

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 July 23, 2019 at 7:00 p.m. at the City of Newburgh Activity Center, 401 Washington Street, Newburgh, New York 12550.

Members Present: Joanne Lugo, Chairperson
Barbara Smith
Michael Papaleo
Julie Lindell
Ben Brandt
Dianne Dixon
Melvin Hales (Alternate)

Members Absent: Corey Allen

Also Present: Jeremy Kaufman, Assistant Corporation Counsel
Omar Balbuena-Palma, Secretary

NEW BUSINESS

Appeal No. 2019-18

Applicant: Richard Campbell
Owner: RHK Enterprises Inc.
Location: 1 S Colden Street

Requesting an **AREA Variance** for 70 feet on the rear yard setback and 15% on the landscaped area, which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Downtown Neighborhood Zone.

Richard Campbell, Applicant, appeared before the Board on behalf of the property owner.

The Applicant gave a brief review of the project and highlighted the following:

- Convert the existing warehouse into a Print Shop and CrossFit Gym within a pre-existing building;
- Property located in the Downtown Neighborhood Zone and the use is allowed by right;
- No proposed changes to the buildings footprint and no increase to impervious surfaces;

Ms. Lindell confirmed there will be no changes to the exterior landscape.

The Assistant Corporation Counsel said the Applicant is requesting an area variance because the area requirements were not met per the Informational Report. He said the proposed action is a Type II action under SEQRA because it is less than 4,000 square feet of commercial space.

The Chairperson opened the public hearing.

There was no one present for or against the application.

Ms. Smith moved to close the public hearing.

Ms. Lindell seconded the motion.

The motion passed unanimously.

The public hearing was closed.

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

Mr. Papaleo seconded the motion.

The motion passed unanimously.

Ms. Smith moved to approve the Area Variance as requested

Ms. Lindell seconded the motion.

The motion passed unanimously via roll-call vote.

Appeal No. 2019-19

Applicant: Jose L. Ramos

Owner: Jose L. Ramos

Location: 357 Ann Street

Requesting an **AREA Variance** for 2.5 feet on the West side yard setback, 2.5 feet on the East side yard setback and 18 feet on the rear yard setback, which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Medium Density Residential Zone with a Commercial District Overlay.

The Secretary to the Land Use Boards said the Applicant did not meet the deadline for submitting the required public hearing notices and his application is not eligible for consideration at this time. The Applicant was also not present for the July meeting.

The Assistant Corporation Counsel said the Applicant previously appeared before the ZBA on June 26, 2018. He said at that meeting, the Board denied his application and now one (1) year has passed since the original application was submitted. He said the Applicant has re-submitted an application for consideration and the Board should refer to §300-14 of the City Code to review the criteria for consideration.

The Board discussed the applicable considerations and tabled the application until the August 27, 2019 meeting.

Approval of Minutes

Ms. Dixon moved to approve the June 2019 minutes.

Ms. Lindell seconded the motion.

The motion passed unanimously.

With no further business to discuss, the meeting was adjourned at 7:40 p.m.

Respectfully Submitted:

Approved:

Omar E. Balbuena-Palma, Secretary

Joanne Lugo, Chairperson