

CITY OF NEWBURGH  
PLANNING BOARD

Lisa Daily, Chairperson  
Eliana Diaz, Secretary

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**PLANNING BOARD MEETING**

The City of Newburgh Planning Board meeting was held on Tuesday, February 16, 2016 in the City Hall Council Chambers, 83 Broadway, Newburgh, New York.

Members Present: Lisa Daily  
Elsworth Banks  
Peter Smith  
Ramona Monteverde  
Victor Bramble

Members Absent: Dan Stokes  
Argelia Morales

Also Present: Alexandra Church, City Planner  
Jason Morris, City Engineer  
Timothy Kramer, Assistant Corporation Counsel  
Eliana Diaz, Land Use Board Secretary

The meeting was called at 7:35 p.m. after a quorum was confirmed.

**OLD BUSINESS**

**INDEX NO. 2016-01**

**APPLICATION FOR SPECIAL USE PERMIT**

For two (2) 4,800 sq. ft. single story, for vehicle service and repair.

**Location:** 198 South Robinson Avenue

**Applicant:** Victor Javinett

The comment letters of the City Engineer dated February 16, 2016 are to be made a matter of record.

**DISCUSSION BY THE BOARD**

- Amador Laput, Project Manager for Fellenzer Engineer, appeared.
- Mr. Laput stated that the survey with boundary and topography had not yet been provided which would identify extensive gravel area and the existing lighting in lots two and lot four. Roof drains are proposed to prevent erosion, a detail of construction of the rift raft area the size and percentage of size of rock will be provided. In regards for provisions for future parking, lawn areas are being

proposed to be restored and so detail needs to be provided for the construction of those areas.

- The CAC response letter for the project was addressed. A coastal assessment form was provided and no impact to the coastal resources are anticipated. The parking spaces were revised so as not to be paved or painted. . The notes on the plan address erosion prevention, spill prevention and cleanup.
- The project is listed as an unlisted action. The short form EAF was reviewed by the members of the board.

Elsworth Banks moved and Peter Smith seconded the motion to assume SEQRA Lead Agency.

The motion was carried unanimously.

Peter Smith moved and Elsworth Banks seconded the motion for a Negative Declaration. The motion was carried unanimously.

Peter Smith moved and Elsworth Banks seconded the motion to approve the application subject to the City Engineer's request as detailed in the comment letter provided.

The motion was carried unanimously.

#### **INDEX NO. 2015-21**

**APPLICATION FOR SITE PLAN** to convert a single family residence for use as a residential treatment facility

**Location:** 399 Carpenter Avenue

**Applicant:** Martin J. Diesing – Mauri Architects PC

The comment letters of the City Engineer dated January 19, 2016 and the City Planner dated January 19, 2016 are to be made a matter of record.

#### **DISCUSSION BY THE BOARD**

- Martin J. Diesing, Architect from Mauri Architects, and Kellyann Kostyal-Larrier, Executive Director of the not-for-profit agency which will operate the facility, appeared.
- Lisa Daily recused herself from this meeting because of her relationship with the not-for-profit agency. Peter Smith will chair the meeting.
- The applicant proposes to convert an existing home into a residential treatment facility.
- The entrance is off of Carpenter Avenue. There are two small existing parking areas and a single family house. The parking area on the east side will remain unchanged as will the driveway. The parking area on the northwest side will be slightly reconfigured and shifted and an impervious pavement design will be constructed which will catch and contain rainwater so there will not be any runoff. An addition on the west side of the property will be constructed which will not be very noticeable from the public way.

- The Site Plan has undergone CAC review. The members of the CAC were pleased with the landscaping design and the impervious pavement to be used. Some suggestions brought forth by the CAC were the use of rain barrels or rain gardens to deal with some of the gutter runoff from the roof. These suggestions will be reviewed and will probably be implemented to the plans moving forward.
- Revised Plans have been submitted addressing the comments made by the City Engineer and the City Planner.
- Peter Smith asked if there were to be a change of appearance in the character of Carpenter Avenue. Mr. Diesing stated that there would be no visual impacts or changes to Carpenter Avenue. Blue spruces are planning to be placed along the north side of driveway in order to screen the view of the property from neighbors. All of the developing is downhill on the west side of the house. Most of the transportation would be in the form of residential type of vehicles and the overall population varies but at maximum it would be 20 residents with three staff.

Peter Smith opened the public hearing.

Joseph, resident at 405 Carpenter Avenue stated that improving 399 Carpenter Avenue will devalue his and neighboring properties because it will drastically change the environment throughout the neighborhood. In addition it was asked if this treatment facility will be expose other resident's safety. It was stated that there have never been any issues regarding threat to safety in other homes, privacy and safety is a priority. When asked if the home would alter traffic flow for those going to work or school it was stated that such demographics always change.

A resident of 408 Carpenter Avenue asked who will be operating the facility, it was stated that due to the confidentiality issues the operating agency is from Newburgh. The home will be protected by security systems not by standing guards. The resident asked if there are any similar homes in other residential areas, it was stated that this would be the only one. It was stated that the use for this particular project is permitted and if for some reason the project did not go through and anyone else wanted to use this property they would have to submit plans and go through the approval process.

Walter Fabiszak resident of 411 Carpenter Avenue asked about lighting throughout the property, it was stated that the lighting was to complement a home like lighting style.

Jodieann Harris resident of 376 Carpenter Avenue asked why this particular parcel was chosen. It was stated that this parcel is unique due to its size, it allows it to be secluded from its neighbors, its low profile, and in addition it is close to downtown and public transportation.

Anthony Therrien resident of 137 North Street stated that the area is a fully integrated middle class neighborhood and there is no need to have a treatment facility in this location. There are other locations that can be used for the same purposes.

Christina Fitzgerald a volunteer for a not-for-profit organization stated that these types of treatment centers offer a high quality of work and have little to no impact to their surroundings.

Sandra, representing her mother Martha resident of 368 Carpenter Avenue stated that the facility would be the first facility of its kind in the neighborhood and it would negatively impact the area since there are no examples of how such a facility has worked out in other areas.

Chris Quintana, resident of 395 Carpenter Avenue stated that the last thing needed in the neighborhood is continuous moving of people in and out of the facility, that sort of traffic causes unwanted attention.

Sophie Davis, resident of Northwood Village, stated that she is against the residential treatment facility.

The public hearing will remain open until next month's Planning Board meeting.

#### **APPROVAL OF MINUTES**

Peter Smith moved and Elsworth Banks seconded the motion to approve the minutes of the January Planning Board meeting.

The motion was carried unanimously.

Meeting adjourned at 9:20 p.m.

Respectfully submitted,

Eliana Diaz  
Secretary