**TOWN OF NEWBURGH**

**ZONING BOARD OF APPEALS**

**308 GARDNERTOWN ROAD**

**NEWBURGH, NEW YORK 12550**

**DARRIN SCALZO, CHAIRPERSON Office: (845) 566-4901**

**ZONING BOARD OF APPEALS Fax: (845) 564-7802**

 **Email:** **zoningboard@townofnewburgh.org**

**AGENDA**

**THURSDAY, APRIL 26, 2018**

**PLEASE NOTE: THE ZONING BOARD MEETING WILL START AT 7:00 P.M. AND ALL APPLICANTS/REPRESENTATIVES ARE TO BE PRESENT AT THAT TIME. THE MEETING WILL BE HELD IN THE MEETING ROOM OF THE TOWN HALL, 1496 ROUTE 300 NEWBURGH NY.**

**APPLICANTS:**  **LOCATIONS:**

EXR LLC. 71 HY VUE DRIVE, NBGH

 (41-4-1.2) R-3 ZONE

VARIANCE:

AREA VARIANCE FOR INCREASING THE DEGREE OF NON-CONFORMITY OF THE FRONT YARD SETBACK TO KEEP THE FRONT PORCH CONVERTED INTO HABITABLE SPACE WITHOUT APPROVALS OR PERMITS.

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KATHY FELICELLO 89 CRONOMER HEIGHTS DRIVE, NBGH

 (75-1-34.14) R-2 ZONE

VARIANCE (S):

AREA VARIANCE FOR NO POOL SHALL BE LOCATED IN A FRONT YARD TO KEEP A 36 FT. IN-GROUND POOL BUILT WITHOUT A PERMIT AND AN AREA VARIANCE FOR ACCESSORY BUILDINGS SHALL BE LOCATED IN A SIDE OR REAR YARD TO KEEP AN ACCESSORY BUILDING (8 X 10) BUILT WITHOUT A PERMIT ON THE PREMISES.

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CHARLES & LYNN WHITEHOUSE 778 ORCHARD DRIVE, WALLKILL

 (1-1-42.11) A/R ZONE

VARIANCE:

AREA VARIANCE FOR THE MAXIMUM ALLOWED SQUARE FOOTAGE BY FORMULA OF ACCESSORY STRUCTURES TO KEEP AN 8 X 20 OVERHANG ADDED TO AN ACCESSORY STRUCTURE WITHOUT A PERMIT AND TO BUILD A NEW ACCESSORY STRUCTURE (16 X 16) ON THE PREMISES.

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**APPLICANTS:**  **LOCATIONS:**

WCC TANK TECHNOLOGY, INC. 2102 ROUTE 300 (3-1-21.31) & PLANK ROAD, N.,

 (2102 PARTNERS, LLC.) (3-1-21.61) WALLKILL A/R ZONE

INTERPRETATION:

SEEKING AN INTERPRETATION THAT THE USE AND PROPOSED INDOOR PARKING OF SO-CALLED “HYDROVAC” TRUCKS USED BY WCC TANK TECHNOLOGY IN ITS BUSINESS IS PERMITTED UNDER THE 1982 USE VARIANCE AS A LEGALLY PERMITTED EXPANSION OF THE EXISTING BUSINESS AND, THEREFORE, A BUILDING PERMIT SHOULD BE ISSUED FOR THE NEW GARAGE.

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WCC TANK TECHNOLOGY, INC. 2102 ROUTE 300 (3-1-21.31) & PLANK ROAD, N.,

 (2102 PARTNERS, LLC.) (3-1-21.61) WALLKILL A/R ZONE

VARIANCE:

USE VARIANCE PERMITTING A CHANGE OF THE EXISTING PERMITTED TANK REPAIR USE ON THE PROPERTY TO EXTEND TO USE AND PARKING OF WCC’S HYDROVAC TRUCKS. THIS REQUEST IS SUBMITTED IN THE EVENT THAT THE APPLICANT’S SIMULTANEOUS INTERPRETATION REQUEST, SEEKING A DETERMINATION THAT THE USE AND PARKING OF SAID HYDROVAC TRUCKS IS PERMITTED UNDER THE PREVIOUSLY ISSUED 1982 USE VARIANCE, IS DENIED BY THE ZONING BOARD OF APPEALS.

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**HELD OPEN FROM MARCH 22, 2018 MEETING**

DANIEL & ELISSA DICKINSON SBL 6-1-12 (IN VICINITY OF NORTH FOSTERTOWN, REVERE ROAD, TARBEN WAY & STILLHOLLOW ROAD) A/R ZONE

VARIANCE:

AREA VARIANCE FROM THE REQUIREMENTS OF NEW YORK STATE TOWN LAW 280 - a - (1) ALLOWING A SINGLE FAMILY HOME TO BE CONSTRUCTED ON PROPERTY WHERE NO STREET OR HIGHWAY GIVING ACCESS TO THE PROPERTY HAS BEEN DULY PLACED ON THE OFFICIAL MAP OR PLANS AND WHERE SUCH ACCESS IS NOT ON AN EXISTING STATE, COUNTY OR TOWN HIGHWAY AND IS NOT A STREET SHOWN UPON A PLAT APPROVED BY THE PLANNING BOARD NOR IS IT A STREET ON A PLAT DULY FILED AND RECORDED IN THE OFFICE OF THE COUNTY CLERK PRIOR TO THE APPOINTMENT OF SUCH PLANNING BOARD AND (2) ROAD MUST BE SUITABLY IMPROVED TO THE SATISFACTION OF TOWN ROAD SPECIFICATIONS TO HAVE A BUILDING PERMIT ISSUED.

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**OTHER BOARD BUSINESS**

FRANK DARRIGO REVOCABLE TRUST 84 LAKESIDE ROAD, NBGH

 (86-1-96) R-1 ZONE