

Betty Gennarelli

From: John Cappello <jcc@Jacobowitz.Com>
Sent: Wednesday, December 16, 2015 3:18 PM
To: 'zoningboard@townofnewburgh.org'
Cc: 'Dave A. Donovan'
Attachments: DOC121615-12162015144844.pdf

email rec'd

Dear Ms Gennarelli,

Attached please find a copy of an affidavit submitted in support of the DRA Fidelco, LLC application for a use variance for consideration by the ZBA at its December 22, 2015 meeting. I will deliver a hard copy by Friday afternoon.
Thank you,

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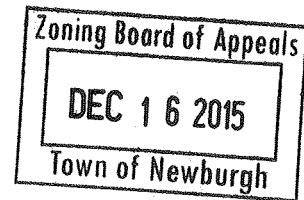
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TOWN OF NEWBURGH ZONING BOARD OF APPEALS,

**AFFIDAVIT IN SUPPORT OF USE VARIANCE
APPLICATION OF DRA FIDELCO, NEWBURGH,
LLC.**

Petitioners.

State of New York)
County of Orange) *ss.:*

Nicholas W. Minoia, being duly sworn, deposes and says, under penalty of perjury, as follows:

1. I am the managing member of DRA Fidelco, Newburgh, LLC., petitioners seeking a use variance to convert a +/- 2,974 sq. ft. day care center to accessory storage area for the exclusive use of residents of the Summit Lane at Newburgh rental community.
2. I have been responsible for developing properties through out the North East for various types of residential developments for over 30 years. These include a number of rental projects similar to the Summit Lane at Newburgh project.
3. It has been my experience that in order to remain competitive in the rental development market it is important to offer amenities such as accessory storage space for tenants to store items that may only be used occasionally, i.e. holiday decorations, ski equipment, bicycles, etc.
4. The Summit Lane property contains a +/- 2,974 sq. ft. building that was formerly used for a day care center, that is in good shape that can easily be converted to an attractive building providing additional storage space for tenants wishing to store items in the facility.
5. Such accessory storage space is common to provide in rental developments usually in the basement areas where the provision of such space is commonly accepted accessory use.
6. However, due to site constraints on this property it is necessary to build the dwelling units on slab without basements.
7. To provide the equivalent amount of storage area available in the day care center building in basements constructed in the residential buildings would cost over 645,000 dollars. A cost break down is attached to this affidavit.

8. The cost of converting the day care building to accessory storage is approximately \$195,000.

9. In my professional opinion it would be impossible to receive a reasonable rate of return to install basements in the units for accessory storage. However, the costs of converting the day care center would be an additional inducement to rent in this particular rental community and would justify the cost of such conversion.

10. I have also reviewed the listed accessory uses in the R-3 Zoning District that are permitted with multi-family dwellings. These listed accessory uses include private garage or car port for not more than four vehicles, separate living quarters in permitted structure for persons employed on the premises and satellite earth stations.

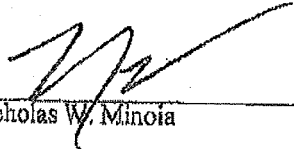
11. It is my professional opinion and fairly evident that the day care center could not be converted to any of the above permitted accessory uses and provide any type of reasonable return on the investment that will be necessary to convert such building.

12. It would be feasible however, to convert the day care center to accessory storage and rent those particular areas for exclusive use to tenants of the property.

13. This conversion can be completed at a reasonable cost and would continue to provide an attractive and productive use, complimenting the residential rental community.

14. Therefore, I respectfully request that your Board consider these facts and adopt the use variance.

Dated: December 16, 2015
Newburgh, New York



Nicholas W. Minoia

Sworn to before me this
16 day of December, 2015



Notary Public - State of ~~New York~~
NEW JERSEY

