

ZONING BOARD OF APPEALS MEETING

Summary of record of actions taken at the regular meeting of the Newburgh Zoning Board of Appeals (“ZBA”) held on February 23, 2021 at 7:00 p.m. using Zoom videoconference.

Members Present: Joanne Lugo, Chairperson
Dianne Dixon
Julie Lindell
Ben Brandt
Corey Allen
Michael Papaleo
Melvin Hales

Also Present: Jeremy Kaufman, Assistant Corporation Counsel
J.K. Gentile, Secretary

OLD BUSINESS

Appeal No. 2020-21

Applicant: Jessica Wickham
Owner: Durable Carrot LLC
Location: 20 Chambers Street

Requesting an **Area Variance** for 20 feet on the rear yard setback and 1 story on the building height, which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Low Density Residential Zone.

Jessica Wickham, Applicant, appeared before the Board on behalf of the property owner.

Ms. Wickham gave a brief summary of the project.

Ms. Dixon moved to declare the application a Type II action under SEQRA.

Ms. Lindell seconded the motion.

The motion passed unanimously via roll-call vote.

Ms. Dixon moved to approve the Area Variances as requested.

Ms. Lindell seconded the motion.

The motion passed unanimously via roll-call vote.

NEW BUSINESS

Appeal No. 2021-01

Applicant: Jesse Farrenkopf
Owner: Bannerman Toyko Properties LLC
Location: 26 Liberty Street

Requesting an **Area Variance** for 20 feet on the rear yard setback and two stories on building height, which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Downtown Neighborhood Zone

Jesse Farrenkopf, Applicant, appeared before the Board on behalf of the property owner.

Mr. Farrenkopf gave a brief summary of his project.

Ms. Lindell asked if the applicant planned on adding 2 additional stories to the building.

Mr. Farrenkopf confirmed he was not performing any site work to the building or adding to the building footprint in any way.

Mr. Allen asked about the size of the interior space for the use.

Mr. Lindell asked about the proposed change of use for a portion of a building.

The Assistant Corporation Counsel explained a change in use for a portion of a building is allowed, provided it meets State and local building and safety codes.

Mr. Hales asked who handles capacity issues and ingress/egress issues.

The Assistant Corporation Counsel said those are determinations made by the Department of Code Compliance.

Ms. Lindell asked about parking.

The Assistant Corporation Counsel said there are no parking requirements in the Downtown Neighborhood Zone for this proposed use and according to the Zoning Enforcement Officer's ruling in the Informational report.

The Chairperson opened the public hearing.

Judy Thomas said she was unclear how high the proposed building would be built.

The Assistant Corporation Counsel reiterated the Applicant's statement that no changes to the building height or footprint were being proposed.

Ms. Dixon moved to close the public hearing.
Ms. Lindell seconded the motion.
The motion passed unanimously via roll-call vote.

Ms. Dixon moved to declare the application a Type II action under SEQRA.
Ms. Lindell seconded the motion.
The motion passed unanimously via roll-call vote.

Mr. Papaleo moved to approve the Area Variances as requested.
Ms. Lindell seconded the motion.
The motion passed unanimously via roll-call vote.

Approval of Minutes

Ms. Lugo moved to approve the November 2020 meeting minutes.
Ms. Lindell seconded the motion.
The motion passed unanimously via roll-call vote.

The Assistant Corporation Counsel reminded the Board that there were no minutes from the December 2020 meeting because there was no Board action taken and the only applicant scheduled that night did not appear due to a personal emergency.

Ms. Dixon moved to approve the December 2020 meeting minutes.
Ms. Lindell seconded the motion.
The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting was adjourned at 7:44 p.m.

Respectfully Submitted:

Approved:

J.K. Gentile, Secretary

Joanne Lugo, Chairperson