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

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In the Matter of

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128 NORTH DIX AVENUE
(2015-22)

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128 North Dix Avenue
Section 73; Block 7; Lot 22.1
R-3 Zone

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INITIAL APPEARANCE
SITE PLAN/ADDITION

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Date: September 3, 2015
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

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BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
CLIFFORD C. BROWNE
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

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ALSO PRESENT: MICHAEL H. DONNELLY, ESQ.
MARK EDSALL
GERALD CANFIELD
KENNETH WERSTED

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APPLICANT'S REPRESENTATIVE: ANTHONY COPPOLA

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

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2 CHAIRMAN EWASUTYN: Good evening,
3 ladies and gentlemen. I'd like to welcome you to
4 the Town of Newburgh Planning Board meeting of
5 September 3rd.

6 At this point I'll call the meeting to
7 order with a roll call vote starting with Cliff
8 Browne.

9 MR. BROWNE: Present.

10 MR. MENNERICH: Present.

11 CHAIRMAN EWASUTYN: Present.

12 MR. DOMINICK: Present.

13 MR. WARD: Present.

14 CHAIRMAN EWASUTYN: The Planning Board
15 has consultants that work for both the Planning
16 Board and the Town. I'll ask that they introduce
17 themselves at this time.

18 MR. DONNELLY: Michael Donnelly,
19 Planning Board Attorney.

20 MS. CONERO: Michelle Conero,
21 Stenographer.

22 MR. CANFIELD: Jerry Canfield, Code
23 Compliance Supervisor, Town of Newburgh.

24 MR. EDSALL: Mark Edsall, McGoey,
25 Hauser & Edsall Engineers.

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2 MR. WERSTED: Ken Wersted, Creighton,
3 Manning, Traffic Consultant.

4 CHAIRMAN EWASUTYN: At this time I
5 would like to turn the meeting over to Ken
6 Mennerich.

7 MR. MENNERICH: Please stand for the
8 Pledge.

9 (Pledge of Allegiance.)

10 CHAIRMAN EWASUTYN: We have six items
11 on the agenda this evening and one item of Board
12 Business. The first item on the agenda is 128
13 North Dix Avenue. It's a site plan/addition
14 located in an R-3 Zone and it's being represented
15 by Coppola Associates.

16 MR. COPPOLA: Thank you, Mr. Chairman.

17 My name is AJ Coppola, I'm the project
18 architect for Delores Wright. We are proposing a
19 two bedroom -- I'm sorry, two apartments on this
20 single lot. The existing lot is a mother/
21 daughter that was approved in 2003. Basically
22 the configuration of the existing house is a side
23 by side -- two-family or side-by-side mother/
24 daughter right now. Delores lives in the north
25 half and has 971 square feet on the first floor

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128 NORTH DIX AVENUE

and her mother lives in the other half which has 756 square feet on the first floor.

Our proposal is basically a second floor addition. There's no expansion of the existing footprint. It's a second floor, basically raising the existing roof over this half and constructing a full second floor with bedrooms to accommodate her family. We were referred to the Planning Board by the Building Department. Again, this is an existing mother/daughter.

Now, because it does not meet the requirements for a mother/daughter because of the square footages involved, which I think are restricted to 750 square feet, now they are considering it to be a two-family.

The site plan is very simple. We basically just identified the areas for parking, the existing parking and then where we needed new parking. So there's a total of four parking spaces combined. This is also serviced by municipal water and sewer. None of that changes.

That's basically it in a nutshell.

CHAIRMAN EWASUTYN: Comments from Board

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Members?

MR. BROWNE: No.

CHAIRMAN EWASUTYN: At this point I'd like to turn to Mark Edsall with McGoey, Hauser & Edsall to review Pat Hines' comments.

MR. EDSALL: The comments were prepared by Pat Hines from our office. He points out four issues.

One, obviously it needs a ZBA referral, which was acknowledged by Anthony.

Second is relative to the increased hydraulic loading, the City of Newburgh flow acceptance letter will be required.

The applicant also has noted additional parking. The details and layout for the parking should be on the site plan.

And last but not least, upon return from the ZBA, a public hearing at the Planning Board level will be required for the two-family residence. That's it.

CHAIRMAN EWASUTYN: Jerry Canfield, Code Compliance?

MR. CANFIELD: Just a question for Anthony. The site plan notes that there's a pool

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and a shed that are on the site. The road to the rear is a paper road, however it still is a road. I believe that the Code Compliance Department has deemed that that pool and shed is in a front yard. There were previous applications for the ZBA. Would it be your option at this time -- would it be your idea to agree to go to the ZBA when we do the referral, to do it for -- actually, I see four potential variances, the lot area as Pat had noted, the pool and the shed in the front yard, and then also in the R-3 Zone there is a minimum dwelling unit size requirement of 900 square feet per. The existing I think is 750 something you had said.

CHAIRMAN EWASUTYN: 767.

MR. COPPOLA: I qualified that as being on the first floor because I actually didn't even go inside. She may have 900 because there is a small second floor. I'll have to document that.

MR. CANFIELD: If you do, show us that. There should only be three variances then that we're looking for.

MR. DONNELLY: Two of them were applied for and pending, they just haven't been

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128 NORTH DIX AVENUE

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completed.

MR. COPPOLA: Two of them they didn't act on. In other words, there's an open application.

MR. CANFIELD: Right.

MR. COPPOLA: Okay.

MR. CANFIELD: I think maybe to make it cleaner, if we just do part of this referral.

MR. DONNELLY: I'll mention in the referral it should be consolidated with the two existing applications for the pool and the shed front yard variance.

MR. COPPOLA: I don't know procedurally how we do that. We'll have to do a new application for what's new and then I'll just attach it and refer to that I guess.

MR. CANFIELD: Okay. We'll figure it out.

MR. COPPOLA: Number one is it's being referred because of the lot area?

MR. CANFIELD: Lot area.

MR. COPPOLA: It's undersized. Okay. All right. So three variances. You'll do the referral.

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Are we still required to do a second public hearing? That's my --

CHAIRMAN EWASUTYN: Site plan.

MR. DONNELLY: For site plan it's optional. Is it a special permit, the two-family home, or is it just a site plan?

MR. CANFIELD: It's not a special permit.

MR. DONNELLY: They can waive the hearing.

MR. COPPOLA: I got it.

MR. CANFIELD: Just one other comment on that, too. When you come back it will be subject to ARB review by the Board. That's Architectural Review Board.

MR. COPPOLA: Sure. Okay.

MR. CANFIELD: That's all I have, John.

CHAIRMAN EWASUTYN: Will there then be a requirement for a City flow acceptance letter?

MR. EDSALL: Because of the increased number of bedrooms. It's nominal but it should be acknowledged.

MR. COPPOLA: Okay. That goes to Jim Osborne?

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128 NORTH DIX AVENUE

MR. EDSALL: Jim will take care of that.

CHAIRMAN EWASUTYN: You may want to start that early in the process.

MR. COPPOLA: Right. Good suggestion.

CHAIRMAN EWASUTYN: Michael, for the record, please, would you outline the variances required?

MR. DONNELLY: At your direction I will send a letter to the Zoning Board informing them this applicant appeared before us and that to have the two-family home requires a variance for the minimum lot area. Unless the applicant can demonstrate that the interior space satisfies the 900 square foot minimum dwelling unit size, there may be a variance required for minimum dwelling unit size. Lastly, we'll mention that there is a pool and shed front yard variance application pending and they should be considered together.

CHAIRMAN EWASUTYN: I'll move for a motion to have Mike Donnelly prepare that referral letter to the ZBA.

MR. WARD: So moved.

MR. DOMINICK: Second.

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CHAIRMAN EWASUTYN: I have a motion by John ward. I have a second by Dave Dominick. I'll ask for a roll call vote starting with Cliff Browne.

MR. BROWNE: Aye.

MR. MENNERICH: Aye.

MR. DOMINICK: Aye.

MR. WARD: Aye.

CHAIRMAN EWASUTYN: And myself. So carried.

Thank you, AJ.

MR. COPPOLA: Thank you.

Mark, do you have a copy of the comments or can you send them?

MR. EDSALL: I'll e-mail it over.

MR. COPPOLA: Thank you.

CHAIRMAN EWASUTYN: Anthony, you can have mine. I have an extra one here.

(Time noted: 7:08 p.m.)

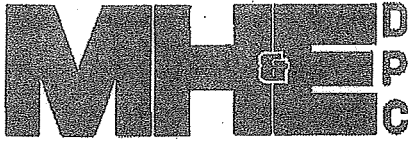
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C E R T I F I C A T I O N

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

Michelle Conero

DATED: September 23, 2015



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WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT: 128 NORTH DIX AVENUE
PROJECT NO.: 15-22
PROJECT LOCATION: SECTION 73, BLOCK 7, LOT 22.1
PROJECT REPRESENTATIVE: COPPOLA ASSOCIATES
REVIEW DATE: 31 AUGUST 2015
MEETING DATE: 3 SEPTEMBER 2015

1. ZBA referral of the project is required for insufficient lot area for a 2 family residence.
2. City of Newburgh Flow Acceptance Letter will be required for the increased hydraulic loading based on bedroom count.
3. Details of the proposed parking should be provided.
4. Project will require a Public Hearing at Planning Board level after ZBA has 2 family residences require site plan approval.

Respectfully submitted,

*McGoey, Hauser and Edsall
Consulting Engineers, D.P.C.*

Patrick J. Hines
Principal