

John D. Fuller, P.E., P.C.

CIVIL & STRUCTURAL ENGINEERING

December 3, 2020

Town of Deerpark Zoning Board of Appeals
PO Box 621
Huguenot, NY 12746

**RE: 109 Main EFH LLC
109 Main St., Sparrowbush
Section 43 Block 5 Lot 1
Town of Deerpark, NY**

Job No. #2725.001

Dear Honorable Zoning Board Members:

Enclosed is an application, plan and supplemental materials for the above referenced property. The site is a 0.21 acre parcel located in the Hamlet Mixed Use (HMU) zoning district.

The applicant is proposing that the existing commercial building with retail space, office space and one apartment on the first floor and 3 apartments on the second floor (for a total of four (4) existing apartments) be converted into a 6-unit multi-family dwelling (3 apartments on each floor). A multi-family dwelling is permitted in the HM-U zoning district with Planning Board approval.

The property is an existing non-conforming lot. The Planning Board referred the project to the Zoning Board on November 18, 2020 for area variances.

Per Town of Deerpark Zoning Law, Article 3, Section 230-8 Schedule of District Regulations (HM-U):

Minimum Required:	Existing:
Lot Area = 40,000 sf	= 9, 148 sf (0.21 acres)
Lot Width = 200 feet	= 162.5 feet
Lot Depth = 200 feet	= 55 feet
Front Yard = 35 feet	= 1.2 feet
Rear Yard = 35 feet	= 1.2 feet
Side Yard = 35 feet	= N/A

Maximum Required:	
Building Coverage = 40%	= 31%
Impervious Coverage = 70%	= 79%

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Per Town of Deerpark Zoning Law, Article 5, Section 230-26 Multi-family Residential Uses:

- F. *“Multi-family dwelling density shall be granted a 300% density bonus above the number of dwelling units per acre.”*

No. of units allowed = 0.9 acres x 0.21 acres x 300% = 0.567 units (1 unit)

An additional two (2) apartments are proposed for a total of six (6) units.

- G. *“All areas of a multi-family development not conveyed to individual owners, and not occupied by buildings and required or proposed improvements, shall remain as permanent open space or be dedicated to recreation area to be used for the sole benefit and enjoyment of the residents of the particular units being proposed. No less than 50% of the tract shall be used for this purpose...”*

Open space required = 50% x 0.21 acres = 0.11 acres

Open space proposed = 0.03 acres ±

1. *“No less than 50% of the open space to be provided (25% of the total tract) shall be dedicated to recreational area...”*

Recreational area required = 25% x 0.21 acres = 0.053 acres

Recreational area proposed = None

Recreational areas are located within walking distance of the site including the Sparrow Bush Park and the Delaware River Access (Hook Rd).

- I. *“The following design criteria shall apply to multi-family developments:*

- *“No structure shall be constructed within fifty (50) feet of the edge of any access road to or through the development or within ten (10) feet of the edge of any parking area.”*

The existing building is approximately 4-feet from the edge of Main Street and the parking area is approximately 4-feet from the building.

- *“Parking spaces of two (2) per unit shall be provided plus, for every two (2) units intended for rental or other transient occupancy, one (1) additional space to accommodate parking needs during sales and other peak visitation periods.”*

Number of parking spaces required = 2.5 x 6 = 15 spaces

Number of parking spaces proposed = 11

- *“All multi-family structures shall be a minimum of one-hundred (100) feet from any of the exterior property or boundary lines of the particular project involved and seventy-five (75) feet from any public right-of-way.”*

The existing building is located 1.2 feet from the nearest property line.

- *“Where a property line is not wooded, a planting strip of fifty (50) feet in width shall be required to buffer adjoining property owners and ensure privacy...”*

No planting buffer strip is proposed. The property is located on a triangular shaped piece of property. Two of the sides are along existing streets – Main St. and State Route 42. The rear of the building is adjacent to two (2) residential lots and the existing homes are located approximately 100 feet from the subject building with trees, vegetation and grass between.

Variations are requested for all of the above items that do not meet the requirements. Please refer to the attached plans for details. Should you have any questions, please feel free to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Fuller", written in a cursive style.

John D. Fuller, P.E.

Cc: 109 Main EFH, LLC

