

CITY OF NEWBURGH  
PLANNING BOARD

Lisa Daily, Chairperson  
Margaret Hall, Secretary

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123 Grand Street, Newburgh, New York 12550

(845)569-7401 (845)569-0096

PLANNING BOARD MEETING, February 18, 2014

The City of Newburgh Planning Board meeting was held on Tuesday, February 18, 2014, in the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present:

Lisa Daily  
Chad Wade  
Deirdre Glenn  
Robert Ingram  
Dan Stokes  
Peter Smith  
Ramona Monteverde

Also Present:

Michelle Kelson, Corporation Counsel  
Jason Morris, Acting City Engineer  
Ian McDougall, Planning and Development

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

SPECIAL PERMITS TO EXPIRE

Appeal No. 2000-15 SPECIAL PERMIT for the operation of an auto repair shop  
Location: 170 West Parmenter Street  
Applicant: Nathaniel Riggins

Discussion by the Board:

- Letter from Building Dept. Inspection conducted 12/10/13, property in compliance. Building appears to be empty and business closed. No contact with business owner. The Building Dept. asks that this application be tabled until an attempt is made to contact business owner.

Peter Smith moved and Deirdre Glenn second the motion to Table this application  
The motion was carried unanimously.

INDEX NO. 2009-11 SPECIAL PERMIT for an indoor soccer field  
Location: 13 Mill Street  
Applicant: Cesar Grados

DISCUSSION BY BOARD:

A letter was received from the Building Dept. An inspection was conducted 12/18/13 and no violations were found. The business is running according to plans submitted. The Building Dept. takes no exception to continuance of special permit.

Peter Smith moved and Chad Wade second the motion for a 2 year extension of said permit.

The motion was carried unanimously.

INDEX NO. 2012-14 SPECIAL PERMIT for a mixed use restaurant with existing second and third floor apartments  
Location: 169-171 Broadway  
Applicant: Mr. Edwards represented by J. Cella, P.E.

DISCUSSION BY BOARD:

Letter was received from the Building Dept. The property is in compliance as of 2/14/14. The Building Dept. takes no exception to continuance of the special permit.

Chad Wade moved and Peter Smith second the motion for a 2 year extension of said permit.

The motion was carried unanimously.

PUBLIC HEARING

Index No. 2013-12                      TWO LOT SUBDIVISION for the lands of Norfish Holding Inc.  
Location: 260 North Street  
Applicant: Norfish Holding represented by Darrin Doce of Doce Associates and Joseph Roans of the Finkelstein Law Office

The Acting City Engineer's comments are to be made matter of record.

The applicant gave a review of the proposal.

DISCUSSION BY THE BOARD

- Easement for new lot over existing lot to be shown on plan
- Awaiting comments from the Orange County Planning Dept.

The Chairman opened the public hearing and asked if anyone would like to speak on this application.

No response from the people.

Cade moved and Deirdre Glenn second the motion to close the public hearing. The motion was carried unanimously.

Peter Smith moved and Chad Wade second the motion to Assume Lead Agency. The motion was carried unanimously.

Chad Wade moved and Deirdre Glenn second the motion for a Negative Declaration.

The motion was carried unanimously.

Chad Wade moved and Deirdre Glenn second the motion to close the public hearing.

The motion was carried unanimously.

Application tabled awaiting comments by the Orange County Planning Dept. To be placed on the March agenda.

INDEX NO. 2013-11 SPECIAL PERMIT for restaurant/bar

Location: 40 Liberty Street

Applicant: Paullina Robinson represented by Jonathan Cella, P.E.

The Acting City Engineer's comments are to be made matter of record.

A review of the project was presented at this time.

The Chairman opened the public hearing by asking if any person would like to speak on this application.

Steven Sadadelas, Jose Ramirez and Elijah Bell stated their concerns about many shootings have happened at this site. People loitering outside, - loud music where the windows in the next building rattle. The owner of the next building cannot rent his apartments due to shootings and loud music.

Tammy Hollins of 55 Varrick Homes stated the Board should check into the surrounding properties and see if any violations exist.

Peter Smith moved and Robert Ingram second the motion to close the public hearing.

The motion was carried unanimously.

Peter Smith moved and Chad Wade second the motion to Assume Lead Agency, Type 1 Action.

The motion was carried unanimously.

Chad Wade moved and Peter Smith second the motion for a Negative Declaration.

Peter Smith moved and Robert Ingram second the motion to Table the application due to waiting for comments from the Orange County Planning Department.

The motion was carried unanimously.

INDEX NO. 2013-13 SPECIAL PERMIT for an auto body/auto mechanic shop

Location: 7 Van Ness Street

Applicant: Fredy Arias represented by Jonathan Cella, P.E.

The Acting City Engineer's comments are to be made matter of record.

#### DISCUSSION BY THE BOARD

The applicant received and Use and Area variance from the Zoning Board of Appeals for his business, therefore a Special Permit is not needed from the Planning Board and the application is withdrawn.

#### NEW BUSINESS

INDEX NO 2014-01 SITE PLAN for addition to existing commercial building

Location: 78 Bridge Street

Applicant: Michael Capobianchi of Precision Propeller

The Acting City Engineers comments are to be made matter of record.

The proposal is for an addition to existing building.

#### DISCUSSION BY THE BOARD

- Business is for repairs of propellers
- The applicant employs 9 people
- The applicant proposed on the northeast part of the property a 6 ft vinyl fence for screening of residences.
- Needs handicap parking space

Robert Ingram moved and Peter Smith second the motion to Assume Lead Agency, Type II action.

The motion was carried unanimously.

Peter Smith moved and Robert Ingram second the motion to Table this application. The applicant to address comments no. 4 and 7-9 and also to be noted on the plan.

The motion was carried unanimously.

#### OLD BUSINESS

INDEX NO. 2013-07 SITE PLAN to construct 300 sq. ft. addition to existing convenience store.

Location: 405 Broadway

Applicant: Bhajan Singh represented by Jonathan Cella, P.E.

The Acting City Engineer's comments to be made matter of record.

Applicant did a review of his proposal.

#### DISCUSSION BY THE BOARD

- Revisions made on plan.
- Comment no. 16 – Red Striping

November 2013 meeting Board voted for Lead Agency.

Robert Ingram moved and Peter Smith second the motion for a Negative Declaration.

The motion was carried unanimously.

Ramona Monteverde moved and Deirdre Glenn second the motion for a conditional approval.

The motion was carried unanimously.

INDEX NO. 2013-08 SITE PLAN for the Mid Broadway Project located at 146 Broadway

The Acting City Engineers comments to be made matter of record.

#### DISCUSSION BY THE BOARD

- Letter dated 1/27/14 from Congressman Maloney was in favor of this project
- Tenants are of working families and will be earnings of \$30,000.00 - \$74,000.00.
- Associated Super Markets signed a letter of intent to use the commercial space.
- The market will employ 40 people.

- A market study was conducted and stated that more development is needed for this area.
- To be placed on March's work shop agenda.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

  
Margaret Hall  
Secretary

CITY OF NEWBURGH  
PLANNING BOARD

Lisa Daily, Chairperson  
Margaret Hall, Secretary

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PLANNING BOARD MEETING, April 15, 2014 (REVISED)

The City of Newburgh Planning Board meeting was held on Tuesday, April 15, 2014, in the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present:

Lisa Daily  
Chad Wade  
Deirdre Glenn  
Peter Smith  
Dan Stokes  
Robert Ingram

Members Absent:

Ramona Monteverde

Also Present:

Timothy W. Kramer, Assistant Corporation Counsel  
Richard Golden, Esq., Burke, Miele and Golden representing Michelle Kelson,  
Corporation Counsel for the City of Newburgh  
Jason Morris, Acting City Engineer  
Ian MacDougall, City Planner

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

PUBLIC HEARING

Index No. 2014-02

TWO LOT SUBDIVISION

Location: 56 Clark Street

Applicant: Habitat for Humanity

The Acting City Engineer's comments are to be made matter of record.

Discussion by the Board:

- Review of the project
- Minor outstanding comments
- Agreement for easement

Peter Smith moved and Deirdra Glenn second the motion to approve the application for subdivision subject to the following:

- Modification of plan to delete privacy fence
- Remove note 11 from plan
- Removal of drop curb as noted by the O.C.P.D.
- Easement Agreement for access and maintenance for approval by Acting City Engineer and Corporation Counsel

The motion was carried unanimously.

#### NEW BUSINESS DISCUSSION

Index No. 2014-03     SITE PLAN

Index No. 2014-03     SPECIAL PERMIT

For an 1800 sq ft addition to the rear of the restaurant for more dining room area. Also proposed is a 7390 sq. ft. pavilion to be used for catered events and a 105 sq ft outdoor bar

Location: 89,117 & 120 Front Street

Applicant: Joseph Bonura represented by John Fuller, P.E.

The Acting City Engineer's comments are to be made matter of record.

Discussion by the Board:

- There will be an enclosure over the open patio with roof and retractable walls.
- To construct a pavilion and octagon shaped building for seminars, weddings, etc. and any other catered event.
- The food will be prepared in the restaurant
- There will be a permanent canopy from the building to the sidewalk.
- The marina will no longer exist on the site.
- Fifth Street gates will be removed for pedestrian access to the walkway
- Hours of operation are 11:00am thru 11:00 pm on weekends and to close earlier during the week.
- The dumpster will be located cross the street in a proper enclosure

- With the marina eliminated, this will create more parking for the project.
- Valet parking will be available when the restaurant is in use along with a catered event.
- Suggestion is to move the structures forward towards the sidewalk to allow for more vegetation.
- Clarification of the octagon bar

Peter Smith moved and Robert Ingram second the motion to declare intent to be Lead Agency with a Type 1 Action.  
The motion was carried unanimously.

Index No. 2014-05      SITE PLAN for improvements to existing Steelways shipyard property to facilitate the transfer of bridge construction components to barges for delivery to Tappan Zee Bridge replacement project  
Location: 401 So. Water Street  
Applicant: David Plotkin (Steelways Inc.), represented by Mark Millspaugh, P.E., Sterling Environmental Engineering, P.C. and Susan Sullivan

Acting City Engineer's comments are to be made matter of record.

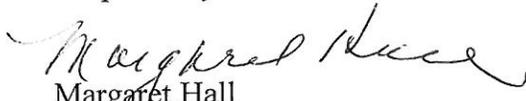
Discussion by the Board:

- The property is an existing shipyard.
- The applicant would like to move the shore line approx. 50 feet, and line with sheet pilings.
- Also the applicant would like to put sheet pilings around the perimeters of the existing piers.
- There was a question in regards to the railroad tracks. Crude oil is loaded onto the cars, from the New Windsor part of the parcel. Will the Newburgh site also be involved in the same. To be noted: no answer was given.
- The applicant has an application in with the Army Corp. of Engineers and the D.E.C.
- There was an objection to the EAF, as submitted, because it contained a waiver of disclosures based on a presumption that the project was proposed as a temporary port to serve the construction of the Tappan Zee Bridge.
- The Applicant acknowledged that it was not awarded a contract in the Tappan Zee Bridge reconstruction project and could not provide information on other proposed uses of the port.
- The Board requested that the Applicant submit a revised EAF which would address the proposed future use of the port and the environmental issues arising from such proposed use.

Peter Smith moved and Robert Ingram second the motion declare intent to be  
Lead Agency with a Type 1 Action.  
The motion was carried unanimously.

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

  
Margaret Hall  
Secretary

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Lisa Daily, Chairperson  
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PLANNING BOARD MEETING, May 20, 2014

The City of Newburgh Planning Board meeting was held on Tuesday, May 20, 2014, in City Hall, Council Chambers, 83 Broadway, Newburgh, New York.

Members Present:

Lisa Daily  
Ramona Monteverde  
Deirdre Glenn  
Peter Smith  
Dan Stokes  
Robert Ingram

Members Absent:

Chad Wade

Also Present:

Timothy W. Kramer, Assistant Corporation Counsel  
Michelle Kelson, Corporation Counsel  
Jason Morris, Acting City Engineer  
Ian MacDougall, City Planner

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

NEW BUSINESS

Index No. 2014-06     SITE PLAN for a change of use of an existing plumbing supply/warehouse space to a Barber Shop/Salon  
Location: 223 Broadway  
Applicant: Vincent Cappelletti

Discussion by the Board:

- The property is located in a TC1 zone, in which the proposed use is not permitted.
- The proposal is for the operation of a Barber Shop/Salon
- The applicant requested that the board waive site plan approval according to Section 300-50(A)(3) of the City Zoning Ordinance.

- Corporation Counsel explained that under Section 300-50(A)(3), site plan approval is not required if the Planning Board finds that the change of use will not substantially intensify the use or substantially modify the site with respect to the factors identified in the section of the code .
- The application and the Engineer's comments establish little or no alteration of the site or intensification of the use by the Applicant's proposed change of use.

Peter Smith moved and Dan Stokes second the motion to waive Lead Agency status for the purposes of SEQRA.  
The motion was carried unanimously.

Peter Smith moved and Dan Stokes second the motion to waive the change of use and that this motion will not substantially alter or intensify the use of the property and finds that no site plan approval is required for the property at 223 Broadway.  
The motion was carried unanimously.

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Margaret Hall  
Secretary