

CITY OF NEWBURGH
PLANNING BOARD

Lisa Daily, Chairperson

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PLANNING BOARD MEETING

The City of Newburgh Planning Board meeting was held on Tuesday, March 17, 2015, in the City Hall Council Chambers, 83 Broadway, Newburgh, New York.

Members Present: Lisa Daily
Peter Smith
Elsworth Banks
Argelia Morales

Members Absent: Ramona Monteverde
Dan Stokes

Also Present: Timothy Kramer, Assistant Corporation Counsel

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

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

DISCUSSION BY THE BOARD:

- David Cardona, owner of 250 Ann Street appeared.
- Mr. Cardona stated that he has been operating his business at this location for over twenty years. He was last before the planning board in 2013 when he received a two year extension on the special permit.
- The Building Department reports that there are no current violations on the property.

Peter Smith moved and Elsworth Banks seconded the motion to extend the Special Permit for two years.

Motion was carried unanimously.

NEW BUSINESS

INDEX NO. 2015-04

SITE PLAN for removal of existing 1,800 square foot accessory storage building and construction of new 1,500 square foot accessory storage building on the north end of the project parcel

Location: 4 Renwick Street

Applicant: Central Hudson Gas & Electric Corporation

The comment letter of the City Engineer dated March 17, 2015 is to be made a matter of record.

DISCUSSION BY THE BOARD

- Marc McLean and Wayne Mancroni of Central Hudson, and George Cronk of the Chazen Companies appeared.
- The proposed project consists of removing an existing metal storage building and erecting a new storage building on the other end of the parcel. The new building will be smaller than the existing building.
- Central Hudson stores materials on this parcel because it is a good location in the event of a gas emergency.
- Half of the property has been remediated to remove contaminated material. Removal of the existing building is necessary to allow for remediation of the other half of the property.
- The DEC is involved in the remediation of the parcel.
- The City Engineer stated the proposed action is an unlisted action under SEQRA. The application has been referred to the Orange County Planning Department for review pursuant to GML section 239. No response was received as of the date of the meeting. The board cannot yet take action because a reply has not been received from the Orange County Planning Department, nor has thirty days passed since it was sent for review.
- The City Engineer noted that there is an existing holding tank on the parcel. The City is not allowing connection to the lateral at this time.

Peter Smith moved and Argelia Morales seconded the motion to assume lead agency. The motion was carried unanimously.

Peter Smith moved and Ellsworth Bank seconded the motion for a negative declaration finding that the proposed project will have no adverse impact on the environment. The motion was carried unanimously.

The applicant will appear at the April meeting after which either a reply from the County Planning Department will have been received or thirty days from submission will have elapsed.

NEW BUSINESS

INDEX NO. 2015-02

SITE PLAN for a shrimp production facility with wholesale, retail and agritourism components

Location: 21 Liberty Street

Applicant: Eco Shrimp Garden represented by Alpine Environmental Consultants

DISCUSSION BY THE BOARD

- Jean Claude Frajmund of Eco Shrimp Garden and Jim Ulrich of Alpine Environmental Consultants appeared.
- Mr. Ullrich stated that the applicant received the required variances from the zoning board of appeals. He requested a waiver of site plan approval pursuant to section 300-50(A) of the City Zoning Code because there is no significant change to the exterior of the premise as all of the work, other than a small generator, will be inside the building.
- The project requires permits from the DEC.
- The board stated that, as they realized at the presentation at the previous meeting, there is no site plan work other than some minor improvements to an off-site parking lot, there is no change in the footprint of the premises, and that the change of use will not substantially intensify the use or substantially modify the site with respect to the factors identified in section 300-50(A) of the zoning code. The application establishes little or no alteration of the site or intensification of the use by the proposed change of use.

Peter Smith moved and Argelia Morales seconded the motion for a negative declaration finding that the proposed project will have no adverse impact on the environment.

The motion is based on the receipt and review of the full environmental assessment form, the reply of the Orange County Planning Department pursuant to General Municipal Law section 239, the comments of the City Engineer and the responses from the applicant.

The board finds no significant adverse environmental impacts.

The motion was carried unanimously.

Peter Smith moved and Argelia Morales seconded the motion to waive site plan approval and that this motion will not substantially alter or intensify the use of the property, that the change of use will have minimal effect on the surrounding buildings, and that no fee for site plan is required as site plan approval is not required for this project.

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

The comment letter of the City Engineer dated February 17, 2015 is to be made a matter of record.

DISCUSSION BY THE BOARD

- The board stated at the previous meeting that the applicant's appearance is waived for this meeting.
- Assistant Corporation Counsel advised that the applicant provided certification that the notice was mailed by the applicant to all owners within three hundred feet of the proposed sign pursuant to section 250-32 of the Newburgh City Code.
- The board received a letter from the Orange County Planning Department stating that the application was reviewed and found that no evidence of significant inter-municipal or countywide impacts would result from approval of this application.

Argelia Morales moved and Ellsworth Banks seconded the motion to approve the sign application.

The motion was carried unanimously.

APPROVAL OF MINUTES

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

The motion was carried unanimously.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Timothy W. Kramer
Acting Secretary