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**City of Newburgh Zoning Code Revisions
Leadership Team/Advisory Task Force Joint Meeting**
May 21, 2013 5:30
Newburgh Heritage Center

In attendance for City of Newburgh:

Mayor Judy Kennedy, Ian McDougall, City Planner; James Slaughter, Economic Development; Lisa Daily, Chairperson, Planning Board; Zoning Board; Elizabeth Evans, Assistant to the City Manager**

In attendance for City of Newburgh Advisory Committee:

Denise Ribble, Waterfront Advisory Committee; Peter Smith, Quassaick Creek Watershed Committee; Nancy Proyect, Orange County Citizens Foundation; Tiombe Tallie Carter, Newburgh Business Association; Joshua Smith, Industrial Development Agency; Deirdre Glenn, Newburgh Armory Unity Center;

In attendance for AKRF:

Nina Peek, Project Manager and Sr. Technical Director; Peter Feroe, Project Planner

In attendance for Greater Newburgh Partnership:

Sue Sullivan, Executive Director;* Marcy Handler, Director of Administration & Grants**

In attendance for Orange County:

Kate Schmidt, Orange County Planning

Absent:

Regina Angelo, Deputy Mayor; Richard Herbek*, City Manager; Michelle Kelson, Corporation Counsel; Joanne Lugo, Chairperson; Mike Vatter, Fire Chief and Code Compliance Officer; Doug Hovey, Independent Living; Mary Crabb Architectural Review Committee; Rev. Byron Williams, Newburgh Christian Ministerial Fellowship, Peter Gonzalez, Latinos Unidos; Allan Atzrott, Greater Newburgh Partnership; Rae Leiner, Community Voices Heard; Philip Howard, Board of Education, Newburgh Enlarged School District

*Ex-Officio

**Support Staff

Ms. Peek called the meeting to order at 5:45.

Ms. Sullivan asked if the group was taking notes back to share with their constituency stressing open communication and transparency. Mayor Kennedy stated she will get an overview on the meeting agenda for the City Council. Mr. Josh Smith, Mr. Peter Smith, and Ms. Ribble all noted engaging their committees. Ms. Glenn cited areas of concern her group posed she brought in for discussion.

Ms. Peek reiterated that the Future Land Use Plan (FLUP) was adopted by the City Council in 2011 and the uses recommended in the FLUP will be carried over into the proposed Zoning Code revisions. All of the planning in this process, will align with the FLUP and the Comprehensive Plan for the City. The last few meetings have been to clarify parcels on six specific areas left for discussion. Mr. Feroe added that zoning has to translate into actual regulation.

Mr. MacDougall cited an example that some existing single family dwellings throughout the City, are compliant with existing setback requirements, but other existing structures have a zero setback and are therefore in violation of existing code requirements. Mr. MacDougall recommended that the zoning map and code include more than one type of single family residence so a variance isn't required for those currently in violation. Ms. Ribble suggested that designation such as R1A or R1B could provide the kind of clarification in the text consistent with Mr. MacDougall's suggestion.

At the last meeting (on May 7) Mr. Feroe had given the group a "homework assignment:" to identify important areas on the map that would be important to protect in the Zoning Code as civic open space, recreational areas or institutional space, especially parcels not currently designated as such, and those that being used informally for those uses. Peter Smith and Joshua Smith submitted their map at this meeting. Others in the group were given an extension for one additional week (Due date May 14th). Marcy Handler offered to resend the base map to the group, and also collect the responses and forward to AKRF. AKRF will collate and bring back to the group at the next scheduled meeting. Mr. Peter Smith asked if there will be another zone for Institutional vs. Conservation space. Mr. Feroe suggested perhaps an overlay district to which additional requirements will apply to that district.

Areas of Focused Discussion

Gidney Avenue & North Street

The area for discussion borders a single family subdivision but is currently designated office use. However, there is access only through the existing office area on Gidney Avenue. The area may not be buildable because of the lack of access and the steep hill contour. Mayor Kennedy suggested perhaps a conservation zone might be appropriate. It was decided that it is important to protect the topography without reducing the ability to use the land. The group agreed that the area is well suited for a conservation development, likened to the conservation district suggested at Crystal Lake, which would allow (by a regulatory mechanism) development of a few homes, while protecting the important natural features. Mr. Peter Smith requested AKRF look at the environmental features and make a recommendation.

West Street & MedTech

The area is currently zoned office with deed restrictions to allow only medical technology/light industrial uses. There are environmental concerns regarding the property. There is one office building currently used as a call center with an outside area of paper streets surrounded by existing residential development. The contamination poses a challenge to future development potential indicating zoning more reasonable for industrial use than residential, but industrial use is not compatible with the surrounding area. The cleanup is too expensive for a residential area and the property is not

marketable as a medical facility. The existing building sets the stage for an office park. The decision of the group is to leave the existing office district. There can be no other viable options until cleanup is underway.

Washington/Lake Street/Ann Street

The focus is on Broadway within the vicinity of Washington/Lake and Ann Streets - to limit commercial development here. The FLUP indicates a higher density residential area. The question posed to the group was: Should it allow commercial? When the suggestion of mixed use was raised, Mr. Peter Smith noted that one of the goals of the FLUP was to concentrate commercial uses within a defined corridor, and if mixed use is everywhere, this density would not be achievable. Mr. MacDougall agreed adding that the Charrette indicated that Newburgh cannot support 2½ miles of commercial usage today. The group decision is zoning to support high density residential, but not commercial within this target area.

Broadway/Dupont

Currently, this focus area is zoned for commercial uses, which the FLUP indicates should stay commercial. The northern section of these two blocks, which is divided from the portion of the blocks fronting Broadway by steep topography, is residential uses. The group concluded that the northern portions of these blocks should be zoned residential, to be more in line with current uses and uses across Van Ness. The southern portions of the block should be zoned commercial, not mixed use.

Courthouse & American Felt

Although currently zoned R-1, the FLUP indicates leaving the zoning of the American Felt building as residential, even though it is currently used for light industrial, and is surrounded by commercial uses in the area of the courthouse. It was cited that this would be a great place for a firehouse. It was suggested to rezone the American Felt property for commercial use defined in the zoning text to keep residential in the area where it currently is now and designate the Courthouse as institutional use. It was further agreed that certain 'light industrial' uses be allowed by special permit on the American Felt site within the existing building, subject to Planning Board review of the impacts associated with the specific use.

Southern Commercial District (William & Bridge)

There is currently a mix of uses with some of the buildings in poor condition. The FLUP proposes making this residential and/or mixed use with ground floor retail on William St. only and only within existing buildings. There was discussion that the recommendation in the FLUP to restrict this area to only residential uses could result in boarded up storefronts if buildings stay vacant. AKRF asked the group if this corridor should be mixed-use and/or allow commercial uses in new buildings (in addition to existing buildings) to promote a neighborhood commercial corridor. Mayor Kennedy expressed her opinion that commercial uses should be allowed in new buildings and said that all commercial cannot be pushed onto Broadway citing Brooklyn as an example. Ms. Schmidt indicated that Newburgh does not have the density of Brooklyn. Mr. MacDougall re-iterated that the intention in the FLUP was to promote retail and commercial uses on Broadway and not elsewhere. Ms. Daily urged that there needs to be more discussion on the planning level for a more far reaching plan. The group decided that for now, commercial uses should only be allowed in pre-existing buildings. Ms. Peek suggested the area be revisited down the road based on future Planning Board and City Council discussions.

AKRF will take the input from the homework assignment (due May 14th) and finalize the draft map for review. A new meeting schedule will be set up for the first round of Zoning Text Review.

Meeting adjourned at 7:30.

Addendum to May 21, 2013 Meeting:

Nancy Proyect, Peter Smith, Joshua Smith, Denise Ribble, Kate Schmidt, and Deirdre Glenn all responded with suggestions for civic, institutional, and open space which have been forwarded to AKRF for inclusion into a revised final zoning map.