

CITY OF NEWBURGH
ZONING BOARD OF APPEALS
123 Grand Street, Newburgh, N.Y. 12550

Joanne Lugo, Chairperson
Omar E. Balbuena-Palma, Secretary
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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 November 26, 2019 at 7:00 p.m. at the City of Newburgh Activity Center (Hall of Fame Building), 401 Washington Street, Newburgh, New York 12550.

Members Present: Joanne Lugo, Chairperson
Barbara Smith
Michael Papaleo
Julie Lindell
Dianne Dixon
Melvin Hales (alternate, voting)

Absent: Corey Allen
Ben Brandt

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

OLD BUSINESS

Appeal No. 2019-23

Applicant: Carol J Cameron-Francis
Owner: Carol J Cameron-Francis
Location: 346 South Street

Requesting an **AREA Variance** for 5.8 feet and 7.2 feet on the side yard setbacks and 16 feet on the rear yard setback, which do not meet the requirements of the Schedule of Use and Bulk Regulations in the Low Density Residential Zone.

Carol Cameron, property owner, and Kevin Babcock, Project Contractor, appeared before the Board.

The Project Contractor gave a brief review of the application and highlighted the following:

- Installing a 340 sq. ft. addition to the rear of building;
- No proposed change to the use of the building or the existing garage;
- Proposed addition triggered compliance with the side yard setbacks;
- Rear yard setback is requested to bring the parcel into conformity per the Informational Report;
- Area Variance vote/approval pending comment by the County.

The Assistant Corporation Counsel said 30 days have passed since the County was duly-noticed of the project and there has been no response from the County. He said the Board may vote on the application but they are not able to vote on the rear yard setback because no change of use has been declared for the garage.

Mr. Babcock said he understands and confirmed that the rear yard setback does not impact the addition.

Mr. Papaleo moved to approve the Area Variance as requested

Ms. Dixon seconded the motion.

The motion passed 6-0 via roll call vote.

NEW BUSINESS

Appeal No. 2019-25

Applicant: Jeff Wilkinson
Owner: RMW Designs LLC
Location: 57 Lander Street

Requesting an **AREA Variance** for 3 feet on the lot width, which does not meet the requirements of the Schedule of Use and Bulk Regulations in the Downtown Neighborhood Zone.

Jeff Wilkinson, Project Architect, appeared on behalf of the property owner before the Board.

The Project Architect gave a brief overview of the project and highlighted the following:

- Proposing to convert the existing building into a two-family dwelling;
- Two-family dwelling allowed by right in the Downtown Neighborhood Zone;
- Submitted an Architectural Review Commission application for exterior work;
- Building does not comply with the lot width requirements of the City Code;
- No change to the footprint of the building;
- Requesting approval for the lot width setback.

Mr. Papaleo asked if the building was originally used as a two-family dwelling.

The Project Architect said he is unaware of the original use but it appears the building was utilized as a multi-family dwelling. He said the intent is to create two (2) apartments in the building. He said there are no changes proposed to the entryways.

The Chairperson opened the public hearing.

There was no one present for or against the application.

Ms. Dixon moved to close the public hearing.

Ms. Lindell seconded the motion.

The motion passed unanimously.

The Assistant Corporation Counsel said the application is considered a Type II action under SEQRA and the Board may proceed to a vote on the application.

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

Ms. Lindell seconded the motion.

The motion passed unanimously.

Ms. Dixon moved to approve the Area Variance as requested

Ms. Lindell seconded the motion.

The motion passed 6-0 via roll call vote.

Approval of Minutes

Ms. Dixon moved to approve the October 2019 minutes.

Ms. Lindell seconded the motion.

The motion passed unanimously.

DISCUSSION

Zoning Board of Appeals December meeting date

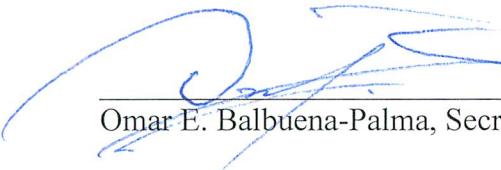
The Secretary said the next regular meeting of the Zoning Board of Appeals falls on Christmas Eve (December 24). He said the Board should either confirm attendance now or discuss rescheduling the meeting date.

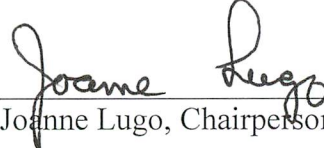
The Board discussed rescheduling the next Board meeting date and collectively decided to cancel the December meeting. The Board agreed the next meeting will be held on January 28, 2020.

With no further business to discuss, the meeting was adjourned at 7:30 p.m.

Respectfully Submitted:

Approved:



Omar E. Balbuena-Palma, Secretary

Joanne Lugo, Chairperson