

PLANNING BOARD MEETING

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

Members Present: Lisa Daily, Chairperson
Murray Cox
Daryl Kranec
David Lopez
Charles Robison
Alicia Ware
Duane Ware

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

Absent: Weaver Debe
Rashidah Green-Sherman

The Chairperson called the meeting to order at 7:32 p.m. after confirming a quorum.

APPROVAL OF MINUTES

Minutes of the January 21, 2025 Meeting

Duane Ware moved to approve the January 21, 2025 minutes as submitted.
David Lopez seconded the motion.
The motion passed unanimously via roll call vote.

Minutes of the February 18, 2025 Meeting

David Lopez moved to approve the February 18, 2025 minutes as submitted, subject to Board member attendance correction.
Duane Ware seconded the motion.
The motion passed unanimously via roll call vote.

SITE PLAN APPROVAL EXTENSION REQUESTS

Index No. 2024-03

Applicant: Maria Rios
Owner: Maria I. Rios-Ruiz
Location: 196 Broadway

SITE PLAN application to convert a vacant building into a restaurant and two-family dwelling.

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

The Assistant Corporation Counsel said the applicant received its original site plan approval in March 2024 and presents now for a one-year 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.

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

OLD BUSINESS

Index No. 2025-01

Applicant: Chris Berg/Fifth Street Architecture PLLC
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 Comment Letters from the City Engineer and City Planner and GML §239 response was made a matter of record.

Chris Berg appeared before the Board and said there have been no changes made to the site plan application since the last presentation to the Board in February 2025.

DISCUSSION BY THE BOARD

The City Planner reviewed his comment letter. He said the applicant made a presentation to the CAC during its March 2025 meeting.

The Assistant City Engineer reviewed his comment letter. He requested the submission of a separate, signed and sealed survey.

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

David Lopez seconded the motion.

The motion passed unanimously via roll-call vote.

Index No. 2023-43

Applicant: Chris Berg, RA/Fifth Street Architecture PLLC

Owner: RD 242 South William Street LLC

Location: 242 South William Street

SUBDIVISION application to subdivide the vacant parcel into eight (8) lots.

Index No. 2023-44

Applicant: Chris Berg, RA/Fifth Street Architecture PLLC

Owner: RD 242 South William Street LLC

Location: 242 South William Street

SITE PLAN application to construct eight (8) buildings on subdivided lots, with each building containing three (3) residential apartment units.

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

Michael Morgante and Chris Berg appeared before the Board.

Mr. Morgante gave a brief overview of the proposed project for the new Board members and an overview of the updates since the last presentation to the Board at the March 2024 meeting. He said submission was made to the Orange County Department of Health (OCDOH) for subdivision review. He said OCDOH requested to remove the backflow prevention detail from the plan and resubmit.

DISCUSSION BY THE BOARD

The City Planner reviewed his comment letter. He requested a verification letter from the OCDOH that their review is complete, and that the applicant has satisfied all comments and submission of an updated Full Environmental Assessment Form. He asked the Board to review the landscaping plan, the total number of bicycle racks and locations, and the lighting plan.

The Assistant City Engineer reviewed her comment letter. She asked the Board to review the planting plan, the lighting plan, with attention to modifying the lighting on the east and west sides of the project to prevent illumination off-site, and sanitation management plan. She asked the applicant to clarify and update the site plan with fence details including type, location and height. She requested submission of the most recent survey and subdivision plan.

The Board discussed the appropriate number and location of bike racks.

Mr. Kranec said one to two bike racks per building and had no preference regarding the location.
Mr. Lopez said one to two per building and had no preference regarding the location.
Mr. Cox said three per building and had no preference regarding the location.
Mr. Robison had no preference regarding the number and preferred the sidewalk buffer zone.
Mr. Ware had no preference regarding the number and said the sidewalk walking space might be affected if the bike racks are placed in the sidewalk buffer zone.
Ms. Ware said three per building and had no preference regarding the location.
The Chairperson said three per building had no preference regarding the location.

The Assistant City Engineer said he would confirm the dimensions of the sidewalk buffer zone to determine if placing bike racks in the sidewalk buffer zone interferes with the Streetscape Standards.

The Board discussed the planting plan.

Mr. Morgante said the front yard yields minimal space for abundant plantings and tree plantings would interfere with utilities and viewshed.

The Board requested the Assistant City Engineer consult with the project engineer to recommend a modified landscaping plan for the Board's review at the next meeting.

The Board discussed the lighting plan.

The Chairperson asked for clarification on the varying light temperatures.

Mr. Morgante referenced the submitted lighting plan to describe the varying light temperatures and defined their proposed placement on the property.

The Chairperson asked if there was a way to shield the lighting on the east and west sides of the property.

Mr. Morgante said he will reexamine reducing those temperatures.

The Board discussed sanitation management.

Mr. Morgante said two rows of three 4 x 6 containers for each building, located in the front of each building, are proposed.

The Assistant City Engineer recommended checking the City's website for the required container size.

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

NEW BUSINESS

Index No. 2025-06

Applicant: Mark Ellison
Owner: Mark Ellison
Location: 255 Broadway

SITE PLAN application to establish an owner occupied live-work space.

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

The Assistant Corporation Counsel said the applicant received Planning Board approval for the application in November 2021 but that approval had lapsed.
Mark Ellison appeared before the Board and gave an overview of the proposed project.

The Assistant Corporation Counsel asked if there were any proposed changes to the building footprint.

Mr. Ellison said no.

DISCUSSION BY THE BOARD

The City Planner reviewed his comment letter.

The Assistant City Engineer had no comments and recommended waiving Site Plan requirements.

Charles Robison moved to waive a public hearing.
David Lopez seconded the motion.
The motion passed unanimously via roll-call vote.

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

Alicia Ware moved to waive the site plan requirements and approve the application as submitted, subject to the City Planner comment letter and Zoning Board of Appeals approval.
Charles Robison seconded the motion.
The motion passed unanimously via roll-call vote.

Index No. 2025-07

Applicant: Zach Szabo/Engineering & Surveying Properties, P.C.
Owner (694 Broadway): 299 Properties LLC
Owner (696 Broadway): 299 Properties LLC
Location: 694-696 Broadway

SUBDIVISION application for a lot line change to accommodate construction of a mixed-use residential building at 694 Broadway (“Lot A”) and a mixed-use with residential building at 696 Broadway (“Lot B”)

Zach Szabo appeared before the Board. He said the project received preliminary subdivision approval March 2024 for an application that consisted of three lots, one lot separated out to the north and two lots brought forward to meet the bulk area setback requirements for the construction of two new buildings that will replace two existing buildings that are planned for demolition. He said the current subdivision application was for a lot line change between the two front lots because the current subdivision proposal reflects a lot line through one of the proposed buildings. He said that demolition is unable to move forward until the lot line change has been approved and that final plat approval for the initial subdivision and the final site plan approval is pending demolition.

DISCUSSION BY THE BOARD

The City Planner reviewed his comment letter.

The Assistant City Engineer reviewed his comment letter.

Alicia Ware moved to waive review by the Orange County Department of Planning.

Charles Robinson seconded the motion.

The motion passed unanimously via roll-call vote.

The Assistant Corporation Counsel said a mandatory public hearing will be scheduled for the next meeting.

The Assistant Corporation Counsel asked the applicant whether he would waive the requirement that the Planning Board take action on the preliminary plat within 62 days of application submission.

The applicant waived the 62-day requirement.

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

With no further business to discuss, the meeting adjourned at 9:20 p.m.

Respectfully submitted:

J.K. Gentile, Secretary