



COPPOLASSOCIATES

Wednesday, May 23, 2007

Town of Newburgh Zoning Board of Appeals
Old Town Hall
308 Gardnertown Road
Newburgh, NY 12550
Attention: Chairperson Mrs. Cardone

PROJECTS: POLHAMUS ADDITION, 65 BALMVILLE RD.


Dear Mrs. Chairperson Cardone,

We would respectfully request that our project scheduled for the ZBA agenda for this Thursday, 5/24/2007, be tabled and placed on next month's agenda. We would like to submit new drawings based on the following changes to the site plan.

1. We do not wish to combine the two existing lots which are adjacent to each other, 43-3-31 and 43-3-34.
2. The existing pool will be removed as part of the variance request. The pool borders on both lots and is currently non-conforming. The existing site plan drawing shows a proposed lot line change which we will not do because it removes more land from the front lot 43-3-34.
3. We wish to make the existing tennis court conforming and will make an application to the building department to do so.
4. Our variance request to construct the house addition (lot 43-3-34) will remain the same as our original application. The original variance request includes side yard setback, building and lot coverage.

As always please contact my office if you have any other questions. We will bring copies of the revised site plan to your office for June's meeting.

Very Truly Yours,



A.J. Coppola, R.A.

*Cc: Sally and Pete Polhamus
Jerry Canfield, Building Inspector
Daniel Bloom, Attorney*

OWNER INFORMATION

NAME: POLHAMUS

ADDRESS: 65 BALMVILLE RD / CHESTNUT LN

PROJECT INFORMATION

TYPE OF STRUCTURE

SBL: COMBINE LOTS ZONE: R / 1

TOWN WATER: YES / NO TOWN SEWER: YES / NO

	REQUIRED	EXISTING	REQUESTING
LOT AREA	N/A		
LOT WIDTH	N/A		
LOT DEPTH	N/A		
FRONT YARD	N/A		
REAR YARD	N/A		
SIDE YARD	30 / 80	29.8 / 8.8	INCREASE DEGREE
MAX. BUILDING HEIGHT	N/A		
LOT BUILDING COVERAGE	10%	ALLOWED 5726	HAS 4422 / OK
LOT SURFACE COVERAGE	20%	ALLOWED 11452	REQ. 16359 28.5%

9.84
3.12%

INCREASING DEGREE OF NON-CONFORMITY: 185-19-C-1

CORNER LOT: YES / NO 185-17-A HAS 2 FRONT YARDS BALMVILLE / CHESTNUT

ACCESSORY STRUCTURE:

185-43-E TENNIS CT. & FENCE REQUIRES SCREEN

SIDE OR FRONT YARD: YES / NO 185-15-A

HEIGHT MAX. 15 FEET: YES / NO 185-15-A-1

10% MAX. YARD COVERAGE: YES / NO 185-15-A-3

<1000 SF OR ALLOWED BY FORMULA: YES / NO 185-15-A-4

REQUIRES (4) PERMITS AND (6) VARIANCES

VARIANCE(S) REQUIRED:

- 1 185-15-A SHED IN FRONT YARD NO PERMIT VARIANCE REQUIRED PRIOR BUILT
- 2 185-15-A GAZEBO IN FRONT YARD NO PERMIT VARIANCE REQUIRED PRIOR BUILT
- 3 185-43-F POOL IN FRONT YARD NO PERMIT VARIANCE REQUIRED PRIOR BUILT
- 4 185-43-F TENNIS COURT IN FRONT YARD NO PERMIT VARIANCE REQUIRED PRIOR BUILT

REVIEWED BY: JOSEPH MATTINA

DATE: 17-May-07

1796-07

OWNER INFORMATION

NAME: POLHAMUS & CARLSTROM

ADDRESS: 65 BALMVILLE RD NEWBURGH N.Y. 12550

PROJECT INFORMATION

ADDRESS: REAR ADDITION

SBL: 43-3-31 34 ZONE: R / 1

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

	REQUIRED	EXISTING	REQUESTING
LOT AREA	EXISTING		
LOT WIDTH	EXISTING		
LOT DEPTH	EXISTING		
FRONT YARD	EXISTING		
REAR YARD	EXISTING		
SIDE YARD	30 / 80	29.8 / 8.8	INCREASE DEGREE
MAX. BUILDING HEIGHT	EXISTING		
LOT BUILDING COVERAGE	10%	2299 S.F.	3680 / 16%
LOT SURFACE COVERAGE	20%	4598 S.F.	5400 / 23.5%

INCREASING DEGREE OF NON-CONFORMITY: YES / NO

CORNER LOT: YES / NO

ACCESSORY STRUCTURE:

LOT SIZE IS 110' X 209'

SIDE OR FRONT YARD: YES / NO

HEIGHT MAX. 15 FEET: YES / NO

10% MAX. YARD COVERAGE: YES / NO

<1000 SF OR ALLOWED BY FORMULA: YES / NO

VARIANCE(S) REQUIRED:

- 1 BULK TABLE SCHEDULE 3 10% MAXIMUM BUILDING COVERAGE
- 2 BULK TABLE SCHEDULE 3 20% MAXIMUM LOT COVERAGE
- 3 185-19-C-1 INCREASING THE DEGREE OF NON CONFORMITY OF THE EXISTING SIDE YARD.
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: 28-Feb-07

re Polkames +
const

ZBA 4/26/07

Mr. Coppola: To change the lot line, yes. To remove the lot, if the lots are in both the same names, I think you just consolidate the deeds.

Mr. Hughes: You can do that in the Assessor's Office.

Mr. Coppola: Yeah.

Mr. Hughes: I would tell you this, the pool is right in the middle of both, well not in the middle, but it's on both properties and you're shy 15,000 sq ft on the lot the way it's presented. I agree with my colleagues that you should go to them, clean that all up, go to the Assessor's Office and come back with that side yard. It would be much more receptive, right now you have 15,756 feet shy and that's a big portion in that neighborhood. Your lot width is deficient by almost 46 feet and so on, I see nine or so different things in here. If you combine those lots and come back, I am sure you'll only have that side yard except for your lot coverage to deal with.

Mr. Coppola: Well, I'd rather...

Mr. Hughes: You have indicated on your application that there is water and sewer in that neighborhood and there isn't as far as I know.

see page 4
water &
sewer

Chairperson Cardone: Mr. Hughes, we could make that a condition; I don't believe he would have to come back; we could make that a condition.

Mr. Hughes: I'm fine with that.

Mr. Coppola: I would appreciate that.

Chairperson Cardone: I have a question to ask about the pool. It doesn't have a Permit, yet? Or, what's the status on the pool?

Mr. Coppola: I think this is an older pool, it's been, what's here except for my addition, everything is existing, so I can't speak to the Permit about that. I'm not sure when it was constructed. I know it's there. I know the tennis courts are there. But, I don't know about the Permits to that pool, I mean...

Mr. McKelvey: You don't know how long the pool has been in?

Chairperson Cardone: Mr. Canfield?

Mr. Canfield: If I may? Jerry Canfield, Code Compliance Supervisor. We did research the records. We do not have any Permit on file for the swimming pool but there is another issue in existence and I think it further reiterates the importance of consolidating these lots because the pool, a swimming pool typically is considered an Accessory Structure. However, it is not permitted to put an Accessory Structure on a vacant lot. It's accessory to nothing, there's nothing else there. So, it makes good sense to clear all this up, to

Re: Polkamas & Construction LBA 4/26/07

consolidate those lots but in fact, there is no Permit on file. But, the pool does appear to be there for quite some time, 80's, prior to the 80's.

Tennis Court
see next page attached

Mr. Hughes: And, the tennis court, are there Permits on that?

Mr. Canfield: There isn't anything on that either.

Ms. Eaton: Can you have a tennis court on a separate lot, just a tennis court, if you can't just have a pool?

Mr. Canfield: Tennis courts are named in our Zoning Code, O.K. And, there are requirements for them but typically we do not require Permits for them.

Ms. Eaton: But, they can be on a residential lot?

Mr. Canfield: Yes, they can. Yes, they can.

Mr. Hughes: With no main building?

Ms. Eaton: With no residents on it?

Mr. Canfield: No. O.K.

Mr. Hughes: First time I ever heard that before.

Mr. Canfield: And another, to answer Mr. Hughes' question, Balmville Lane, Balmville Road, excuse me, is not served by Municipal Sewer. There is Municipal Water there however; we did research the records, this particular residence is served by a well. It does not have the benefit of Municipal Water.

water & sewer

Mr. McKelvey: Let's go back to the question now; you're adding a bedroom?

Mr. Coppola: No, I am expanding two bedrooms, so I'm not sure, it's probably a 3 bedroom house but I mean the intention here is to expand this bedroom. We're calling this a sitting area but you'd walk into the same room and then this is just one large master bedroom again that door is here, the walk in closet to that.

Mr. Hughes/Mr. McKelvey: (Inaudible) entrances.

Mr. Coppola: No, no you couldn't, both of these would be non-conforming cause they don't have light and ventilation. This one couldn't be a separate room.

Mr. Hughes: So, you're not really creating an apartment here.

Mr. Coppola: No, I'm not asking for an apartment.

ZBA MEETING – APRIL 26, 2007

(Time Noted – 8:10 PM)

From the End of William Stohner's Application for a variance referring to the Polhamus/Carstron...

Chairperson Cardone: Any questions or comments from the public? If not, I declare this part of the Hearing closed. The Board is going to take a short adjournment to confer with Counsel regarding legal questions raised by tonight's applications. I would ask in the interest of time if you would step out into the hallway and we'll call you in, in just a few minutes. Mr. Canfield?

Mr. Canfield: Just one quick thing, if we could back up, I have a comment, a correction for the record. I misspoke before on the Polhamus/Carstron application. The question I believe from either Mr. Hughes or Mr. McKelvey was in regards to the tennis court and the answer to that question and I misspoke, 185-43 specifically does mention tennis courts included with swimming pools. So, they must be accessory to a specific use.

Chairperson Cardone: O.K. Thank you.

(Time Noted – 8:11 PM)

Tennis Court