

CITY OF NEWBURGH
PLANNING BOARD

Lisa Daily, Chairperson
J.K. Gentile, Secretary

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PLANNING BOARD MEETING

The monthly meeting of the City of Newburgh Planning Board was held on Tuesday, December 21, 2021 at 7:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present: Lisa Daily
Sarah Hooff
Michael Kelly
Julia Raskin
Alicia Ware
Duane Ware

Members Absent: Heather Moore

Also Present: Alexandra Church, Director of Planning and Development
Chad Wade, Assistant City Engineer
Joshua Stratton-Rayner, City Planner
Jeremy Kaufman, Assistant Corporation Counsel
J.K. Gentile, Secretary

The meeting was called to order at 7:35 p.m. after confirming a quorum.

APPROVAL OF MINUTES

Minutes of the October 19, 2021 Meeting

Alicia Ware moved to approve the October 2021 minutes as submitted.
Michael Kelly seconded the motion.
The motion passed unanimously via roll call vote.

Minutes of the November 16, 2021 Meeting

Alicia Ware moved to approve the November 2021 minutes as submitted.
Michael Kelly seconded the motion.
The motion passed unanimously via roll call vote.

OLD BUSINESS

Index No. 2021-11

Applicant: Aaqib Majeed
Owner: Aaqib Majeed
Location: 13 North Plank Road, Lot 1

SITE PLAN application to construct a 3-family residence.

The Comment Letters from the City Engineer and the Director of Planning and Development were made a matter of record.

Ken Lytle appeared before the Board and gave a brief update of the project.

The City Planner reviewed his comment letter. NYS SHPO and NYS DEC responses pending.

Mr. Lytle said he has not received comment back from either agency.

The Assistant City Engineer reviewed his comment letter.

The Assistant Corporation Counsel said without responses from NYS SHPO and NYS DEC, the full scope of the SEQRA determination cannot be made for a negative declaration.

The Board tabled the application until next meeting pending NYS SHPO and NYS DEC response.

Index No. 2021-12

Applicant: Rafiq Majeed
Owner: Rafiq Majeed
Location: 13 North Plank Road, Lot 2

SITE PLAN application to construct a 3-family residence.

The Comment Letters from the City Engineer and the Director of Planning and Development were made a matter of record.

Ken Lytle appeared before the Board and gave a brief update of the project. He said response was sent from the Department of Transportation that no permit is required for the access driveway onto North Street or changes made within private property.

The City Planner reviewed his comment letter. NYS SHPO and NYS DEC responses pending.

The Assistant City Engineer reviewed his comment letter.

The Assistant City Engineer asked if it was presented to the DOT as a 3-family house.

Mr. Lytle confirmed.

The Assistant City Engineer said the cast in curb would need to be replaced with granite and not concrete to keep consistent with the other curbs on the street.

DISCUSSION BY THE BOARD

The Chairperson asked applicant to confirm two parking spaces in the garage and four cars in the driveway.

Mr. Lytle confirmed.

The Chairperson asked about fencing and shrubbery to screen the parking.

Mr. Lytle showed where the plantings would be.

The Chairperson asked if the driveway will be macadam or gravel.

Mr. Lytle said most likely asphalt.

The Chairperson recommended avoiding impervious surfaces.

The Board tabled the application until next meeting pending NYS SHPO and NYS DEC response.

Index No. 2021-17

Applicant: Javier Fiscal
Owner: Walter Park
Location: 435 Broadway

SITE PLAN application to convert the existing building into a House of Worship and Restaurant.

The Comment Letters from the City Engineer and the Department of Planning and Development were made a matter of record.

Floyd Johnson and Javier Fiscal appeared before the Board.

Mr. Johnson gave an overview of updates to the site plan.

The City Planner reviewed his comment letter. He said submission of a new Environmental Assessment Form is still outstanding.

The Assistant City Engineer reviewed his comment letter.

The Assistant Corporation Counsel said SEQRA action is still pending.

DISCUSSION BY THE BOARD

The Chairperson asked about material proposed for the dumpster enclosure.

Mr. Johnson said chain-link fence.

Ms. Ware asked if the privacy strips can be inserted in the chain link to shield the view.

The Chairperson asked if the restaurant and church operate at the same time for purposed of calculating parking.

Mr. Fiscal said different times.

The Assistant Corporation Counsel referenced the city code for off-street parking guidance on restaurant and house of worship uses.

The Chairperson asked what they will use to surface the parking lot.

Mr. Johnson said they will clean up and re-apply asphalt.

Mr. Kelly suggested a permeable asphalt for water drainage.

Mr. Johnson asked if they could use gravel.

Mr. Kelly said gravel is not good for commercial use, especially having to consider ADA compliance.

The Assistant Corporation Counsel said the parking lot surface detail needs to be added onto the site plan.

The Assistant City Engineer said if they decide on asphalt, construction details need to be added to the site plan.

Mr. Kelly asked to see the ADA compliance details on the site plan.

The Board tabled the application for further design submission.

Index No. 2021-24

Applicant: Mike Brooks

Owner: Habitat for Humanity of Greater Newburgh

Location: 169 Ann Street

SITE PLAN application to construct a new single-family detached dwelling on vacant lot.

The Comment Letters from the City Engineer and the Department of Planning and Development were made a matter of record.

Mike Brooks appeared before the Board and gave an overview of the proposed changes.

The Assistant City Engineer reviewed his comment letter.

The City Planner reviewed his comment letter.

DISCUSSION BY THE BOARD

The Chairperson asked about the recommended 5-foot grass strip between the 5-foot sidewalk and street curb line.

Mr. Brooks said it is a very steep front lot and there is no room for a 5-foot grass strip. He suggested adding a planting strip to the curb, but it could suffer wash-out.

Alicia Ware moved to approve the application as submitted subject to City Engineer comments, Planning Department comments, Zoning Board of Appeals approval, and Architectural Review Commission approval.

Michael Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

Index No. 2021-22

Applicant: Michael Mamiye

Owner: Michael Mamiye

Location: 56 Dubois Street

SITE PLAN application to convert the three-family dwelling into a six-family dwelling.

The Comment Letters from the City Engineer and the Department of Planning and Development were made a matter of record.

Alvin Moonesar appeared before the Board and gave an update of the project.

The Assistant City Engineer reviewed his comment letter.

The City Planner reviewed his comment letter.

The Assistant Corporation Counsel said a SEQRA determination is still pending.

DISCUSSION BY THE BOARD

Ms. Hooff asked if they will be planting street trees.

Mr. Moonesar said planting will be challenging given established utility lines.

Mr. Kelly suggested adding a turf strip on Dubois and adding an ADA compliant curb.

The Board discussed the addition and application of Streetscape Standards to both the Dubois Street and First Street sides of the property as a condition of any site plan approval.

The Board tabled the application for further consideration.

Index No. 2021-18

Applicant: National Builders South
Owner: Atkemix Thirty-Seven Inc.
Location: 700-768 South Street

SITE PLAN application to construct a Warehouse.

The Comment Letters from the City Engineer, the Department of Planning and Development and the Conservation Advisory Committee were made a matter of record.

Charlie Bazydlo and Walter Kubow appeared before the Board.

The City Planner reviewed his comment letter. He said the applicant's comment letter referenced a study regarding the traffic movement yet they were not attached/available for review.

The Assistant City Engineer reviewed his comment letter.

DISCUSSION BY THE BOARD

Mr. Kubow asked about the color temperature of the parking lot lighting.

Ms. Hooff said 2700 Kelvin has nothing to do with safety or visibility. She said if they are having issues finding 2700 Kelvin commercial products instead of 3000 Kelvin commercial products, they should bring that issue to the Board's attention at a future meeting.

The Assistant Corporation Counsel confirmed no other interested or involved agencies expressed an interest in acting as lead agency for the project.

Alicia Ware moved to declare the Planning Board as Lead Agency under SEQRA.

Michael Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

The Board tabled the application for further consideration.

NEW BUSINESS

Index No. 2021-25

Applicant: Sarah Beckham Hooff
Owner: Sarah Beckham Hooff
Location: 95 Beacon Street

SITE PLAN application to convert vacant garages into single-family dwelling.

Ms. Hooff recused herself from vote.

The Comment Letters from the City Engineer, the Department of Planning and Development and the Conservation Advisory Council were made a matter of record.

Sarah Hooff appeared before the Board and gave an overview of the project.

The City Planner reviewed his comment letter.

The Assistant City Engineer reviewed his comment letter.

DISCUSSION BY THE BOARD

Ms. Ware asked for the location of the electric car plug on the site plan.

Ms. Ware asked if the original doors will remain.

Ms. Hooff confirmed.

Michael Kelly moved to waive the public hearing.

Alicia Ware seconded the motion.

The motion passed unanimously via roll-call vote.

The Board tabled the application for further consideration.

With no further business to discuss, the meeting adjourned at 9:45 p.m.

Respectfully submitted,

J.K. Gentile
Secretary to the Land Use Boards