

REGULAR MEETING

April 25, 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 April 25, 2017 at 7:30 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
 Gary Campbell

Also Present: Jeremy Kaufman, Assistant Corporation Counsel
 Omar Balbuena-Palma, Secretary

New Business:

Mr. Papaleo motioned to approve the March 28, 2017 minutes.
Mr. Schwartz seconded the motion.
The motion carried unanimously.

Appeal No. 2017-02

Applicant: Coppola Associates
Owner: Tyler Roebuck
Location: 123 Montgomery Street

Requesting an AREA for 10 feet on the front yard setback and 2 off-street parking spaces which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential Zone.

AJ Coppola of Coppola Associates appeared representing the owner, Tyler Roebuck. He said the existing 3-story building is unoccupied and their intent is to change the use from a single-family residence into a 2-family residence. The applicant has plans to renovate the property exterior in-kind, and has already received approval from the ARC. He said the use is allowable in the zone and they are not changing the footprint of the building. Due to a misunderstanding with the new zoning laws, he believed no Zoning Board approval was required.

Tyler Roebuck, property owner, appeared and said that 2 years' prior he bought 127 Montgomery Street and went through a similar process, however he was not required to receive a variance back

then. He said he received conflicting information regarding the zoning change for 123 Montgomery street which left him unaware that an area variance was required for his proposed use.

The Assistant Corporation Counsel explained to Mr. Coppola and Mr. Roebuck that an expansion of the current use from a single-family residence to a 2-family residence triggered the Schedule of Bulk, Area and Parking Regulations for the Medium Density Residential Zone to be met. As per the Informational letter by the Zoning Enforcement Officer, William Horton, the front yard setback and parking requirements were not met, therefore the applicant needed to obtain a variance.

Ms. Smith clarified that the footprint of the building will not be changed.

Chairperson Lugo opened the public hearing.

Paula Dowd, 121 Montgomery Street, spoke for the applicant. She said ever since Mr. Roebuck moved next door, she has felt an increase in safety and quality of the neighborhood. She has never had any issues with him.

Anastasia Maher, 127 Montgomery Street, spoke for the applicant. She said parking on the street has never been an issue to her.

Darrel Hardy, 125 Montgomery Street, spoke for the applicant. He said that Mr. Roebuck is a positive influence to the neighborhood and has never had a problem with him.

No one spoke against the application.

Mr. Schwartz motioned to close the public hearing.

Mr. Papaleo seconded the motion.

The motion carried unanimously.

Mr. Schwartz motioned to declare lead agency pursuant to SEQRA.

Mr. Jasper seconded the motion.

The motion carried unanimously.

Mr. Schwartz motioned to issue a Negative Declaration for SEQRA

Mr. Papaleo seconded the motion.

The motion carried unanimously.

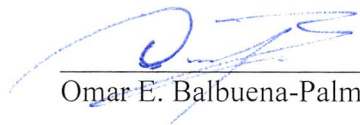
Mr. Papaleo motioned to approve the area variances requested as submitted by the applicant.

Mr. Schwartz seconded the motion.

The motion carried unanimously via roll call vote.

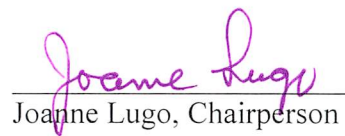
Meeting adjourned at 7:45 p.m.

Respectfully Submitted:



Omar E. Balbuena-Palma, Secretary

Approved:



Joanne Lugo, Chairperson