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

----- X  
In the Matter of

BRITAIN WOODS  
(2022-17)

442 Little Britain Road  
Section 97; Block 1; Lots 32.1, 32.2, 32.3 & 40.1  
R-3 Zone

----- X

CONTINUED PUBLIC HEARING  
DEIS, SITE PLAN & SPECIAL USE PERMIT

Date: September 5, 2024  
Time: 7:48 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

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

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

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

MICHELLE L. CONERO  
Court Reporter  
845-541-4163  
michelleconero@hotmail.com

2 CHAIRMAN EWASUTYN: The fourth item  
3 of business this evening is a continuation  
4 of the public hearing which was held  
5 on the 1st of August for Britain Woods.  
6 It's project number 22-17. It's here  
7 before us for the DEIS, the site plan  
8 and special use permit. It's located  
9 on 442 Little Britain Road. It's in  
10 an R-3 Zone. It's being represented  
11 by Ross Winglovitz of Engineering &  
12 Surveying.

13 Ross, we received these written  
14 comments from the Goodwill Fire  
15 District this evening.

16 MR. WINGLOVITZ: Thank you.

17 Good evening. For the record, Ross  
18 Winglovitz, Engineering & Surveying  
19 Properties.

20 As John indicated, we were here  
21 before you last month regarding the  
22 public hearing. We made a presentation.  
23 There were some public comments. The  
24 Board decided to hold the hearing open  
25 until this evening.

2 The primary comments centered  
3 around traffic safety, traffic volume,  
4 were the major ones.

5 We've actually already started the  
6 process of evaluating what we heard.  
7 We're obviously going to get more  
8 comments from your traffic consultant  
9 based on the input from the public and  
10 his review of the documents.

11 Primarily sight distance and  
12 concern about access is one. We've taken  
13 a look at this. We believe we can  
14 further improve the sight distance by  
15 relocating the driveway slightly and  
16 doing more grading and clearing looking  
17 to the east. As I noted before, there is  
18 a planned left-turn lane improvement at  
19 that intersection as part of the DOT's  
20 review. The DOT has already reviewed  
21 this three times.

22 Also, the DOT currently is asking  
23 us to incorporate into our model, and  
24 that will show up in the FEIS responses,  
25 the left-turn lane and right-turn lane

2 that they're currently planning here. I  
3 don't believe it's been funded, but  
4 they've asked us to evaluate that as part  
5 of our project in our model going  
6 forward. We've done that. It shows a  
7 level of service B or better at all  
8 turning movements. That will be  
9 incorporated with the detailed responses  
10 in the FEIS.

11 There were a few comments regarding  
12 traffic volumes, the time of day. DTS  
13 has evaluated that and looked at their  
14 camera data. They actually take video of  
15 their traffic counts. Nothing regarding  
16 routing of truck traffic was seen or  
17 vehicle traffic due to construction. In  
18 fact, they did a comparison of their  
19 counts to the counts that the DOT did at  
20 the intersection of Little Britain Road  
21 and 207, or Old Little Britain Road and  
22 207, and they are very similar, within 7  
23 percent. That data has been presented to  
24 the State as well as to your consultants.  
25 It seems to be consistent with what the

2 State has been getting as far as their  
3 traffic counts in that area.

4 We've also requested an update to  
5 crash data. Again, this will be  
6 presented in the FEIS. The original  
7 request was a seven-year lookback, and  
8 that was from July of '22 back to July of  
9 '15. We've requested more current data.  
10 That data did capture a fatal crash. I  
11 think one of the public talked about it.  
12 There was a fatal crash near the site --  
13 in front of the site, and that was due to  
14 excessive speed. A head-on collision due  
15 to excessive speed in wet conditions.  
16 Somebody crossed the double yellow lines.  
17 Somebody acting irresponsibly, we can't  
18 control that.

19 I think that's it for my summary.  
20 If there's any specific thing you'd like  
21 me to address, I'd be glad to provide  
22 some input. Other than that, I'm glad to  
23 hear any more comments from the public.

24 CHAIRMAN EWASUTYN: We'll turn the  
25 meeting over to Dominic Cordisco,

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Planning Board Attorney, before we turn it over to the public.

MR. CORDISCO: Thank you, Mr. Chairman. Besides that update from the applicant, there hasn't been any additional submission by the applicant at this point. The purpose of leaving the public hearing open was to provide the public with the opportunity to review the existing information that had been presented prior to the public hearing, which is the draft environmental impact statement.

It's important to note that this is not a question-and-answer period, it's an opportunity for the public to make their comments and concerns known. The Board had previously identified that this project has the potential for significant environmental impacts. That's why a draft environmental impact statement has been prepared. This is an important opportunity for the public to make their concerns known to the

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Board. However, the concerns are all being recorded by our stenographer. Everything that you say is being taken down and will need to be responded to in a document that's called a final environmental impact statement. All comments that are presented will have to be addressed and responded to in the final environmental impact statement which will be initially prepared by the applicant but ultimately has to meet the standards set and expectations set by the Board. The Board will consider that at a later time once that document is prepared.

That's really it in a nutshell.

The Board also will establish a period of time for the submission of written comments at the point where they close this public hearing. There will be, following tonight's meeting, or whenever they close the public hearing, an opportunity to submit comments in writing following tonight's meeting.

CHAIRMAN EWASUTYN: Comments from

2 Board Members. Raise your hand, give  
3 your first name and the letter of your --  
4 first letter of your last name.

5 MR. CORDISCO: Comments from the  
6 public, John.

7 CHAIRMAN EWASUTYN: Yes, comments  
8 from the public.

9 BEVERLY H: Can we speak?

10 CHAIRMAN EWASUTYN: Yes.

11 BEVERLY H: Okay. I want to  
12 address this to Ken Wersted.

13 MR. CORDISCO: If you could provide  
14 at least your first name and last  
15 initial.

Traffic  
DTS

16 2.1 BEVERLY H: Beverly H. I was  
17 wondering, what plans do you have for  
18 traffic control at the intersection of  
19 Old Little Britain Road and Little  
20 Britain Road? Right now there is a stop  
21 sign at the end of Old Little Britain  
22 Road and it has failed over the years.  
23 There are multiple accidents there. Have  
24 you done any research on the accident  
25 history or the frequency at the

2 intersection of Little Britain Road and  
3 Old Little Britain Road? Over the years  
4 the frequency has been increasing.

5 Also, I can speak from experience,  
6 over the years my ex-husband, coming home  
7 from New Windsor, making a right-hand  
8 turn into the driveway. My driveway is  
9 lined up right with Old Little Britain  
10 Road. A car passing him on the right hit  
11 him, knocked him right out of the  
12 driveway and back into the road. A  
13 couple years later, my stepdaughter, the  
14 same thing, coming from New Windsor,  
15 taking a right-hand turn into our  
16 driveway, a car passed her on the right-  
17 hand side, wiped out the whole side of  
18 the car. Over the last couple years I  
19 almost had the same thing happen to me  
20 twice. Knowing what happened to my  
21 husband and my stepdaughter, I'm very  
22 cautious when I make a right-hand turn  
23 into my driveway. I was able to pull  
24 that steering wheel away. A pickup truck  
25 just made it between that huge mulberry

2 tree and my vehicle without hitting me.  
3 The second time was a motorcycle. Again  
4 I pulled out of the way before he went.  
5 He wasn't right behind me, both of these  
6 vehicles. They were a couple vehicles  
7 back. They not only tried to pass me,  
8 but tried to pass a couple vehicles  
9 behind me. I had to pull off. He almost  
10 lost it because he realized what he had  
11 did. As a matter of fact, there was an  
12 accident last month.

13 VOICE: Two weeks ago. Two weeks  
14 ago. I was talking to my neighbor in --

15 CHAIRMAN EWASUTYN: For the record,  
16 can I please have your name?

17 AILDA G: Ailda G.

18 CHAIRMAN EWASUTYN: Can you spell  
19 that for the stenographer?

20 AILDA G: A-I-L-D-A.

21 CHAIRMAN EWASUTYN: Thank you.

22 AILDA G: I was just standing on my  
23 front lawn when, I don't know what  
24 happened at the intersection, I just  
25 heard screeching. The car mowed down my

2 bushes, two of my tall bushes that are  
3 like seven feet tall right in front of my  
4 yard. I live in the house over the  
5 intersection. They just careened down  
6 the driveway. We have heard multiple  
7 accidents all the time, day and night.

8 CHAIRMAN EWASUTYN: Ross Winglovitz,  
9 are you making note of this?

10 MR. WINGLOVITZ: Yes.

11 BEVERLY H: Also, too, maybe before  
12 she moved in -- how long have you been  
13 there? Twenty years?

14 AIDA D: Mm'hm'.

15 BEVERLY H: A car came through that  
16 intersection, it was a thirty-three year  
17 old guy, it was his car, he was letting  
18 his fourteen year old girlfriend drive.  
19 She went off the road, hit the corner of  
20 my house, there's a crack in the  
21 foundation, mowed down those hedges, went  
22 into the basement, the front end of her  
23 house that she bought years later. The  
24 window was this wide. They hit out some  
25 of the blocks. It's a bad intersection

2 and we don't need 500 plus more cars on  
3 this intersection.

4 CHAIRMAN EWASUTYN: Thank you,  
5 Beverly.

6 AILDA G: I believe there was a  
7 fatality at one point. I do not know for  
8 sure.

9 BEVERLY H: She died later in the  
10 hospital. She was airlifted from St.  
11 Luke's, went to Westchester and died  
12 later.

13 I also had a woman pass out on my  
14 lawn one time from an accident. I've  
15 seen kids with teeth through their upper  
16 lips. It's a bad intersection.

17 AILDA G: They need a stop sign.  
18 That traffic is all the way down by the  
19 Jehovah Witnesses and to the church. The  
20 traffic coming into Old Little Britain  
21 Road, the one that comes out to Home  
22 Depot, that gets backed up, too.

23 For me to get out, I have to really  
24 make sure that I take my time. I'm not  
25 just going to rush into traffic.

2 I live to her right. She lives  
3 right in front of the intersection. I  
4 live right next door to her.

Traffic  
DTS

5 2.2

6 With this traffic, how long is it  
7 going to take me to get out of my  
8 driveway? A half an hour? An hour?  
9 It's not fair to me that, you know, they  
10 don't put a traffic light. Nobody wants  
11 to stop, everybody wants to push you out  
12 of the way. It's not fair. We see all  
13 the accidents. We are there. We are  
14 witness of this, you know, nobody caring  
15 about the people that are -- you know,  
16 like they don't have time or they're just  
17 going to drive 55 miles-an-hour on that  
18 road. It's not fair. Thank goodness  
19 that none of the kids -- you know, my son  
20 one time almost got run over by a car  
21 because nobody stopped. The car just  
22 drove right by. I'm always careful.  
23 Like I told my daughter when she was  
24 small, be careful when you're crossing  
25 that road because it's really dangerous.  
I told the neighbors, they have kids, you

2 just be careful when those kids are  
3 crossing and you make sure that, you  
4 know, the kids are safe when they cross  
5 the road.

6 At one point they wanted to drop  
7 off my kid at the intersection across the  
8 street. I said there's no way. I went  
9 to the board of education and complained.  
10 I said there's no way I'm going to have  
11 my son cross that intersection, putting  
12 my son's life in danger, when he can get  
13 dropped off in front of the house. It's  
14 not about walking, it's how dangerous  
15 this is. When it's snow or rain or  
16 whatever, it's really dangerous, that  
17 intersection.

18 CHAIRMAN EWASUTYN: Ross, do you  
19 want to speak on that?

20 MR. WINGLOVITZ: I mean, all of  
21 these intersections have been evaluated  
22 in the DEIS. The accident history has  
23 been provided. If there's anything that  
24 was out of the norm, it's flagged and  
25 we'll take a look at it. I'm sure Ken

2 will advise us if there's anything else  
3 that needs to be added.

4 CHAIRMAN EWASUTYN: Ken Wersted  
5 with Creighton Manning.

6 MR. WERSTED: As the Board's  
7 Attorney had advised reflecting it's not  
8 a back and forth, but I will tell you  
9 specifically, and I think it's germane to  
10 everyone in the audience, that DOT is  
11 looking at that specific intersection.  
12 They have a study underway right now. It  
13 is in a process of determining what  
14 should be the improvements at that  
15 intersection. We don't know what that  
16 outcome is, but it is in the process of  
17 that. That was started by the Town  
18 probably five, six years ago to be  
19 initiated. We're finally getting to that  
20 point of them coming to some type of  
21 decision.

Traffic  
DTS

22 2.3

23 AILDA G: Wasn't a traffic light  
24 approved and they said there wasn't  
enough money in the budget or something?

25 BEVERLY H: What I heard was we

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signed a petition in the neighborhood to have a traffic light put there. Because the accident happened on 207, it was supposed to be a State road, the State did not have money in the budget to put the traffic light there. That's what we were told.

MR. WERSTED: That may have been true at that time. A petition isn't necessarily going to result in getting what you're asking for, but it raises the awareness that there is not just one person's concern but a community's concern around that intersection. That has been heard and DOT is investigating that. They're looking at what options are best, most appropriate for that location. I don't know if there is funding for it. The indications have been that there is funding to study and construct something there. We're still waiting for DOT to conclude their process.

CATHERINE G: Catherine G. I also wanted to speak on this. Also the water

2 department near us, they have had line  
3 breaks where their lines will break and  
4 water will flood our whole entire  
5 backyard. My neighbors' backyards become  
6 a literal lake. I don't know if they've  
7 looked into that or if they've seen that  
8 has been an issue before. It's happened  
9 numerous times over the years where,  
10 again, their water line, whatever, it  
11 will break and all of their water will  
12 come gushing into our backyards. If that  
13 can't uphold for two, three houses near  
14 us, and they need water to go to that  
15 apartment complex, how do you think  
16 that's going to end up for us as well?  
17 How many times are we going to have a  
18 line break until they decide, well, okay,  
19 this is something that we need to look  
20 into for the future, because that's not  
21 sustainable? We don't know what's going  
22 to happen with that either. I think I  
23 saw somewhere that they had to have --  
24 they have to have water going to their  
25 complexes. I don't know if that's going

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to be from the water department that's

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right next to our houses, but that's also

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another concern of ours. Okay, well,

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what are they going to do or educate us

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on, okay, is that going to be an issue

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for us again in the future of like will

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we worry about having our backyards

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completely washed out again.

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I know your fence has had damage

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from that as well. That's another

12

concern of ours.

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MR. WINGLOVITZ: That would be the

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City water line and we're connected to

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the Town water system.

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CATHERINE G: Okay.

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CHAIRMAN EWASUTYN: Additional

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questions or comments from the public?

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BILL FETTER: Bill Fetter, Rockwood

Land

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2.5

Drive. Given the nature of the soils in

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the area, I just ask that sufficient

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detention be considered prior to

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discharging into the adjacent streams.

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Thank you.

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CHAIRMAN EWASUTYN: What is the

2 adjacent stream?

3 MR. FETTER: The Quassaick I  
4 believe. Directly into the Quassaick  
5 Creek. It's the clay content of the  
6 soils that is -- it's sustained in the  
7 water. It doesn't settle out very  
8 quickly in the detention pond which would  
9 lead to putting clay into the streams and  
10 impacting wildlife.

11 Harrison Pond is pretty well  
12 populated with wildlife, which is just  
13 downstream of there, and elsewhere.

14 CHAIRMAN EWASUTYN: Additional  
15 questions or comments?

16 VANESSA N: Vanessa N. As a  
17 resident, I can also attest to the high  
18 traffic in that area and the high risk at  
19 the intersection of Little Britain and  
20 Old Little Britain Road. The increased  
21 traffic impact, is it possible to  
22 mitigate it with an egress on the north  
23 side of the property leading up to  
24 Broadway, to not impact Little Britain  
25 Road so harshly with traffic?

Traffic

2.6

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We do need housing. We do need affordable housing stock. If it's something that's going to really disrupt the residents that you are speaking to at that intersection, then the risk for the drivers in the area needs to be accounted for.

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CHAIRMAN EWASUTYN: Additional comments? The gentleman here.

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MARK S: Mark S. A couple things.

Land Use &  
Zoning

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Just a clarification, Mr. Chairman. At the beginning you mentioned this was an R-3 Zone or is it an R-6?

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CHAIRMAN EWASUTYN: Ross Winglovitz.

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MR. WINGLOVITZ: R-3.

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MARK S: An R-3 Zone means three properties per acre? I just want to get clarification.

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CHAIRMAN EWASUTYN: Pat Hines.

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MR. HINES: No. Multi-family in the R-3 Zone permits six units per acre. There's the possibility, when you go to a senior complex, to go to nine with Town Board approval.

2 MARK S: Okay. Thank you for that  
3 clarification.

4 A couple other things. I didn't see  
5 it in the traffic study, but I didn't go  
6 through it completely. The recent  
7 project that was completed, the Cafe  
8 Spice facility up in New Windsor, it's  
9 not Newburgh, the apartment project, was  
10 that included in the traffic study?  
11 There's another project recently  
12 completed and sold.

13 In the parking lot of the Rider  
14 office there, they're reconfiguring the  
15 sewer pump there. I want to make sure  
16 that's accounted for in the traffic  
17 count. That will be coming out to that  
18 highway and that intersection.

19 MR. WINGLOVITZ: What was the  
20 address of that facility?

21 MARK S: Right next to Cafe Spice,  
22 the old Newburgh Superior Packing  
23 location.

24 UNIDENTIFIED SPEAKER: Stonegate.

25 CHAIRMAN EWASUTYN: There's a

Traffic  
DTS

2.8

2 project of approximately 102 or 103  
3 units. It was built out and I believe  
4 sold to the Jehovah Witnesses. It was  
5 just recently completed this fall.

6 MR. WINGLOVITZ: I think that came  
7 up at the scoping session. It was  
8 included, but I'll check.

9 MARK S: I want to make sure. I  
10 didn't see it in there.

Traffic  
DTS

11 2.9 You mentioned the State reviewed  
12 this. Have they approved it? Do you  
13 have final approval from the State DOT?

14 MR. WINGLOVITZ: It's still in the  
15 review process.

Project  
Descrip

16 MARK S: I see on the design right  
17 2.10 there, are there interior walking paths  
18 for the residents or will they be walking  
19 out on the highway to get their exercise?

20 MR. WINGLOVITZ: So there are  
21 interior sidewalks throughout the project.

22 MARK S: Sidewalks, not walking  
23 paths?

24 MR. WINGLOVITZ: Correct.

25 MR. HINES: The plan did show

2 extensive walking paths.

3 MR. WINGLOVITZ: A lot of them were  
4 on steep slopes. We haven't finalized  
5 that. We think we want to pull them off  
6 of the steeper slopes. The architect has  
7 several coming up to steep slopes. We're  
8 looking at connecting the sidewalks to a  
9 path system but not on the steep slopes.  
10 That was part of the concern we had.

11 MARK S: I don't know if you want  
12 to consider that. There will be a lot of  
13 people there looking for things to do and  
14 creating problems there.

Utilites

15 2.11

16 Again, the sewer line, it was  
17 brought up at the last meeting, who is  
18 going to control that? Is it going to be  
retained by the developers?

19 MR. WINGLOVITZ: It will be  
20 retained by the developers unless the  
21 Town -- it will be built by us, owned by  
22 the developer. He'll be responsible to  
23 maintain it. We'll offer it to the Town,  
24 if at such time they want to take it,  
25 whether it's now or six years from now.

2 That would be their decision. If there  
3 are other people that want to connect  
4 into that line beyond this project, that  
5 would be a Town decision.

Utilites

6 2.12

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Traffic

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MARK S: If they retain ownership,  
there could be a price to connect to the  
sewer line?

MR. WINGLOVITZ: That's a private  
sewer corporation.

MARK S: In other areas they did  
that and it was quite expensive to tie  
in.

The last thing, again to the Board,  
thank you very much for your work on  
this. A lot of due diligence.

That line of sight is still a  
concern to me. They're talking about a  
left-hand turning lane, but that's not  
going to be the problem. It's the  
traffic coming out of the City as you go  
from the 30 to 45. That's where the line  
of sight is challenged. That's where I  
think the concern is going to be. It's  
for the safety of all the passengers

2 there.

3 CHAIRMAN EWASUTYN: Thank you.

4 MARK S: The intersection,  
5 everything they said is true. Every  
6 weekend you hear the horns going off, the  
7 traffic and the accidents. I believe  
8 it's your yard that usually ends up with  
9 the vehicles in front. Again, that's the  
10 State. I know they're working on that.  
11 The prospect of having a light sent  
12 shivers up my spine because I'll never  
13 get out of my driveway.

14 Thank you very much for your time  
15 and your consideration.

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

18 MATT GALLAGHER: Matt Gallagher,  
19 409 Little Britain Road. I recently  
20 entered a Zoning Board application and  
21 was told because I live on Route 207,  
22 there needed to be a time period in which  
23 Orange County could weigh in on what I  
24 was asking for. I was wondering if  
25 Orange County is also required to weigh

General 2.14

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in on this site, if they have and if

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there are any concerns that the public

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would have visibility to from them.

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CHAIRMAN EWASUTYN: Pat Hines.

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MR. HINES: It's subject to Orange

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County Planning review as well throughout

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the whole process. They are included in

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the DEIS submission. There will be, at

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some point in the process, a 239 review,

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which is what you're referring to, for

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having a project on a State highway.

General

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2.15

MATT GALLAGHER: For the documents

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that get shared online for these

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meetings, when I click through I don't

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see in any of those resources where that

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criteria is. Would that be added at a

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later point in the process?

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MR. CORDISCO: If I may. It will

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be included as an appendix to the final

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environmental impact statement. All

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written received comments will be.

23

MATT GALLAGHER: Thank you.

24

One point of correction on the

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traffic. The fatality that occurred that

2 you got the more updated information on,  
3 it wasn't wet conditions, it was dry and  
4 sunny that day. The excessive speeds are  
5 something that we all wish we could  
6 control or change. I encourage the Board  
7 and the applicant to consider the  
8 excessive speed in that corridor. That  
9 is your design condition. Nobody here  
10 can make any decision that changes that.  
11 We would like to go through and plan for  
12 45 miles-per-hour. It's never going to  
13 be true.

14 A couple other points we want to  
15 make sure get addressed eventually  
16 regarding the force main. For subsequent  
17 hearings, if the Board would find  
18 appropriate to look at properties not  
19 just within 500 feet of the main site but  
20 properties within 500 feet of the force  
21 main. That would probably, in my  
22 estimation, be appropriate for  
23 consideration for future public hearing  
24 notifications because those people are  
25 going to have their front yards impacted.

General

2.16

Utilites

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Utilites

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The comment was just made that there's some gray area over who would own the force main. I also think it would be appropriate for the environmental impact to have it clear when there's an interruption of service due to any possible failure of the force main, what is the instruction going to be for the residents. I believe it was stated that the retention onsite is less than a day's worth of waste. If there's a break in the main and one of our neighbors has their front yard that needs to get torn up to deal with seeping sewage. At the same time, within twenty-four hours, if that main has to be depressurized, how does that play into the site's retention and guarantee of no runoff or pollution to other areas since we're on the watershed?

Also, it would be of interest to us to see, because this force main wasn't allowed to be co-trenched with the water main and therefore has to cross over on

2 the south side of 207, how does the  
3 crossing happen, over or under the City  
4 water main? I think it would be of  
5 interest to the City residents as well as  
6 the Town residents that we know how those  
7 pipes cross and at what depth they cross,  
8 is one or both below the frost line or  
9 above the frost line. I'm very  
10 interested in how that's going to be  
11 accomplished in accordance with code  
12 requirements.

Land

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2.19

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For blasting, you talked about opening up the sight distance a little more, taking away a little more to get some of that left-turn view out. It sounds more and more like there is going to be blasting that occurs. It would be good for those of us that are directly adjacent to know how the liability is handled during that. It was addressed last time that there would be sensors placed and the person who does the blasting is insured. We don't know if we might end up in a litigation situation

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that goes far beyond the three or five years it takes them to build the site.

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4

We don't know if the burden is on them to

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settle any damage before they continue to

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build. A forecast in terms of what our

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exposure would be to that would be

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appreciated, because I think that's part

9

of the environmental impact.

Plants &  
Animals

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2.20

Then lastly, when we consider -- if

EA

11

you drop a pin kind of right where

12

Central Hudson is, we consider about that

13

half mile radius that's been affected by

14

Unity warehouse, Jehovah's Witnesses

15

expansion across from the Baptist church,

16

the new Stonegate apartment further down

17

in New Windsor. If this project is also

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approved, you're looking at old or second

19

growth forest disruption of about 150

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acres which is about 30 to 40 percent of

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that small half mile radius area. This

22

area is really being substantially

23

disrupted in terms of tree canopy.

24

Thank you.

25

CHAIRMAN EWASUTYN: Any additional

2 questions or comments from the public?

3 What I'm trying to do, Beverly, is  
4 allow everyone who hasn't had the  
5 opportunity to speak, to speak first and  
6 then do another round. So now Beverly,  
7 there hasn't been any hands raised, so  
8 please speak.

9 BEVERLY H: Sir, I just want to  
10 clarify. Catherine was saying that the  
11 filter plant next door is the City filter  
12 plant. Is that correct?

13 MR. WINGLOVITZ: Correct.

14 BEVERLY H: It's the City filter  
15 plant that is going to supply the water  
16 to Britain Woods. Correct?

17 MR. WINGLOVITZ: Incorrect.

Utilites 18 2.21 BEVERLY H: Who is supplying the  
19 water?

20 MR. WINGLOVITZ: The Town water  
21 system.

22 BEVERLY H: Where is the Town water  
23 located?

24 MR. WINGLOVITZ: Right on 207, 400  
25 feet from the site. There was a new

2 hydrant just put in there not that long  
3 ago.

4 BEVERLY H: Okay.

5 CHAIRMAN EWASUTYN: I'll turn it  
6 over to the Planning Board Members now --  
7 excuse me. The gentleman in the back.

8 JOHN CONNER: John Conner, Goodwill  
9 Fire District. We have a concern, as  
10 we've mentioned in our write-up, of  
11 internal space on the roads.

Project  
Description

12 2.22 During the winter we have  
13 significant snowfall. Have you addressed  
14 where the snow is going to go?

15 MR. WINGLOVITZ: There's a  
16 significant area for snow throughout the  
17 site. If it needs to be hauled away, it  
18 will be hauled away.

19 The roads have been designed in  
20 accordance with the Fire Code. We comply  
21 with the 26 feet throughout. The fire  
22 hydrants are throughout. There are  
23 places for staging for aerial apparatus.

24 We can certainly come up with a  
25 snow removal plan if that's something

2 that this Board thinks is necessary.

3 JOHN CONNER: 26 feet is the  
4 minimum required to setup an aerial  
5 ladder. That's all we'll have? We can't  
6 get past it? Is that what you're saying?

7 MR. WINGLOVITZ: Pardon?

Community  
Services

8 2.23

9 JOHN CONNER: 26 feet is also the  
10 setup width for an aerial. Is that going  
11 to be the only width we have on those  
roads if we have to set one?

12 MR. WINGLOVITZ: The reason it's 26  
13 feet is so you don't block it. An  
14 aerial apparatus is 14 feet with the legs  
15 out. The reason it went to 26 feet is  
16 just for that reason, so when you are  
17 setup and you are staged to be able to  
18 fight a fire, you can get a vehicle back  
19 there.

20 JOHN CONNER: That's true, but you  
21 can't park underneath a swinging --

22 MR. WINGLOVITZ: You can't park two  
23 of them side by side.

24 JOHN CONNER: That was just one.

Traffic

25 2.24

The other just came up. Would it

2

make sense to incorporate the entire

3

corridor, 207 and Old Little Britain

4

Road, into one study for traffic? One

5

thing that seems to be missing is on the

6

weekends the 500 or 800 cars that the

7

Jehovah's Witnesses bring in that crowd

8

the roads at the same intersections.

9

Also, I mentioned in my write-up,

Traffic

10

2.25

there are a couple planned construction

11

sites, I believe on Unity, a hotel and a

12

warehouse. Wouldn't it make sense to

13

incorporate all of them into one traffic

14

study?

15

MR. WINGLOVITZ: For our purposes,

16

and what Ken was referring to, is that

17

the State was doing a study specifically

18

at 207 and Old Little Britain Road.

19

They're studying that intersection. We

20

were required to study, I forgot, eight

21

or nine intersections in their entirety,

22

do traffic counts at each one of those

23

and analyze those as far as accidents,

24

traffic and safety.

25

JOHN CONNER: I understand that.

2 If we continue to do one piece here, one  
3 piece here, one piece here and we haven't  
4 solved the problem going forward, I think  
5 that would be critical.

6 MR. WERSTED: It is routine to  
7 include other projects that have been  
8 proposed or approved but not yet  
9 constructed. The traffic study for this  
10 project would take into account things  
11 that are nearby but haven't been built  
12 yet, meaning the traffic from them is  
13 included in the traffic counts. It  
14 doesn't exist yet but they know, they are  
15 aware of how much is going to be  
16 generated, which direction it's going to  
17 go. This includes those items within it.

18 Similarly, although DOT is only  
19 looking at that intersection, they are  
20 also taking into account those other  
21 developments. They don't want to look  
22 and say here's how much traffic is here  
23 today and ignore like Stonegate is just  
24 going to open in a few months or Unity  
25 warehouse is going to come online,

2 et cetera. Traffic engineering  
3 studies take a look back and say what  
4 is going on in the area that we need  
5 to include as part of it, including  
6 the subject parcel.

7 JOHN CONNER: Okay. What I'm  
8 saying is why not solve the problem  
9 first, come up with a solution before  
10 we expand to that project, that  
11 project, that project. Why not fix  
12 the problem first and project for the  
13 future. That's all I'm saying.

14 CHAIRMAN EWASUTYN: If there are no  
15 further questions or comments, I'll turn  
16 it over to Planning Board Members. John  
17 Ward.

18 MR. WARD: With the traffic circle  
19 and the two buildings there, if you did a  
20 flip flop and moved the entrance instead  
21 straight down -- over to your right -- my  
22 right. Right in that area. A little  
23 over. Right in that area. That might  
24 solve the both ways looking with the  
25 speed.

Project  
Descrip

2.26

2 MR. WINGLOVITZ: What happens is  
3 you start to lose the vertical. You get  
4 off the hill and you get too far down  
5 below and you can't see this way. You  
6 can go a long way -- you can go pretty  
7 far this way and still maintain very good  
8 sight distance to the right. When I say  
9 very good sight distance, that includes  
10 the clearing. There's a lot of  
11 vegetation this site has that creeps out  
12 into the edge of the roadway. That will  
13 have to be cleared back. We are inside a  
14 little bit of a curve looking to the  
15 west. Looking to the east it's a little  
16 more of a curve but it has a vertical  
17 component. We looked at relocating this  
18 50 to 100 feet in that direction. We  
19 don't lose sight distance to the west and  
20 we do gain sight distance to the east in  
21 doing that. There will be some clearing,  
22 obviously, through here. This telephone  
23 pole we're going to be relocating anyway  
24 because we have a left-turn lane  
25 improvement. That will all have to be

2 out of the way.

3 MR. WARD: If you could balance it  
4 out to work it that way.

5 MR. WINGLOVITZ: We have to find  
6 the sweet spot.

7 CHAIRMAN EWASUTYN: Lisa Carver.

8 MS. CARVER: Nothing further.

9 CHAIRMAN EWASUTYN: Cliff Browne.

10 MR. BROWNE: Nothing more at this  
11 point. There will be a lot more later.

12 CHAIRMAN EWASUTYN: Ken Mennerich.

13 MR. MENNERICH: Nothing at this  
14 time.

15 CHAIRMAN EWASUTYN: Stephanie DeLuca.

16 MS. DeLUCA: Nothing further.

17 CHAIRMAN EWASUTYN: Dave Dominick.

18 MR. DOMINICK: Ross, what you just  
19 explained is what you eluded to in your  
20 opening presentation, that it's possible  
21 to shift the entrance --

22 MR. WINGLOVITZ: Yes.

23 MR. DOMINICK: -- to gain better  
24 sight? Okay. I'll be interested to see  
25 what you come up with.

2 CHAIRMAN EWASUTYN: Ken Wersted,  
3 Traffic Consultant with Creighton  
4 Manning.

5 MR. WERSTED: Thank you. Where we  
6 are in the process is that the applicant  
7 has provided us with the necessary  
8 studies and taken into account the public  
9 comment. We are going through our own  
10 technical review. We're looking at the  
11 assumptions used and the findings, the  
12 results, comparing them to traffic  
13 engineering standards and developing our  
14 own comments. Ross and the applicant  
15 will then take all of those comments,  
16 including the public's, and put them into  
17 essentially a response document that  
18 we'll go through. If there's anything  
19 that needs to be further addressed,  
20 analysis, moving the driveway, confirming  
21 the accidents included in here,  
22 confirming whether there are any traffic  
23 restrictions that were at the time of the  
24 counts, whether there was any supplemental  
25 analysis, that's all included as part of

2 that. We're looking to finish up our  
3 comments and submit those to the Board  
4 and have the applicant start addressing  
5 those.

6 There have been written comments  
7 relative to traffic.

8 The County has looked at this.

9 I don't believe we've seen anything  
10 from the DOT. I might be wrong.

11 The fire department has submitted  
12 comments.

13 All of that information, including  
14 comments on traffic from the City of  
15 Newburgh, will be incorporated into the  
16 FEIS.

17 CHAIRMAN EWASUTYN: Jim Campbell,  
18 Code Compliance.

19 MR. CAMPBELL: No comment.

20 CHAIRMAN EWASUTYN: Pat Hines with  
21 MH&E.

22 MR. HINES: I would be repeating  
23 most of what Ken said.

24 We've broken up, within my office,  
25 between the various expertise the

2 documents and they are under review.  
3 We'll be providing technical comments on  
4 the stormwater. We have our inhouse  
5 biologist taking a look at the impacts to  
6 the flora and fauna and such, water and  
7 sewer.

8 The comments from the public at the  
9 last two meetings are helpful. They  
10 helped us target some specific areas to  
11 review for commenting which will have to  
12 be addressed in the FEIS.

13 Again, my office's review is  
14 continuing. We will provide a written  
15 report to the Board for the applicant to  
16 address in the FEIS.

17 CHAIRMAN EWASUTYN: Dominic Cordisco  
18 with Drake, Loeb, Planning Board Attorney.

19 MR. CORDISCO: As I mentioned at  
20 the outset, this is a continuation of the  
21 public hearing that was held over from  
22 August 1st. If the Board is inclined, it  
23 would be appropriate for you to consider  
24 closing the public hearing at this time.  
25 In doing so, you also have to notify the

2 public that the opportunity for the  
3 submission of written comments is a  
4 period of ten days.

5 CHAIRMAN EWASUTYN: Can I have a  
6 motion to close the public hearing on  
7 Britain Woods.

8 MR. MENNERICH: So moved.

9 MR. BROWNE: Second.

10 CHAIRMAN EWASUTYN: I have a motion  
11 by Ken Mennerich. I have a second by  
12 Cliff Browne. Can I have a roll call  
13 vote starting with John Ward.

14 MR. WARD: Aye.

15 MS. CARVER: Aye.

16 MR. BROWNE: Aye.

17 CHAIRMAN EWASUTYN: Aye.

18 MR. MENNERICH: Aye.

19 MS. DeLUCA: Aye.

20 MR. DOMINICK: Aye.

21 CHAIRMAN EWASUTYN: Let the record  
22 show that the public has a ten-day  
23 written period for any additional  
24 comments.

25 MR. HINES: That falls on a Sunday.

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I don't know if you want to go to the  
16th.

CHAIRMAN EWASUTYN: Okay. We'll do  
eleven days. The date of that would be?

MR. HINES: September 16th.

CHAIRMAN EWASUTYN: The Board has  
until September 16th to hand or e-mail  
any additional comments.

MR. HINES: The public.

CHAIRMAN EWASUTYN: Excuse me?

MR. HINES: The public has.

CHAIRMAN EWASUTYN: The public.  
Excuse me. The public on the DEIS.

MR. HINES: When we originally  
noticed this, we did identify a ten-day  
comment period after closing. We didn't  
specify that date. The environmental  
notice and the public notices also did.

MR. CORDISCO: Yes.

CHAIRMAN EWASUTYN: Thank you.

(Time noted: 8:27 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 16th day of September 2024.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO