

CITY OF NEWBURGH
PLANNING BOARD

123 Grand Street, Newburgh, New York 12550

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

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PLANNING BOARD MEETING

The City of Newburgh Planning Board held its monthly meeting on
Tuesday, January 19, 2021 using Zoom videoconference.

Members Present: Lisa Daily, Chairperson
Sarah Hooff
Michael Kelly
Alicia Ware
Duane Ware

Members Absent: Heather Moore
Richard Rosencrans

Also Present: Elka Gotfryd, City Planner
Chad Wade, Assistant City Engineer
Jeremy Kaufman, Assistant Corporation Counsel
Omar Balbuena-Palma, Secretary

The Chairperson called the meeting to order at 7:30 p.m. after confirming a quorum.

APPROVAL OF MINUTES

The minutes to the November 2020 and December 2020 meeting were tabled until the February Planning Board meeting.

OLD BUSINESS

Index No. 2020-13

Applicant: AMP Architecture
Owner: St Marks Holy Tabernacle Inc.
Location: 313 Fullerton Avenue

SUBDIVISION & SITE PLAN application to convert the existing use (Professional Office) into a House of Worship (House of Worship).

The Informational Inspection Report of the Building Inspector and the comment letters of the City Planner and the City Engineer were made a matter of record.

DISCUSSION BY THE BOARD

The Assistant Corporation Counsel said the application was referred to the New York State Department of Environmental Conservation (“DEC”) for clarification on the impacts on the bald eagle’s nests. He said a clarification has not been received.

The Applicant requested to table its application until the following Planning Board meeting.

The Board tabled the application until the February 16 Planning Board meeting.

NEW BUSINESS

Index No. 2021-01

Applicant: Jesse Farrenkopf
Owner: Bannerman Tokyo Properties LLC
Location: 26 Liberty Street

SPECIAL USE PERMIT application to add a performing arts space (Theater/Auditorium) inside the existing commercial space.

The Comment Letter from the City Planner was made a matter of record.

DISCUSSION BY THE BOARD

Jesse Farrenkopf, Applicant, appeared before the Board on behalf of the property owner with Philippe Pierre.

The Applicant gave a brief overview of the project. He said the intent is to convert the unused annex into a performance arts space for art programs and art galleries for the community.

The Chairperson asked if the Applicant intends to change the art programs and art galleries periodically.

The Applicant said they have a limited amount of space available and the art programs and art galleries are subject to change periodically.

The Chairperson asked the City Planner if the proposed use conflicts with the Zoning Code and if there are any limitations on the type of art programs or type of art galleries allowed.

The City Planner said the proposed use is allowed via a Special Use Permit from the Planning Board and clarified that the Zoning Code does not dictate what type of art program or art gallery is allowed.

The Assistant Corporation Counsel asked if the Applicant is proposing any site work to the building.

The Applicant said confirmed no site work is being proposed.

The Assistant City Engineer said recommended waiving the site plan requirements.

The City Planner said the application is not subject to GML §239 review by Orange County and no clarification from DEC or SHPO is required because there is no site work proposed.

The Assistant Corporation Counsel said the Planning Board must schedule a public hearing for the Special Use Permit.

The Applicant asked for the public hearing requirements.

The Assistant Corporation Counsel said the public hearing requirements may be found in §300-102 (J) of the City Code.

Mr. Pierre asked if the Planning Board may vote to approve the application if the public hearing requirements are met.

The Assistant Corporation Counsel said the Planning Board may discuss whether or not to vote on the application after the public hearing is closed.

The Applicant asked if the Special Use Permit has an expiration date.

The Assistant Corporation Counsel said the Applicant must renew the Special Use Permit periodically. The duration of the Special Use Permit is determined by the Planning Board.

The Chairperson said if the Applicant is compliant with the terms of the Special Use Permit, there should be no issues in renewing the Special Use Permit.

Mr. Pierre asked if the application requires approval from the Zoning Board of Appeals (“ZBA”).

The Assistant Corporation Counsel confirmed the application requires an Area Variance from the ZBA. He said the Applicant may submit a separate ZBA application and attend the next available ZBA meeting.

The Applicant was informed to contact the Secretary to meet the public hearing requirements and attend the next Planning Board meeting on February 16.

With no further business to discuss, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Omar E. Balbuena-Palma,
Secretary to the Land Use Boards