

CITY OF NEWBURGH
PLANNING BOARD

123 Grand Street, Newburgh, New York 12550

Lisa Daily, Chairperson
Omar Balbuena-Palma, Secretary

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PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, December 20, 2016 in the Activity Center, 401 Washington Street, Newburgh, NY 12550

Members Present: Lisa Daily
Duane Ware
Argelia Morales
Alicia Ware

Members Absent: Ramona Monteverde
Lillian Burgarelli

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

The meeting was called at 8:00 p.m. after a quorum was confirmed.

PUBLIC HEARING

INDEX NO. 2016-11 **SITE PLAN** to establish a Dunkin Donuts
Location: 445 Robinson Ave.
Applicant: Scott Shearing

The comment letters of the City Engineer and the City Planner are to be made a matter of record.

DISCUSSION BY THE BOARD

- Scott Shearing appeared on behalf of Bohler Engineering representing Shiv Management.
- Mr. Shearing re-stated an overview on the project, to reuse the existing building at 445 Robinson Avenue and convert about thirty-one hundred (3,100) square feet of it into a Dunkin Donuts. The hours of operation would potentially be from 5:00 am to 10:00 pm with a twenty-four-hour drive-thru. He added that the Department of Transportation (DOT) was contacted due to concerns raised by traffic, and that an updated traffic report is still pending. Seventy percent of traffic will be during peak hours (6:00 am to 11:00 am) and a portion of

those hours will be the focus of the updated report. In addition, a left-handed turn into the site is also being reviewed.

Alicia Ware motioned to open the public hearing.

Argelia Morales seconded the motion

The motion was passed 4-0

- Greg Glassy, 208 North Street – stated traffic concerns. He raised issues about numerous school busses during early morning hours of the day between 6:30 am and 9:30 am. He also raised issues about traffic on different roads adjacent to the site.
- Kevin Corbit, 7 Jameson Place – confirmed with the Board that no decision will be made before an updated traffic report is submitted. He asked about a fourth business mentioned by Mr. Shearing at the meeting, whereas only three businesses were mentioned in the past. He asked what criteria the Planning Board based its decisions and asked if the Board could request the amount of accidents that have been reported in the area.
- James Patterson, 3 Jameson Place – raised concerns about the traffic flow out of the Dunkin' Donuts.
- Susan Glassy, 208 North Street – Reiterated traffic concerns at 5:00 am and the congestion of school busses. She also showed concerns for the way the drive-thru window set up is proposed.
- Jim Corbit, 120 Walnut Street in the City of Walden –raised concerns about traffic, specifically as it relates to Jameson Place. Anthony Terri, 137 North Street – mentioned it's illegal to make a left turn on 9W because it's a double lane. He considers the site a bad place for a Dunkin Donuts.

Argelia Morales motioned to close the public hearing.

Alicia Ware seconded the motion

The motion was passed 4-0

- The City Engineer reviewed the latest engineering comments memo. Specifically, comment numbers:
 - o Two – waiting for the Fire Department to review what applicant submitted.
 - o Four – suggested the Board should discuss if pedestrian circulation is acceptable. The Board noted that pedestrian traffic will increase and a concern for high school children was raised. Adding a speed bump to curb reckless drivers instead of a stop bar immediately after the drive-thru was mentioned.
 - o Twelve – conformance to the City Code, Section 300-53, regarding the landscaping buffer strip.
 - o Sixteen – note on the plans requiring the memorialization of grease traps. There will be no cooking on the site.
 - o Twenty-two – revising the limits of the salt cut line
 - o Twenty-three to twenty-six – pending traffic study
 - o Twenty-seven – construction entrance, sediment control detail.
 - o Twenty-eight – Will businesses be open during construction? Mr. Shearing stated that the existing businesses will remain open during construction and improvements will be made

around their schedule. A note is to be added on the plans to show how that will be handled.

- o Twenty-nine – lighting plans need to be revised. Mr. Shearing proposed shoebox lighting and automatic sensor lighting is to be added as a courtesy to the neighbors.
- o No parking, no standing, striping and signage needs to be added at the end of the parking queue to prevent people from blocking the exit.
- The City Planner mentioned the applicants package has been sent to the County for GML 239 review and the thirty days have not yet expired. In addition, The City Planner went over comment numbers:
 - o Nine - concerned that there is not enough space for single segregated entrance and exit.
 - o Ten - the analysis did not provide an estimate of queuing.
 - o Eleven - Morning peak traffic counts were not provided
 - o Twelve – Clarified that potential training facilities will be part of the Dunkin' Donuts space but it is not an additional space area.
 - o Fourteen - The counts done were conducted from 7:00 am to 9:00 am. The applicant was requested to do the counts from 6:00 am to 9:00 am
 - o Sixteen - asked for all tables be provided for everything
 - o Eighteen - any mitigation, such as retiming, that's done by an outside consultant, should be done at the applicant's expense.

Alicia Ware motioned for the Board to be lead agency under SEQRA.

Argelia Morales seconded the motion

The motion was passed 4-0

APPROVAL OF MINUTES

Argelia Morales moved and Alicia Ware seconded the motion to approve the minutes of the November Board meeting.

The motion was carried 4-0.

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Omar Balbuena-Palma,
Secretary