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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X  
In the Matter of

BOARD BUSINESS

RICHARD LEVIN AND JOHN McKELVEY  
RESIGN THEIR POSITIONS ON THE ZBA

----- X

Date: July 22, 2021  
Time: 7:00 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN McKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

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CHAIRMAN SCALZO: I'd like to call the meeting of the Zoning Board of Appeals to order. The order of business this evening are the public hearings which are on the agenda. The procedure of the Board is that the applicant will be called upon to step forward, state their request and explain why it should be granted. The Board will then ask the applicant any questions it may have, and then any questions or comments from the public will be entertained. We will be hearing in order and voting in order. We are going to actually take a short break to confer with counsel for an action at the end of the meeting. Anybody that's here for what's on the top of the agenda, you're good. The Board will then consider the applications in order. We'll try to render a decision this evening but may take up to 62 days to reach a determination. I would ask if you have a cellphone, to please turn it off or put it on silent. When speaking, speak directly

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into the microphone. This is being recorded. We have a stenographer here with us.

Roll call.

MS. JABLESNIK: Darrell Bell.

MR. BELL: Present.

MS. JABLESNIK: Greg Hermance.

MR. HERMANCE: Present.

MS. JABLESNIK: Richard Levin.

MR. LEVIN: Present.

MS. JABLESNIK: Anthony Marino.

MR. MARINO: Present.

MS. JABLESNIK: John Masten.

MR. MASTEN: Here.

MS. JABLESNIK: John McKelvey.

MR. MCKELVEY: Here.

MS. JABLESNIK: Darrin Scalzo.

CHAIRMAN SCALZO: Here.

MS. JABLESNIK: Also present is our Attorney, Dave Donovan, and our Stenographer, Michelle Conero.

CHAIRMAN SCALZO: Very good. If I could ask you all to please rise for the Pledge.

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(Pledge of Allegiance.)

CHAIRMAN SCALZO: All right. I'm going to jump off the agenda this evening. We have a couple of things going on that can just jump ahead.

First and foremost, we have been informed by two of our longstanding members that this will be their last meeting this evening. Mr. McKelvey just told me ten minutes ago that 28 years, he thinks he's had enough. Mr. Levin will also be leaving the Zoning Board of Appeals.

Thank you gentlemen both for your service. There's quite a bit of institutional knowledge here that's just going to be lost in this case that we can't replace. But I thank you so much.

Richard and I were appointed, I don't know, within a couple months of each other seven years ago.

Like I say, Mr. McKelvey, I don't even know if I was driving when you were appointed.

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BOARD BUSINESS

I thank you both. It's been my pleasure to work with you both and sit amongst you. So that's the order of business, number one.

Thank you again.

(Time noted: 7:03 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary  
Public for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a  
true record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that I  
am in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 6th day of August  
2021.

*Michelle Conero*  
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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X

In the Matter of

MENENDEZ PROPERTY, LLC

356 River Road, Newburgh  
Section 9; Block 1; Lot 40  
R-1 Zone

----- X

Date: July 22, 2021  
Time: 7:03 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN McKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: DANIEL BLOOM

----- X

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CHAIRMAN SCALZO: I'm going to jump ahead on the agenda this evening only because I see some representation here for one of our applications, which is the Menendez Property at 856 River Road. They're seeking an area variance for the rear yard for all new decks, to raise roof to add a fourth.

However, the applicant's representation is here tonight. They have requested a postponement of that action to next month's meeting.

Is that correct, Mr. Bloom?

MR. BLOOM: That's correct, yes, Mr. Scalzo.

For the record, I'm Dan Bloom and I've been retained by Menendez, LLC on the application. I was retained about, I would say a week before the last meeting that you had. I indicated to my client that I needed more time to get the experts lined up, and we have them. I have the expert that I wanted in terms of the appraisal. My client is working with her



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CPA. So I fully expect to be prepared to proceed at the next meeting.

CHAIRMAN SCALZO: Very good, sir. Thank you very much.

What I'm going to do is look to the Board for a motion to keep the public hearing open to the August meeting.

MR. BELL: I'll make a motion to keep the public hearing open.

MR. MASTEN: I'll second it.

CHAIRMAN SCALZO: We have a motion from Mr. Bell. We have a second down there, Mr. Masten. Roll call on that.

MS. JABLESNIK: Mr. Bell?

MR. BELL: Yes.

MS. JABLESNIK: Mr. Hermance?

MR. HERMANCE: Yes.

MS. JABLESNIK: Mr. Levin?

MR. LEVIN: Yes.

MS. JABLESNIK: Mr. Marino?

MR. MARINO: Yes.

MS. JABLESNIK: Mr. Masten?

MR. MASTEN: Yes.

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MS. JABLESNIK: Mr. McKelvey?

MR. McKELVEY: Yes.

MS. JABLESNIK: Mr. Scalzo?

CHAIRMAN SCALZO: Yes.

The motion is carried. We will see you next month, Mr. Bloom.

MR. BLOOM: Thank you very much. Have a good evening.

May I address the Board?

CHAIRMAN SCALZO: Absolutely.

MR. BLOOM: I want to congratulate Mr. McKelvey and Mr. Levin on their service on this Board. It's been truly a pleasure always appearing before this Board. Their contributions were immense, and I want to personally thank them.

MR. LEVIN: Thank you.

MR. McKELVEY: Thank you.

CHAIRMAN SCALZO: Thank you very much. We appreciate them as well.

(Time noted: 7:06 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public for and within the State of New York, do hereby certify:

That hereinbefore set forth is a true record of the proceedings.

I further certify that I am not related to any of the parties to this proceeding by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of August 2021.

*Michelle Conero*

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X  
In the Matter of

KYLE WARREN

356 Fostertown Road, Newburgh  
Section 17; Block 4; Lot 8.11  
R-2 Zone

----- X

Date: July 22, 2021  
Time: 7:06 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN MCKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: ANTHONY COPPOLA

----- X

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CHAIRMAN SCALZO: Our first applicant this evening is Kyle Warren at 356 Fostertown Road, seeking area variances of the rear and side yard to build a 24 by 40 attached garage addition.

Siobhan, do we have mailings on this?

MS. JABLESNIK: Yes. This applicant sent out 20 letters.

CHAIRMAN SCALZO: 20, 2-0?

MS. JABLESNIK: Yes.

CHAIRMAN SCALZO: Thank you very much.

Do we have anyone here representing the Kyle Warren application?

MR. COPPOLA: Good evening, everyone. My name is AJ Coppola, I'm the project architect of the applicant. Kyle Warren is here also to answer any questions.

I have a brief presentation.

CHAIRMAN SCALZO: Thank you.

MR. COPPOLA: Good evening again, everybody. I'm the project architect, AJ

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Coppola, representing Kyle Warren. What we hope to construct is a two-story garage addition, an attached garage addition to his existing house at 356 Fostertown Road.

Kyle has been in this house approximately five years and is really looking now to make a significant investment and stay here for quite some time.

So what is being proposed is basically -- let me pull the floor plan out. Just briefly inside, real fast, the existing house is a two-story, four-bedroom, two-car garage house. The garage is actually just off the page here at the bottom.

So we're proposing an addition to the side. Basically it's two stories, 24 by 40 feet deep, two garage bays in the front. Each garage bay is 12 feet. That's a standard width. And then there's a gap here so that light and ventilation can get through where the new proposed structure is to the existing house here.

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So this will have a short -- like a breezeway. It's attached by the roof. You'll be able to see through it. Then basically a trellis and a deck behind.

Upstairs is basically going to be one large recreation room with one bathroom -- one full bathroom on each floor, and basically a lounge which works off the rear of the lot.

We also submitted the landscape architect's plan, that should be part of your package, because we wanted to give you an overview of everything that's happening here.

What Kyle has under construction now is a very large and beautifully landscaped pool area in the back. So one of the things this structure is going to do is offer some privacy, basically from his neighbor to the west, and kind of bookend the property so that he doesn't see them. This acts as a type of a screen.

The two-car garage here is

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basically off where the pool area is going to be, and that works off of the deck. Like I said, there's a small lounge area on the first floor and a full second story recreation room which can be accessed from the outside in the rear.

So the architecture is basically all in keeping with the existing house, the existing siding, the existing cultured stone. That's the existing house, the existing garage, the existing front door. So basically everything is in keeping with what you have right now. All the materials will basically be the same with what's there.

Again, here's what we're proposing. The 24 foot wide, two-story garage is set back. There's a gap which is this kind of connector with the roof. On the side elevation from Kyle's backyard where the swimming pool is would be a door to get into a garage, a door to get into the rear of the lounge on the first floor, and basically a deck which overhangs and



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looks out to the pool.

So it's a fairly simple structure. I think what we're looking for in terms of relief is basically two -- an area setback with the side yard and the rear yard. So the side yard, we're proposing 6'1", so 15 feet is what's required. That's what we've shown here. And then the rear, which is kind of this lot line which is not parallel to the structure, what we're proposing off of the corner of the deck is 31'5". 40 feet is what's required. So you can see on the setback here how that cuts through. But again, because of the constraints of the width of the existing lot which is only 129 feet wide and much narrower in the front, it's only about 82 feet in the front, he's very constrained with what he can -- where he can put this. The garage obviously has to go on the driveway side. There's really no other place to put that.

We feel what we're proposing width wise is pretty standard for a

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KYLE WARREN

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12-foot wide garage bay, times two is 24 feet, with a gap in the middle. So that's it.

Again, Kyle is here to answer any questions about -- if you have any questions specific for him or for me. Thank you.

CHAIRMAN SCALZO: Thank you. You actually helped me out tremendously with that. Without the breezeway attachment, that becomes a standalone garage.

MR. COPPOLA: Yes.

CHAIRMAN SCALZO: So that is -- obviously it's proposed here, but should we get far enough, that could be something that necessarily wouldn't have to be built for him to realize the full benefit of what he's doing with the garage. So should we get that far, you know, perhaps a condition of the variance may be that the breezeway absolutely has to be constructed.

MR. COPPOLA: Yes. Yeah. I think his plan is to build a gazebo in the

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back by the pool. That would be -- I believe the zoning ordinance only allows one accessory structure. So because the roof attaches, --

CHAIRMAN SCALZO: Very good.

MR. COPPOLA: -- it's part of the house.

CHAIRMAN SCALZO: That makes perfect sense, which also we don't have to talk about building height because it's attached as well.

MR. COPPOLA: Yes.

CHAIRMAN SCALZO: That's all fantastic. What I typically try to look at is the maintenance that's going to be done on this garage in years down the road. It is two story. If he's going to -- let's say he loses a piece of siding at the top, very near the soffit, you need a ladder to get up there. How far does the base of that ladder need to be out? It's probably perhaps on the property line when he's trying to do that.

MR. COPPOLA: Yes.

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CHAIRMAN SCALZO: And that becomes a challenge, unless you have great relationships with your neighbors. It's an observation on my part. I don't know if the applicant had considered say a garage and-a-half -- a bay and-a-half which would shrink him up which would get him closer to the 15 feet. I'm just talking out loud. There are six other Members here that are probably going to have some questions as well.

I thought the backyard looked even amazing in its excavated state. Not that this is part of the application, but I imagine you're going to have to open cut through that lovely driveway to connect the two bathrooms to the septic, --

MR. COPPOLA: Yes.

CHAIRMAN SCALZO: -- which I'm assuming is in the front yard.

MR. COPPOLA: Yes. The septic is in the front.

MR. WARREN: It's Town.

CHAIRMAN SCALZO: Oh, you have

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KYLE WARREN

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Town sewer. That's fantastic. I guess with Brandywine Crossing and the school there, it's probably a pretty good bet.

Okay. So I'm kind of curious, would that be an individual line from the garage down to the connection?

MR. COPPOLA: I think he can go one of two ways. He can come back to his existing basement or he can actually T into -- I think you can go right -- no. Well, yeah.

CHAIRMAN SCALZO: You don't have a septic tank at all?

MR. COPPOLA: He could go into -- probably going into the basement is going to be the easiest. Once he's in the basement, you just connect into that.

CHAIRMAN SCALZO: Thank you very much.

I'm going to actually turn to the Members of the Board in this case, and then I might have questions afterwards. I'll start with Mr. Marino.

MR. MARINO: Could you repeat

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KYLE WARREN

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again the purpose of the two floors in the garage? You mentioned something about a playroom upstairs?

MR. COPPOLA: Yeah. So basically the whole addition is for two things, recreation and storage. So he already has three cars right now and the garage is packed. He needs these additional two cars just to store -- the two garage bays just to store the cars in that he has right now. Then basically on the second floor, he's collected pinball machines, and that's primarily what's going to go up there.

I don't know if you want to elaborate on that.

CHAIRMAN SCALZO: Please step forward and identify yourself for our stenographer.

MR. WARREN: Sure. So everything he said, I don't have to go over the cars, but --

CHAIRMAN SCALZO: Your name?

MR. WARREN: Oh, my name is Kyle

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Warren. So I got -- obviously COVID has been crazy. I got very bored and I started an elaborate pinball collection. Now I have upwards of 26 of them, and more on the way. It's pretty much taken up every room in my downstairs right now. We just wanted to make that a bit of a recreation area where I can store all these that I collected over the year-and-a-half, put them there. The other idea as well is to have more of the recreation outside, because we don't want people who are outside in the pool coming in, you know, tracking their wet feet everywhere. The idea is to have the bathroom there, the lounge area downstairs, and then a recreational area upstairs so we can kind of keep everything in one area rather than having to come in and out of the house, as well as the storage for my vehicles. We also don't have an attic in my house. It was built without an attic, so it would also give us area for storage as well.

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KYLE WARREN

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CHAIRMAN SCALZO: Everybody needs storage. Thank you.

Mr. Marino, was your question answered?

MR. MARINO: Yeah. Just a follow up. You're not thinking of a commercial venture there, are you? You're talking mostly family and friends?

MR. WARREN: Yeah. No commercial. Just a hundred percent for family, friends, myself.

CHAIRMAN SCALZO: Thank you, Mr. Marino.

Mr. Masten, any questions?

MR. MASTEN: I have no questions. Everything seems to be copacetic.

CHAIRMAN SCALZO: Mr. Levin?

MR. LEVIN: This says you're going to have two cars in that new building?

MR. WARREN: Yes. I have three cars right now. We have a two-car garage. I mean theoretically down the road we get another vehicle, children. Just, you



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KYLE WARREN

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know, an extra port for another car.

MR. LEVIN: I'm fine. Thank you.

CHAIRMAN SCALZO: Mr. McKelvey?

MR. MCKELVEY: There's only room  
for two cars in the garage; right?

MR. WARREN: Yes.

MR. MCKELVEY: Okay. Because  
you're only allowed four cars on the  
property -- in garages.

MR. COPPOLA: Correct.

CHAIRMAN SCALZO: Mr. Hermance?

MR. HERMANCE: We had discussed  
that you're just going to use it for  
recreation upstairs. There are no plans  
to convert that into an apartment --

MR. WARREN: No.

MR. HERMANCE: -- being that  
there's a bathroom present and potential  
of a kitchen could be added and whatnot?

MR. WARREN: It's just more for  
convenience. We have the plumbing  
straight through the center. We figured  
instead of walking all the way back down  
the staircase, which has to actually be a

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KYLE WARREN

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very large staircase to get the machines upstairs, we figured you have this room, it's smaller. You can see that the downstairs bathroom is bigger to accommodate those in the pool. If you want to change, it's got a large shower. The upstairs is more just a half kind of bath just for --

MR. COPPOLA: It's small.

MR. WARREN: It's small, yes.

No, no. We're not looking to rent it or change it. It's just going to be a big, open rec room.

MR. HERMANCE: Okay. That's all I have.

CHAIRMAN SCALZO: Mr. Bell?

MR. BELL: I guess I was a little bit confused the other night. I thought it was just one bathroom. It is two? A bath and-a-half?

MR. COPPOLA: There are two bathrooms shown on the plans that we submitted.

MR. BELL: There was. I was just

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wondering.

The breezeway. Can you explain the breezeway again?

MR. COPPOLA: Sure. So basically there's two structures. There's the existing structure and then there's the new structure that we're proposing. So we more or less have to attach them or else he's going to be here for another variance because we're only allowed -- there's also restrictions on height here. So the garage is part of the house. By connecting it with a roof which just spans between this wall and that wall, it's 10 feet wide. I'm showing that here. That basically fulfills the requirement that it's one structure. So it's attached just as if -- you still have to walk outside to get into the house.

MR. BELL: Yes. That was my other question. I appreciate it.

MR. COPPOLA: So in plan, here's the two cars that we're proposing, and then there's the 10 feet, and then there's

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basically two opposing doors with steps coming down. So you'll have a roof above you but open on the sides.

MR. BELL: And heated. Correct?

MR. COPPOLA: This is outside.

MR. BELL: I'm sorry. I just moved to the inside of the garage now.

MR. COPPOLA: The garage is not heated. We wouldn't heat the garage. Then you're subject to the Energy Code and that's not a good thing. All the rest of the living space, the full second floor, the lounge, the bathrooms, the stairs are heated and subject to the Energy Code. Not the garage.

MR. BELL: I guess I misspoke the wrong way. I was asking about heating in the new addition. That's what I was -- that was my question.

MR. COPPOLA: Yes. The habitable space, that's the same as any space on the interior of his house.

MR. BELL: Okay. I'm good. I'm good.

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CHAIRMAN SCALZO: Thank you.

At this time I'll open it up to any members of the public that wish to speak about the application for Warren.

(No response.)

CHAIRMAN SCALZO: Hearing none, I'll go back to the Board. Any last comments?

MR. BELL: I do have one. We did discuss about your propane tank.

MR. WARREN: Yes. Yeah. We're going to have to move it. We also have to upgrade to a larger one because the one that we have right now is 500 gallons. Considering that we're going to need it to heat the pool itself, as well as this living area, whatever, then yeah, we have to upgrade to 1,000. We're going to have to take that out anyway and move it, probably a little further back on the property, but I don't really know. I'm not -- I don't really know what they're going to do with it, honestly.

MR. BELL: Okay.

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CHAIRMAN SCALZO: It's a pretty interesting approach. Really if this were a standalone structure we would only need a minimum of 5 feet. Because we're attaching it, it becomes part of the house, that's why you need 15.

At this point I'll look to the Board. Do they have a motion of some sort? Actually, just to close the public hearing?

MR. MASTEN: I'll make a motion to close the public hearing.

MR. BELL: I'll second it.

CHAIRMAN SCALZO: Motion from Mr. Masten, second from Mr. Bell. All in favor of closing the public hearing?

MR. BELL: Aye.

MR. HERMANCE: Aye.

MR. LEVIN: Aye.

MR. MARINO: Aye.

MR. MASTEN: Aye.

MR. McKELVEY: Aye.

CHAIRMAN SCALZO: Aye.

This is a Type 2 action under

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KYLE WARREN

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SEQRA. We're going to go through the area variance criteria and discuss the five factors being weighed, the first one being whether or not the benefit can be achieved by other means feasible to the applicant.

Well sure, but I don't know if the scope of what he's trying to do would be achieved by that. Apparently he has 26 pinball machines.

MR. WARREN: I took pictures in case you guys needed proof.

CHAIRMAN SCALZO: I think Mr. Bell said he had seen some of them.

MR. BELL: Yeah. When we were talking.

MR. McKELVEY: Do you spend a lot of time up there playing?

MR. WARREN: I do actually. It's a pretty expensive hobby of mine.

CHAIRMAN SCALZO: You should collect coins.

MR. WARREN: I know. I had to pick the biggest thing you could possibly -- yeah, I know.

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CHAIRMAN SCALZO: Very good.

Second, if there's an undesirable change in the neighborhood character or a detriment to nearby properties.

I actually think this would be a benefit to nearby properties.

The third, whether the request is substantial.

It is. However, if you look at it as an accessory structure it's not. It is a garage but attached to the house. We are still bound by the 15 foot setback and he's asking for 6.

The fourth, whether the request will have adverse physical or environmental effects.

MR. BELL: No.

MR. LEVIN: I don't think so.

CHAIRMAN SCALZO: The fifth, whether the alleged difficulty is self-created which is relevant but not determinative.

Of course it's self-created. As I said, it's not determinative.



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If the Board approves, it shall grant the minimum variance necessary and may impose reasonable conditions.

Obviously the plans have been looked at by the Building Department.

MR. COPPOLA: Yes.

CHAIRMAN SCALZO: I'm sure they're going to hold them to making sure the breezeway is --

MR. COPPOLA: Yes, they will.

CHAIRMAN SCALZO: -- attaching the garage to the house.

Having gone through the balancing test of the area variance, what's the pleasure of the Board? Do we have a motion of some sort?

MR. BELL: I'll make a motion for approval.

MR. MASTEN: I'll second it.

CHAIRMAN SCALZO: We have a motion from Mr. Bell. We have a second from Mr. Masten. Roll on that, please, Siobhan.

MS. JABLESNIK: Mr. Bell?

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MR. BELL: Yes.

MS. JABLESNIK: Mr. Hermance?

MR. HERMANCE: Yes.

MS. JABLESNIK: Mr. Levin?

MR. LEVIN: Yes.

MS. JABLESNIK: Mr. Marino?

MR. MARINO: Yes.

MS. JABLESNIK: Mr. Masten?

MR. MASTEN: Yes.

MS. JABLESNIK: Mr. McKelvey?

MR. MCKELVEY: Yes.

MS. JABLESNIK: Mr. Scalzo?

CHAIRMAN SCALZO: Yes.

The motion is carried. The  
variance is approved. Good luck.

MR. WARREN: Thank you very much.

Congratulations, once again.

Thank you for your service.

(Time noted: 7:24 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary  
Public for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a  
true record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that I  
am in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 6th day of August  
2021.

*Michelle Conero*

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X  
In the Matter of

STEVEN WAIS

40 Susan Drive, Newburgh  
Section 46; Block 5; Lot 24  
R-1 Zone

----- X

Date: July 22, 2021  
Time: 7:24 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN MCKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: STEVEN WAIS

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

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CHAIRMAN SCALZO: Our second applicant is Steven Wais, 40 Susan Drive in Newburgh, seeking an area variance of increasing the degree of nonconformity of one side yard and the combined side yards to build a 13 by 45.2 rear deck.

Siobhan, mailings?

MS. JABLESNIK: This applicant sent out 29.

CHAIRMAN SCALZO: I imagine it's the same amount as he did before.

MS. JABLESNIK: The same amount as two months ago.

CHAIRMAN SCALZO: Mr. Wais, have I captured what it is that you're looking for here?

I forgot to mention before our first applicant that we are all obliged by position to go visit all the sites. A lot of us have seen your place twice.

MR. WAIS: Good.

CHAIRMAN SCALZO: Therefore, if I've captured what it is you're looking to do here and that's satisfactory to you,

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STEVEN WAIS

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great, we'll just do what we have to do.  
If not, if you'd like to add anything  
more?

MR. WAIS: No.

CHAIRMAN SCALZO: Very good.  
We've all been there twice.

Do we have any comments from the  
Board? I'll start at this end. Mr. Bell?

MR. BELL: No. I'm good.

CHAIRMAN SCALZO: Mr. Hermance?

MR. HERMANCE: No.

CHAIRMAN SCALZO: Mr. McKelvey  
and Mr. Levin?

MR. MCKELVEY: No.

MR. LEVIN: I'm fine.

CHAIRMAN SCALZO: Mr. Masten?

MR. MASTEN: I've got one  
question. Now, originally in May you had  
a sun --

MR. WAIS: A sun room.

MR. MASTEN: The deck and  
everything is going to be incorporated?

MR. WAIS: It will be a bilevel  
deck. You will have access to the deck

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STEVEN WAIS

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from the sun room.

MR. MASTEN: That was my concern.

Every time I go up there I like that view.

MR. WAIS: It's spectacular. I love Newburgh. What can I tell you.

CHAIRMAN SCALZO: Mr. Marino?

MR. MARINO: It's a beautiful view.

CHAIRMAN SCALZO: Absolutely.

Is there anyone here in the public? I'll open it up to any members of the public that wish to speak about this application, all four of you.

(No response.)

CHAIRMAN SCALZO: Hearing none from the public, I'll turn back to the Board. Any other comments?

(No response.)

CHAIRMAN SCALZO: No. Then I'll look for a motion to close the public hearing.

MR. McKELVEY: I'll make the motion.

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STEVEN WAIS

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MR. BELL: I'll second it.

CHAIRMAN SCALZO: We have a motion from Mr. McKelvey. We have a second from Mr. Bell. All in favor?

MR. BELL: Aye.

MR. HERMANCE: Aye.

MR. LEVIN: Aye.

MR. MARINO: Aye.

MR. MASTEN: Aye.

MR. MCKELVEY: Aye.

CHAIRMAN SCALZO: Aye.

Opposed?

(No response.)

CHAIRMAN SCALZO: The public hearing is now closed.

This is a Type 2 action under SEQRA?

MR. DONOVAN: Correct. That is correct, Mr. Chairman.

CHAIRMAN SCALZO: I just needed to hear you talk.

MR. DONOVAN: It's a good night when I don't talk.

CHAIRMAN SCALZO: Again we're



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going to go through the area variance criteria and discuss the five factors. The first one, whether or not the benefit can be achieved by other means feasible.

    If he didn't do it. That's not what I think the goal is here.

    The second, if there's an undesirable change in the neighborhood character or a detriment to nearby properties.

    Much like the previous application, I believe it's going to be an improvement to the character of the neighborhood.

    Third, whether the request is substantial. No, it's not. He's extending on the house line that was already there.

    The third, whether the request is substantial. In the grand scheme of things really it's not. Again, he's extending on the house line.

    Fourth, whether the request will have adverse physical or environmental

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STEVEN WAIS

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effects.

MR. LEVIN: No.

MR. McKELVEY: No.

CHAIRMAN SCALZO: I don't believe  
so.

And the fifth, whether the  
alleged difficulty is self-created which  
is relevant but not determinative.

Of course it's self-created, but  
it doesn't necessarily stop us from  
granting variances.

Having gone through those  
criteria, does the Board have a motion of  
some sort?

MR. MASTEN: I'll make a motion  
for approval.

MR. MARINO: Second.

CHAIRMAN SCALZO: We have a  
motion from Mr. Masten for approval and a  
second by Mr. Marino. Roll call on that.

MS. JABLESNIK: Mr. Bell?

MR. BELL: Yes.

MS. JABLESNIK: Mr. Hermance?

MR. HERMANCE: Yes.

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MS. JABLESNIK: Mr. Levin?

MR. LEVIN: Yes.

MS. JABLESNIK: Mr. Marino?

MR. MARINO: Yes.

MS. JABLESNIK: Mr. Masten?

MR. MASTEN: Yes.

MS. JABLESNIK: Mr. McKelvey?

MR. MCKELVEY: Yes.

MS. JABLESNIK: Mr. Scalzo?

CHAIRMAN SCALZO: Yes.

The motion is carried. The  
variances are approved. Good luck.

MR. WAIS: Thank you.

Mr. McKelvey, Mr. Levin,  
congratulations.

Thank you all. Have a great  
summer.

CHAIRMAN SCALZO: Thank you.

(Time noted: 7:29 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary  
Public for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a  
true record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that I  
am in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 6th day of August  
2021.

*Michelle Conero*

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X

In the Matter of

STEVEN DABROSKI

28 East Rock Cut Road, Walden  
Section 11; Block 1; Lot 136  
R-1 Zone

----- X

Date: July 22, 2021  
Time: 7:30 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN MCKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: STEVEN DABROSKI

----- X

MICHELLE L. CONERO  
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CHAIRMAN SCALZO: All right. Our next applicant this evening is Steven Dabroski, 28 East Rock Cut Road. Dabroski is seeking an area variance of increasing the degree of nonconformity to add a 20.4 by 15 addition on an existing nonconforming dwelling unit.

Siobhan, mailings on this?

MS. JABLESNIK: This applicant sent out 25 letters.

CHAIRMAN SCALZO: Very good.

Do we have anyone here representing the Dabroski application?

Okay. As I said, Mr. Dabroski, we have all visited the site.

You are Mr. Dabroski?

MR. DABROSKI: Yes. Good evening. I'm Steven Dabroski. My wife and I are the landowners. Four of you I met on your visit. The other three I did not. I wasn't sure if you came or not. I know you're supposed to.

We're asking for -- the noncompliance is two residences on one

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lot. This is an old farm that my parents bought in 1978. My wife and I bought it from my mother in 2006. The residences predate the zoning laws or the building code in the Town of Newburgh.

What we're planning on doing, and the reason we want to put the addition on the rear building, the rear residence, we want to put an addition on the back of that so that my wife and I can move into the apartment. Right now my son and his wife live in the apartment. They just got married last year. My wife and I are -- I retired over a year ago. My wife will probably be retired in four or five years. We plan on moving into the apartment as our retirement home, and we're going to let my son and his wife move into the main house. Eventually they'll end up buying the property from us so that they can be the third generation of Dabroskis on the property since '78.

It's a 3.7 acre lot. The addition is on the rear of the building so

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it won't be noticeable from the road.  
It's plenty far from all the property  
lines.

It's going to be -- the structure  
is a two-story apartment with a shed roof  
on one side. The addition is going to be  
on the other side of the apartment. The  
same look, a shed style roof on the  
left-hand side of the apartment. There's  
an existing concrete pad there now which  
will be where the addition is going.

The other concern on the  
application is there's an existing -- it  
was a chicken coop at one time from the  
original farm. We had several -- you  
know, three or four of them on our  
property that predate us being there.  
They were there when we moved there in  
'78. The addition is going to be 2 feet  
away from that building. The rear coop,  
it will be more than 10 feet away once the  
addition is done -- the proposed addition.

What we had proposed to the  
Building Department is that we do fire



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code sheetrock inside the addition to give us -- I know that's a -- the concern is that it's so close to the building, in case there's a fire it could jump from one building to the other. We would propose to the Town that we would put fire code sheetrock inside the building, the new addition, to create -- you know, in case there was a fire in either building.

So what we're asking for is the variance for those two issues.

CHAIRMAN SCALZO: Thank you, Mr. Dabroski. The chicken coop, as you say, that was an original structure to the farm?

MR. DABROSKI: Original structure to the farm. The house was built in 1895. The main barn was in the 1860s. The Wright family name is 1862 I believe. The small apartment, I have a letter from the Town stating that it predates the zoning. I'm not exactly sure when that was constructed but I'm assuming in the early 1900s. The chicken coops, they're all on

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stone and mortar foundations. It's not like I could easily move that. You know, if it was a modern shed that was just on, you know, stone or something, gravel, I'd be more than happy to move it.

CHAIRMAN SCALZO: There might be historical value to that. I don't know if you want to try to pick that up.

MR. DABROSKI: I don't believe I could move it without destroying it, and I'd hate to lose the structure. It's all the main buildings that were at the farm when we moved there.

CHAIRMAN SCALZO: Sir, this is not an additional bedroom, it's just a living room and bathroom?

MR. DABROSKI: Yes.

CHAIRMAN SCALZO: There's no effect on the septic?

MR. DABROSKI: No effect on the septic. It's going to be a living room and a bathroom.

Currently the apartment is about a total 670 square feet. It's two story.

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STEVEN DABROSKI

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Downstairs is an open room which is a kitchen and a living room, dining. Upstairs is one bedroom and a bathroom with a hall. So we wanted to make a bigger living room. So it's going to be a living room and a bathroom. The total structure will only be about -- just under 1,000 square feet.

CHAIRMAN SCALZO: Thank you.

Let's start with Mr. Marino. Mr. Marino, do you have any questions?

MR. MARINO: I'm good.

MR. MASTEN: I'm fine with it.

CHAIRMAN SCALZO: Mr. Levin?

MR. LEVIN: You're not going to have chickens there?

MR. DABROSKI: We used to years ago. We had chickens, and pigs, and goats, and horses, and cows. No, we don't plan to have any chickens in there. It's just storage right now.

CHAIRMAN SCALZO: Mr. McKelvey?

MR. MCKELVEY: No.

CHAIRMAN SCALZO: It's pretty

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close to Redwood on the back side.

MR. DABROSKI: Yes. The back property behind my lot was recently sold. It's all fields. It was recently sold by my mother to the old Camp Redwood, which is now Camp Integrity, which owned by, I believe, the electrical union, Local 3. They're doing a sleep-away camp for their members. So the camp is actually active again, which is kind of nice. You can hear their loud speakers in the morning. My understanding is they have two two-week sleep-away camps for boys and then two two weeks for girls.

MR. LEVIN: Do you get up to Revelry in the morning?

MR. DABROSKI: No. I don't hear it.

CHAIRMAN SCALZO: Thank you.

Mr. Hermance?

MR. HERMANCE: So you said you've already proposed the fire separation to the Building Department?

MR. DABROSKI: Absolutely.

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MR. HERMANCE: That would be --

MR. DABROSKI: That's all in the plans to be, you know, part of the -- it being so close, we proposed doing the fire separation. That's in the plans.

MR. HERMANCE: You would have the stone foundation?

MR. DABROSKI: Absolutely. I believe it would destroy the building. I don't believe I would be able to do it.

MR. HERMANCE: That's it.

CHAIRMAN SCALZO: Mr. Bell?

MR. BELL: No. He addressed it with having the conversation about it. He just answered the questions. I'm fine.

CHAIRMAN SCALZO: At this point I'll open it up to any members of the public that wish to speak about the Dabroski application. Any of the three of you in the room.

Perhaps your wife wants to stand up and say --

MS. DABROSKI: No.

(No response.)

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CHAIRMAN SCALZO: Very good.  
I'll look to the Board. One last  
opportunity for any other comments?

(No response.)

CHAIRMAN SCALZO: All right.  
Then I'll look to the Board for a motion  
to close the public hearing.

MR. BELL: I'll make a motion to  
close the public hearing.

MR. LEVIN: I'll second it.

CHAIRMAN SCALZO: We have a  
motion from Mr. Bell. We have a second  
from Mr. Levin. You might have started  
there, John. I was still talking and I  
couldn't hear you. Very good.

So this is also a Type 2 action  
under SEQRA.

Again we're going to go through  
the variance criteria. The first one,  
whether or not the benefit can be achieved  
by other means feasible to the applicant.

Thinking about this, the way the  
concrete pad is laid out, perhaps you  
could make the addition smaller to meet

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that setback requirement, but then the living room would only be 7 additional feet. I don't know that it would really --

MR. BELL: It wouldn't be worth it.

CHAIRMAN SCALZO: Second, if there's an undesirable change in the neighborhood character or a detriment to nearby properties.

MR. BELL: No.

CHAIRMAN SCALZO: This is a farm. The applicant states you're not going to see it. We all drove in there. You don't see it. You're not going to see it at all.

The third, whether the request is substantial. Regarding the living space, I don't believe so. It's just a short distance. The applicant appears to be working on mitigative efforts with the Building Department.

Fourth, whether the request will have adverse physical or environmental

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effects.

MR. BELL: No.

CHAIRMAN SCALZO: No. No changes to the septic are required, so I wouldn't think so.

Fifth, whether the alleged difficulty is self-created, which again is relevant but not determinative.

Of course it's self-created. Then again, the other factors kind of outweigh over this.

Having gone through the criteria, do we have a motion from the Board of some sort?

MR. BELL: I'll make a motion for approval.

MR. McKELVEY: I'll second.

CHAIRMAN SCALZO: We have a motion for approval from Mr. Bell. We have a second from Mr. McKelvey. Roll call on that, Siobhan.

MS. JABLESNIK: Mr. Bell?

MR. BELL: Yes.

MS. JABLESNIK: Mr. Hermance?



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MR. HERMANCE: Yes.

MS. JABLESNIK: Mr. Levin?

MR. LEVIN: Yes.

MS. JABLESNIK: Mr. Marino?

MR. MARINO: Yes.

MS. JABLESNIK: Mr. Masten?

MR. MASTEN: Yes.

MS. JABLESNIK: Mr. McKelvey?

MR. MCKELVEY: Yes.

MS. JABLESNIK: Mr. Scalzo?

CHAIRMAN SCALZO: Yes.

The motion is carried. The  
variances are approved. Good luck.

MR. DABROSKI: Thank you,  
gentlemen.

And gentlemen, congratulations on  
your service to the Town. I appreciate  
it.

(Time noted: 7:40 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary  
Public for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a  
true record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that I  
am in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 6th day of August  
2021.

*Michelle Conero*

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X

In the Matter of

LUIS QUIZHPI LLIHUICHUZHCA

659 Gardnertown Road, Newburgh  
Section 53; Block 4; Lot 14  
R-1 Zone

----- X

Date: July 22, 2021  
Time: 7:40 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN McKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: LUIS QUIZHPI

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163

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CHAIRMAN SCALZO: Our holdover is Luis Quizhpi from 659 Gardnertown Road, Newburgh. They were seeking an area variance for a front yard to keep a 16 by 15 shed. This is, as they say, a holdover.

I see our applicant is here. I drove past the property approximately an hour and-a-half ago and the shed has been moved. It is no longer protruding past the front of the house. It's done very neatly. It's behind the fence.

MR. BELL: It looks good.

CHAIRMAN SCALZO: I don't believe this -- what do we do, Counselor?

MR. DONOVAN: Have you gone to Code Compliance?

MR. QUIZHPI: Not yet.

MR. DONOVAN: Okay. I think that probably you don't need -- there does not appear to be a violation of the code.

CHAIRMAN SCALZO: It does not appear.

MR. DONOVAN: You were here

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LUIS QUIZHPI LLIHUICHUZHCA

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because the shed was in the front yard.  
The shed is not in the front yard.

MS. JABLESNIK: Mr. Lapierre has  
been to your property, right? The  
building inspector?

MR. QUIZHPI: Yes.

MS. JABLESNIK: He had told me he  
was there, the building inspector.

CHAIRMAN SCALZO: Okay. So I  
guess the application is now withdrawn?

MR. DONOVAN: I don't think you  
need anything. Just to kind of tie it up  
with a bow, Code Compliance is going to  
have to rescind the violation.

MS. JABLESNIK: Right. Now you  
would just do your normal building permit  
application. You don't need any  
variances.

MR. DONOVAN: There's no action.  
It would appear, based upon visual  
observations and what you're telling us,  
the violation has been remedied, you don't  
need relief from this Board. Go in peace.

MR. QUIZHPI: Cool. Thank you.

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CHAIRMAN SCALZO: Have a great night. And thank you for taking care of -- you did what you said you were going to do.

MR. QUIZHPI: Yup.

CHAIRMAN SCALZO: I appreciate it.

(Time noted: 7:42 p.m.)

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2021.

*Michelle Conero*

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH ZONING BOARD OF APPEALS

----- X

In the Matter of

GAS LAND PETROLEUM

5200 Route 9W, Newburgh  
Section 43; Block 5; Lot 1

Discussion re: rehearing for this application

----- X

BOARD BUSINESS

Date: July 22, 2021  
Time: 7:42 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: DARRIN SCALZO, Chairman  
DARRELL BELL  
GREGORY M. HERMANCE  
RICHARD LEVIN  
JOHN MASTEN  
ANTHONY MARINO  
JOHN MCKELVEY

ALSO PRESENT: DAVID DONOVAN, ESQ.  
SIOBHAN JABLESNIK

----- X

MICHELLE L. CONERO  
3 Francis Street  
Newburgh, New York 12550  
(845) 541-4163



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CHAIRMAN SCALZO: We have other Board Business, gentlemen, this evening. In this case we would -- this is where we would actually go into a brief recess with Counsel.

MR. DONOVAN: I'd like the Board to make a motion to go into an attorney/client privileged session to discuss pending litigation regarding the Gas Land Petroleum application at 5200 State Route 9W. If someone could make that motion.

CHAIRMAN SCALZO: I'll make that motion.

MR. HERMANCE: I'll second it.

CHAIRMAN SCALZO: Motion from the Chairman and a second from Mr. Hermance. All in favor?

MR. BELL: Aye.

MR. HERMANCE: Aye.

MR. LEVIN: Aye.

MR. MARINO: Aye.

MR. MASTEN: Aye.

MR. McKELVEY: Aye.

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CHAIRMAN SCALZO: Aye.

(Whereupon, the Board went into executive session. Time noted 7:41 p.m.)

(Time resumed: 7:57 p.m.)

CHAIRMAN SCALZO: I'll need a motion to open the meeting back up.

MR. HERMANCE: I'll make a motion to reopen.

MR. BELL: I'll second.

CHAIRMAN SCALZO: Motion from Mr. Hermance. Second from Mr. Bell. All in favor?

MR. BELL: Aye.

MR. HERMANCE: Aye.

MR. LEVIN: Aye.

MR. MARINO: Aye.

MR. MASTEN: Aye.

MR. McKELVEY: Aye.

CHAIRMAN SCALZO: Aye.

So on the advice of Counsel I'm going to move to grant the request of Gas Land Petroleum as outlined in their letter to the Board of July 20, 2021 for a re-hearing of their application regarding

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their property located at 5200 State Route  
9W.

I'll make a motion to grant the  
request.

MR. MARINO: I'll second.

CHAIRMAN SCALZO: Sure. Okay.

MR. DONOVAN: Mr. Chairman, you  
made the motion, seconded by Mr. Marino.

CHAIRMAN SCALZO: Yes. I made  
the motion to grant the request and it's  
been seconded by Mr. Masten. For this to  
occur it needs to be unanimous.

Roll call.

MS. JABLESNIK: Mr. Bell?

MR. BELL: Yes.

MS. JABLESNIK: Mr. Hermance?

MR. HERMANCE: Yes.

MS. JABLESNIK: Mr. Levin?

MR. LEVIN: Yes.

MS. JABLESNIK: Mr. Marino?

MR. MARINO: Yes.

MS. JABLESNIK: Mr. Masten?

MR. MASTEN: Yes.

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MS. JABLESNIK: Mr. McKelvey?

MR. MCKELVEY: Yes.

MS. JABLESNIK: Mr. Scalzo?

CHAIRMAN SCALZO: Yes.

Motion carried. We will be rehearing the Gas Land Petroleum application next month in a public hearing form.

Very good. The last order of business this evening are the approval of the previous meeting minutes. Everyone has had a chance to read them I'm sure. I'll look for a motion to approve the meeting minutes for the June meeting.

MR. HERMANCE: I'll make a motion to approve the June minutes.

MR. LEVIN: I'll second it.

CHAIRMAN SCALZO: We have a motion from Mr. Hermance. We have a second from Mr. Levin. All in favor?

MR. BELL: Aye.

MR. HERMANCE: Aye.

MR. LEVIN: Aye.

MR. MARINO: Aye.

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MR. MASTEN: Aye.

MR. McKELVEY: Aye.

CHAIRMAN SCALZO: Aye.

Again before we close the meeting, Mr. Levin and Mr. McKelvey, thank you very much. It's been my pleasure.

MR. MARINO: You will be missed.

CHAIRMAN SCALZO: Motion to close the meeting.

MR. MASTEN: I'll make a motion to close the meeting.

MR. MARINO: Second.

MR. LEVIN: Second.

CHAIRMAN SCALZO: Motion from Mr. Masten. We have a second from Mr. Marino and a second second from Mr. Levin. All in favor?

MR. BELL: Aye.

MR. HERMANCE: Aye.

MR. LEVIN: Aye.

MR. MARINO: Aye.

MR. MASTEN: Aye.

MR. McKELVEY: Aye.

CHAIRMAN SCALZO: Aye.

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(Time noted: 8:02 p.m.)

C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public for and within the State of New York, do hereby certify:

That hereinbefore set forth is a true record of the proceedings.

I further certify that I am not related to any of the parties to this proceeding by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of August 2021.

*Michelle Conero*  
\_\_\_\_\_  
MICHELLE CONERO