

CITY OF NEWBURGH
PLANNING BOARD

123 Grand Street, Newburgh, New York 12550

Lisa Daily, Chairperson
Omar E. Balbuena-Palma, Secretary

Phone: (845)569-7380
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PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, March 21, 2017 in the Activity Center, 401 Washington Street, Newburgh, NY 12550

Members Present: Lisa Daily
Duane Ware
Argelia Morales
Alicia Ware
Ramona Monteverde
Lillian Burgarelli

Also Present: Jason Morris, City Engineer
Alexandra Church, City Planner
Jeremy Kaufman, Assistant Corporation Counsel
Omar E. Balbuena-Palma, Land Use Board Secretary

The meeting was called at 7:30 p.m. after a quorum was confirmed.

APPROVAL OF MINUTES

Alicia Ware moved and Ramona Monteverde seconded the motion to approve the minutes of the February Board meeting.

The motion passed 6-0

NEW BUSINESS

INDEX NO. 2017-04 SITE PLAN to build a deck on the property.

Location: 1 Park Place

Owner/ Applicant: Newburgh Yacht Club Inc./ Pamela Resch

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, City Planner, and the Conservation Advisory Council are to be made a matter of record.

DISCUSSION BY THE BOARD

Pamela Resch and Jonathan Cella appeared before the board and gave a brief overview of their project. The applicant sought approval to build a 26' x 11' wood frame deck on the north end of the building for "Pamela's on the Hudson." The applicant said the construction will be elevated, there will be no filling, and it wouldn't disturb the Hudson River.

Ms. Burgarelli asked whether lighting would be an issue. The City Engineer responded it would not be an issue because there are no neighbors in the surrounding area. Ms. Resch mentioned that the lighting won't change.

The City Engineer referred to the comment memo of the City Planner and the Informational Inspection Report of the Building Inspector. He recommended waiving certain site plan requirements pursuant to section 300-87 of the City Code due to the nature of the project and the submission the applicant made being sufficient for review.

The City Planner confirmed that the property lies in the WPO overlay district and concurred with the statements by the City Engineer. She said there will be no change in pervious surface area because the deck will be elevated and since there will be no substantial construction, and there is no need for an erosion or storm water management plan. She said the CAC found the proposed action consistent with the Local Waterfront Revitalization Plan and the project is an unlisted action under SEQRA.

Argelia Morales moved and Ramona Monteverde seconded the motion to declare Lead Agency. The motion passed 6-0

Duane Ware moved and Lillian Burgarelli seconded the motion for SEQRA Negative Declaration.

The motion passed 6-0

Lillian Burgarelli moved and Argelia Morales seconded the motion to waive the site plan requirements.

The motion passed 6-0

Duane Ware moved and Ramona Monteverde seconded the motion to approve the Site Plan as submitted.

The motion passed 6-0

The applicant will submit site plans to the Secretary to the Land Use Boards for the City Engineer and the Planning Board Chair to sign.

PUBLIC HEARING

INDEX NO. 2016-07 SPECIAL USE PERMIT and SITE PLAN to establish a Gas Main Regulator Site

Location: 182 Fullerton Ave

Owner/ Applicant: Central Hudson/ Justin Dates

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, City Planner, and the Conservation Advisory Council are to be made a matter of record.

DISCUSSION BY THE BOARD

Justin Dates from Mazer Consulting and Tera Stoner, gas engineer for Central Hudson, appeared before the board. Mr. Dates gave a brief overview of the project. He said that Central Hudson is seeking to improve the safety, maintenance and service of the portion of the City that is serviced by the gas line that passes by the property. They are looking to enclose a regulator in a small structure with a residential appearance to blend into the neighborhood. Ms. Stoner said the property was chosen because of its proximity to the existing gas regulator and because it's in a critical location for the City's gas lines.

The chair reopened the public hearing.

Lisa Peporato, 161 Fullerton, appeared before the board. She was concerned about a gas leak and old pipes that are half a block away from the property, the pressure changes and the safety of the neighborhood, the traffic, and the disturbance to the neighborhood aesthetic. She asked if there were evacuation plans in place, in case of emergency.

Brian Flannery, 5 Norton Street, commented that he would like to see a rendering of the project.

A copy of the rendering shown has been attached.

Alicia Ware moved and Argelia Morales seconded the motion to close the public hearing. The motion passed 6-0

Ms. Daily commented that the safety issue lies with the existing regulator being underground and moving the regulator above ground will improve safety. In addition, Ms. Stoner commented that current maintenance requires traffic to be shut down and by moving the regulator, traffic flow would improve. The transition period would take approximately one day and she mentioned that there is a separate project that will address the remaining concerns from the public. She stated that Central Hudson meets annually with the local Fire Chiefs and 911 centers to coordinate events as well as emergency scenarios. There will be a direct connection from the site to a system operator for immediate response.

The City Engineer commented that the Planning Board should determine if the applicant's response to the CAC's comments are sufficient. Corporation Counsel has determined that the

license agreement/easement is not required for this project. In addition, the Planning Board should discuss the visual impact of the proposed building and determine if it is acceptable.

The City Planner clarified that although the property does have an impact on the neighborhood, it does not lie within the Colonial Terraces Design District and therefore will not be referred to the ARC. In addition, the Assistant Corporation Counsel stated that though not typical, there is some authority in the Code for the Planning Board to review the visual impact that a project could have on the neighborhood.

Ms. Monteverde said that due to the property bordering the Colonial Terraces Design District, the Planning Board should consider the visual impact on the neighborhood and referenced a proposal from the applicant at the January meeting. Mr. Dates stated that they proposed removing the relief valve, donating three trees, and adding a bench to the tennis court. In addition, he went over the details of the landscape plan which incorporate the comments from the CAC. The plantings will be on the outside of the proposed six-foot decorative aluminum fence enclosing the property.

Ms. Daily said the metal roof is acceptable but asked if the metal siding could be replaced, possibly by Hardieplank. Ms. Stoner responded that they will speak to the manufacturer to ask if there is a more horizontal look to the siding to match the neighborhood aesthetic.

Ms. Morales asked if there will be any caution posters on the property. Ms. Stoner responded that they are willing to address those concerns as the Planning Board suggests.

The City Planner stated that the Zoning Enforcement Officer has determined that the residential bulk requirements must be met for this property and that the applicant must obtain several ZBA variances. The Planning Board may choose to conditionally approve the application pending ZBA approval, provided that the visual impact of the project does not negatively impact the neighborhood and cause a loss of value.

Ms. Daily commented that because the Planning Board does not have a determination on the façade a conditional approval cannot be given.

Ramona Monteverde moved and Argelia Morales seconded the motion to declare Lead Agency. The motion passed 6-0

Ramona Monteverde moved and Argelia Morales seconded the motion for SEQRA Negative Declaration
The motion passed 6-0

The Planning Board did not have an objection with the tan and green colors as shown on the elevation and asked the applicant to return to the next Planning Board meeting on April 18th with different renderings of the façade. The Applicant also confirmed appearance at the Zoning Board of Appeals meeting on March 28, 2017.

OLD BUSINESS

INDEX NO. 2017-03 SITE PLAN to renovate the property into two units and change the use to live/work on the back and a Restaurant, with carry-out on the front.

Location: 100 Third Street

Owner/Applicant: 100 3rd St LLC Renovation/ Cynthia Corsiglia + Ali Hocek

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, City Planner, and the Conservation Advisory Council are to be made a matter of record.

DISCUSSION BY THE BOARD

Cynthia Corsiglia appeared before the board and clarified that there is only one floor in the building. The front unit of the building will be the restaurant and the back unit of the building will be the live/work space.

The City Engineer said that the applicant's professional made two submittals on March 14, 2017 and March 17, 2017 addressing the engineering comments and that there are no outstanding comments.

The City Planner said there was only one outstanding comment from the CAC and that their letter was received and the submitted Coastal Consistency Form was found consistent with the LWRP. According to SEQRA, it is a type one action, however, there are no interested parties involved. In addition, the property lies in the DN district and is a noncontributing building in the historic district. Construction on the exterior cannot begin until a certificate of appropriateness is obtained from the ARC.

Ramona Monteverde moved and Lillian Burgarelli seconded the motion for SEQRA Negative Declaration.

The motion passed 6-0

Argelia Morales moved and Alicia Ware seconded the motion to conditionally approve the site plan pending ARC approval on the detail of the fence.

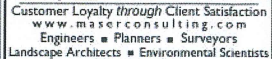
The motion passed 6-0

The applicant will attend the March 22nd ARC meeting. After receiving ARC approval, the applicant will submit site plans to the Secretary to the Land Use Boards for the City Engineer and the Planning Board Chair to sign.

Lillian Burgarelli moved and Argelia Morales seconded to adjourn the meeting.
Meeting adjourned at 8:26 p.m.

Respectfully submitted,

Omar E. Balbuena-Palma,
Secretary



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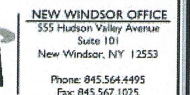
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10	-	-	-

SITE PLAN
FOR
CHG&E CORPORATION
182 FULLERTON AVE
SECTION: 16
BLOCK: 1
LOT: 17
CITY OF NEWBURGH
COUNTY OF ORANGE
STATE OF NEW YORK



SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	01/17/17	PAM	JED
PROJECT NUMBER:	DRAWING NAME		
KTOP	FULLERTON BUILDING PLAN		

**BUILDING ENCLOSURE
PLAN AND ELEVATION**

SHEET NUMBER: 1 of 1