

PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, January 20, 2015,
in the City Hall Council Chambers, 83 Broadway, Newburgh, New York.

Members Present:

Lisa Daily
Peter Smith
Dan Stokes
Ramona Monteverde
Elsworth Banks

Members Absent:

Also Present:

Timothy Kramer, Assistant Corporation Counsel
Jason Morris, City Engineer
Deirdre Glenn, City Planner

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

SPECIAL PERMIT TO EXPIRE

INDEX NO. 2005-23
APPEAL NO. 93-21

SPECIAL PERMIT for the sale of used cars and
auto repair for general public
Location: 250 Ann Street
Applicant: David Cardona

DISCUSSION BY THE BOARD:

- Applicant failed to appear

Peter Smith moved and Elsworth Banks seconded the motion to table the application until
the February 17, 2015 meeting.

Motion was carried unanimously.

NEW BUSINESS

INDEX NO. 2015-01

AMENDED SITE PLAN for amendments to previously approved site plan to erect affordable housing units
(Index No. 2013-04 approved on September 17, 2013)
Location: 5 & 11 Washington Terrace and 70 Lake Street
Applicant: Independence Square Housing represented by Pietrzak & Pfau Engineering & Surveying, LLC

The memorandum of the City Engineer dated January 20, 2015 is to be made a matter of record.

DISCUSSION BY THE BOARD:

- The emergency sidewalk to the basement level at the rear of building will be eliminated and topped with grass. Trucks will still be able to access the rear of the building for emergencies.
- Landscaping is modified, including moving landscaping to the other side of the ponds from the original site plan.
- The chain link fence is modified to eliminate access to the rear of the building for security purposes. The fence will be coated in black vinyl and ivory vines will be planted every ten feet, so that ivy will cover the fence.
- The site plan follows state requirements regarding the locations of air conditioning units.
- The generator will not typically be running except for emergencies or testing.

Peter Smith moved and Elsworth Banks seconded the motion to approve the amended site plan subject to final submittal of the plan to indicate that the chain link fence will be black coated vinyl with ivory vines to be planted every ten feet along the fence.

The motion was carried unanimously.

INDEX NO. 2015-02

SITE PLAN for a shrimp production facility with wholesale, retail and agritourism components
Location: 21 Liberty Street
Applicant: Eco Shrimp and Garden represented by Alpine Environmental Consultants

Jean Claude Frajmund of Eco Shrimp and Garden, Jim Ulrich of Alpine Environmental Consultants and Diane Bartoszak appeared to discuss the application.

The memorandum of the City Engineer dated January 20, 2015 is to be made a matter of record.

DISCUSSION BY THE BOARD:

- The application is for site plan approval for an indoor shrimp hatchery located at 21 Liberty Street. The building is approximately 55,000 square feet, with the applicant to occupy approximately 10,000 square feet.
- The project narrative states that the Eco Shrimp Garden is an eco-friendly, indoor, zero water exchange shrimp farm that manages 24 tanks as the shrimp grow out to market size.
- The tanks are 14 feet in diameter and 4 feet high, to be filled 3 feet with water.
- Mr. Ulrich states there will be almost zero water usage after the initial fill of the tanks because the waste goes through a bio-filter and the water is reused. The tank cleaning process will occur about once every 3-4 months.
- Mr. Ulrich states this will be a low impact operation. There will be little traffic, few employees and will be quiet. The shrimp are not processed on location, they will be delivered on ice or live.
- There will be no large trucks associated with the use. There will be a small van that makes deliveries to seed the tanks with new baby shrimp. After harvesting, the shrimp deliveries are made in a small van, which will occur one time per week. There is an existing loading dock on the property.
- There is no plan to use the hatchery for retail use.
- The hatchery will be open for school groups to visit and for agritourism. There is a parking lot near the property for a school bus to park for school trips.
- Not much parking is required. The business will initially have six employees, and may grow to twelve employees. There is a neighboring lot which is under the same ownership as the owner of the property from whom the applicant is anticipating renting, which will be used for parking.
- The applicant is required to apply to the Zoning Board of Appeals for use and area variances. The Planning Board will send a referral letter to the Zoning Board of Appeals.

Peter Smith moved and Ramona Monteverde seconded the motion to declare intent to become lead agency with a Type 1 Action under SEQRA.

The motion was carried unanimously.

OLD BUSINESS

INDEX NO. 2014-16

CHANGE OF USE AND SITE PLAN for a Crossfit Gym, with associated parking at 158 Ann Street.

Location: 159 Broadway

Applicant: Sam Pfister and Chelsey Fehishazy represented by Darren Stridiron, PLS.

The memorandum of the City Engineer dated January 20, 2015 is to be made a matter of record.

DISCUSSION BY THE BOARD:

- The applicant obtained the required variances from the Zoning Board of Appeals on December 23, 2014. The final plans are to include the Zoning Board of Appeals Resolution Number.
- The applicant obtained ARC approvals on December 9, 2014.
- The revised site plan includes the suggested changes to the parking lot in the rear of the building.
- The revised site plan includes a landscaping berm to provide screening from the road.
- The three parking spaces are 22 feet in size.
- The main entrance to the gym is on Broadway.

Peter Smith moved and Dan Stokes seconded the motion for a Negative Declaration.

The motion was carried unanimously.

Peter Smith moved and Dan Stokes seconded the motion to approve the site plan subject to final submittal of the plan to include adequate sidewalk construction details as approved by the City Engineer and the Zoning Board of Appeals Resolution Numbers of the approved variances.

The motion was carried unanimously.

INDEX NO. 2014-11 **SITE PLAN** for a 158,000 sq.ft. Light Manufacturing Warehouse/Office Building
Location: 5 Scobie Drive
Applicant: Newburgh Industrial Development Agency, Co-Applicant with 5 Scobie Partners, LLC

Jim McIver of C.T. Male, John Cappello, Esq. of Jacobowitz & Gubits, LLP, and Joshua Smith, Chairman of the Board of Directors of Newburgh IDA appeared to discuss this application.

The memorandum of the City Engineer dated January 20, 2015 is to be made a matter of record.

DISCUSSION BY THE BOARD:

- The applicant appeared for conditional site plan approval.
- Discussion regarding the comments of the City Engineer and the conditions of the site plan approval was held.
- The City Engineer's proposed conditions numbers 13 and 14 will be converted to map notes.

Peter Smith moved and Ramona Monteverde seconded the motion to amend the proposed conditions of the City Engineer as follows:

- Condition 8: Delete “and the Tree Cutting Agreement” from the proposed condition
- Condition 11: Delete “the IDA, the City and Scobie Partners, LLC” from the proposed condition
- Condition 13: Delete in its entirety
- Condition 14: Delete in its entirety

Motion carried unanimously.

Peter Smith moved and Ramona Monteverde seconded the motion to approve the site plan subject to the satisfaction of the amended proposed conditions numbers 1 through 12 in the City Engineer’s memorandum dated January 20, 2015.

Motion carried unanimously.

APPROVAL OF MINUTES

Dan Stokes moved and Elsworth Banks seconded the motion to approve the minutes of the November and December Planning Board Meetings.

Motion carried unanimously.

Meeting adjourned at 8:30 p.m.

Respectfully submitted

Timothy W. Kramer
Acting Secretary

**AGENDA
CITY OF NEWBURGH PLANNING BOARD
CITY OF NEWBURGH COUNCIL CHAMBERS
TUESDAY, FEBRUARY 17, 2015
7:30 P.M**

NEW BUSINESS

INDEX NO. 2015-03 **SIGN APPLICATION** for installation of a replacement/new sign on North Street for facility
(Index No. 2013-04 approved on September 17, 2013)
Location: 290 North Street
Applicant: Kol Yisrael

SPECIAL PERMITS TO EXPIRE

INDEX NO. 2005-23
APPEAL NO. 93-21 **SPECIAL PERMIT** for the sale of used cars and auto repair for general public
Location: 250 Ann Street
Applicant: David Cardona

INDEX NO. 2013-11 **SPECIAL PERMIT** for the operation of a restaurant/bar located at 40 Liberty Street
Location: 40 Liberty Street
Applicant: Paulina Robinson