

**PLANNING BOARD MEETING**

The monthly meeting of the City of Newburgh Planning Board was held on Tuesday, February 18, 2025 at 7:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present: Alicia Ware, Acting Chairperson  
Murray Cox  
Weaver Debe  
Daryl Kranec  
Charles Robison  
Duane Ware

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

Absent: Lisa Daily, Chairperson  
David Lopez

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

**SITE PLAN APPROVAL EXTENSION REQUESTS**

**Index No. 2022-16**

**Applicant:** Jeff Wilkinson  
**Owner:** 102 Broadway LLC  
**Location:** 102 Broadway

**SITE PLAN** application to convert a vacant lot into a new 4-story construction (Mixed Use with Residential)

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

The Assistant Corporation Counsel said the applicant received its original site plan approval in January 2023, its first site plan extension in January 2024 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.

Weaver Debe seconded the motion.

The motion passed unanimously via roll-call vote.

**Index No. 2023-14**

**Applicant:** Kenneth Kearney/Kearney Realty & Development  
**Owner:** City of Newburgh  
**Location:** 140 Montgomery Street, 146 Montgomery Street & 137 Smith Street

**SITE PLAN** application to construct two (2), mixed-use residential buildings (Mixed Use with Residential).

The applicant requested a one-year extension of its Site Plan approval application.

Sean Kearney appeared before the Board and gave a brief update on the proposed project.

The Assistant Corporation Counsel said the applicant received its original site plan approval on March 19, 2024. She said this is the applicant’s first 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.  
Weaver Debe seconded the motion.  
The motion passed unanimously via roll-call vote.

**OLD BUSINESS**

**Index No. 2024-20**

**Applicant:** Eulogio Santiago  
**Owner:** 10 Overlook Realty Partners LLC  
**Location:** 10 & 12 Overlook Place

**SITE PLAN** application to construct a four-family dwelling on vacant land.

The applicant contacted staff prior to the meeting requesting to table the application.

**Index No. 2025-01**

**Applicant:** Chris Berg/Fifth Street Architecture  
**Owner:** 157 Liberty Street LLC  
**Location:** 157 Liberty Street

**SITE PLAN** application to convert a single-family dwelling to a mixed-use with residential building.

The applicant contacted staff prior to the meeting requesting to table the application.

**Index No. 2023-41**

**Applicant:** Zach Szabo/Engineering & Surveying Properties, P.C.  
**Owner (694 Broadway):** 694 Newburgh LLC  
**Owner (696 Broadway):** 696 Newburgh LLC  
**Location:** 694-696 Broadway

**SITE PLAN** application to construct a two-story mixed-use residential building at 694 Broadway (“Lot A”) and construct a two-story mixed-use with residential building at 696 Broadway (“Lot B”)

Zach Szabo, EIT and Joe Thompson, R.A. appeared before the Board.

Mr. Szabo gave a brief overview of the technical aspects of the project for the public.

Mr. Thompson gave a brief overview of the design aspects of the project for the public.

**DISCUSSION BY THE BOARD**

The City Planner said his comment letter from the January 2025 meeting still stands as there were no new submissions to review.

The Assistant City Engineer said his comment letter from the January 2024 meeting still stands as there were no new submissions to review.

The Chairperson opened the public hearing for comment on the site plan application.

There was no one present for or against the application.

Duane Ware moved to close the 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. 2025-02**

**Applicant:** Kamran Nawaz/NNC 2, LLC  
**Owner:** Newburgh SHG 18 LLC  
**Location:** 496 Broadway

**SITE PLAN** application to establish a cannabis dispensary at the street level suite of a mixed-use building.

Kamran Nawaz appeared before the Board and gave a brief overview of the proposed project for the public.

**DISCUSSION BY THE BOARD**

The City Planner said his comment letter from the January 2025 meeting still stands as there were no new submissions to review.

The Assistant City Engineer said his comment letter from the January 2024 meeting still stands as there were no new submissions to review.

The Chairperson opened the public hearing for comment on the site plan application.

Carlos Figueroa spoke against the application for reasons of the proposed cannabis dispensary's proximity to a House of Worship, NA and AA support group location, NFA West, and the Canterbury Brook Academy of the Arts.

Kelly Trotta spoke against the application for reasons of the proposed cannabis dispensary's proximity to Canterbury Brook Academy of the Arts and safety concerns.

Camren Manning spoke against the application for reasons of the proposed cannabis dispensary's proximity to Canterbury Brook Academy of the Arts and a House of Worship and because of safety concerns.

Barry LaPierre spoke against the application for reasons of the proposed cannabis dispensary's proximity to Canterbury Brook Academy of the Arts and a House of Worship.

Debra O'Keefe spoke against the application for reasons of the proposed cannabis dispensary's proximity to Canterbury Brook Academy of the Arts.

Kristin Oberle spoke against the application for reasons of the proposed cannabis dispensary's proximity to Canterbury Brook Academy of the Arts and NFA West.

Nicole Purdy spoke against the application for reasons of the proposed cannabis dispensary's proximity to Canterbury Brook Academy of the Arts.

Joe Gbolo spoke in favor of the application.

Duane Ware moved to close the public hearing.

Murray Cox Debe seconded the motion.

The motion passed 4-2 via roll-call vote.

Duane Ware moved to issue a Type II declaration under SEQRA.

Daryl Kranec seconded the motion.

The motion passed 5-1 via roll-call vote.

The City Planner said before a retail dispensary could open it needed a NYS license from the Office of Cannabis Management. He said planning and land use comments were minimal considering the applicant is not performing any exterior renovation on the building. He said New York State reviews the proximity to schools and places of worship during the licensing process. Local municipalities are pre-empted from evaluating a retail dispensary application by the state.

The Assistant Corporation Counsel said the Planning Board is limited in its evaluation to whether the application meets criteria conditions as set forth in City Code.

Mr. Kranec asked about signage.

Mr. Nawaz said it is required to meet NYS laws and regulations regarding sign design and window transparency.

Duane Ware moved to approve the Site Plan as submitted, subject to outstanding comments from the City Engineer and City Planner.

Daryl Kranec seconded the motion.

The motion passed 5-1 via roll-call vote.

### **Index No. 2025-03**

**Applicant:** Roy Lethen

**Owner:** Roy Lethen

**Location:** 25 Benkard Avenue

**SUBDIVISION** application to subdivide the existing lot into two parcels.

Roy Lethen appeared before the Board and gave a brief overview of the proposed project.

### **DISCUSSION BY THE BOARD**

The City Planner said his comment letter from the January 2025 meeting still stands as there were no new submissions to review.

The Assistant City Engineer said his comment letter from the January 2024 meeting still stands as there were no new submissions to review.

The Chairperson opened the public hearing for comment on the site plan application.

There was no one present for or against the application.

Murray Cox moved to close the public hearing.

Weaver Debe seconded the motion.

The motion passed unanimously via roll-call vote.

Duane Ware moved to issue a Type II declaration under SEQRA.

Weaver Debe seconded the motion.

The motion passed unanimously via roll-call vote.

Duane Ware moved to approve the preliminary plat as submitted, subject to outstanding comments from the City Engineer and City Planner.

Daryl Kranec seconded the motion.

The motion passed unanimously via roll-call vote.

**Index No. 2025-04**

**Applicant:** Daniel Merino  
**Owner:** Daniel Merino  
**Location:** 162 Dubois Street

**SUBDIVISION** application for a two-lot subdivision to an existing through lot that currently contains a three-family dwelling. The existing residential building on the western lot will remain unchanged.

Johnathan Millen appeared before the Board and gave a brief overview of the proposed project.

**DISCUSSION BY THE BOARD**

The City Planner said his comment letter from the January 2025 meeting still stands as there were no new submissions to review. He said the application is pending GML §239 response.

The Assistant City Engineer said his comment letter from the January 2024 meeting still stands as there were no new submissions to review.

The Chairperson opened the public hearing for comment on the site plan application.

There was no one present for or against the application.

Murray Cox moved to close the public hearing.  
Daryl Kranec seconded the motion.  
The motion passed unanimously via roll-call vote.

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

**NEW BUSINESS**

**Index No. 2025-05**

**Applicant:** Alvin Moonesar  
**Owner:** Nutopia 203 Grand Street LLC  
**Location:** 203 Grand Street

**SITE PLAN** application to Add two dwelling units to an existing six unit apartment house.

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

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

**DISCUSSION BY THE BOARD**

The City Planner reviewed his comment letter. He said the application requires Conservation Advisory Council (CAC) review, is subject to GML §239 review, and is an unlisted action under SEQRA.

The Assistant City Engineer reviewed his comment letter. He asked that the Board review the Streetscape Standards and provide feedback based on the City Engineer's recommendations. He said at a minimum, 5-foot planter strips with 3 appropriate street trees.

Mr. Cox asked for the total number of entrances.

Mr. Moonesar said the building has an entrance and an exit in the rear.

Ms. Ware asked the Assistant City Engineer what requirements would bring the property into streetscape compliance.

The Assistant City Engineer said resetting/replacing the curb to a height of 6 inches, resetting/replacing the sidewalk, adding a 5-foot buffer strip, and street tree planting with the historic district tree pit.

Daryl Kranec moved to waive a public hearing.

Charles Robison seconded the motion.

The motion passed unanimously via roll-call vote.

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

With no further business to discuss, the meeting adjourned at 8:57 p.m.

Respectfully submitted:

J.K. Gentile, Secretary