

City of Newburgh  
**Waterfront Advisory Committee**

The Newburgh Waterfront Advisory Committee met at the Newburgh Heritage Center, 123 Grand Street on Wednesday, November 18, 2009

**Present:** Denise Ribble, Waterfront Advisory Committee Chairperson  
Waterfront Advisory Committee Members: Mary McTamaney,  
Regina Dickerson, Adam Pollick & Gail Fulton

**Absent:** Brian Burke  
Courtney Kain, Acting Director of Planning & Development

**Guests:** Bill Kaplan, Lou Marquette, Ray Yannone

Chairperson Denise Ribble called the meeting to order at 7:05 p.m.

The October 21, 2009 minutes were reviewed. Mary McTamaney moved to approve and Regina Dickerson seconded. All were in favor and the October 21, 2009 minutes were approved.

**NEW BUSINESS**

***Mr. Kaplan & Mr. Marquette Proposed Statistical Analysis (Regal Bag) Project***

Mr. Kaplan displayed concept drawings for a phased condominium development he plans to construct on his riverfront property Statistical Analysis (known as Regal Bag) north of South Street. With him was Mr. Marquette whose development firm, Leyland Alliance, is acting as a consultant for the proposed project.

The presentation consisted of a concept plan for the site, and included an overview of the proposed building of residential condominiums on the Statistical Analysis (Regal Bag) property.

There were salient features of this project which are consistent with historical uses and current plans for residential redevelopment in this area. These uses included proposed 3- story, green, sustainable buildings, no marina on site and a request for an easement agreement for the development and maintenance of a public park at the foot of South Street. The South Street right of way will remain city property.

Mr. Kaplan is requesting a letter of support from the Waterfront Advisory Committee for his application to the Zoning Board of Appeals to change the parcels zoning from its current designation of waterfront industrial mixed use to residential.

The Waterfront Advisory Committee discussed implications of this condominium project in the waterfront district and unanimously concurred that a zoning variance for residential use is supportable. Denise Ribble, Chairperson & Brian Burke, WAC member will draft a letter of support for the Zoning Board. This letter will be reviewed, revised and approved by the committee. Once approved, the letter will be copied to Planning Board, Architectural Review Commission, interim City Manager, Acting Corporation Counsel, Building Inspector, Acting Director of Planning and Development, City Planner and City Council members. It will also be posted on the web site as part of these minutes.

The WAC will be endorsing Mr. Kaplan's application for a change in zoning for his Statistical Analysis (Regal Bag) property. Other details of the project will be reviewed when the actual site plans are submitted to the WAC for consistency review.

Mr. Kaplan also urged the WAC to exert influence to install stoplights on the DOT's Marine Drive arterial at a couple of key places so pedestrians can safely cross. His example was the new Broadway Park opening and the difficulty of pedestrians being able to move safely to and from it across such a busy and speed-prone roadway.

Mary McTamanev will write a letter urging that the process begin to calm Marine Drive traffic with the installation of at least two traffic lights.

## **OLD BUSINESS**

### ***LWRP Amendments – Section IV Revisions***

Denise Ribble asked if the WAC members have received their copy of this section. All WAC members noted that the "figures" (tables and illustrations) didn't transmit. Some members have reiterated their desire to have such committee business given to them in paper copy and not by e-mail alone. Denise Ribble, Chairperson will request that the Planning and Development Office make and distribute those copies.

Denise Ribble asked everyone to make their corrections and comments and submit them to all WAC members via e-mail. The Waterfront Committee will compile edits and distribute one new revised copy to all for final review before sending it to NYS DOS. One change unanimously agreed by the WAC members at this meeting was to eliminate the second half of the title of section 4, "Proposed Projects."

### ***LWRP in General***

The recent response from the NYSDOS was that Newburgh's LWRP will not be considered for final review by the state and, therefore, returned for final approval to the city, until Newburgh's LWRP Land Use Plan and drafted zoning changes are complete and included in the submission.

The Land Use Committee, chaired by the City Planner may address the LWRP area first when it begins its work with a consulting firm to be hired when funds arrive.

Meanwhile, VISTA volunteers are walking the city assessing the current parcel use versus the zoned use to have this data ready for the land use discussion. The Land Use Committee will be discussing potential overlay districts and places where they may be applied.

## **DISCUSSION**

### ***City Bonds & Waterfront Projects***

By the end of 2009, Newburgh should know if their bond sells and if money will come in 2010 for these projects: Brownfield's cleanup, bulkhead rebuilding at Newburgh Landing, Tyrone Crabb Park on Grand Street, the sewer and storm water separation engineering study, and land use planning. In addition, the county's Newburgh Area Transportation and Land use study is also relevant for Land Use in the LWRP area and Transit Oriented Design involving the waterfront connection to lower Broadway, Liberty and Grand streets and other street and pedestrian corridors in the LWRP area.

### ***Consistency Review Processes***

Denise Ribble discussed with the Waterfront Advisory Committee members developing a packet of its forms and an instruction sheet for each form as well as an overall introduction to the flowchart and process of consistency review by the Waterfront Committee. The applicants for any projects in the waterfront areas can then be clear on how the process is to be completed.

Denise Ribble also said she volunteered the committee to develop and offer training on what LWRP consistency review is all about (Chapter 296) and how it fits into the processes outlined in the Charter. (Chapter 300)

The WAC can better serve those who must come before this committee for review by making the process clear, particularly since environmental review is unfamiliar to most property owners.

### ***City of Newburgh Website***

The City Manager promised that all forms for those applicants appearing before all committees and boards will be put on the City of Newburgh's website as they are ready.

### ***Central Hudson Coal Tar Remediation***

City Engineer Crag Marti raised the issue of a potential change in Central Hudson's cleanup on the waterfront. One of the utility company's contractors wants to relocate a temporary building approved in the cleanup plan. Central Hudson was warned that this would mean a return to the review committees, even if by electronic vote after seeing the site plan change. Mr. Marti will keep Denise Ribble informed if this will be necessary.

## **ADJOURNMENT**

Mary McTamaney moved to adjourn; Regina Dickerson seconded. All were in favor.

The meeting adjourned at 9:20 pm

Respectfully Submitted,

Christine M. Schuyler  
NWAC Secretary

December 4, 2009

City of Newburgh  
Zoning Board  
83 Broadway  
Newburgh, NY 12550  
Attention: Joanne Lugo, Chair

Dear Ms Lugo and Zoning Board Members:

At our November 2009 meeting, the Waterfront Advisory Committee (WAC) had the pleasure of seeing a presentation by Mr. Kaplan and Mr. Marquette on the proposed **Statistical Analysis (Regal Bag)** project. The presentation consisted of a concept plan for the site, and included an overview of the proposed building of residential condominiums on the Statistical Analysis (Regal Bag) property.

There were salient features of this project which are consistent with historical uses and current plans for residential redevelopment in this area. These uses included proposed 3-story, green, sustainable buildings, no marina on site and a request for an easement agreement for the development and maintenance of a public park at the foot of South Street.

When this matter is brought before the Zoning Board in December 2009, the WAC supports a use variance being granted for the project, which would allow residential building.

The Waterfront Advisory Committee is governed by the principles and policies of the *Local Waterfront Revitalization Program* and it was determined by the committee members that the concept plan that was presented to the Waterfront Committee is consistent with the principles of the *LWRP*. Further, the members believe at this time that this concept plan for the project conforms with the intention of residential and residential mixed use redevelopment in this part of the local waterfront revitalization area, new urbanism and the New Urbanist Overlay District.

In summation, it is the hope of the Waterfront Advisory Committee that the Zoning Board accepts our support of this project's variance request. We thank you for your consideration of our support. If you need any more information about our endorsement of a use variance for the **Statistical Analysis (Regal Bag) Project**, please do not hesitate to contact the Waterfront Advisory Committee.

Sincerely,

Denise Ribble,  
Chairperson, WAC