

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 26, 2025 at 7:00 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York.

Members Present: Michael Papaleo, Acting Chairperson
Corey Allen
Tiffany Buxton
Dianne Dixon
Julie Lindell

Absent: Joanne Lugo, Chairperson
Ben Brandt

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

The Chairperson called the meeting to order at 7:02 p.m. after confirming a quorum.

NEW BUSINESS

APPEAL NO. 2025-30

Applicant: Franco Fidanza
Owner: Broadway Newburgh Properties LLC
Location: 660 Broadway
668 Broadway
674-684 Broadway
68 Wisner Avenue
68 Wisner Avenue Rear

Requesting a **Use Variance** to construct Mixed-use with Residential (*Apartment House; Retail; Professional Office; Restaurant, fast-food*) in the Commercial District.

Franco Fidanza, John Furst, Esq., and Joe Thompson, R.A., appeared before the Board.

Mr. Furst gave an overview of the project’s proposed scope.

Mr. Thompson gave an overview of the project’s site plan and proposed design.

Ms. Dixon requested submission of financial evidence demonstrating lack of reasonable return.

Mr. Thompson said the financials were not provided yet as the owner wanted an initial discussion to gauge interest in how the project would be received by the Board.

The Assistant Corporation Counsel said the Board may not pre-determine or pre-judge any application, and the Board may only evaluate an application on its merits.

Mr. Furst said the applicant will coordinate with his accountant and real estate broker to provide the necessary documentation proving the lack of a reasonable return and documentation about the other requirements for a use variance.

Ms. Dixon said she questioned the applicant's representation that the proposed project is located in a primarily residential neighborhood. She said the Broadway portion is in a heavy commercial area, whereas the Wisner Avenue portion is in a residential neighborhood.

Ms. Lindell said she had concerns regarding traffic flow in and out of the proposed project. She asked how many entrances and exits are proposed.

Mr. Thompson said the current proposal contains 2 entrances and exits on the Broadway side and 1 entrance and exit on the Wisner side.

Mr. Thompson said they are prepared to submit a traffic study for the next step in development. He said he understands transversing Broadway is challenging and pays specific attention to circulation.

Ms. Dixon asked how the proposed project relates to the current surrounding properties.

Mr. Thompson said the proposed project speaks to what is currently existing on Broadway, but with residential features.

Mr. Allen asked why three stories are proposed.

Mr. Thompson said three stories seemed to be an appropriate scale along the Broadway corridor and that additional stories would require additional parking.

Ms. Dixon said the proposed façade design fits the character of the Broadway side but does not seem to fit the character of Wisner Avenue side. She requested an alternate rendering addressing the Wisner Avenue side.

The Chairperson opened the public hearing.

No one was present for or against the application.

The Board held the public hearing open.

The Assistant Corporation Counsel reviewed the use variance criteria as reflected in City Code §300-115.

Ms. Dixon asked what will remain on the existing lots.

Mr. Furst said only the Dunkin Donuts will remain at 674 Broadway.

The Assistant Corporation Counsel asked for the status of a Phase I Environmental Report.

Mr. Fidanza said a Phase I Environmental has been completed and they will submit it for review.

The applicant requested a table of its application until the next meeting.

APPROVAL OF MINUTES

Corey Allen moved to approve the June 2025 minutes as submitted.

Julie Lindell seconded the motion.

The motion was approved unanimously via roll-call vote.

With no further business to discuss, the meeting was adjourned at 7:37 p.m.

Respectfully submitted,

J.K. Gentile

Secretary to the Land Use Boards