

CITY OF NEWBURGH
PLANNING BOARD

123 Grand Street, Newburgh, New York 12550

Lisa Daily, Chairperson
Eliana Diaz, Secretary

(845)569-7401 (845)569-0096

PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, January 19, 2016
in the City Hall Council Chambers, 83 Broadway, Newburgh, New York.

Members Present: Lisa Daily
Elsworth Banks
Peter Smith
Ramona Monteverde
Argelia Morales
Victor Bramble

Members Absent: Dan Stokes

Also Present: Alexandra Church, City Planner
Jason Morris, City Engineer
Timothy Kramer, Assistant Corporation Counsel
Eliana Diaz, Land Use Board Secretary

The meeting was called at 7:30 p.m. after a quorum was confirmed.

OLD BUSINESS

INDEX NO. 2016-02 **APPLICATION FOR SITE PLAN** to redevelop with a
mix-use building consisting of 13,800 sq. ft. of retail space
and 91 residential apartment units.
Location: 140 Broadway between Lander Street and
Johnston Street.
Applicant: Mill Street Partners LLC

The comment letters of the City Engineer dated January 19, 2016 and the City Planner
dated January 19, 2016 are to be made a matter of record.

DISCUSSION BY THE BOARD

- David Cooper, attorney for Mill Street Partners LLC, appeared.
- Mr. Cooper stated that a formal application was submitted on January 8th and the applicant now seeks for the Board to declare its intent to serve as lead agency.
- This project is designated as a Type I Action under SEQRA. A notice of such intent to serve as lead agency will be circulated to all interested/involved agencies such as the ARC and New York State HFA, as well as a GML circulation to Orange County. The time during which the letters are circulated and the thirty

day time period to receive responses will allow the applicant to provide full engineering plans, other studies and technical information the Board will require in order to make a significant determination.

- A discussion was held on the previous recommendations made by the City Engineer and the City Planner. The City Engineer stated that work is continuing on the applicants engineering drawings, therefore only preliminary comments have been provided in their comment letter. The City Planner stated that the properties are located in two zones, both of which are in the form based district. Pursuant to the Zoning Code, the higher standards must prevail. Because form based zones do not follow the standard Euclidean hierarchy such as Low Residential or Medium Residential, the higher standard shall be chosen in each instance where there is a discrepancy in the standards. There are some minor omissions found in the EAF submitted which seemed like things were not fully calculated.
- Ramona Monteverde recused herself from this vote because she worked for Safe Harbors on the Hudson which at one point had been approached to possibly manage the property at hand, and did not know if a conflict of interest existed.
- The applicant will return to the Planning Board in March.

Peter Smith moved and Elsworth Banks seconded the motion for intent to assume SEQRA Lead Agency.

The motion was carried 5-0 (Ramona Monteverde Recused).

NEW BUSINESS

INDEX NO. 2016-01

APPLICATION FOR SPECIAL USE PERMIT

For two (2) 4,800 sq. ft. single story, for vehicle service and repair.

Location: 198 South Robinson Avenue

Applicant: Victor Javinett

The comment letters of the City Engineer dated January 19, 2016 and the City Planner dated January 19, 2016 are to be made a matter of record.

DISCUSSION BY THE BOARD

- Amador Laput, Project Manager for Fellenzer Engineer, appeared.
- Mr. Laput stated that the project had been reviewed by the CAC and recommendations have been received and addressed. The main concern relates to ways the Quassaick Creek can be protected since the properties in the application are located within 100 feet off the Creek. Erosion has been identified as an issue of concern., It was stated that studies will be made from the roof drains in order to disperse water to a wider area so when the runoff reaches the bank of the creek it will be slowed.
- It was stated that, according to the comment letter from the CAC, for this applicant only and this project only, the CAC recommends that the proposed

- sixteen (16) parking spaces next to the building be exempted from being paved. Any future proposals for additional development or different uses will need to be reviewed. Notes have been added to state that trucks standing outside must have pans in case of leaks. In addition all truck repairs must be done inside and any oil will be kept in approved containers and disposed of properly.
- The City Engineer asked Mr. Laput to review his comment letter on page two (2), comment number two (2), and asked if he objected to providing any of the items outlined. Mr. Laput voiced no objections. Comment number three (3) referred to the CAC comment memo and comment number nine (9) through fourteen (14) must be addressed from the City Engineer's letter.
 - The City Planner stated that an updated EAF is required. The applicant will return to the Planning Board in March.

Peter Smith moved and Ramona Monteverde seconded the motion to open the Public Hearing.

The motion was approved unanimously.

Peter Smith moved and Ramona Monteverde seconded the motion to close the Public Hearing.

The motion was approved unanimously.

INDEX NO. 2015-21

APPLICATION FOR SITE PLAN to convert a single family residence for use as a residential treatment facility
Location: 399 Carpenter Avenue
Applicant: Martin J. Diesing – Mauri Architects PC

The comment letters of the City Engineer dated January 19, 2016 and the City Planner dated January 19, 2016 are to be made a matter of record.

DISCUSSION BY THE BOARD

- Martin J. Diesing, Architect from Mauri Architects, and Kallyann Kostyal-Larrier, Executive Director of the not-for-profit agency which will operate the facility, appeared.
- Mr. Diesing presented the site plan and stated that the proposal consists of converting a single family house into a residential treatment facility. The purpose of the treatment facility is to provide temporary shelter for people who may have suffered domestic violence in their lives. The shelter will provide treatment and support while they transition to permanent homes. A two story addition will be made to the existing house and an expanded parking area will be added using impervious paving. In addition to the parking areas there will be garden areas very typical to neighboring houses. The site is comprised of three parcels that back all the way to Route 9W.
- The existing two story home will be used as office space and the addition will be used to house up to 20 residents on a temporary basis. Women with children will tend to be the main occupants. Under the law anyone under the age of 16 is not

allowed to be admitted, however there is an agency that takes care of youthful minors who have experienced similar circumstances. A home-like healing environment is sought in this facility and everything as far as transportation is arranged so as not to attract attention. A standard minivan will be used for transportation of the residents. There is no signage being proposed for the property, confidentiality standards are held very highly.

- This project has appeared in front of the Planning Board earlier in 2015. It was referred to the Zoning Board and it was denied a variance it required. Since that time there has been a change in the zoning code and it is now a user permitted by Special Use Permit of the City Planning Board. No variances are required.
- The project is designated as an Unlisted Action under SEQRA.
- Lisa Daily recused herself from this meeting because of her relationship with the not-for-profit agency.
- The applicant will return to the Planning Board in March where a public hearing will be held.

Ramona Monteverde moved and Argelia Morales second the motion to assume SEQRA Lead Agency.

The motion was carried 5-0 (Lisa Daily recused)

Argelia Morales moved and Ramona Monteverde second the motion to schedule a public hearing for the February Planning Board meeting.

The motion was carried 5-0 (Lisa Daily recused)

APPROVAL OF MINUTES

Peter Smith moved and Ramona Monteverde seconded the motion to approve the minutes of the August Planning Board meeting.

The motion was carried unanimously.

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Eliana Diaz
Secretary