

ZONING BOARD OF APPEALS MEETING

Summary of record of actions taken at the Regular Meeting of the Newburgh Zoning Board of Appeals held on May 22, 2018 at 7:00 p.m. at the City of Newburgh Heritage Center, 123 Grand Street, Newburgh, New York 12550.

Members Present: Joanne Lugo, Chairperson
David Schwartz
Michael Papaleo
Corey Allen

Members Absent: LaShawn Jasper

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

Approval of Minutes

Mr. Allen moved to approve the March 27, 2018 minutes.
Mr. Schwartz seconded the motion.
The motion carried unanimously.

New Business

Appeal No. 2018-07

Applicant: Jaskaran Sawhney
Owner: J & J Partners Realty LLC
Location: 11 Benkard Avenue

Requesting an **AREA Variance** for 5 feet on the East and West side yard setbacks, 20% in lot coverage and 3 off-street parking spaces which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential Zone.

Jaskaran Sawhney, Applicant, and Jaspreet Singh, member of Owner, appeared before the Board. Mr. Singh said the abandoned one-family residential structure was purchased approximately six months ago. The intent is convert the building into a three-family residential structure. He said the proposed use is not uncommon to the neighborhood because there are several multi-family dwellings in the immediate area and the change would maintain the residential character of the neighborhood. He said the existing footprint of the building will not be changed.

Ms. Lugo asked if the basement will be used as a dwelling unit.

Mr. Sawhney said the building was previously used as a three-family structure and the raised basement will be used as a dwelling unit.

Mr. Papaleo confirmed the project does not require an extensive renovation to meet the requirements of the City Code and that each apartment will have separate utilities.

The Chairperson opened the public hearing.

John Hickey, 54 Benkard Avenue, expressed support for the application.

There was no one present to speak against the application.

Mr. Allen moved to close the public hearing.

Mr. Schwartz seconded the motion.

The motion carried unanimously.

Mr. Schwartz moved to declare the application a Type II action under SEQRA.

Mr. Papaleo seconded the motion.

The motion carried unanimously.

Mr. Schwartz moved to approve the Area Variance as requested

Mr. Papaleo seconded the motion.

The motion was carried 4-0 via roll call vote.

Appeal No. 2018-08

Applicant: John Hickey

Owner: Perfect Home RJR LLC

Location: 156 South Street

Requesting an **AREA Variance** for 322 feet on lot area, 5 feet on lot width, 5 feet on the front yard setback, 5 feet on the East and West side yard setbacks, .5 story on apartment building height, 2% in lot coverage and 3 off-street parking spaces which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential Zone.

John Hickey, Applicant, appeared before the Board. He said the intent is to convert the existing structure into a three-family residential structure. He said the building footprint will not change and the building was vacant for approximately six years. He said the structure was previously used as a three-family dwelling prior to its vacancy. He intends to renovate the building.

Mr. Papaleo requested the building layout.

Mr. Hickey said the first and second floor will be separate dwelling units, each with one bedroom. He said the third and fourth floor will be a duplex with four bedrooms. He said there are two vacant buildings in neighborhood and on-street parking is available.

The Chairperson opened the public hearing.

Jaspreet Singh and Jaspreet Sawhney, 11 Benkard Avenue, expressed support for the application.

There was no one present to speak against the application.

Mr. Allen moved to close the public hearing.

Mr. Schwartz seconded the motion.

The motion carried unanimously.

Mr. Allen moved to declare the application a Type II action under SEQRA.

Mr. Papaleo seconded the motion.

The motion carried unanimously.

Mr. Allen moved to approve the Area Variance as requested

Mr. Schwartz seconded the motion.

The motion was carried 4-0 via roll call vote.

Discussion Items

The Assistant Corporation Counsel advised the Board that Lashawn Jasper was duly notified of a petition to remove him as a member of the Zoning Board of Appeals for failure to comply with Newburgh City Code §11-2 regarding excessive absenteeism. He said more than 14 days had elapsed without having received any written notice from Mr. Jasper requesting a hearing. He said the Zoning Board of Appeals may now vote to support termination of Mr. Jasper's membership.

Ms. Lugo moved to support termination of LaShawn Jasper's membership on the Zoning Board of Appeals.

Mr. Papaleo seconded the motion.

The motion was carried 4-0 via roll call vote.

Meeting adjourned at 7:30 p.m.

Respectfully Submitted:

Approved:

Omar E. Balbuena-Palma, Secretary

Joanne Lugo, Chairperson