**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, MAY 24, 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:**

MICHAEL & CONSTANCE PENDINO 129 WEYANTS LANE, NBGH

 (17-1-46) R-2 ZONE

VARIANCE (S):

AREA VARIANCE FOR POOLS IN EXCESS OF 200 SQ. FT. SHALL BE LOCATED AT LEAST

10 FT. FROM ANY LOT LINE TO KEEP A POOL DECK (25 X 30) AND AN AREA VARIANCE FOR INCREASING THE DEGREE OF NON-CONFORMITY OF THE SIDE YARD SETBACK TO BUILD A REAR DECK (14 X 20) ON THE PREMISES.

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CHARLES & HEATHER SALAMONE 29 PADDOCK PLACE, NBGH

 (58-2-24) R-2 ZONE

VARIANCE:

AREA VARIANCE FOR AN ACCESSORY BUILDING MAY BE LOCATED IN A SIDE OR REAR YARD TO KEEP AN ACCESSORY BUILDING (10 X 10) INSTALLED WITHOUT APPROVALS OR PERMITS ON THE PREMISES (CORNER LOT).

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RE-HEARING OF FRANK DARRIGO 84 LAKESIDE ROAD, NBGH

 REVOCABLE TRUST (86-1-96) R-1 ZONE

VARIANCE:

RE-HEARING OF USE VARIANCE FOR 185-83 SOLAR FARMS SHALL BE LOCATED IN AN INDUSTRIAL DISTRICT (I ZONE) TO BUILD A SOLAR FARM IN A RESIDENTIAL-1 DISTRICT (R-1 ZONE).

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**HELD OPEN FROM MARCH 22 & APRIL 26, 2018 MEETINGS**

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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**RESERVED DECISION FROM APRIL 26, 2018**

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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