

CITY OF NEWBURGH
PLANNING BOARD

123 Grand Street, Newburgh, New York 12550

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, October 17, 2023 at 7:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present: Lisa Daily, Chairperson
Weaver Debe
Sarah Hooff
Acre Qui
Alicia Ware
Duane Ware

Also Present: Chad Wade, Assistant City Engineer
Jonathan Midler, City Planner
Jeremy Kaufman, Assistant Corporation Counsel
J.K. Gentile, Secretary

Absent: Michael Kelly

The Chairperson called the meeting to order at 7:42 p.m. after confirming a quorum.

SITE PLAN APPROVAL EXTENSION

Index No. 2021-06

Applicant: J.C. Calderon/Calderon Architecture & Design Studio
Owner: Regional Economic Community Action Program, Inc.
Location: 116 Carson Avenue

SITE PLAN APPROVAL EXTENSION to construct an Apartment House.

The applicant requested a second extension of its Site Plan approval.

J.C. Calderon and Allison Blackman appeared before the Board.

The Assistant Corporation Counsel said the applicant received original site plan approval in November 2021, the first site plan approval extension in October 2022 and presents now for a second and final extension request.

The Planning Board found that no significant changes to the City of Newburgh Master Plan or City Code have occurred since the issuance of the original approval.

Duane Ware moved to approve a one-year extension of the Site Plan approval.
Acre Qui seconded the motion.
The motion passed unanimously via roll-call vote.

OLD BUSINESS

Index No. 2023-28

Applicant: Eulogio Santiago
Owner (133 N. Miller Street): 133 North Miller Realty Partners LLC
Owner (141 N. Miller Street): 133 North Miller Realty Partners LLC
Location: 133-141 North Miller Street

SITE PLAN application to consolidate two (2) vacant lots into one (1) lot and construct a 9-unit apartment house building.

The Comment Letters from the City Engineer and City Planner were made a matter of record.

Sarah Hooff recused herself from participation on the application.

Eulogio Santiago and Jonathan Cella appeared before the Board.

Mr. Cella gave an update on the proposed project.

DISCUSSION BY THE BOARD

The Assistant City Engineer reviewed his comment letter. He said further review is necessary to evaluate the best approach to handle the building to the north as the neighbor's driveway appears to encroach on the applicant's lot.

Mr. Cella said they will update the site plan to address the lot to the north and will not pursue the lot consolidation until the concerns have been addressed.

The City Planner reviewed his comment letter.

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

Index No. 2023-14

Applicant: Kenneth Kearney/Kearney Realty & Development Group
Owner: City of Newburgh
Location: 140 Montgomery Street

SITE PLAN application to construct two (2), mixed-use with residential buildings, both with retail on the street level, where Building 1 will contain 45 residential units and Building 2 will contain 73 residential units.

The Comment Letters from the City Engineer and City Planner were made a matter of record.

Sean Kearney, Rich D'Andrea and Jamie LoGiudice appeared before the Board.

Mr. Kearney gave an overview of the updates made based on feedback from the Board at the September meeting. He said there are updates to the submitted traffic study, adjustments made to the site plan and an addition of allocated space for a future bus stop.

Ms. LoGiudice said she provided a lighting plan for review and street curbing and striping have been adjusted for Smith Street, South Street and Montgomery Street.

Mr. D'Andrea gave an overview of the submitted updated traffic study. He said they provided comparisons to volume data gathered in September and data collected in 2017. He said they provided new traffic counts and strongly observed local school traffic in the afternoon peak hours of October 4, 2023, and the morning peak hours of October 5, 2023. He said some mitigation measures to consider are replacing the Stop Ahead sign with a current sign, a larger and solar flashing stop sign at South Street and Montgomery Street and relocated the stop bars and restriping.

DISCUSSION BY THE BOARD

The Chairperson spoke in favor of the revised traffic study and the school traffic observations noted during peak hours.

Ms. Ware spoke in favor of the traffic mitigation measures.

The Assistant City Engineer reviewed his comment letter. He asked the Board to discuss whether it wanted a third-party traffic study. He asked the Board to review the proposed City standard streetlights that are 14-feet high, heat intense candles within the City right-of-way behind the sidewalk.

The City Planner reviewed his comment letter. He asked the Board to discuss the submitted landscape plan, the need for a viewshed analysis and the referral to the Transportation Advisory Council. He said the applicant is scheduled to present to the Conservation Advisory Council in December.

The Board concluded that it did not want a third-party traffic study.

The Board agreed with the proposed streetlights.

Ms. Hooff raised concerns about the noise impact of construction during school hours.

The Chairperson said it would be a challenge to limit construction during school session.

Mr. Debe, Mr. Ware and Ms. Ware agreed.

The Assistant Corporation Counsel asked the applicant if there has been comment from the Department of Environmental Conservation.

Ms. LoGiudice said they received acknowledgement, but comment is pending.

The Assistant Corporation Counsel asked the Board if they would like to refer the application to the Transportation Advisory Council.

The Board agreed to refer the application to the Transportation Advisory Council.

The Board agreed that a viewshed analysis does not require review by the Planning Board as it will be evaluated by the Architectural Review Commission.

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

Index No. 2022-13

Applicant: Sisha Ortuzar and Erik Cooney
Owner: 191 Washington Street LLC
Location: 191 Washington Street

SITE PLAN application to convert the current prekindergarten facility into a commercial/residential space with 70 residential units on the vacant western lot.

The Comment Letters from the City Engineer and City Planner were made a matter of record.

Sisha Ortuzar and Erik Cooney appeared before the Board.

Mr. Ortuzar gave an update on the proposed project. He said they have received comments from The State Historic Preservation Office and received approval from the Architectural Review Commission.

DISCUSSION BY THE BOARD

The Assistant City Engineer reviewed his comment letter. He requested the submission of a stormwater management report, a separate, signed, and sealed survey, and a bond estimate for proposed work in the City right-of way. He suggested paving two feet from the white edge line around the entire site.

The City Planner reviewed his comment letter.

The Board discussed the advisory comments suggested by The State Historic Preservation Office.

Ms. Hooff said the advisory comments are aesthetic in nature and fall within the Architectural Review Commission purview.

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

Index No. 2022-07

Applicant: Hudson Visionary Development, LLC
Owner: Hudson Visionary Development, LLC
Location: 449 First Street

SITE PLAN application to combine existing lot with a vacant lot and subdivide to create two lots with a three-family structure on each.

Index No. 2023-23

Applicant: Hudson Visionary Development, LLC
Owner: Hudson Visionary Development, LLC
Location: 449 First Street

SUBDIVISION application to combine existing lot with a vacant lot and subdivide to create two lots with a three-family structure on each.

Connor McCormick and Allan Rothman appeared before the Board.

Mr. McCormick gave an overview of the updates made to the site plan since the last presentation to the Board in August 2023.

DISCUSSION BY THE BOARD

Mr. McCormick said they are currently proposing a gate between the two lots and a cross access easement agreement is no longer necessary. He demonstrated the change referring to the updated site plan.

The City Planner asked for clarification of the limit of disturbance line.

Mr. McCormick said that was an Autocad plotting issue.

Index No. 2023-23

Alicia Ware moved to approve the amended preliminary plat as submitted.
Acre Qui seconded the motion.
The motion passed unanimously via roll-call vote.

Index No. 2022-07

Alicia Ware moved to accept the Site Plan as submitted, subject to outstanding City Engineer and City Planner comments.
Weaver Debe seconded the motion.
The motion passed unanimously via roll-call vote.

NEW BUSINESS

Index No. 2023-37

Applicant: James J. Clark
Owner: James J. Clark
Location: 533 Broadway

SITE PLAN application Expand an existing auto repair facility by installing a prefabricated metal garage at the rear yard of the site.

The Comment Letters from the City Engineer and City Planner were made a matter of record. James Clark appeared before the Board and gave an overview of the proposed project.

DISCUSSION BY THE BOARD

The Assistant City Engineer had no substantial comments on the application as proposed.

The City Planner reviewed his comment letter. He said the property is within the WPO overlay and is subject to review by the Conservation Advisory Committee.

Duane Ware moved to waive a public hearing.
Weaver Debe seconded the motion.
The motion passed unanimously via roll-call vote.

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

Index No. 2023-38

Applicant: Jonathan Moss/Berg + Moss Architects, PC
Owner: Zeqir Hakanjin.
Location: 405 Grand Street

SITE PLAN application to convert the existing single-family dwelling to a three-family dwelling.

The Comment Letters from the City Engineer and City Planner were made a matter of record.

Jonathan Moss appeared before the Board and gave an overview of the proposed project.

DISCUSSION BY THE BOARD

The Assistant City Engineer reviewed his comment letter. He requested an updated separate, signed, and sealed survey, detail on how the front yard shall be restored and additional information on the rear retaining wall.

The City Planner reviewed his comment letter.

Acre Qui moved to waive a public hearing.
Alicia Ware seconded the motion.
The motion passed unanimously via roll-call vote.

Weaver Debe moved to issue a Type II declaration under SEQRA.
Alicia Ware seconded the motion.
The motion passed unanimously via roll-call vote.

The Assistant Corporation Counsel asked to confirm the number of parking spaces on site.

Mr. Moss said there are three proposed parking spaces on site.

The Assistant Corporation Counsel said a revised Informational Report would be needed to reflect the current proposed plan set, which includes the change in on- and off-street parking spaces.

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

Index No. 2023-39

Applicant: Erik Cooney
Owner: 85 Renwick Street LLC
Location: 85 Renwick Street

SITE PLAN application to construct a four (4) story mixed-use with residential building containing twelve (12) apartments and two (2) retail spaces.

The Comment Letters from the City Engineer and City Planner were made a matter of record.

Sisha Ortuzar, Erik Cooney and Chris Berg appeared before the Board.

Mr. Berg gave an overview of the proposed project. He said they have appeared before the Architectural Review Commission and are presenting to the Zoning Board of Appeals at the October meeting.

DISCUSSION BY THE BOARD

The City Engineer reviewed his comment letter. He requested the submission of the total square footage for the commercial spaces, deeds for the property, and the site plan noted to reflect it is within the LWRP boundary, the Zoning Board Index number and variances and the Architectural Review Commission Index number once each application is approved and city sanitation collection notes. He requested separate site plan sheets for landscaping, lighting and utilities. He said the City is finalizing streetscape designs for ADA compliance at the intersection of Liberty and Renwick and to plan for future discussions regarding limiting the scope of work for streetscape standards. He requested the submission of an erosion and sediment control plan during construction as the property is located in the combined sewer system, though it is not required post

construction as the property is less than an acre in size. He requested the submission of a Phase I environmental report. He asked for clarification on the twenty-foot rear yard setback in the rear corner.

Mr. Berg said he assumed a rear yard setback was required. He said he will remove that setback.

The City Planner reviewed his comment letter. He said the applicant is required to present to the Conservation Advisory Council for a Coastal Assessment review as the site is located within the LWRP boundary. He said a referral to the State Historic Preservation Office will be required.

Ms. Hooff spoke in favor of the proposed infill building.

Alicia Ware moved to waive a public hearing for the Site Plan.

Weaver Debe seconded the motion.

The motion passed unanimously via roll-call vote.

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

Index No. 2023-40

Applicant:	299 Properties, LLC
Owner (694 Broadway):	694 Newburgh LLC
Owner (694 Broadway):	696 Newburgh LLC
Location:	694-696 Broadway

SUBDIVISION application for three (3) lots, 694 Broadway (“Lot A”), 696 Broadway (“Lot B”) and 67 Wisner Avenue (“Lot C”). The subdivision would extend the northernmost lot lines of Lots A and B, resulting in the reduction of Lot C by 6,191 square feet.

The Comment Letters from the City Engineer and City Planner were made a matter of record.

Andrei Lukianoff, Raffaele Fidanza, Matteo Carrieri-Russo and Mark Tierney appeared before the Board.

Mr. Lukianoff gave an overview of the proposed project.

DISCUSSION BY THE BOARD

The City Engineer reviewed his comment letter. He requested additions to the preliminary plat; the plat be identified as the “preliminary plat”, the widths of existing streets, location of existing sewers and water mains and the connections with existing water supply, sanitary sewerage.

The City Planner reviewed his comment letter. He said no further environmental review is necessary for SEQRA.

Alicia Ware moved to waive review by the Orange County Department of Health for the subdivision application.

Acre Qui seconded the motion.

The motion passed unanimously via roll-call vote.

The Planning Board scheduled a mandatory public hearing for the next meeting.

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

With no further business to discuss, the meeting adjourned at 10:10 p.m.

Respectfully submitted:

J.K. Gentile, Secretary