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2	STATE OF NEW YORK : COUNTY OF ORANGE TOWN OF NEWBURGH PLANNING BOARD
3	X
4	In the Matter of
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6	ONE POWELTON AVENUE Project No. 2015-19
7	Powelton Avenue
8	Section 80; Block 6; Lot 7 B Zone
9	
10	X
11	SITE PLAN
12	1496 Route 300 Newburgh, New York 12550 November 19, 2015
13	7:02 p.m.
14	
15	BOARD MEMBERS: JOHN EWASUTYN, Chairman FRANK GALLI CLIFFORD BROWNE
16	KENNETH MENNERICH
17	DAVID DOMINICK JOHN WARD
18	ALSO PRESENT: MICHAEL DONNELLY, ESQ. PATRICK HINES
19	GERALD CANFIELD
20	KENNETH WERSTED
21	APPLICANT'S REPRESENTATIVE: STEPHEN WHALEN
22	
23	X
24	MICHELLE L. CONERO Court Reporter
25	10 Westview Drive Wallkill, New York 12589 (845)895-3018

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MR. BROWNE: Moving right along. 2 The next item then would be One Powelton 3 Avenue, project number 2015-19. This is a 4 5 site plan being presented by Highlands 6 Architecture, PLLC. 7 Again if you would introduce 8 yourself. 9 MR. WHALEN: My name is Stephen Whalen, 10 I'm an Architect with Highland Architectural. I'm representing the owners for One Powelton 11 12 Road. 13 To go over what we're planning to do --14 this is our second presentation to the Planning Board. Our proposal is for an existing two-story 15 16 building. We're proposing three additions and 17 some renovations. The first proposed addition is for a 1,500 square foot third-level addition 18 across the entire existing footprint of the 19 building. We also have another addition on the 20 21 southeast side of the building which is located 22 here, and that's to house the elevator, stair and 23 lighting for each floor. Since the last time we 24 presented, the square footage of that addition 25 has been reduced. It was 326 square feet. It's

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ONE POWELTON AVENUE

2 now been reduced to 270 square feet. We have 3 moved it back so that the existing setback, which 4 is 17 feet from the North Plank Road side, so 5 this will also be 17 feet from that property The setback from the Powelton Road side 6 line. 7 has also been reduced. It was 16 feet. It's now been reduced to 16.75 feet. Our third addition 8 9 is for a 136 square foot stair addition. That's 10 going to be on the northwest side of the 11 building. Again, that also was larger. That was 12 154 square feet. That's been reduced to 136 13 square feet. That setback has also changed. It 14 used to be 13.5 feet from the side property line. 15 That's been now changed to 13.75 feet. 16 The lot building coverage has been 17 reduced. It was 19 percent. It's now been 18 reduced to 18.2. The lot surface coverage, the existing 19 20 site plan had 66 percent coverage. With our 21 proposal we're actually reducing the impervious 22 coverage down to 65 percent. Our plans are now to replace the existing parking lot in the same 23 24 location. What we want to do is we want to pitch 25 that parking lot towards Powelton Road. Right

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2	now it actually pitches towards the neighboring
3	property. We want to address that issue.
4	We're also planning on a new septic
5	tank and possible leachfields. Right now there's
6	an existing septic tank. We don't have much
7	information on it. We do have a civil engineer
8	looking into that. Our proposal is for a new
9	septic tank and possible leachfields.
10	Again with the drainage, our proposal is for all
11	of the roof drainage to now drain to the North
12	Plank Road side of the property. Right now it
13	drains to the back into the parking lot and then
14	onto the neighboring properties.
15	We have adjusted the height. The
16	average grade for this property is 226.5 feet.
17	The highest feature on this, we have a
18	tower feature which is for the elevator. The
19	height of that would be 33 feet above that
20	elevation.
21	We're also proposing that, as it was a
22	concern at the ZBA meeting that we attended, for
23	the obstructions that are on the corners. Since
24	we've now moved this addition further back along
25	the building, we're also going to eliminate some

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of the obstructions. There's a building sign 2 here and there's some landscaping. We're going 3 to remove all that so there's no obstructions Δ 5 from Powelton Road onto North Plank. We're also looking at possibly 6 7 additional parking for staff along here. I haven't shown that on the site plan because we're 8 waiting to see what comes back with the septic 9 10 tank and leachfield information before we propose 11 to do anything back here. If we do something 12 back here it would be impervious -- pervious. I'm sorry. 13 I think that's about it. 14 CHAIRMAN EWASUTYN: Comments from Board 15 16 Members. Frank Galli? MR. GALLI: How many parking spaces did 17 18 you add since the Zoning Board meeting? 19 MR. WHALEN: We left that the same. We 20 didn't want to increase the impervious. MR. GALLI: It was a big issue about 21 the parking. I was at the meeting. 22 23 MR. WHALEN: Okay. 24 MR. GALLI: Did you shorten the 25 building?

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ONE POWELTON AVENUE 1 MR. WHALEN: The two additions, we 2 shrunk their footprint. 3 MR. GALLI: Because what you're telling 4 me here, what I'm listening to, it doesn't seem 5 like there's a lot changed compared to the last 6 7. plan you had. MR. WHALEN: We changed -- we moved the 8 9 additions around because we know at that ZBA 10 meeting there was a concern about having this 11 addition protruding out past the building with the view. So we wanted to move that back. We 12 shrunk down the size of it. We wanted to -- we 13 14 know drainage and septic are an issue here, so we 15 didn't want to have any change in the impervious. I mean we could put several more parking spaces 16 here and pave this out to the maximum, but that's 17 18 not really the avenue we want to take. MR. GALLI: I think that's just one of 19 20 the issues you're going to be facing when you go back to the ZBA. That's their call. I can't 21 22 speak for them. You're talking less than one percent lot coverage you're giving them. 23 Height, you know, 26 square feet is 5 24 It's not much there. I mean it's your 25 by 5.

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call but I'm just saying. You know, I was at 2 that meeting and there were a lot of concerns. Ι 3 think you're going to have an uphill battle with 4 this plan. 5 MR. WHALEN: Right. But we want to 6 address the major concerns right now, one of 7 8 which is septic and drainage. This owner, she 9 could move in here and just open up her practice 10 without touching the outside of the building and those issues would still be there. 11 MR. GALLI: That's all I have, John. 12 CHAIRMAN EWASUTYN: Cliff Browne? 13 14 MR. BROWNE: Nothing, John. 15 CHAIRMAN EWASUTYN: Ken Mennerich? 16 MR. MENNERICH: I have nothing at this 17 point. CHAIRMAN EWASUTYN: Dave Dominick? 18 MR. DOMINICK: 19 Nothing. 20 CHAIRMAN EWASUTYN: John Ward? 21 MR. WARD: Not right now. CHAIRMAN EWASUTYN: Pat Hines? 22 MR. HINES: We have some comments. 23 Our first comment has to do with the discussion that 24 the applicant's representative just had. We were 25

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2	hard pressed to find any changes in the plan.
3	Now we find there's a 3 inch difference in their
4	rear yard and 25 square foot in the front. The
5	tower I guess has been moved.
6	If you are successful at the ZBA, when
7	you come back we are going to request you
8	evaluate the drainage conditions across the
9	property. Directing additional water to Powelton
10	Avenue, we're going to want to see where that
11	additional water is going to go. Right now it
12	goes to the neighbor's yard. Putting it out on
13	Powelton Avenue may not be the answer either. If
14	you do have a civil engineer looking at your
15	septic, you may want to task them with taking a
16	look at the drainage. There's an existing catch
17	basin on the, I think, northeast corner of the
18	property there. That may be able to be extended
19	to collect up that water if you want to take a
20	look at that.
21	The other issue is more for Jerry but I
22	believe with the size of the building it may need
23	to be sprinklered.
24	MR. CANFIELD: Yes.
25	MR. HINES: That's going to be a

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2	consideration for your client as they increase
3	the size of this structure, the cost associated
4	with sprinklering the entire building.
5	MR. WHALEN: We looked into that.
6	We're going to go in with type 5-A construction
7	which allows you to have three stories at 9,000
8	square feet per floor.
9	MR. HINES: The Town of Newburgh has
10	I'll defer to Jerry. There's a separate
11	sprinkler ordinance in the Town.
12	I have your City of Newburgh flow
13	acceptance letter. Not realizing this was on
14	septic, we will be looking at that septic design
15	in the future.
16	I believe there's also a private force
17	main in the vicinity of this project which you
18	could probably investigate connecting to.
19	MR. WHALEN: I got in touch with the
20	engineer that designed that and we could possibly
21	do it. It would be a very large sum of money to
22	do it.
23	MR. HINES: I understand the history
24	there. I know who owns it.
25	MR. WHALEN: It's a great solution.

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Believe me, I'd love to be able to tap into that. MR. HINES: You'll look at that. We have a comment on your curb detail. Also, they're proposing bumper blocks and I don't see the regrading associated with the change in grading for the parking lot. The Planning Board typically requires defined curbs. It would have been an issue if you continued the drainage in that direction, but that may help you prevent the drainage from going in that northwesterly direction that it goes now by putting curbing on the site. Typically commercial sites that are upgraded like this do require curbing. You are curbing the southern part of the parking lot and we're asking you to evaluate curbing the entire parking lot to define the parking lot and to control the drainage from it. MR. WHALEN: Yup. MR. HINES: The parking lot striping detail needs to comply with Town of Newburgh. When it comes back it will have to be

referred to County Planning because of thefrontage along the State highway.

Those are the technical comments we

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1		ONE POWELTON AVENUE 11
2		have now. They're only going to be in effect if
3		it makes it back from the ZBA.
4		MR. DONNELLY: I think we have a report
5		from the County; right?
6		MR. HINES: For this one?
7		MR. DONNELLY: Yeah.
8		MR. MENNERICH: A Local determination.
9	•	MR. HINES: Okay.
10		CHAIRMAN EWASUTYN: Jerry Canfield?
11		MR. CANFIELD: No. It needs to be
12		referred back to the ZBA. We need to determine
13		the exact dimensions of what the referral will be
14		for. I think the number of variances are the
15		same, it's just the dimensions of those area
16		variances may change. That's what we need.
17		MR. WHALEN: What was changed for the
18		front now, it's going to be existing
19		nonconforming. We're maintaining that 17 feet
20		along the North Plank Road side.
21		MR. CANFIELD: Right. I believe the
22		initial one was like 23 feet is what it was,
23		or
24		MR. WHALEN: That was on the Powelton
25		Road side. We're actually coming closer than the
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1 ONE POWELTON AVENUE 12 2 existing building is to North Plank Road. Now 3 we're staying in line with that. So we're not 4 increasing the nonconformity. 5 MR. CANFIELD: Right. The need for the variance still exists. 6 7 MR. WHALEN: Correct. MR. CANFIELD: And just to further 8 reiterate Pat's comment regarding the sprinkler 9 10 system, Town of Newburgh has a more stringent 11 sprinkler requirement than the New York State 12 Fire Code, and that's what will be applied here. 13 So that's the reasoning why that needs to be 14 done. 15 MR. WHALEN: Okay. 16 MR. CANFIELD: That's all I have. 17 CHAIRMAN EWASUTYN: All right. Michael and Steve, I guess if you both could come to an 18 19 understanding of what the referral is to the ZBA. MR. DONNELLY: I'll send the letter. I 20 21 think I know what the variances are but not the 22 quantity. Lot area is the same? 23 MR. WHALEN: Yup. 24 MR. DONNELLY: The lot width 25 requirement -- that's unchanged, too; --

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1	ONE POWELTON AVENUE 13
2	MR. WHALEN: Correct.
3	MR. DONNELLY: right? The front
4	yards, we had the need for two because it was a
5	corner lot. What are the new dimensions now?
6	MR. WHALEN: From North Plank Road it's
7	17 feet and from Powelton Road it's 16.75.
8	MR. DONNELLY: And the required is?
9	MR. WHALEN: From North Plank is 60 and
10	from Powelton is 40.
11	MR. DONNELLY: Side yard?
12	MR. WHALEN: Required is 15, the new
13	dimension now is 13.75.
14	MR. DONNELLY: Did I hear a rear yard
15	as well?
16	MR. WHALEN: No. That complies.
17	MR. HINES: There's lot building
18	coverage and surface no. You're fine.
19	MR. WHALEN: They also comply.
20	MR. HINES: Yes, those comply.
21	MR. DONNELLY: So I'll send a revised
22	letter for lot area; lot width; two front yards,
23	one 17 where 60 is required and the other 16.75
24	where 40 is required; and the side yard of 13.75
25	where 15 is required. Are there any others?

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2		MR. WHALEN: Just the five.
- 3		CHAIRMAN EWASUTYN: I'll move for a
4		motion to have Mike Donnelly prepare the referral
5		letter to the Zoning Board of Appeals for the
6		application before us this evening, that being
7		One Powelton Avenue.
8		MR. WARD: So moved.
9		MR. MENNERICH: Second.
10		CHAIRMAN EWASUTYN: I have a motion by
11		John Ward. I have a second by Ken Mennerich.
12		Any discussion of the motion?
13		(No response.)
14	· · · · · · · · · · · · · · · · · · ·	CHAIRMAN EWASUTYN: I'll move for a
15		roll call vote starting with Frank Galli.
16		MR. GALLI: Aye.
17		MR. BROWNE: Aye.
18	7	MR. MENNERICH: Aye.
19		MR. DOMINICK: Aye.
20		MR. WARD: Aye.
21		CHAIRMAN EWASUTYN: Aye.
22		Thank you.
23		MR. WHALEN: Thank you.
24		(Time noted: 7:13 p.m.)
25		

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3	CERTIFICATION
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5	STATE OF NEW YORK)
6	: SS.:
7	COUNTY OF ULSTER)
8	
9	I, MICHELLE CONERO, a Notary Public
10	for and within the State of New York, do hereby
11	certify:
12	That the proceedings hereinbefore
13	set forth is a true record.
14	I further certify that I am not
15	related to any of the parties to this action by
16	blood or by marriage and that I am in no way
17	interested in the outcome of this matter.
18	IN WITNESS WHEREOF, I have hereunto
19	set my hand this 9th day of December 2015.
20	
21	Muchille Concro
22	MICHELLE CONERO
23	
24	
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McGOEY, HAUSER and EDSALL CONSULTING ENGINEERS D.P.C.

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TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT:1 POWELLTON AVENUE SITE PLAN (Dr. Paymai)PROJECT NO.:2015-19PROJECT LOCATION:80-6-7PROJECT REPRESENTATIVE:HIGHLANDS ARCHITECTURE-STEVEN A. WHALENREVIEW DATE:13 NOVEMBER2015MEETING DATE:19 NOVEMBER 2015

- The Applicant's representative requested to discuss with the Planning Board modifications to the current project based on comments received from the ZBA and the ZBA Public Hearing. Changes to the project in order to address the ZBA application should be specifically identified.
- 2. The Applicant's are requested to evaluate existing drainage conditions across the property frontage on Powellton Avenue.
- 3. The building will require to be sprinklered based on the revised square footage. Adequacy of water lines should be addressed in future submissions.
- 4. City of Newburgh flow acceptance letter for increased flow is required.
- 5. Sanitary sewer line location should be identified on the plans.
- 6. We would recommend the concrete curb detail have a stone foundation.
- 7. The Planning Board should discuss potential curb in lieu of bumper blocks proposed on northeast portion of the site.
- 8. Parking lot striping detail in compliance with the Town of Newburgh requirements as well as ADA. Striping details should be added to the plans. ADA striping detail should contain appropriate signage.
- 9 Project requires submission to Orange County Planning due to location on State Highway.

• Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •

ACEC Member

Respectfully submitted,

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

Patrick J. Hines Principal











