



Orange County Department of Planning

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David E. Church, AICP
Commissioner

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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, &n

Local Referring Board: Town of Newburgh ZBA

Applicant: Martin Milano

Project Name: Hampton Inn & Suites

Proposed Action: Area Variance for 1) maximum building height, 2) maximum lot surface coverage, and 3) front yard setback requirements

Reason for County Review: Within 500 feet of NYS Route 17K

Date of Full Statement: September 24, 2014

Referral ID #: NBT 37-14M

Tax Map #: 95-1-45.12

Local File #: PB-refl

Comments:

The Planning Department has reviewed the submitted materials regarding the appeal for an area variance. While the Zoning Board of Appeals must weigh the local issues in balancing the needs of the appellant with the potential impacts on the surrounding area, it does not appear that intermunicipal or countywide impacts would result if the board finds that granting relief is warranted in this matter.

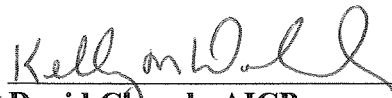
We note that although the project site is not fully within the flight path for Stewart International Airport, it is directly adjacent to it. Please ensure that the Federal Aviation Administration and Stewart officials are aware of the proposed height of the hotel building and that it does not pose an aviation safety issue.

We further note that the project exceeds the maximum allowed lot coverage, and is located in the Washington Lake watershed, which provides drinking water for the City of Newburgh. Please ensure that the City of Newburgh is aware of this project, and take into account any concerns they may have in granting this variance. The County is extremely concerned that no measures to protect the water supply are noted, either in this appeal as reasons to grant the variance or in the associated site plan application. Such measures could include but are not limited to: permeable pavement, parking reductions, building footprint amendments, bioretention facilities, or other similar measures.

County Recommendation: Local Determination for variances 1 and 3 (height and setback requirements); Disapproval of variance 2 (lot coverage) unless site plan modified to include measures for water supply protection

Date: October 2, 2014

Prepared by: Megan Tennermann, AICP, Planner

for 
David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.



Steven M. Neuhaus
County Executive

Orange County Department of Planning

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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, &n

Local Referring Board: Town of Newburgh Planning Board **Referral ID #:** NBT 34-14M
Applicant: Hampton Inn Suites **Tax Map #:** 95-1-45.12
Project Name: Hampton Inn and Suites **Local File #:** 2014-16
Proposed Action: Site Plan for 137-room hotel and 6,500 sq. ft. restaurant
Reason for County Review: Within 500 feet of NYS Route 17K
Date of Full Statement: September 11, 2014

Comments:

The Department has received the above referenced site plan and has determined that the proposed action has the potential to cause intermunicipal or countywide impacts. We therefore recommend that the local referring board address the **binding comments** outlined below. The local referring board may not act contrary to such recommendations except by a vote of a majority plus one of all the members thereof or by disapproving the action.

1. Impacts to the City of Newburgh: The project site is within the watershed for Washington Lake, the drinking water reservoir for the City of Newburgh. The Town should refer the site plans and appropriate additional documentation to the City of Newburgh Planning Department and Engineer for a coordinated review.
2. Stormwater Management: Due to the potential impacts to the water quality of Washington Lake, we recommend that the Town take the following measures:
 - a. Soil Testing: Onsite soil testing will allow the Town and the applicant to determine the actual infiltration capacity of the site, which will better inform the stormwater management design.
 - b. Green Infrastructure: The current submittal is a sketch plan and as such contains no information about onsite stormwater management. The extent of the proposed development onsite indicates that a substantial portion of the stormwater that once infiltrated onsite will now be directed offsite, potentially causing soil erosion and drinking water contamination. We recommend that the Town require the applicant to implement some combination of the following Green Infrastructure techniques:
 - i. Replace at least a portion of the parking spaces with permeable pavement, allowing more water to infiltrate at the project site.
 - ii. Install bioretention basins in the parking lot interior planting areas, along with the required shade trees.
 - iii. The swale along the south edge of the property should be vegetated, to allow for more stormwater infiltration.
 - iv. Investigate the possibility of a green roof; this has the potential not only to improve stormwater retention, but also to become an amenity for hotel guests.

See reverse side

- v. We support the applicant's proposal to bank 18 proposed spaces, and we encourage the applicant to determine whether the parking area can be further reduced and those parking spaces banked for future development if necessary.
- vi. Other Green Infrastructure practices can be found in the New York State Department of Environmental Conservation 2010 Stormwater Management Design Manual. We encourage the Town and the applicant to retain as much stormwater on the project site as is practicable.

Additionally, this Department offers the following advisory comments for your consideration.


Pedestrian Bridge: We encourage the Town to increase pedestrian opportunities wherever possible, and we support the proposed pedestrian bridge between the proposed Hampton Inn and Suites and the existing Hilton Garden Inn. Please ensure that the Hilton Garden Inn agrees to this proposal.

Area Variance: The hotel is proposed to be five stories and 62 feet, 9 inches tall. The maximum allowed building height in the IB district is 50 feet, with no maximum number of stories. We advise the Town to ensure that the proposed height does not cause negative visual impacts, such as obstruction of sight lines on NYS Route 17K. An area variance will be required for the proposed height; we look forward to reviewing the variance when it is received.

County Recommendation: Approval with Modification as per Comments 1, 2a and 2b.

Date: September 30, 2014

Prepared by: Megan Tennermann, AICP, Planner



David Church, AICP
Commissioner of Planning

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