

REGULAR MEETING

March 28, 2017

City of Newburgh Zoning Board of Appeals

Summary of Record of Actions Taken at the Regular Meeting of the Newburgh Zoning Board of Appeals held on March 28, 2017 at 7:45 p.m. at the City of Newburgh Activity Center, 401 Washington Street, Newburgh, New York 12550.

Members Present: Joanne Lugo, Chairperson
Michael Papaleo
Barbara Smith
David Schwartz
Lashawn Jasper

Members Absent: Corey Allen

Also Present: Jeremy Kaufman, Assistant Corporation Counsel

Also Absent: Omar Balbuena-Palma, Secretary

New Business:

Ms. Smith motioned to approve the December 27, 2016 minutes.

Mr. Jasper seconded the motion.

The motion carried unanimously.

Appeal No. 2017-01

Applicant: Tera Stoner, Maser Consulting, P.A.
Owner: Central Hudson Gas & Electric, Corp.
Location: 182 Fullerton Avenue

Requesting an AREA Variance of 13 feet on lot depth, 0.5 feet on the side yard setback, and 25.3% on lot coverage, which do not meet the requirements of the Schedule of Use and Bulk Regulations in the RL district.

Justin Dates and Tera Stoner of Maser Consulting, P.A. appeared before the Board to discuss the project. They gave a brief overview of the project. Mr. Dates discussed the 3 specific area variances requested and the reasons therefor. He specifically mentioned that the lot coverage currently on the property would be substantially reduced with the proposed plan.

Mr. Papaleo and Mr. Jasper had questions regarding safety, specifically a hypothetical about a vehicle crashing into the proposed building. Ms. Stoner made the following points in response: The existing situation is less safe, as traffic must be completely shut down and re-routed when Central Hudson crews have to perform work in the area. The curb, fencing, trees/shrubs, and

building itself should act as an adequate shield in the hypothetical proposed. The building will be set back even further than the existing building. The proposed, updated infrastructure contemplates an emergency shutdown system and pressure valve shutoff. Central Hudson also works closely with police, fire, and emergency services in Newburgh in the event of any type of accident.

Mr. Jasper had a question about security of the building. Ms. Stoner made the following points in response: The site plan contemplates a fence around the perimeter of the property. The building would be secured by a lock. Central Hudson could consider exterior security cameras if needed.

Chairperson Lugo opened the public hearing.

No one spoke for the application.

Lisa Piperato of 161 Fullerton Avenue spoke against the project. She raised general safety concerns about Central Hudson, safety concerns about possible vehicle accidents at the intersection of Fullerton Avenue and South Street, the aesthetic look of the proposed building, and the impact the project would have on her property value.

Ms. Smith motioned to close the public hearing.

Mr. Papaleo seconded the motion.

The motion carried unanimously.

Ms. Smith asked the applicant to speak further on the public's safety concerns. Both Mr. Dates and Ms. Stoner responded as follows: The existing plan incorporated all of the City Planner, City Engineer, and Conservation Advisory Council suggestions for safety, aesthetic, and environmental concerns. The Central Hudson facilities would be improved from an aged, 1930s infrastructure to a current, 2017 infrastructure, which must also meet current local and New York State energy code requirements.

Mr. Schwartz motioned to approve the area variances requested as submitted by the Applicant.

Mr. Papaleo seconded the motion.

The motion carried unanimously via roll call vote.

Ms. Smith motioned to adjourn the meeting.

Mr. Jasper seconded the motion.

The motion carried unanimously.

Meeting adjourned at 8:35 pm

Respectfully Submitted:

Approved:

Jeremy Kaufman, Assistant Corp. Counsel
Acting Secretary for the meeting

Joanne Lugo, Chairperson