MR. CAMPBELL: Well, he has got
13 to adjust the plans to match the
14 approval. What is on that plan would
15 have to go back to the ZBA.

16 MR. CELLA: I have to revise
17 the dimensions.

18 CHAIRMAN EWASUTYN: Okay.

19 Comments from Board members,
20 David Dominick?

21 MR. DOMINICK: Nothing further.

22 CHAIRMAN EWASUTYN: No
23 comments.

24 MR. BROWNE: No comment.

25 MS. CARVER: No comment.

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CHAIRMAN EWASUTYN: Pat Hines
with MHE?

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MR. HINES: This project is a
type II action. It is located on a
state highway, so we're suggesting
that we send that notification letter
to them to let them know this project
is on their state highway. I know
Jim has some comments on the shipping
container. A variance was received,
I believe, to keep one of them.
There is a proposed employee parking
meter that needs cleanup. The
project will be subject to ARB. And
County Planning referral is required.
And I think that could be authorized
tonight.

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CHAIRMAN EWASUTYN: Having
heard from our consultants, would
someone make for a motion to
circulate Xterior Pro, project number
26-08, to the Orange County Planning
Department? And we will do a
courtesy letter to the DOT?

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MR. HINES: Yes.

3

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CHAIRMAN EWASUTYN: Would
someone move for that motion?

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MS. CARVER: So moved.

6

MR. BROWNE: Second.

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CHAIRMAN EWASUTYN: I have a
motion by Lisa Carver. I have a
second by Cliff Browne. Can I have a
roll call vote starting with David?

11

MR. DOMINICK: Aye.

12

MR. MENNERICH: Aye.

13

CHAIRMAN EWASUTYN: Aye.

14

MR. BROWNE: Aye.

15

MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: We will
need something for ARB approval as
far as the final site, some kind of
rendering so that we know what we're
approving.

21

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MR. CELLA: The applicant and
owners had said they're approving
plans designed by a licensed
architect, and we will present them.

25

CHAIRMAN EWASUTYN: Please. I

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2

think that covers that.

3

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MR. CELLA: It's too early to
request a Public Hearing?

5

CHAIRMAN EWASUTYN: Excuse me?

6

7

MR. CELLA: Is it too early to
request a Public Hearing?

8

CHAIRMAN EWASUTYN: Excuse me?

9

MR. CELLA: Sorry

10

CHAIRMAN EWASUTYN: Thank you.

11

I just can't -- pencilling in just
does not work.

12

13

MR. CELLA: Okay.

14

15

CHAIRMAN EWASUTYN: It is a
habit that I learned many, many years
ago when people say, John, I'm sure,
I'm sure, I'm sure; and then,
whatever the case may be, either the
printer didn't have anything ready.
And then we are stuck with sort of,
at least on my end, I can't interpret
what's going on.

16

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MR. CELLA: Understood. Thank
you.

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CHAIRMAN EWASUTYN: We

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understand that everybody wants to

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move forward.

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MR. CELLA: Okay, thank you.

5

CHAIRMAN EWASUTYN: Plus, we'd

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like to see you more often.

7

MR. CELLA: I enjoy coming

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here. Thank you, everyone.

9

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(Time noted 8:01 p.m.)

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Xterior Pro, 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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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

STANTON LANE SUBDIVISION
(26-21)
Gardnertown Road & Plattekill Turnpike
Section 60, Block 2, Lot 38.23
Zone R-1

-----X

INITIAL APPEARANCE
3-LOT SUBDIVISION

Date: September 3, 2026
Time: 8:01 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

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

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

Stanton Lane

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CHAIRMAN EWASUTYN: The seventh item of business this evening is Stanton Lane, it's project 26-21. It's initial appearance for a three-lot subdivision located on Gardnertown Road & Plattekill Turnpike. It's being represented by Ross Winglovitz.

MR. WINGLOVITZ: Good evening, Ross Winglovitz, Engineering & Surveying Properties. I'm here with William Dencker (Phonetic) the owner of the property. This is a 14.2 acre property that Bill has owned for some time. We -- when Bill initially contacted me, wetlands regulations were coming into effect. We had gotten the state out there. They did declare jurisdiction over the wetlands. We did delineation last year, and I do have a confirmation map that we can provide a copy to the Town that they've confirmed the limits of the wetlands. What we have

1
2 been able to propose based on that,
3 and based on discussions that we've
4 had with the DEC, we do understand
5 that we need some buffer disturbance
6 permits. We are proposing three new
7 lots off of Stanton Lane off a common
8 driveway that will require Town Board
9 approval. Stanton Lane, in our
10 understanding if I look at the CHIPS
11 list, is a public road. And the
12 property at the end ownership is
13 either one of two things. One, is
14 either the Town's property, based on
15 the tax records. Bill has also had
16 previous surveyors look at this and
17 research the history of this, and
18 that property may be owned by,
19 actually, Bill as part of his
20 acquisition of this property. So, We
21 need to do a survey to either verify
22 one of those two things. And if it's
23 not one of those two things, we've
24 got a problem. So, we clearly
25 understand that.

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The only other thing I want to touch on briefly was the setback. The three lots, we've proposed the setback to what was the common driveway because we thought that was more acting like a road and thought that would give a better separation for the buildings, the proposed houses to the common driveway. We can certainly orient it so that it will be facing Stanton Lane on this side of the property, if that's where we think it's the appropriate front yard. Lots range from 1.79 acres, 2.2, 2.5 with the remaining acreage of 7.43, which will be connected with Bill's other property off of Dees Way.

Did some preliminary soil testing as well. Soils were actually very good here. Lot of sand and gravel, very good perks. So, we need to finalize those -- that testing and that design as part of the process.

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Be glad to answer any questions.

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CHAIRMAN EWASUTYN: It was suggested by Pat Hines that when you resubmit, you complete part one of the EAF.

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MR. WINGLOVITZ: You want the long form?

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MR. HINES: Long form.

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MR. WINGLOVITZ: And we need the buffer disturbance, we're probably going to need it for the DEC, so that's fine.

14

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CHAIRMAN EWASUTYN: Just for my own understanding, this is a Town road, you believe it to be?

17

18

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MR. WINGLOVITZ: Yeah, I looked on CHIPS list, and it's listed as Stanton Lane cul-de-sac.

20

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CHAIRMAN EWASUTYN: That's good to know. Dave Dominic?

22

MR. DOMINICK: No comment.

23

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CHAIRMAN EWASUTYN: No further comments.

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MR. BROWNE: No, nothing more.

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MS. CARVER: No, you addressed
any of the questions that I had.

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CHAIRMAN EWASUTYN: Jim
Campbell, Code Compliance?

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MR. CAMPBELL: As Ross already
mentioned, we feel that the front
yard setback should face towards
Stanton, so there may be some site
modifications to achieve that. And
then just a general note that, you
know, any changes or whatever needs
to meet the emergency vehicle access
found in the fire code, Section 511.

15

16

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MR. WINGLOVITZ: We provided
our pull off with property to have a
turnaround at some point.

18

19

MR. CAMPBELL: That can be
dimensioned.

20

MR. WINGLOVITZ: Yup.

21

22

CHAIRMAN EWASUTYN: Pat Hines,
anything else?

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MR. HINES: This is an initial
appearance, so adjoiners' notices
will have to be sent out. I'll work

Stanton Lane

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2

with Ross's office to get those done.

3

We will need that information on the

4

ownership of whatever is between

5

Stanton Lane and this access point.

6

That will be very helpful with this.

7

The property that's getting the lot

8

lane, the land, it wasn't included in

9

the application. We need that

10

property as part of the application

11

as well.

12

MR. WINGLOVITZ: Yup.

13

MR. HINES: Town Board approval

14

for three houses on a common driveway

15

will be required.

16

CHAIRMAN EWASUTYN: That's the

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question. Is it a common driveway?

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MR. HINES: It is -- well, the

19

three -- yeah. The new houses are

20

served by three houses on a common

21

driveway.

22

CHAIRMAN EWASUTYN: So, it is a

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common driveway in that sense.

24

MR. WINGLOVITZ: Proposed

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common driveway. Stanton Lane is a

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2 public road.

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MR. HINES: We need a total acreage of disturbance. We did note that a DEC wetland permit is going to be required, a survey with metes and bounds. There's two sections of the subdivision regulations that need to check out due to the lot geometry to make sure that those boxes of -- there is a 5,000-square foot box that has to be shown and then a 100 by 100 box needs to fit in that building area as well.

MR. WINGLOVITZ: Square, yup.

MR. HINES: And again, that had to do with length/width/lot geometry is why that comes up. That is all we have to date. The Board could declare its intent for lead agency as well, and we will work with the adjoiners' notices.

CHAIRMAN EWASUTYN: Dominic Cordisco, any comments?

MR. CORDISCO: Yes, as Pat

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mentioned, the adjoiners' notices.
But also, regarding declaring your
intent for lead agency should be
conditioned on the applicant
providing a long form EAF.

CHAIRMAN EWASUTYN: Thank you.

MR. HINES: And the revised
application.

CHAIRMAN EWASUTYN: Would
someone make a motion to declare
intent for lead agency subject to the
applicant completing part one of the
EAF, and for -- what was the second
item?

MR. WINGLOVITZ: Amending the
application.

CHAIRMAN EWASUTYN: Amending
the application. Thank you. Could
someone move for that motion?

MS. CARVER: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: I have a
motion by Lisa Carver. I have a
second by Cliff Browne. Can I have a

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roll call vote starting with David

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Dominick?

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MR. DOMINICK: Aye.

5

MR. MENNERICH: Aye.

6

CHAIRMAN EWASUTYN: Aye.

7

MR. BROWNE: Aye.

8

MS. CARVER: Aye.

9

MR. WINGLOVITZ: Thank you very

10

much.

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(Time noted 8:01 p.m.)

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Stanton Lane

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C E R T I F I C A T E

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

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

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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

FANA DEVELOPMENT LLC
(26-22)
NYS Route 32 & Mill Street
Section 2, Block 1, Lot 59.1
Zone RR

-----X

INITIAL APPEARANCE
3-LOT SUBDIVISION

Date: September 3, 2026
Time: 8:08 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
JAMES CAMPBELL
PATRICK HINES
KENNETH WERSTED

APPLICANT'S REPRESENTATIVE:
Ryan Smithem, E.I.T., MNTM Engineering &
Land Surveying, P.C.

-----X

VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: We have one
item of discussion this evening. Pat
Hines --

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MR. HINES: We have one more --

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CHAIRMAN EWASUTYN: It's funny.
I thought we were going smoothly
tonight. Thank you for advising me.

9

10

(Unintelligible Due to Multiple
Speakers.)

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CHAIRMAN EWASUTYN: Excuse me.
The last item, item number eight,
Fana Development, project number
26-22. It's initial appearance for a
three-lot subdivision located in an
R-R zone, and it's being represented
by Ryan Smithem with MNTM
Engineering. Ryan?

19

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MR. SMITHEM: Good evening,
everyone. My name is Ryan Smithem
with Mercurio Norton Tarolli
Marshall. As was stated, the project
site is located on the westerly side
of New York State Route 32,
approximately 300 feet north of the

1
2 intersection of Mill Street. The
3 project site is approximately 10
4 Acres in size and proposes a
5 three-lot residential subdivision in
6 the R-R zone. Each of the three lots
7 will be served by individual
8 driveways. We have had some
9 preliminary discussions with DOT
10 regarding the driveway locations and
11 general design, and they've given
12 some positive feedback, and we are
13 very close to a conceptual approval,
14 which we will forward to the
15 consultants as soon as that's
16 received. Each of the proposed
17 dwellings is intended to be served by
18 individual wells and sewer disposal
19 systems. We've completed some
20 preliminary soil testing on the site.
21 Actually, completed some additional
22 soil testing this morning, and we
23 will be working through the
24 engineers' comments as well as the
25 Building Department's comments.

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We did note that we had a bad side yard setback for lot two, which we will address. There are federal wetlands on the site. We're staying well away from them with the proposed construction. I believe that a tree survey will be required for this property.

10

MR. HINES: Yes.

11

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MR. SMITHEM: But we have a forester retained, and we're working on getting him out there to clean that up, and then, that will be added at a future date. But I am happy to answer any questions from the Board.

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CHAIRMAN EWASUTYN: David

Dominick?

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MR. DOMINICK: Could you just double check on the EAF, you have Plattekill Fire Department, but I believe it's Cronomer Valley, but I am not positive.

24

25

MR. SMITHEM: Okay. Not a problem.

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MR. DOMINICK: Thank you.

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CHAIRMAN EWASUTYN: Thank you.

4

No comment.

5

MR. BROWNE: I have nothing

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more.

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MS. CARVER: Nothing further

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from me.

9

CHAIRMAN EWASUTYN: Jim

10

Campbell, Code Compliance?

11

MR. CAMPBELL: He addressed

12

upon one of my comments about the

13

side yard. And just a general note

14

that minimal floor area in that zone

15

is 1,500 square feet.

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CHAIRMAN EWASUTYN: Thank you.

17

Pat Hines?

18

MR. HINES: This is an initial

19

appearance. Adjoiners' notices will

20

be required. We are requesting the

21

survey be updated to show the flags

22

that were placed and delineate the

23

federal wetlands. The DEC

24

informational wetlands on the DEC's

25

website comes pretty close to this

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2 area, so we just want to confirm that
3 they are a not regulated by the DEC
4 or part of a larger complex that
5 would be.

6

7 We were suggesting that we
8 declare lead agency. The DOT and DEC
9 are involved agencies. County
10 Planning will be required as well.

11

12 It will require coverage under the
13 DEC's construction storm water permit
14 for residential one to five acre
15 disturbance. The EAF identifies the
16 project in the Chadwick Lake critical
17 environmental area; the project is
18 not. I provided the Board with that
19 map. The critical environment area
20 stops at Mill Street. We just
21 discussed additional deep testing we
22 had wanted done, and there's some
23 comments on the sanitary sewer
24 disposal systems. And I spoke with
25 Ryan today, and he has been in
contact with the Orange County Health
Department regarding our respective

1
2 comments, and we're working through
3 that.

4 CHAIRMAN EWASUTYN: Thank.
5 Dominic Cordisco?

6 MR. CORDISCO: So, at this
7 point, the Board can authorize the
8 adjoiners' notices. And you can also
9 further authorize the circulation for
10 lead agency.

11 CHAIRMAN EWASUTYN: Okay.
12 Having heard from Dominic Cordisco,
13 would someone move for that motion?

14 MR. DOMINICK: So moved.

15 MR. BROWNE: Second.

16 MS. CARVER: Second.

17 CHAIRMAN EWASUTYN: I have a
18 motion by David Dominick. I have a
19 second by Cliff Browne. Can I have a
20 roll call vote starting with David?

21 MR. DOMINICK: Aye.

22 MR. MENNERICH: Aye.

23 CHAIRMAN EWASUTYN: Aye.

24 MR. BROWNE: Aye.

25 MS. CARVER: Aye.

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CHAIRMAN EWASUTYN: Motion

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carried. Thank you.

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MR. SMITHEM: Thank you all

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very much.

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(Time noted 8:14 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
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That the witness whose examination is
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that such examination is a true record of
the testimony given by that witness.

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18

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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21

IN WITNESS WHEREOF, I have hereunto
set my hand this 16th day of September
2026.

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VICTORIA CHUMAS ARIAS

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

3

-----X

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BOARD BUSINESS

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Date: September 3, 2026

9

Time: 8:13 p.m.

10

Place: Town of Newburgh

11

Town Hall

1496 Route 300

12

Newburgh, NY 12550

13

BOARD MEMBERS: JOHN P. EWASUTYN, CHAIRMAN

14

CLIFFORD BROWNE

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LISA CARVER

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DAVID DOMINICK

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KENNETH MENNERICH

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ALSO PRESENT: DOMINIC CORDISCO, ESQ.

19

JAMES CAMPBELL

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PATRICK HINES

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KENNETH WERSTED

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APPLICANT'S REPRESENTATIVE:

23

N/A

24

-----X

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VICTORIA CHUMAS ARIAS
Court Reporter, CopyCAT Court Reporting

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CHAIRMAN EWASUTYN: Pat, do you
want to discuss the matter?

4

MR. HINES: Yeah. There has
been a request from the applicant's
representative from Polo Club to have
a meeting with representatives of the
Town. It's been bouncing around the
Town's various groups. So far, we
are suggesting that a work session be
authorized with the Town and its
consultants. And those applicant's
there apparently have a prospective
or a new owner of that project that
wants to make some amendments. But
they want to discuss those before
they do a new application, which
involves application fees and such.
So, we're requesting the Board
authorize a consultant's work session
at the earliest possible date. Our
typical work session would be
September 22nd. I would like to get
it done sooner than later, if we can
schedule it earlier than the 22nd,

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mostly having to do with that's

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probably my last week working, so I

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would like to get them that

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information and be able to digest

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that before that.

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CHAIRMAN EWASUTYN: What would
be convenient for you?

9

MR. HINES: Possibly the

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Tuesday before that, the 15th, if I

11

can schedule it. If not, we will

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fall back to the 22nd, but I'd just

13

like authorization to do it earlier,

14

if we can. And they have been

15

waiting a while.

16

CHAIRMAN EWASUTYN: Dominic,
could you make the meeting of the
15th?

19

MR. CORDISCO: The 15th in the
afternoon, I could.

20

21

MR. HINES: It's typically
1:00.

22

23

MR. CORDISCO: That would be
fine or the 22nd. I'm open that
entire day.

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CHAIRMAN EWASUTYN: Let's go
for the 15th, if you don't mind.

3

4

Ken, would you like to be
present for that? Can you be present
for that?

5

6

7

MR. WERSTED: I will be out of
town, but I can see if a
representative could attend.

8

9

10

CHAIRMAN EWASUTYN: Discuss
that with Pat Hines as far as his
thoughts on that.

11

12

13

MR. HINES: We don't know the
scope of the changes yet.

14

15

CHAIRMAN EWASUTYN: Okay.
Would someone move for a motion to
set the 15th of September?

16

17

18

MS. CARVER: So moved.

19

MR. DOMINICK: So moved.

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CHAIRMAN EWASUTYN: I have a
motion by Lisa Carver. I have a
second by David Dominic. Can I have
a roll call vote starting start with
Dave Dominick?

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MR. DOMINICK: Aye.

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MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

CHAIRMAN EWASUTYN: I guess
that covers everything. Thank you
all. Can I have motion to close the
Planning Board meeting of the 3rd of
September?

MR. DOMINICK: So moved.

MR. BROWNE: Second.

CHAIRMAN EWASUTYN: Thank you.
I have a motion by Dave Dominick. I
have a second by Cliff Browne. Can I
have a roll call vote?

MR. DOMINICK: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. BROWNE: Aye.

MS. CARVER: Aye.

(Time noted 8:17 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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8 I, VICTORIA CHUMAS ARIAS, a Notary
9 Public for and within the State of New
10 York, do hereby certify:

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

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

20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 16th day of September
22 2026.

23

24

25



VICTORIA CHUMAS ARIAS