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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

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In the Matter of

HAMPTON INN SUITES & RESTAURANT
(2014-16)

Referral to the Zoning Board of Appeals

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BOARD BUSINESS

Date: September 18, 2014
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
JOSEPH E. PROFACI
JOHN A. WARD

ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
PATRICK HINES
GERALD CANFIELD
PAUL RUGGIERO

APPLICANT'S REPRESENTATIVE: JUSTIN DATES

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MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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HAMPTON INN SUITES & RESTAURANT

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MR. BROWNE: The next item is the Hampton Inn Suites & Restaurant, project 2014-16. This is a ZBA referral.

CHAIRMAN EWASUTYN: Justin Dates, would you present that for us, please?

MR. DATES: Thank you. Good evening. My name is Justin Dates with Maser Consulting.

We're back before the Board. Since our last meeting there were a couple variances that we were looking to seek from the initial presentation, so I'd like to point out what those are, and that's what we're looking to have referred to the Zoning Board of Appeals.

What we did as per a comment from Pat Hines' office, there was a question on the coverage of the lot. The anomaly of the site is that Crossroads Court is not a Town road, it is a private road, and the other businesses on this commercial development here use that road. This lot therefore needs to bear all that impervious coverage within the IB District. 60 percent is the maximum and we are at 63 percent. So we got pushed over really from impervious coverage of Crossroads Court.

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2 The second piece was we were originally
3 planning on the building signage for the Hampton
4 Inn Suites, one on the western side or just over
5 the front entrance and then one on the rear that
6 would kind of face southeast towards the Thruway.
7 In talking with the brand and the applicant, he
8 also would like to get a pylon sign similar to
9 the Hilton Garden Inn sign that's right along the
10 Thruway there, similar to that, obviously with a
11 different head on top for the Hampton Inn &
12 Suites. The combination of all that signage puts
13 us over the permitted square footage. So we
14 would look to gain a variance for that overage as
15 well. Those are the two changes from our last
16 presentation.

17 The other variances that we were
18 seeking at that point were the height variance
19 for the building and also the buffer -- the 35
20 foot buffer along 17K into our site.

21 That would bring us to a total of four
22 variances we're seeking.

23 CHAIRMAN EWASUTYN: Questions from
24 Board Members. Frank Galli?

25 MR. GALLI: No.

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MR. BROWNE: No questions.

MR. PROFACI: No.

MR. WARD: No.

CHAIRMAN EWASUTYN: Jerry Canfield, any questions or comments?

MR. CANFIELD: Justin, we're looking for four variances; is that correct?

MR. DATES: Yes.

MR. CANFIELD: That would be lot coverage; --

MR. DATES: Yes.

MR. CANFIELD: -- right?

MR. DATES: Yup.

MR. CANFIELD: 3 percent over. Signage. Do you have square footages?

MR. DATES: Yes. Do you want me to read them to you?

MR. CANFIELD: If you would, please.

MR. DATES: The total permitted is 449.5 square feet. We're seeking a total of 795.58 square feet. That is a difference of 346.08 square feet in signage.

MR. CANFIELD: The other two were the existing from the previous meeting with the

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Board, right, 35 foot buffer on 17K and then --

MR. DATES: And then the building height.

MR. CANFIELD: -- the building height? Okay.

And the second pylon, what's the height on that?

MR. DATES: 40 feet for the pylons.

MR. CANFIELD: 40?

MR. DATES: Yup.

MR. HINES: That meets the code there.

MR. DATES: That matches the Hilton Garden.

MR. CANFIELD: The height, yes. It's just the fact of the second pylon; correct?

MR. DATES: No. It's only one pylon.

MR. HINES: It's on a separate lot.

MR. DATES: There's two building signs and then the pylon sign.

MR. CANFIELD: Okay.

MR. WARD: There will be signage when you come in?

MR. DATES: Just directional for the entrance and what not.

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CHAIRMAN EWASUTYN: Pat Hines, do you have anything to add?

MR. HINES: No.

CHAIRMAN EWASUTYN: I'll move for a motion that Mike Donnelly prepare a referral letter to the Zoning Board of Appeals.

Mike, would you present that one more time?

MR. DONNELLY: Sure. I had actually written the letter but somehow it didn't get sent. I will follow up the letter that I wrote on August 7th by updating all of the variances and I will list all four. First, a height variance allowing the maximum building height of 62 feet 9 inches where 50 feet is the maximum allowed. Second, a lot surface coverage of 63 percent where 60 percent is the maximum allowed. Third, a variance permitting a total sign area of 795.58 square feet where 449.5 feet is the maximum allowed. And fourth, a variance from the required 35 foot setback requirement of Section 185-18 C(4) (c). We note while the Planning Board has issued a lead agency notice of intent, you may wish to proceed -- to process this matter,

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I'm sorry, on an uncoordinated review basis.

CHAIRMAN EWASUTYN: Thank you, Michael.

Having heard the outline for the variances prepared by our Planning Board Attorney, Mike Donnelly, for referral to the Zoning Board of Appeals, I'll move for a motion from the Board to grant that letter be circulated.

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: I have a motion by Frank Galli. I have a second by John Ward. Any discussion of the motion?

(No response.)

CHAIRMAN EWASUTYN: I'll move for a roll call vote starting with Frank Galli.

MR. GALLI: Aye.

MR. BROWNE: Aye.

MR. PROFACI: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: Aye.

Justin, I would like to apologize for losing this referral to the ZBA and then some how, some way --

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MR. DONNELLY: It's my fault. You got me the information, I wrote the letter, it was in the file, it didn't get sent. I don't quite understand it.

CHAIRMAN EWASUTYN: Justin and I had a conversation about bringing everything in and I misinterpreted the conversation as far as the meeting that he was looking to be on. I just thought we were moving on this but in fact it was the 4th that you were looking to accomplish this task I think. Correct?

MR. DATES: Yes.

CHAIRMAN EWASUTYN: My apologies.

MR. DATES: No problem. Thank you, John. Thank you.

(Time noted: 7:10 p.m.)

