

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 October 26, 2021 at 7:00 p.m. using Zoom videoconference.

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

Absent: Julie Lindell

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

The Chairperson called the meeting to order at 7:07 p.m. after confirming a quorum.

OLD BUSINESS

Appeal No. 2021-19

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

Requesting an **AREA Variance** for 6 off-street parking spaces, which does not meet the requirements of the Schedule of Use and Bulk Regulations in the Low Density Residential zone.

Ken Lytle appeared before the Board and gave a project update. He said at the October 19, 2021 Planning Board meeting, the Board asked the applicant to consider a plan revision that would result in a request of 6 off-street parking spaces.

Ms. Dixon asked why parking cannot be located in the back of the building.

Mr. Lytle said there is minimal rear space. Creating parking in the rear would require installation of more impervious surface material and would leave no greenspace for a traditional back yard.

The Assistant Corporation Counsel said there will be no vote at this meeting because the Information needs to be updated to reflect the applicant’s plan revision proposal.

The Board tabled the application.

APPEAL NO. 2021-22

Applicant: Rainbow Pools & Living Art Design / Lynn Eisenhut
Owner: Lester F. Bussey & Tooraj Kavoussi
Location: 346 Grand Street

Requesting an **AREA Variance** for 13 feet on the rear yard setback, which does not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential zone.

Dave Ciotoli and Lester Bussey appeared before the Board.

Mr. Ciotoli gave an update of the project addressing all the Board's concerns made at the September meeting.

The Chairperson resumed the public hearing.

There was no one present for or against the application.

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

Dianne Dixon moved to declare the action Type II for SEQRA.
Michael Papaleo seconded the motion.
The motion passed unanimously via roll-call vote.

Dianne Dixon moved to approve application as submitted.
Michael Papaleo seconded the motion.
The motion passed 5-1 via roll-call vote.

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, 5" feet on the front yard setback, 2.9/7" feet on the side yard setback, 20.7% on lot coverage, 7 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 appeared before the Board and gave an overview of the changes made to the site plan. He presented renderings, massing models and perspectives for the Board's review.

The Assistant Corporation Counsel said there will be no vote at this meeting, as the Planning Board is the lead agency on the project and will have to issue a negative declaration pursuant to SEQRA prior to any votes on the application. He said the ZBA should provide comments and feedback to the applicant if there are concerns about the current project submission.

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There were no additional Board comments. The Board tabled the application.

Approval of Minutes

Dianne Dixon moved to approve the September 2021 meeting minutes.

Michael Papaleo seconded the motion.

The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting adjourned at 7:47 p.m.

Respectfully Submitted:

Approved:

J.K. Gentile, Secretary

Joanne Lugo, Chairperson