

PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, March 15, 2016 in the City Hall Council Chambers, 83 Broadway, Newburgh, New York.

Members Present: Lisa Daily
Elsworth Banks
Peter Smith
Ramona Monteverde
Argelia Morales
Dan Stokes
Victor Bramble

Members Absent:

Also Present: Chad Wade, Assistant Engineer
Timothy Kramer, Assistant Corporation Counsel
Eliana Diaz, Land Use Board Secretary

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

OLD BUSINESS

INDEX NO. 2016-02 **APPLICATION FOR SITE PLAN** to redevelop with a mixed-use building consisting of 13,800 sq. ft. of retail space and 91 residential apartment units.
Location: 140 Broadway between Lander Street and Johnston Street.
Applicant: Mill Street Partners LLC

DISCUSSION BY THE BOARD

- David Cooper, attorney for Mill Street Partners LLC and Patrick Normoyle of Excelsior Housing Group LLC appeared.
- Mr. Cooper stated that the applicant was were requesting the Planning Board to declare itself lead agency on this project. The letters were mailed to the interested/involved agencies. The Planning Board did not receive any objections. It was stated that their Engineering reports and Traffic reports would be available.

- The Assistant Engineer stated that there were no new comments since there was nothing new to review.
- The applicant will appear before the board at the May Planning Board meeting.

Peter Smith moved and Dan Stokes seconded the motion to assume Lead Agency. The motion was carried unanimously.

INDEX NO. 2015-14 **APPLICATION FOR SITE PLAN** for 4 family dwellings at 39A Johnston Street and 6 family dwellings at 39B Johnston Street
Location: 39A Johnston Street and 39B Johnston Street
Applicant: Rural Ulster Preservation Company (RUPCO)

The comment letters of the City Engineer and the City Planner are to be made a matter of record.

DISCUSSION BY THE BOARD

- A.J Coppola, Project Architect, appeared.
- Mr. Coppola stated that the project has appeared before the Planning Board in December at which time the Board issued a SEQRA Negative Declaration. In December the applicant received a parking variance from the Zoning Board of Appeals. In addition the ARC gave its approval to demolish 183 First Street to create a parking lot.
- The Assistant Engineer stated that there are some minor outstanding comments which were addressed by Mr. Coppola.

Easements are needed in order to access 46 and 48 South Miller Street, for which there is an agreement, but the documents need to be formalized. The original proposal called for joint water and fire services; however, the City does not allow joint services. Therefore the details of the changes need to be shown on the site plan. The storm water seems to be directed above the retaining wall, which is not appropriate. The site plan must include specifications as to what will be done with the rainwater or where it will be directed. The applicant should seek other options besides rain barrels to manage the rain water if possible.

- Ramona Monteverde recused herself from voting

Peter Smith moved and Elsworth Banks seconded the motion to approve the application subject to the satisfaction of the City Engineers and the City Planners request as detailed in the comment letters.

The motion was carried 6-0.

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 and the City Planner 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 stated that the site plan had been updated to reflect the comments provided by the CAC.
- The Planning Board opened the public hearing at the prior meeting, which was left open.

Julie Lindel, resident at 4 Grand Street asked for a summary of the project. The project calls for a residential treatment facility which will serve as transitional housing. The home can accommodate up to 20 people at one given time.

Anthony Therion, resident of 137 North Street stated that there is no place for this type of project in the residential area.

Jay Diesing stated that this project would be of low impact to the neighborhood, and if this project was not approved there could possibly be other projects that could cause an impact to the neighborhood, such as apartment houses which are permitted in the zone.

Ramona Monteverde moved and Elsworth Banks seconded the motion to close the public hearing.

The motion was carried unanimously.

- The EAF was reviewed by the members of the board.
- A motion that this project will have no substantial adverse impact on the environment was made.
- The Assistant Engineer stated that the applicant must provide the information regarding the easements to the Engineering Department as well as Corporation Counsel. The applicant should also contemplate using sensors on the lighting where the lights either shut down at night or turn off completely.

Argelia Morales moved and Ramona Monteverde seconded the motion for a Negative Declaration.

The motion was carried unanimously.

Dan Stokes moved and Elsworth Banks seconded the motion to approve the application subject to the satisfaction of the City Engineers and the City Planners request as detailed in the comment letters.

The motion was carried unanimously.

Ramona Monteverde moved and Dan Stokes seconded the motion to approve the Site Plan.

The motion was carried unanimously.

INDEX NO. 2016-03 **APPLICATION FOR LOT LINE CHANGE** to have a lot line change
Location: 75-77 Carson Avenue
Applicant: Royal Fine Woodwork/ David Baisley

The comment letters of the City Engineer and the City Planner are to be made a matter of record.

DISCUSSION BY THE BOARD

- The Assistant Engineer stated that although information related to the deed was provided there is nothing that declares if anybody else has the right to use the right of way. The rest of the deed needs to be provided to ensure that there isn't anyone else who may be entitled to use the right of way even though it is blocked by the garage.
- It was stated that even though there is a zero lot line now the RM zone requires a five foot setback and a rear yard setback. The bulk requirements are not met and relief is needed. A variance will be needed in order to satisfy that requirement.
- The applicant is to speak with Mr. Steve Hunter in reference to the variance he needs.
- The applicant has been referred to the Zoning Board of Appeals and is scheduled to appear before the Planning Board in May to have a public hearing.

APPROVAL OF MINUTES

Peter Smith moved and Ramona Monteverde seconded the motion to approve the minutes of the February Planning Board meeting.

The motion was carried unanimously.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Eliana Diaz
Secretary