

PLANNING BOARD MEETING

The monthly meeting of the City of Newburgh Planning Board was held on Tuesday, May 17, 2022 at 7:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present: Sarah Hooff
Michael Kelly
Alicia Ware
Duane Ware

Absent: Lisa Daily

Also Present: Chad Wade, Assistant City Engineer
Joshua Stratton-Rayner, City Planner
Jeremy Kaufman, Assistant Corporation Counsel
J.K. Gentile, Secretary

The Chairperson called the meeting to order at 7:30 p.m. after confirming a quorum.

OLD BUSINESS

Index No. 2022-09

Applicant: 7 Belknap St. LLC / Stephen and Lina DeWinter
Owner: 7 Belknap St. LLC
Location: 7 Belknap Street

SITE PLAN application to convert vacant lot into a two-family home.

The Comment Letters from the City Engineer and the City Planner were made a matter of record.

Stephen DeWinter and Jonathan Cella appeared before the Board.

Mr. Cella gave an update on the project and presented materials requested at the prior meeting. He said they received a statement from the New York State Department of Conservation that the property is more than 300 feet away from the State Wetland NB-29 and not subject to further DEC review.

The City Planner reviewed his comment letter. He related, per new City of Newburgh code, all new construction must show off-street parking for bicycles.

The Assistant City Engineer reviewed his comment letter. He asked for confirmation of whether the pump station was upgraded by the previous owner to the original plan.

Mr. Cella said it was only a single pump inside. The original design was based on the existing tank. Installation of a second pump is needed for the current proposal.

The Assistant City Engineer asked to note the relocation of utilities on the site plan.

DISCUSSION BY THE BOARD

Michael Kelly moved to issue a Type II declaration under SEQRA

Alicia Ware seconded the motion.

The motion passed unanimously via roll-call vote.

Duane Ware moved to accept the Site Plan as submitted, subject to outstanding City Engineer comments and City Planner comments.

Michael Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

Index No. 2022-05

Applicant: Fidelity Real Estate Management / Eli Vaknin

Owner: Overview Properties, LLC

Location: 135 Ellis Avenue

SITE PLAN application to develop 10 buildings and 60 apartment units.

The Comment Letters from the City Engineer and the City Planner were made a matter of record.

Greg Sgromo, Shaul Vaknin, Eli Vaknin and Dan Gilbert appeared before the Board.

Greg Sgromo gave a brief update on the proposed project.

DISCUSSION BY THE BOARD

Ms. Hooff asked for point-by-point analysis on how the project addresses the requirements of the Conservation Development District.

Mr. Sgromo asked if the concern is dimensional requirements.

Ms. Hooff said her concern is application of all of the CDD requirements to the proposed project.

Mr. Sgromo gave an overview of the site plan, pointing out the areas of development and the areas of woodland preservation.

Ms. Hooff emphasized the importance of adhering to City Code Chapter 300-33.

Mr. Kelly requested the addition of bicycles racks to the site plan.

The City Planner reviewed his comment letter. He confirmed receipt of the DEC statement. He asked Mr. Sgromo if the applicant will still seek an on-site confirmation from the DEC.

Mr. Sgromo said no.

The City Planner asked Mr. Sgromo to speak on the Conservation Easement Plan.

Mr. Sgromo said they sought out Scenic Hudson to acquire a Conservation Easement, as they have the easement adjacent to the parcel. He said Scenic Hudson was not interested. The applicant reached out to the Orange County Land Trust. He said the Land Trust is interested.

The Assistant City Engineer reviewed his comment letter. He said the Engineer Department is working through engineering detail updates.

Ms. Hooff requested the identification of the environmental resource area.

Michael Kelly moved to declare the Planning Board as Lead Agency under SEQRA.

Alicia Ware seconded the motion.

The motion passed unanimously via roll-call vote.

The Planning Board referred the application to both the Transportation Advisory Committee and the Conservation Advisory Council for review.

Index No. 2021-17

Applicant: Javier Fiscal

Owner: Walter Park

Location: 435 Broadway

SITE PLAN application to convert existing building into a House of Worship and Restaurant.

The Comment Letters from the City Engineer and the City Planner were made a matter of record.

Floyd Johnson and Javier Fiscal appeared before the Board.

Floyd Johnson gave an overview of the updates made to the Site Plan.

The City Planner reviewed his comment letter. He said restaurant hours and seating count details remain outstanding to determine the baseline parking count for bulk requirement analysis.

The Assistant City Engineer reviewed his comment letter. He said a number of cross-referencing details on the site plan remain outstanding.

The Assistant Corporation Counsel asked the applicant to clarify the total square footage of the restaurant and the total number of sanctuary seats.

Mr. Johnson said 1,533 square feet for the restaurant and 46 sanctuary seats.

The Board discussed a baseline parking calculation of 29 spaces. Mr. Johnson said the applicant can provide 13 spaces on site.

Ms. Ware asked how many public parking spaces are available in the front of the building on a Sunday morning.

Mr. Fiscal said four spaces cover the width of the property.

The Board asked the applicant to update its plan to also include signage (with size, lighting type, and location).

The Applicant requested a table of its application to the next meeting.

NEW BUSINESS

Index No. 2022-12

Applicant: Manual Zacarias-Gregorio
Owner: Manual Zacarias-Gregorio
Location: 288 South William Street

SUBDIVISION application to construct a new three-family dwelling on a vacant lot.

The Comment Letters from the City Engineer and the City Planner were made a matter of record.

Floyd Johnson appeared before the Board and gave a brief overview of the project.

Ms. Hooff said there must be an existing easement with the neighbor as there is a shared driveway.

Mr. Johnson said they currently do not have an easement. An attorney retained by the applicant is working on that.

Mr. Johnson said the soil of Lot B must be tested due to an improperly removed oil tank.

The City Planner reviewed his comment letter. He requested legible dimensions and marked tables, easement specifics and bicycle parking added to the site plan. He requested documentation detailing the removal and disposal of the oil tank as well as any accompanying environmental testing and/or remediation. He said the current Environmental Assessment mapper on file is dated September 16, 2021. He requested re-running the Environmental Assessment mapper to ensure that the information was up to date.

The Assistant City Engineer reviewed his comment letter. He requested changing the 3” inch lateral to a 4” inch lateral connection detail and to detail new utility service connections to the existing water main shown on the site plan.

The Assistant Corporation Counsel said a mandatory public hearing will be held at next meeting.

DISCUSSION BY THE BOARD

Ms. Hooff asked for clarification of available parking on site.

Mr. Johnson pointed out the areas on the site plan.

Sarah Hooff moved to waive review by the Orange County Department of Health.

Michael Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

The Board tabled the application to the next meeting.

Index No. 2022-10

Applicant: Chris Berg / Berg + Moss Architects
Owner: 75 Grove LLC
Location: 191 North Miller Street

SUBDIVISION application to convert the single lot with one-family residence into a subdivided lot with 2 new three-family residences.

The Comment Letters from the City Engineer and the City Planner were made a matter of record.

Chris Berg appeared before the Board and gave an overview of the proposed project.

The City Planner reviewed his comment letter. He requested a developed site plan, taking into consideration all dimensions, i.e. front porch, back porch.

Mr. Berg said his current site plan takes into consideration how the Zoning Board rules on conformity, matching setbacks with the neighboring buildings on the street.

The Assistant City Engineer reviewed his comment letter. He requested a signed, sealed survey and water, sewer, gas and construction details shown on the site plan.

Michael Kelly moved to waive review by the Orange County Department of Health.

Alicia Ware seconded the motion.

The motion passed unanimously via roll-call vote.

The Board tabled the application to the next meeting.

With no further business to discuss, the meeting adjourned at 9:50 p.m.

Respectfully submitted,

J.K. Gentile
Secretary to the Land Use Boards