

CITY OF NEWBURGH
PLANNING BOARD

123 Grand Street, Newburgh, New York 12550

Lisa Daily, Chairperson
Omar E. Balbuena-Palma, Secretary

Phone: (845) 569-7380
Fax: (845) 569-9700

PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, April 18, 2017 in the Activity Center, 401 Washington Street, Newburgh, NY 12550

Members Present: Lisa Daily
Argelia Morales
Alicia Ware
Ramona Monteverde

Members Absent: Lillian Burgarelli
Duane Ware

Also Present: Jason Morris, City Engineer
Alexandra Church, City Planner
Jeremy Kaufman, Assistant Corporation Counsel
Omar E. Balbuena-Palma, Land Use Board Secretary

The meeting was called at 7:32 p.m. after a quorum was confirmed.

APPROVAL OF MINUTES

Alicia Ware moved and Ramona Monteverde seconded the motion to approve the minutes of the March Planning Board meeting.

The motion passed 4-0,

NEW BUSINESS

INDEX NO. 2017-06 SITE PLAN to change the building from a 3-family to a 4-family residence.

Location: 98 Grand Street

Owner/ Applicant: Serenity Homes LLC /John Duggan

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, City Planner, and the Conservation Advisory Council are to be made a matter of record.

DISCUSSION BY THE BOARD

William Costello appeared before the board representing Serenity Homes LLC and gave a brief overview of the project. He said they intend to convert the existing office space, which has a bathroom and shower, to an additional apartment.

The City Planner submitted her latest comment letter for the record. She stated the property is in the Downtown Neighborhood and within the LWRP boundary. As per the Zoning Enforcement Officer's letter, site plan is required from the Planning Board and the project is a Type I action under SEQRA. A full EAF was received and because it falls within the Waterfront Protection Overlay as well as the LWRP boundary. The CAC reviewed the submitted Coastal Consistency Form and provided a comment letter to the Planning Board. The property is adjacent to the SUNY Orange campus and is therefore subject to County review. Her outstanding comments are noted in 6 and 7 of her letter, but so long as there is no site work being done, they can be ignored. However, she made it clear that if site work is done, it will trigger SHPO and DEC project review.

The City Engineer submitted his latest comment letter for the record. He had no substantial comments and recommended waiving site plan approval.

Ms. Daily said the CAC review found the project consistent with the LWRP. She said there were some questions regarding the parking, however they are not required for this project. The City Planner noted there is a municipal lot on the other side of the neighboring structure.

Argelia Morales moved to declare Lead Agency pursuant to SEQRA. Ramona Monteverde seconded the motion.

The motion passed 4-0

The applicant was informed to return on the following Planning Board meeting after the County responded.

INDEX NO. 2017-07 SITE PLAN to open a museum.
Location: 109 Liberty Street
Owner/ Applicant: Motorcyclepedia / Chris Knasiak

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, and City Planner are to be made a matter of record.

DISCUSSION BY THE BOARD

Chris Knasiak appeared representing Motorcyclepedia and gave an overview of the project. She said Motorcyclepedia is an existing museum on Lake Street and the project would be an annex to the current museum. The building was originally a labor hall. The intent is to use the entire building as a museum to showcase bicycles. They received a grant to do the façade and are currently

working on funding to renovate the interior and install a sprinkler system and elevator. She stated that they are now before the Planning Board requesting site plan approval for their project. The days of operation would be during weekends only. She provided a letter from Edward Doering, President and Sole Owner of the Mid-Hudson Film LLC, where he agreed to provide 5 parking spaces in the lot at 50-54 Liberty Street for the museum guests. She said they anticipated a maximum of 20 people per day, on weekends only, who would visit the site. She provided pictures of the Ann Street Lot on a typical Sunday to showcase the accessibility of parking. They are not planning any site disturbance. The maximum square footage of the museum is approximately 11,400 square feet across 3 floors.

The City Planner submitted her latest comment letter for the record. She said the project is in the Downtown District. Per the Zoning Enforcement Officer's letter comment 4, the museum is permitted pending site plan approval by the Planning Board. She said the project triggered SHPO and DEC review if the applicant proposed site work. However as long as the applicant confirmed no site work, the review was not required. She then advised the Planning Board to take into consideration her comments 13(a-c) in determining the amount of off-street parking required.

The City Engineer submitted his latest comment letter for the record. He had no substantial comments and recommended waiving site plan approval.

Ms. Monteverde said the parking lot on Ann Street is packed during the week and is probably empty during the weekend but she asked for clarification on the additional 5 parking spaces and the façade. Ms. Knasiak said the lot is an empty parking lot across the street
Alicia Ware moved to waive the Site Plan approval. Argelia Morales seconded the motion.
The motion passed 4-0

Argelia Morales moved to declare Lead Agency pursuant to SEQRA. Ramona Monteverde seconded the motion.
The motion passed 4-0

Ramon Monteverde moved to issue a Negative Declaration. Argelia Morales seconded the motion.
The motion passed 4-0

Argelia Morales moved to approve the site plan as submitted. Alicia Ware seconded the motion.
The motion passed 4-0

INDEX NO. 2017-08 SPECIAL USE PERMIT to convert the current Auto Body Repair Facility to a workshop.
Location: 236 S Williams Street
Owner/Applicant: Belfry Arts LLC. / George Ian McMahon + Ashley Lyon

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, and City Planner are to be made a matter of record.

DISCUSSION BY THE BOARD

George Ian McMahon appeared before the board representing Belfry Arts LLC. He stated he and his wife are currently in the process of buying the property. The intent is to change the current Auto Body Repair Facility to a fabrication studio (Cottage Industry). Light duty fabrication, metal work, ceramics and woodwork will be done in the studio. The exterior will not be disturbed. The property has 2 units; the residential unit will remain the same and the commercial space will be changed from the auto body repair facility to the fabrication studio.

The City Planner submitted her latest comment letter for the record. She said the parcel is in the Low Density Residential zone and as per the Zoning Enforcement Officer's comment letter, the change of use is for the rear building, and it requires variances from the Zoning Board. She said Cottage Industry is allowed pending a special use permit approval from the Planning Board and a site plan is required for all special use permits. She said the action is an unlisted action under SEQRA and does not require County or CAC review. She urged the board to schedule a public hearing for the next Planning Board meeting. She also noted one outstanding comment, that the EAF automatically triggered local DEC remediation and she would like to confirm this before the board considers issuing a negative declaration.

The City Engineer submitted his latest comment letter for the record. He said the applicant is not proposing any site plan improvements and so he recommends waiving the site plan requirements. He reminded the applicant to turn in the industrial discharge permit application to confirm that the permit is not required.

The Assistant Corporation Counsel mentioned that the applicant agreed to let the City Engineer dye test the floor drains to ensure they go to the correct locations. The applicant confirmed this permission.

Ms. Monteverde clarified that the applicant will not live in the residential unit.

Alicia Ware moved to schedule a public hearing at the May Planning Board meeting. Ramona Monteverde seconded the motion.

The motion passed 4-0

Ramona Monteverde moved to declare lead agency pursuant to SEQRA. Argelia Morales seconded the motion.

The motion passed 4-0

The applicant agreed to attend the following May Planning Board meeting and to submit the industrial discharge permit application to the City Engineer.

INDEX NO. 2017-10 SPECIAL USE PERMIT/ SITE PLAN to develop a parking area.
Location: 35-37 Broad Street
Owner/ Applicant: City of Newburgh / FD Water Street Holdings, LLC.

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, and City Planner are to be made a matter of record.

DISCUSSION BY THE BOARD

Justin Dates from Maser Consulting appeared before the board representing FD Water Street Holdings, LLC. He said they are proposing to develop a parking lot roughly 2.7 acres in size and that the lot is currently owned by the City of Newburgh. The applicant is currently in the process of purchasing the property and it is located directly across from the Regal Bag building. They are also proposing a crosswalk and a traffic signal across Water Street, which will be a requirement of the applicant if he is to proceed with the project. The site is in the RL district and the parking lot is permitted by a special use permit approval by the Planning Board. 1.6 acres of land will be disturbed and the applicant is aware that storm water management must be addressed for water quality. The applicant outlined a couple areas where they are considering water retention with various plants and shrubs for aesthetics instead of the usual drainage. The parking lot will be 121 spaces and their intent tonight is for the Planning Board to declare its intent for lead agency.

The City Planner submitted her latest comment letter for the record. She said DOT will not evaluate the feasibility of the crosswalk/traffic signal until there is a request for lead agency, and a lead agency is determined, pursuant to SEQRA. The applicant is waiting for the Planning Board to declare its intent to be lead agency. The parcel is in the RL district and the parking lot is permitted pending a special use permit with site plan approval by the Planning Board and requires a public hearing. The project is a Type I action under SEQRA as it is substantially contiguous to the East End Historic District. A coordinated review is needed. Environmental review cannot be segmented and the Planning board needs to review the full EAF of the entire Regal Bag project – not just the proposed parking lot. The project requires a GML 239 review as well as CAC review. She recommends declaring intent to be lead agency and to schedule a public hearing.

The Assistant Corporation Counsel said that by declaring intent to be lead agency, the Planning Board may authorize a letter for distribution to interested agencies, which would start a 30-day clock for other potential agencies to declare any intention to act as lead agency as well. Once the 30-day clock expired, if no other agencies expressed intent to be lead agency, the Planning Board could declare itself lead agency for SEQRA.

The City Engineer submitted his latest comment letter for the record. He said the purpose of the presentation is to provide a concept plan to the Planning Board to get feedback. Details of the plan have not been developed but the overview is outlined on his comment letter. He said the applicant's design letter will be provided at a later date with those details.

Ramona Monteverde moved intent to become lead agency. Alicia Ware seconded the motion. The motion passed 4-0.

OLD BUSINESS

INDEX NO. 2016-07 SPECIAL USE PERMIT and SITE PLAN to establish a Gas Main Regulator.

Site Location: 182 Fullerton Ave

Owner/ Applicant: Central Hudson Gas & Electric, Inc./ Justin Dates

The comment letters of the City Engineer, City Planner and the submitted facade alternatives and bench details are to be made a matter of record.

DISCUSSION BY THE BOARD

Justin Dates from Maser Consulting, representing Central Hudson, remained before the board and gave a brief description of his submitted plans for the façade of the project. He said that the Zoning Board granted the 3 area variances requested and has now provided 4 alternatives for the building façade that fit into the aesthetic of other buildings in the area. He went over the 4 different variations of the façade as shown on the attached document.

The City Planner submitted her latest comment letter for the record. She recommended that the Planning Board choose a preferred rendering.

The City Engineer submitted his latest comment letter for the record. He agreed with the City Planner and that the record should note the dedication of trees and bench proposed by the applicant for the benefit of the Colonial Terraces tennis courts.

Mr. Dates said that a Red Maple tree will be donated inside the tennis court, 2 Hawthorne trees along the tree lawn on South Street outside of the fence, and the bench would all be donated as well.

The Planning Board deliberated over the renderings and chose façade number 4 (as labeled on the drawing, and as indicated as the option in the lower right portion of the page).

Argelia Morales moved to accept the project, as submitted, with the additional dedication of the 3 trees and the bench. Alicia Ware seconded the motion.

The motion carried 4-0.

Index No.: 2016-11 (445 Robinson Avenue)

Assistant Corporation Counsel informed the Planning Board that City Staff presented an option to the applicant at 445 Robinson for additional professional services needed for proper evaluation of

the applicant's submitted traffic report. It is now up to the applicant to either accept the proposal and its costs, or to provide an alternative for the board to consider. He informed the Planning Board of the existence of a petition against the project and informed them that they may choose to view that petition if they choose but that the window for the public comments has been closed. By viewing the petition, the Planning Board risked the potential of legal action by taking public comment outside the scope of the public hearing.

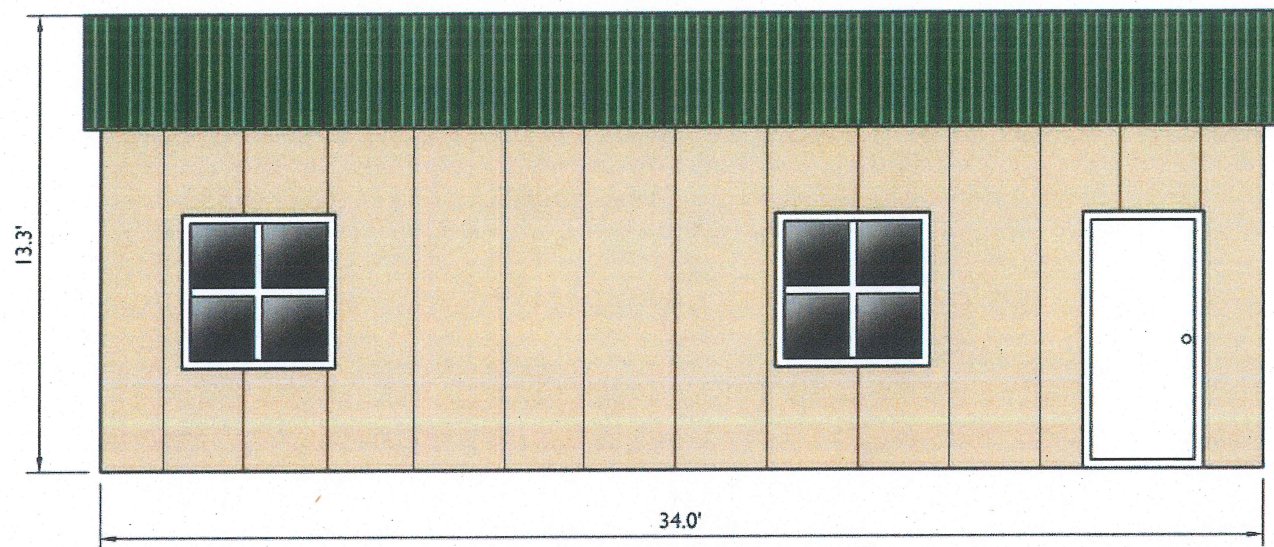
The Planning Board decided not to view the petition.

Argelia Monteverde moved and Argelia Morales seconded to adjourn the meeting.
Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Omar E. Balbuena-Palma,
Secretary

Attachment: 182 Fullerton Façade alternatives and bench details.



FACADE OPTION #1

ROOF: STANDING SEAM METAL
SIDING: VERTICAL METAL



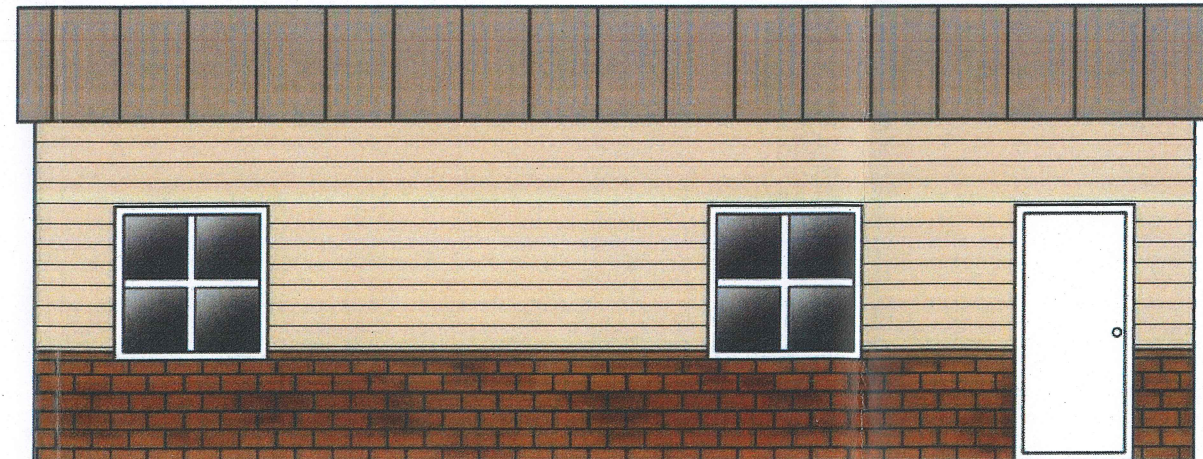
FACADE OPTION #2

ROOF: STANDING SEAM METAL
SIDING: HORIZONTAL HARDIE-BOARD



FACADE OPTION #3

ROOF: STANDING SEAM METAL
SIDING: LOWER BRICK FACADE & UPPER VERTICAL METAL



FACADE OPTION #4

ROOF: STANDING SEAM METAL
SIDING: LOWER BRICK FACADE & UPPER HORIZONTAL HARDIEBOARD

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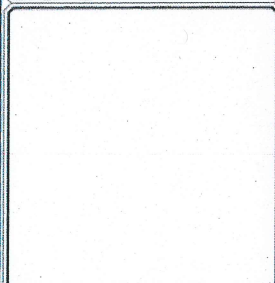
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REV	DATE	DRAWN BY	DESCRIPTION
1	04/04/17	JAP	ALTERNATE BUILDING FACADES PER PLANNING BOARD REQUEST



SITE PLAN
FOR
CHG&E CORPORATION
182 FULLERTON AVE
SECTION: 16
BLOCK: 1
LOT: 17
CITY OF NEWBURGH
COUNTY OF ORANGE
STATE OF NEW YORK

NEW WINDSOR OFFICE
555 Hudson Valley Avenue
Suite 101
New Windsor, NY 12553
Phone: 845.564.4495
Fax: 845.567.1025

SCALE	DATE	DRAWN BY	CHECKED BY
N.T.S.	01/17/17	PAM	JED

PROJECT NUMBER: 15000390A
DRAWING NAME: C-BLDG-PLAN

BUILDING
FACADE PLAN

SHEET NUMBER:
1 of 1

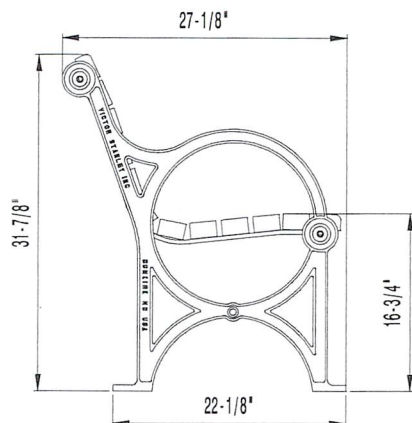




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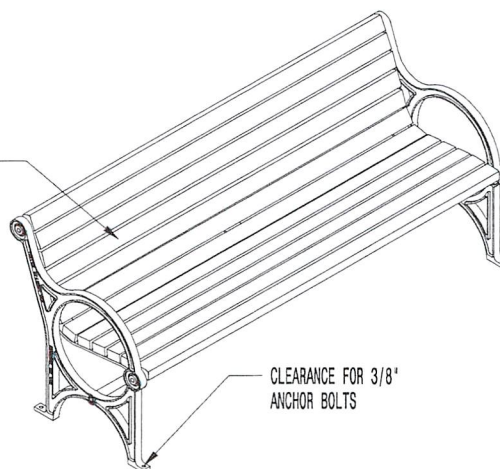
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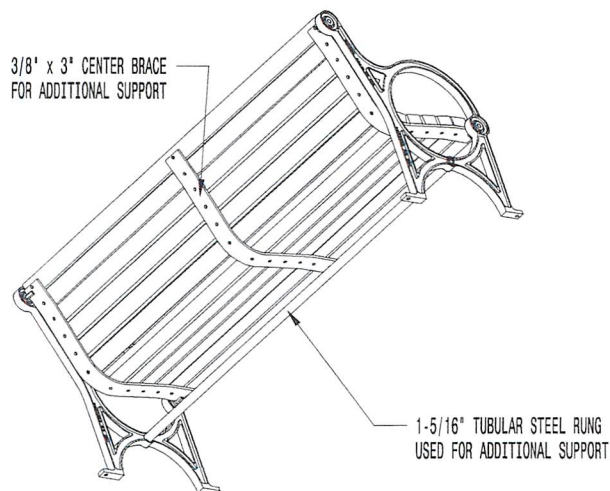
* ALL DIMENSIONS ARE IN INCHES *

SEAT
HEIGHT

(12) 2" x 3"
(NOMINAL) SLATS

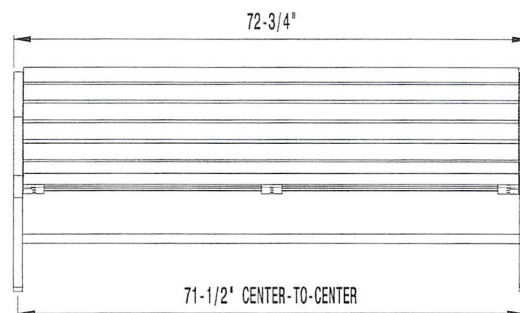


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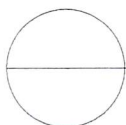
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STANDARD 6' LENGTH SHOWN

~~STANDARD 8'~~

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