Lisa Daily, Chairperson
J.K. Gentile, Secretary
Phone: (845) 569-7383

PLANNING BOARD MEETING

The monthly meeting of the City of Newburgh Planning Board was held on Tuesday, September 20, 2022 at 7:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present:	Alicia Ware, Acting Chairperson Weaver Debe Sarah Hooff Michael Kelly Acre Qui
Absent:	Lisa Daily Duane Ware
Also Present:	Chad Wade, Assistant City Engineer Alexandra Church, Director of Planning and Development Jonathan Midler, City Planner Jeremy Kaufman, Assistant Corporation Counsel J.K. Gentile, Secretary

The Chairperson called the meeting to order at 7:34 p.m. after confirming a quorum.

OLD BUSINESS

Index No. 2022-03

Applicant: Jonathan Cella
Owner: Sonia Arias
Location: 73 Courtney Avenue

SITE PLAN application to convert a 4-family resident into a 5-family residence.

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

Jonathan Cella and Freddie Arias appeared before the Board.

Mr. Cella gave an overview of the updates made to proposed project.

The Director of Planning and Development reviewed her comment letter.

The Assistant City Engineer reviewed his comment letter. He requested a signed, sealed survey.

He requested identifying utility services and planting details on the site plan. He said to remove the ADA and blue stone sidewalk details from the site plan. He said the City Engineering Department is not recommending installation of ADA curb ramps as the City is currently working on drainage structures at that intersection. He recommended stopping the sidewalk 15 feet from the curb off set each way. He said there currently is no sewer connection from the property to the City sewer main line.

DISCUSSION BY THE BOARD

Mr. Kelly requested lighting notation added to the site plan.

The Applicant requested a table of its application to the next meeting.

<u>Index No. 2021-18</u>

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 and the Department of Planning and Development were made a matter of record.

Charlie Bazydlo and Walter Kubow appeared before the Board.

Mr. Bazydlo said they continue to work with the NYSDEC Bureau of Environmental Remediation. He said they currently submitted a soil management plan.

Mr. Kubow spoke on the NYSDOT technical comments received earlier in the day. He said the DOT requested a review of what a left turn lane would look like at Pierces Road.

The Director of Planning and Development reviewed her comment letter. She requested identification of a limit of disturbance line for evaluation of 100 and 500-year floodplain onto the site plan.

Mr. Kubow addressed comment #15 regarding light poles. He asked to confirm that the code relates to the parking lot only and not the trucking area. He said the industry standard for the trucking area is 25 feet.

The Assistant City Engineer reviewed his comment letter.

DISCUSSION BY THE BOARD

The Director of Planning and Development asked if the Board would like to consider the necessity for a third-party traffic analysis study.

The Board agreed an additional traffic analysis study is not necessary at this time.

The Board indicated its approval of the lighting poles in the parking lot located on the lower level of the site will not exceed 15 feet in height and the lighting poles in the trucking area will not exceed 25 feet in height.

The Applicant requested a table of its application to the next meeting.

<u>Index No. 2022-06</u>

Applicant: Garfield Bruff
Owner: City of Newburgh
Location: 169 Johnston Street

SITE PLAN application to convert vacant building into five residential units.

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

Michael Henderson appeared before the Board and gave an overview of updates to the proposed project.

The Director of Planning and Development reviewed her comment letter. She requested dense landscaping screening for the driveway.

The Assistant City Engineer reviewed his comment letter. He said the site plan shows the curb valve located on the property side of the sidewalk and that the curb valve should be located between the curb and sidewalk. He requested a driveway apron detail added to the site plan. He said there is an electrical utility on the neighboring property to the south that will protrude into the proposed driveway. He said the site plan indicates 11 feet from the bump out from the south side of the building to the property line. He said the actual distance of the building to the bump out is 10 feet, 1 inch. He said this might hinder the feasibility of the driveway. He said Engineering has concern for the feasibility of 5 parking spaces in the rear of the building.

DISCUSSION BY THE BOARD

Ms. Hooff said she has concerns with the yard being used for parking. She said the concept of the driveway is not practical, but understands the reasons why the applicant had to insert the parking lot into the rear yard.

Mr. Kelly requested planting details and lighting notations to be shown on the site plan.

The Applicant requested a table of its application to the next meeting.

<u>Index No. 2021-17</u>

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 proposed project.

The Director of Planning and Development reviewed her comment letter.

The Assistant City Engineer reviewed his comment letter.

DISCUSSION BY THE BOARD

Mr. Qui requested a fix to the spelling error on the proposed sign.

Sarah Hooff moved to issue a Type II declaration under SEQRA.
Acre Qui seconded the motion.
The motion passed unanimously via roll-call vote.

Sarah Hooff moved to accept the Site Plan as submitted, subject to outstanding City Engineer, Director of Planning and Development and Planning Board comments.
Weaver Debe seconded the motion.
The motion passed unanimously via roll-call vote.

Index No. 2022-08

Applicant: Nutopia Development Group
Owner: Nutopia Development Group/Michael H. Mamiye
Location: 60 Dubois Street

SITE PLAN application to convert the existing building into repurposed offices, a theatre and residential units.

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

Alvin Moonesar and Albert Mizrahi appeared before the Board.

Mr. Moonesar gave an update of the proposed project. He said SHPO comments were still pending, TAC comments were received, and the applicant needed time to correct its EAF and re-submit for consideration.

The Director of Planning and Development reviewed her comment letter.

The Assistant City Engineer reviewed his comment letter.

The Applicant requested a table of its application to the next meeting.

<u>Index No. 2022-17</u>

Applicant: Robert Fontaine
Owner: Industrial House LLC & Monica Coronatti
Location: 47 Lander Street

SITE PLAN application to convert the existing two unit residential over vacant commercial use into a two unit residential over commercial space for overall mixed use.

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

Robert Fontaine, Monica Coronatti, and Chris Berg appeared before the Board.

Chris Berg gave an update of the proposed project.

The Director of Planning and Development reviewed her comment letter.

The Assistant City Engineer reviewed his comment letter. He requested submission of a separate architectural plan. He requested submission of a separate signed and sealed survey. He said the sidewalks are not complete and not in compliance with the Streetscape Standards. He said the curb ramp is not ADA compliant. He said the grass planting strip along Lander Street should be a minimum of 4 feet. He said a detectable warning strip should be stopped before the fire hydrant. He said NYS Vehicle Traffic Law states parking spaces should not be within 15 feet of the fire hydrant and the two spots located before the intersection should not be there. He said a bump out to be considered by the Board and implemented at the Lander Street side or the First Street side, but not both, considering the widths of the street in that area. He suggested another planting pit on First Street.

DISCUSSION BY THE BOARD

Mr. Kelly asked the applicant if he reached out to the Fire Department and/or the Water Department regarding the fire hydrant.

Mr. Fontaine said response is forthcoming and that he is currently experiencing significant sewage issues.

Mr. Debe said the location of the fire hydrant is an issue that needs to be addressed.

The Board discussed the issue of the previous installed sidewalks not in compliance with the City Streetscape Standards and how the application could move toward an approval.

Mr. Fontaine is concerned that if the sidewalks are re-installed and in the future the fire hydrant is removed the re-installment will be upheaved.

The Assistant Corporation Counsel said the applicant should consider submitting a plan that is reflective of the concerns of the Board.

The applicant requested a table of its application for further submission.

Index No. 2022-20

Applicant: Jonathan Moss / Berg + Moss Architects
Owner: TiffanyMichelle Design, LLC
Location: 23 Hudson View Terrace

SUBDIVISION application to convert a vacant lot into two parcels and construct a single three-family dwelling on each new parcel.

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

Tiffany Buxton, Todd Buxton and Jon Moss appeared before the Board.

The Assistant Corporation Counsel said the applicant withdrew its subdivision application because the applicant believed that a subdivision was previously approved and only needed a map filing with the County. The Zoning Enforcement Officer's Informational was been updated to reflect that change. He said the only application now pending before the Planning Board for site plan approval of the new proposed structures on each site.

The Director of Planning and Development reviewed her comment letter.

The Assistant City Engineer reviewed his comment letter. He requested submissions of a separate signed and sealed surveys for the individual lots. He requested submission of the cross easements language for review by Engineering and Corporation Counsel before filing with the County. He requested submission of a separate architectural plan.

Weaver Debe moved to waive the public hearing.
Sarah Hooff seconded the motion.
The motion passed unanimously via roll-call vote.

Michael Kelly moved to issue a Type II declaration under SEQRA.
Sarah Hooff seconded the motion.
The motion passed unanimously via roll-call vote.

Sarah Hooff moved to accept the Site Plan as submitted, subject to outstanding City Engineer comments.
Michael Kelly seconded the motion.
The motion passed unanimously via roll-call vote.

Index No. 2022-18

Applicant: Chris Berg / Berg + Moss Architects
Owner: Nutopia 31 Dubois LLC
Location: 31 Dubois Street

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

The Comment Letter from the Department of Planning and Development was made a matter of record.

Albert Mizrahi and Jon Moss appeared before the Board.

Jon Moss gave an update of the proposed project.

The Assistant City Engineer reviewed his comment letter. He requested a final site plan with the separate sheet for the architectural details. He requested the construction details of the trash enclosure added to the final site plan.

The Director of Planning and Development reviewed her comment letter.

Michael Kelly moved to accept the Site Plan as submitted, subject to outstanding City Engineer and Director of Planning and Development comments.
Sarah Hooff seconded the motion.
The motion passed unanimously via roll-call vote.

APPROVAL OF MINUTES

Minutes of the July 19, 2022 Meeting

Michael Kelly moved to approve the July 2022 minutes as submitted.
Acre Qui seconded the motion.
The motion passed unanimously via roll call vote.

Minutes of the August 16, 2022 Meeting

Michael Kelly moved to approve the August 2022 minutes as submitted.
Weaver Debe seconded the motion.
The motion passed unanimously via roll call vote.

With no further business to discuss, the meeting adjourned at 9:50 p.m.

Respectfully submitted,

J.K. Gentile
Secretary to the Land Use Boards