CITY OF NEWBURGH | Lisa Daily, Chairperson
PLANNING BOARD | Omar E. Balbuena-Palma, Secretary
123 Grand Street, Newburgh, New York 12550 | Phone: (845) 569-7380 Fax: (845) 569-0188

PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, February 18, 2020
at the Activity Center, 401 Washington Street, Newburgh, NY 12550

Members Present: Lisa Daily, Chairperson
Alicia Ware
Michael Kelly
Richard Rosencrans

Absent: Duane Ware
Heather Moore
Sarah Hooff

Also Present: Alexandra Church, Director of Planning & Development
Elka Gotfryd, City Planner
Jason Morris, City Engineer
Jeremy Kaufman, Assistant Corporation Counsel
Omar Balbuena-Palma, Secretary

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

The Director of Planning & Development said tonight will be the last meeting she attends as the City Planner. She said the City of Newburgh recently hired Elka Gotfryd and moving forward, Ms. Gotfryd will take on the role of City Planner.

APPROVAL OF MINUTES

Ms. Ware moved to approve the minutes of the January 2020 board meeting.
Mr. Kelly seconded the motion.
The motion passed unanimously.

PUBLIC HEARINGS

Index No. 2020-01

Applicant: Vishal Enterprises of Grand Street, Inc.
Owner: Vishal Enterprises of Grand Street, Inc.
Location: 405 Broadway

SPECIAL USE PERMIT & SITE PLAN Application to add an addition to the building.

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer and the City Planner were made a matter of record.

DISCUSSION BY THE BOARD

Jonathan Cella, Project Engineer, and Bhajan Singh from Vishal Enterprises of Grand St. Inc. appeared before the Board representing the property owner.

The Project Engineer gave a brief review of the project and highlighted the following:
- Project involves expanding the gas station, no change in use;
- Addition is approximately 800 sq. ft.;
- Site Plan revisions are in progress;
- Project obtained approval from the Zoning Board of Appeals;
- Requesting Special Use Permit approval from the Planning Board;

The Director of Planning and Development said she has no new comments on the application.

The City Engineer said the Applicant has not submitted a revised site plan and he has no new comments on the application at this time.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson said the application will be tabled and the public hearing kept open until the next Planning Board meeting.

The Assistant Corporation Counsel made the Applicant aware that he also has the option to request a vote on his application.

The Project Engineer said he still has not provided a revised site plan and a vote on the application now is not in the property owner's best interest. He said he will provide the requested information to the Board prior to the next meeting and request attendance to the next Planning Board Workshop.

The Applicant was informed to submit a revised site plan by Friday, February 21, 2020 in order to receive substantive comments on the application at the next Workshop on March 3, 2020.

OLD BUSINESS

Index No. 2019-09

Applicant: RUPCO Inc.
Owner: Newburgh Community Land Bank, Inc.
Location: 37 & 39 Dubois Street

SUBDIVISION Application to move the lot line between 37 & 39 Dubois Street.

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, City Planner and Building Inspector were made a matter of record.

DISCUSSION BY THE BOARD

Chuck Snyder, Applicant, from RUPCO Inc. appeared before the Board on behalf of the property owner.

The Applicant said he is requesting Final Plat Approval from the Planning Board and said a final plat was submitted for consideration.

The Director of Planning and Development said she has a minor comment on the EAF that the Applicant should address. She had no other comments on the application.

The Applicant revised the EAF.

The City Engineer said he had no outstanding comments on the application.

The Assistant Corporation Counsel said the Applicant obtained preliminary plat approval on December 2019 and the applicant has up to six (6) months to submit and request a final plat for approval.

Ms. Ware moved to approve the final plat subject to the City Engineer's comment letter.
Mr. Kelly seconded the motion.
The motion passed unanimously via roll-call vote.

NEW BUSINESS

Index No. 2020-02

Applicant: Gratitude Management Company, LLC
Owner: 3 Corwin CT LLC
Location: 3 Corwin Court

SITE PLAN Application to convert the existing building into a Barbeque Restaurant.

The Informational Inspection Report of the Building Inspector and the comment letters of the City Engineer, City Planner and Orange County Planning Department were made a matter of record.

DISCUSSION BY THE BOARD

Ed Randolph, Applicant, from Gratitude Management Company, LLC, appeared with Michael Lynch, Project Engineer, from Engineering & Surveying Properties on behalf of the property owner.

The Applicant said his intent is to find a home for his barbecue restaurant. He said the property at 3 Corwin Court has been vacant for over a year and appears to be a great location for his business.

The Project Engineer gave a brief review of the application and highlighted the following:

- Proposing to install a restaurant;
- No expansion to building footprint;
- Site work consists of reconfiguring parking lot for approximately 35 parking spaces;
- Provided a lighting plan;
- Existing parking islands to be removed.

The Director of Planning and Development said the action is a Type II action pursuant to SEQRA and does not require review by the Conservation Advisory Council. She said the project has been referred to the Orange County Department of Planning for review. The comment letter from Orange County deferred to a local determination on the project.

The City Engineer said the Applicant recently provided a lighting plan for consideration and said a planting plan should also be provided for screening purposes.

The Project Engineer said they are proposing additional trees along Little Britain Road.

The Chairperson clarified the intent is to remove the existing pine trees and install three (3) Norway Spruce trees along Little Britain Road.

Mr. Kelly requested the proposed lighting to be kept under 3,000 Kelvin.

The Project Engineer agreed to maintain lighting at a warmer temperature under 3,000 Kelvin.

Mr. Rosencrans said the area in between the building and Corwin Court appears empty. He said some sort of planting should be installed.

Mr. Randolph said he can look into additional plantings there but said the area is sloped and difficult to manage.

The Chairperson said the Applicant may refer to the list of recommended street trees in the City Code for reference.

Mr. Kelly asked if the site will provide pedestrian access.

The Applicant said they discussed the sidewalks at the Planning Board Workshop. The Applicant said he was primarily concerned with meeting the parking requirements, and because there were no other sidewalks in the immediate area, they opted not to add sidewalks.

The City Planner said there is a hiking trail near the rear of the property.

Mr. Kelly said the Applicant should consider adding a sidewalk later.

The Assistant Corporation Counsel said the Board has the option to either schedule or waive a public hearing. If waived, the Board could vote on the application at tonight's meeting. He said the Board should articulate any concerns about the site plan.

Mr. Rosencrans said the Applicant is taking a risk with his investment and he is personally content with the proposed modifications..

Ms. Ware said a public hearing does not appear to be necessary because the building is surrounded by other businesses with no residential buildings.

Mr. Kelly moved to waive the public hearing.
Mr. Rosencrans seconded the motion.
The motion passed unanimously.

Mr. Rosencrans moved to declare the application a Type II action under SEQRA.
Ms. Ware seconded the motion.
The motion passed unanimously.

Ms. Ware move to approve the Site Plan application subject to the following conditions:

1. The Applicant shall satisfy all comments set forth in the Informational Inspection Report of the Building Inspector, the Comment letter of the City Planner and the Comment letter of the City Engineer;
2. Lighting temperature will be kept under 3,000 Kelvin;

Mr. Kelly seconded the motion.
The motion passed unanimously via roll-call vote.

DISCUSSION

Transportation Advisory Committee – Complete Streets Checklist

Gabriel Berlin, Chairperson of the Transportation Advisory Committee, Naomi Hersson-Ringskog, member of the Transportation Advisory Committee, and Jessica Ridgeway, Planner from the Orange County Department of Planning advising the Transportation Advisory Committee appeared before the Board.

Mr. Berlin said the Transportation Advisory Committee created a "complete streets" checklist with accompanying introductory text to help the Planning Board and other committees or departments review development plans and see how it aligns with good transportation design practice/complete streets design practice.

The Board discussed the checklist with the representatives of the Transportation Advisory Committee and discussed how it might be incorporated into the existing workflow.

With no further business to discuss, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Omar E. Balbuena-Palma,
Secretary to the Land Use Boards