

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 August 24, 2021 at 7:00 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present: Joanne Lugo, Chairperson
Corey Allen
Dianne Dixon
Melvin Hales
Julie Lindell

Absent: Ben Brandt
Michael Papaleo

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

The Chairperson called the meeting to order at 7:10 p.m. after confirming a quorum.

OLD BUSINESS

Appeal No. 2021-15

Applicant: Nathan Litwin
Owner: Regional Economic Community Action Program, Inc. (RECAP)
Location: 116 Carson Avenue

Requesting an **AREA Variance** for 13,134 square feet on the lot area, 4’7” feet on the front yard setback, 4’7” feet on the East side yard setback, 6.9% on lot coverage, 6 off-street parking spaces and 1 additional dwelling unit which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential zone.

Nate Litwin and J.C. Calderon appeared before the Board.

The Assistant Corporation Counsel said the applicant re-located its proposed building based on feedback from the Zoning Board of Appeals and the Planning Board. However, the updated measurements from the property line have not yet been confirmed in an amended Informational Report from the Zoning Enforcement Officer. Thus, this meeting is for general informational purposes and feedback from the Board to confirm the new design is generally acceptable to the Board.

Mr. Calderon gave a description of the relocation of the building. He presented a massing rendering for the record.

Mr. Litwin said the updated proposal sets the building back 5 feet off of Carson Avenue and 3 feet off of South Clark Street. The design is not completely firm as RECAP's engineer has to confirm accessibility and slope considerations.

The Assistant Corporation Counsel said the applicant needs to formally establish the site of its building in the proposal and apply for a new Informational Report. The Planning Board has already declared its intent to act as lead agency for SEQRA purposes.

Mr. Calderon clarified that with the new configuration of the building, a variance of 7 off-street parking spaces is also being requested.

Corey Allen moved to declare no objection to the Planning Board acting as lead agency for SEQRA purposes.

Julie Lindell seconded the motion.

The motion passed unanimously via roll-call vote.

NEW BUSINESS

Appeal No. 2021-19

Applicant: Aaqib Majeed
Owner: Aaqib Majeed
Location: 13 North Street, Lot #1

Requesting an **AREA Variance** for 4 off-street parking spaces which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Low Density Residential zone.

Ken Lytle and Rafiq Majeed appeared before the Board.

Mr. Lytle gave an overview of the project.

Ms. Dixon asked if parking is allowed on North Street.

Mr. Lytle confirmed that parking is allowed.

Mr. Majeed said many residents have driveways in the area and thus not many residents park on the street.

Ms. Dixon said parking on the street will add to potential traffic issues in that area. She said it is a narrow street and parking on the street, through the increased traffic congestion, would change the character of the neighborhood.

Ms. Lindell asked if parking can be placed at the rear of the proposed building, but on the property.

Mr. Lytle said it is not feasible.

Ms. Lindell requested a parking study or additional parking information related to the project.

The Chairperson opened the public hearing.

Michelle Richards asked questions about the parking and had concerns about changing the complexion of the residential neighborhood with increased congestion.

The Chairperson held the public hearing open.

Dianne Dixon moved to declare no objection to the Planning Board acting as lead agency for SEQRA purposes.

Julie Lindell seconded the motion.

The motion passed unanimously via roll-call vote.

Appeal No. 2021-21

Applicant: Chris Berg / Berg + Moss Architects

Owner: Newburgh SHG 44 LLC

Location: 172 Chambers Street

Requesting an **AREA Variance** for 172 square feet on the lot area, 1 foot on the lot width, 10 feet on the front yard setback 5 feet on the side yard setback, 7% on lot coverage and 4 off-street parking spaces which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential zone.

Chris Berg appeared before the Board and gave an overview of the project.

Mr. Allen asked about the available parking on the side street.

Mr. Berg said there was a parking study started but not completed to present at this meeting.

The Chairperson opened for public hearing.

There was no one present for or against the application.

The Chairperson held the public hearing open and tabled the application pending receipt of a traffic study.

Approval of Minutes

Dianne Dixon moved to approve the July 2021 meeting minutes.

Julie Lindell seconded the motion.

The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting adjourned at 7:55 p.m.

Respectfully Submitted:

Approved:

J.K. Gentile, Secretary

Joanne Lugo, Chairperson