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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

- Roll Call
- Announcement - Resignation of Vice  
Chairman Darrell Bell from the Zoning  
Board of Appeals

----- X

Date: May 28, 2026  
Time: 7:04 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman  
LATWAN BANKS  
DARRELL BELL  
JAMES EBERHART, JR.  
GREGORY M. HERMANCE  
JOHN MASTEN  
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.  
JOSEPH MATTINA  
SIOBHAN JABLESNIK

----- X

MICHELLE L. CONERO  
Court Reporter  
Michelleconero@hotmail.com  
(845) 541-4163

2 CHAIRMAN SCALZO: I'd like to call  
3 the meeting of the Zoning Board of  
4 Appeals to order, a few minutes late I  
5 might add. I apologize.

6 The order of business this evening  
7 are the public hearings which have been  
8 scheduled and posted. The procedure of  
9 the Board is that the applicant will be  
10 called upon to step forward, state their  
11 request and explain why it should be  
12 granted. The Board will then ask the  
13 applicant any questions it may have, and  
14 then any questions or comments from the  
15 public will be entertained. The Board  
16 will then consider the applications and  
17 will try to render a decision this evening  
18 but may take up to 62 days to reach a  
19 determination.

20 I'll ask if you have a cellphone,  
21 to please turn it off or put it on silent.  
22 When speaking, our microphone system  
23 is down this evening so you're going  
24 to have to --

25 MS. JABLESNIK: I can give you one

2 so you can pretend.

3 CHAIRMAN SCALZO: -- speak with  
4 your outside voices. Take a deep breath  
5 before you speak. I will constantly be  
6 turning to Michelle to make sure that she  
7 can hear you because she is recording  
8 this as a matter of the record.

9 Roll call, please.

10 MS. JABLESNIK: Latwan Banks.

11 MS. BANKS: Present.

12 MS. JABLESNIK: Darrell Bell.

13 MR. BELL: Present.

14 MS. JABLESNIK: James Eberhart.

15 MR. EBERHART: Present.

16 MS. JABLESNIK: Greg Hermance.

17 MR. HERMANCE: Present.

18 MS. JABLESNIK: John Masten.

19 MR. MASTEN: Here.

20 MS. JABLESNIK: Donna Rein.

21 MS. REIN: Here.

22 MS. JABLESNIK: Darrin Scalzo.

23 CHAIRMAN SCALZO: Here.

24 MS. JABLESNIK: Also present is our  
25 Attorney, Dave Donovan; from Code

2 Compliance, Joseph Mattina; and our  
3 Stenographer, Michelle Conero.

4 CHAIRMAN SCALZO: Very good. If  
5 you could all please rise for the Pledge.

6 (Pledge of Allegiance.)

7 CHAIRMAN SCALZO: Before we actually  
8 start our agenda this evening, I just  
9 want to make the announcement that this  
10 will be the last meeting of my Vice  
11 Chair. Darrell Bell is going to be  
12 moving out of the Town.

13 We so appreciate your time with  
14 us. I appreciate your help in my  
15 absence, acting as chair and doing a  
16 great job at it.

17 So Darrell Bell, thank you so  
18 much for being part of our team.

19 MS. JABLESNIK: You'll be missed.

20 MS. REIN: Terribly.

21 CHAIRMAN SCALZO: I hope I'm not  
22 jumping on that, just because our  
23 communication the other day. Now you're  
24 going to tell me the closing fell apart.

25 MS. JABLESNIK: Now it's going to

2 be extended.

3 MR. BELL: Yes, it's been a real  
4 pleasure. I've been on the Board for  
5 eleven years. Eleven years. You know,  
6 Dave and yourself and Siobhan when she  
7 took over for --

8 CHAIRMAN SCALZO: Betty.

9 MR. BELL: You took over. It's  
10 been a pleasure working with you all and  
11 working for the community of the Town of  
12 Newburgh. I've met a lot of good people  
13 when I'd go out and visit. They invite  
14 you in for a cup of tea. I say I can't  
15 go inside, I just have to do my job and  
16 keep moving. It's been a pleasure.

17 We're going to spend about six  
18 months in Panama and three months in  
19 Aruba and then come back.

20 MR. DONOVAN: Are you adopting  
21 anybody?

22 MR. BELL: We just want to travel  
23 awhile, me and the wife.

24 CHAIRMAN SCALZO: Good for you.  
25 I'm jealous.

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MR. BELL: I really appreciate you,  
and thank you all for your support.

MR. MASTEN: Best of luck, Darrell.

CHAIRMAN SCALZO: You're going to  
make all the hard decisions tonight.

(Time noted: 7:07 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 8th day of June 2026.

*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

NICK & JENNIFER DiLEMME  
2201 Route 300, Wallkill  
Section 3; Block 1; Lot 91.2  
AR Zone

----- X

Date: May 28, 2026  
Time: 7:07 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman  
LATWAN BANKS  
DARRELL BELL  
JAMES EBERHART, JR.  
GREGORY M. HERMANCE  
JOHN MASTEN  
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.  
JOSEPH MATTINA  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: NICK DiLEMME

----- X

MICHELLE L. CONERO  
Court Reporter  
Michelleconero@hotmail.com  
(845) 541-4163

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CHAIRMAN SCALZO: I'm going to actually jump ahead. I know we had an application that's been held over that is of very high interest to probably a handful of you that are here. I'm going to jump ahead to something that's held open and then we'll resume our regular agenda.

I'm going to jump to Nick and Jennifer DiLemme, 2201 Route 300 in Wallkill. They have petitioned the Board for an extension, a deferment. They have received information from the Town, but they received the information from the Town that they had requested after the deadline.

For the applications we typically have a ten-day in advance or a two-week in advance deadline before applications can be formalized and fully assembled.

So having been through this procedure before, we need for their legal counsel to have adequate time

2 to review what's been supplied to  
3 them. Anything less than that, then  
4 we kind of subject ourselves to  
5 scrutiny by, should this -- well,  
6 it's already in court for a different  
7 reason. But if we don't give counsel  
8 adequate time to review the information  
9 and then present a full application  
10 package based on all the zoning that  
11 they had requested for. That is what's  
12 been put in front of us. They are  
13 requesting a deferment to the June  
14 meeting.

15 Discussion by the Board on that?

16 MR. BELL: No.

17 MS. REIN: I think if we defer it,  
18 it has to be the last deferment. The  
19 last hold.

20 CHAIRMAN SCALZO: I'm not going to  
21 disagree with you. I have read all of  
22 the materials. I have also seen the  
23 zoning. It's going to be a tough hill to  
24 climb for the applicant in my opinion.  
25 I'm one of seven. Therefore, I would

2 agree with you, Donna, but we need --

3 Mr. Masten, what are your thoughts  
4 on this?

5 MR. MASTEN: I've been thinking  
6 about it lately. I don't even know what  
7 words to put out there.

8 CHAIRMAN SCALZO: Okay. Mr. Bell.

9 MR. BELL: I agree with Donna. I  
10 mean, this should be the last one.

11 CHAIRMAN SCALZO: I was hoping you  
12 could close on a high note here. You  
13 know, I saw this was coming. I'm like,  
14 he's been here through it all.

15 MR. BELL: It's been awhile.

16 CHAIRMAN SCALZO: Mr. Hermance.

17 MR. HERMANCE: I've read e-mails  
18 from both sides and understand they want  
19 to expedite, but, as you said, if we  
20 don't give them due diligence to review  
21 all the material, then we could wind up  
22 back here anyway.

23 My thought is to extend it to June  
24 to allow counsel to review it and this  
25 way it can't come back.

2 CHAIRMAN SCALZO: We are as a  
3 Board, with our Counsel's assistance,  
4 batting a thousand when it comes to being  
5 in court. You know, why muck that up now  
6 with something so minor as -- I know it's  
7 not a popular decision should we move  
8 that way. I have great empathy for the  
9 other folks that live around this that  
10 have been subject to this situation.

11 Mr. Eberhart.

12 MR. EBERHART: I'm in full  
13 agreement with the rest of the Board,  
14 that we should defer it to June. At  
15 least it keeps us out of any trouble in  
16 terms of them having enough time to  
17 prepare for it. As Donna said, it's --

18 CHAIRMAN SCALZO: It's gone on long  
19 enough. I think we're all exhausted from  
20 this application.

21 Ms. Banks, comments.

22 MS. BANKS: I agree. Am I allowed  
23 to make the motion to approve with the  
24 condition right now?

25 CHAIRMAN SCALZO: Absolutely.

2 MS. BANKS: I'll make the motion to  
3 approve with the condition that it's the  
4 last adjournment.

5 MS. REIN: I'll second.

6 AUDIENCE: May I ask one question?

7 CHAIRMAN SCALZO: I believe the  
8 public hearing is still open.

9 MR. DONOVAN: The public hearing is  
10 still open. You have a request for an  
11 adjournment. That's typically not  
12 subject to public comment.

13 I would say for the public that's  
14 here and interested in that application,  
15 what has transpired since the last  
16 meeting --

17 AUDIENCE: I guess I'm --

18 MR. DONOVAN: I guess you're going  
19 to go ahead and ask.

20 CHAIRMAN SCALZO: If you're going  
21 to speak, you need to identify yourself  
22 and --

23 MR. DONOVAN: You're not interested  
24 in what I have to say, so --

25 AUDIENCE: No, I'm sorry. I was

2 trying to ask what --

3 MR. DONOVAN: I wasn't really  
4 responding to you. Go ahead. It's up to  
5 the Chair.

6 CHAIRMAN SCALZO: We're going to be  
7 back.

8 MR. DONOVAN: I just wanted to say,  
9 I think as the Board is aware, through  
10 the good offices of the town clerk, the  
11 deputy supervisor and the town attorney,  
12 all of the information that's been  
13 requested by the applicant that is in the  
14 possession of the Town has been provided.  
15 At this point this Board has now extended  
16 to the applicant and their counsel all  
17 the due process to which they are  
18 entitled. The time period within which  
19 they received that information was short,  
20 so due process would indicate that they  
21 be given sufficient time to put their  
22 response together, whatever it may be,  
23 and come June 28th, 26th, whatever the  
24 fourth Thursday is in June, it's --  
25 what's the name of that movie? It

2 doesn't matter. It's decision time,  
3 right. Everything is out there. You  
4 have everything that's there.

5 So the point I wanted to make is a  
6 fair amount of work was done since the  
7 last meeting and a lot of people for the  
8 Town worked hard to make sure all the  
9 information was given so that the  
10 applicant has a full and fair opportunity  
11 to make their case and then you decide.  
12 That's where we are.

13 CHAIRMAN SCALZO: Thank you, Counsel.

14 The public hearing is going to  
15 remain open for the following meeting.

16 We have a motion. We have a  
17 second. I guess we're going to have a  
18 vote.

19 Roll on that, Siobhan.

20 MS. JABLESNIK: Ms. Banks.

21 MS. BANKS: Yes.

22 MS. JABLESNIK: Mr. Bell.

23 MR. BELL: Yes.

24 MS. JABLESNIK: Mr. Eberhart.

25 MR. EBERHART: Yes.

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MS. JABLESNIK: Mr. Hermance.

MR. HERMANCE: Yes.

MS. JABLESNIK: Mr. Masten.

MR. MASTEN: Yes.

MS. JABLESNIK: Ms. Rein.

MS. REIN: Yes.

MS. JABLESNIK: Mr. Scalzo.

CHAIRMAN SCALZO: Yes.

The motion is carried. We will  
defer to the June meeting.

(Time noted: 7:13 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  
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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 8th day of June 2026.

*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

JOHN & ELENA PETROLESE

2188 Route 300, Wallkill  
Section 3; Block 2; Lot 17  
AR Zone

- - - - - X

Date: May 28, 2026  
Time: 7:13 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman  
LATWAN BANKS  
DARRELL BELL  
JAMES EBERHART, JR.  
GREGORY M. HERMANCE  
JOHN MASTEN  
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.  
JOSEPH MATTINA  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: JOHN PETROLESE  
ELENA PETROLESE

- - - - - X

MICHELLE L. CONERO  
Court Reporter  
Michelleconero@hotmail.com  
(845) 541-4163

2 CHAIRMAN SCALZO: Our new  
3 applications for this evening are John  
4 and Elena Petrolese, 2188 Route 300,  
5 seeking an area variance of the side yard  
6 to build a 6 by 12 side yard deck. Now  
7 when I say build a side yard deck, it's  
8 actually a replacement of a side yard  
9 deck.

10 Do we have mailings on this,  
11 Siobhan?

12 MS. JABLESNIK: This applicant sent  
13 22 letters.

14 CHAIRMAN SCALZO: 22 letters.

15 Okay. Who do we have this evening  
16 representing this application? Please  
17 speak loud enough for our stenographer to  
18 record your information.

19 MR. PETROLESE: I'm not a public  
20 speaker, but we just want to replace --  
21 take the old deck out and --

22 CHAIRMAN SCALZO: Can you just  
23 state your name?

24 MR. PETROLESE: John Petrolese.  
25 This is my wife Elena.

2 CHAIRMAN SCALZO: Very good. Now  
3 we can get started.

4 MR. PETROLESE: Excuse me. All we  
5 want to do is replace the existing deck.  
6 We're actually going to shorten it a  
7 foot. It's 7 by 12. We're going to make  
8 it 6 by 12. That's about it.

9 CHAIRMAN SCALZO: These type of  
10 applications are the most streamlined  
11 applications that we get the opportunity  
12 to roll through.

13 I have no comments on this.

14 I'm going to start down at that end  
15 of the table there. Ms. Banks.

16 MS. BANKS: No comment.

17 CHAIRMAN SCALZO: Mr. Eberhart.

18 MR. EBERHART: No comment.

19 CHAIRMAN SCALZO: Mr. Hermance.

20 MR. HERMANCE: No comment.

21 CHAIRMAN SCALZO: Mr. Bell.

22 MR. BELL: No comment.

23 CHAIRMAN SCALZO: Mr. Masten.

24 MR. MASTEN: I have none.

25 CHAIRMAN SCALZO: Ms. Rein.

2 MS. REIN: Good.

3 CHAIRMAN SCALZO: We have no  
4 comments from the Board.

5 Is anyone from the public here to  
6 speak about this application?

7 (No response.)

8 CHAIRMAN SCALZO: It appears not.  
9 I'll look to the Board for a  
10 motion --

11 MS. BANKS: I'll make a motion to  
12 approve.

13 CHAIRMAN SCALZO: To close the  
14 public hearing?

15 MS. BANKS: To close the public  
16 hearing.

17 MS. REIN: I'll second.

18 CHAIRMAN SCALZO: We have a motion  
19 to close from Ms. Banks. We have a  
20 second from Ms. Rein. All in favor.

21 MS. BANKS: Aye.

22 MR. EBERHART: Aye.

23 MR. HERMANCE: Aye.

24 CHAIRMAN SCALZO: Aye.

25 MR. BELL: Aye.

2 MR. MASTEN: Aye.

3 MS. REIN: Aye.

4 CHAIRMAN SCALZO: Very good.

5 This is a Type 2 action under  
6 SEQRA. We have to move through the  
7 factors before --

8 MR. DONOVAN: That is correct,  
9 Mr. Chairman.

10 CHAIRMAN SCALZO: Thank you, Counsel.

11 MS. JABLESNIK: The new deck is a 6  
12 by 12?

13 MS. PETROLESE: Yes.

14 MS. JABLESNIK: I just wanted to  
15 make sure.

16 CHAIRMAN SCALZO: So the area  
17 variance criteria, the five factors, the  
18 first one being whether or not the  
19 benefit can be achieved by other means  
20 feasible to the applicant. It does not  
21 appear so.

22 MR. BELL: No.

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

2 properties.

3 It's going to be unnoticed.

4 It's actually going to be a tiny bit  
5 smaller than the old one.

6 Third, whether the request is  
7 substantial. No more substantial than  
8 what's existing there.

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

12 MR. BELL: None.

13 CHAIRMAN SCALZO: No.

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

17 I'll keep my mouth quiet on that  
18 one because Counsel always corrects  
19 me.

20 So yes, it is self-created, but  
21 most of them are.

22 Having gone through the balancing  
23 tests of the area variance, does the  
24 Board have a motion of some sort?

25 MS. BANKS: I'll make a motion to

2 approve.

3 MR. BELL: I'll second.

4 CHAIRMAN SCALZO: We have a motion  
5 for approval from Ms. Banks. We have a  
6 second from Mr. Bell.

7 Do you want to roll on that, please,  
8 Siobhan.

9 MS. JABLESNIK: Ms. Banks.

10 MS. BANKS: Yes.

11 MS. JABLESNIK: Mr. Bell.

12 MR. BELL: Yes.

13 MS. JABLESNIK: Mr. Eberhart.

14 MR. EBERHART: Yes.

15 MS. JABLESNIK: Mr. Hermance.

16 MR. HERMANCE: Yes.

17 MS. JABLESNIK: Mr. Masten.

18 MR. MASTEN: Yes.

19 MS. JABLESNIK: Ms. Rein.

20 MS. REIN: Yes.

21 MS. JABLESNIK: Mr. Scalzo.

22 CHAIRMAN SCALZO: Yes.

23 The motion is carried. The  
24 variances are approved.

25 Good luck, folks.

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Siobhan, do they need to check in  
with you prior to --

MS. JABLESNIK: Your application  
will go back to the Building Department.

MR. PETROLESE: Thank you.

(Time noted: 7:19 p.m.)

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

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*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

MICHAEL COLLADO

3 Hammond Lane, Wallkill  
Section 1; Block 1; Lot 64.2  
AR Zone

----- X

Date: May 28, 2026  
Time: 7:19 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman  
LATWAN BANKS  
DARRELL BELL  
JAMES EBERHART, JR.  
GREGORY M. HERMANCE  
JOHN MASTEN  
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.  
JOSEPH MATTINA  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: MICHAEL COLLADO

----- X

MICHELLE L. CONERO  
Court Reporter  
Michelleconero@hotmail.com  
(845) 541-4163

2 CHAIRMAN SCALZO: Our second  
3 applicant this evening is Michael  
4 Collado, 3 Hammond Lane in Wallkill,  
5 seeking an area variance to place a 10 by  
6 12 accessory building in the front yard.  
7 The property has two front yards, Hammond  
8 Lane and --

9 MR. COLLADO: Prospect.

10 CHAIRMAN SCALZO: Do we have mailings  
11 on this, Siobhan?

12 MS. JABLESNIK: This applicant sent  
13 28 letters.

14 CHAIRMAN SCALZO: 28 letters.

15 All right. Who do we have with us?

16 MR. COLLADO: I'm Michael Collado.  
17 I'm the applicant and property owner.

18 MS. BANKS: By the way, tonight is  
19 his anniversary.

20 MR. DONOVAN: You picked a good  
21 meeting to come to.

22 CHAIRMAN SCALZO: We've seen the  
23 application. We've seen the property.  
24 I've read the astonishing one sentence  
25 that describes what you want to do.

2 Unless you have other color commentary to  
3 add to it --

4 MR. COLLADO: No. I mean, there's  
5 really not much to say. I think it's all  
6 self-explanatory. I tried to put as much  
7 as I could in the application.

8 I'd be happy to take questions from  
9 the Board.

10 MR. DONOVAN: If I can, the reason  
11 why you didn't bring your wife for  
12 anniversary night?

13 MS. JABLESNIK: They just had a  
14 baby, too.

15 MR. COLLADO: She's home with the  
16 kids.

17 MS. JABLESNIK: I get to know my  
18 applicants.

19 CHAIRMAN SCALZO: Having perused  
20 the neighborhood and then looked at it on  
21 Google Maps, I don't know, four or five  
22 houses down, Equestrian Drive, they have  
23 a shed in their front yard because they  
24 have a similar situation. It's not  
25 something that -- I'm not going to say

2 it's unusual, but it's -- I've seen it  
3 there. That's my comment.

4 Ms. Rein.

5 MS. REIN: This is not precedent  
6 setting?

7 CHAIRMAN SCALZO: No.

8 Mr. Masten.

9 MR. MASTEN: I have none.

10 CHAIRMAN SCALZO: Mr. Bell.

11 MR. BELL: I think the two front  
12 yards is crazy. I don't have anything.

13 CHAIRMAN SCALZO: Mr. Hermance.

14 MR. HERMANCE: Two front yards,  
15 we've come across this before.

16 CHAIRMAN SCALZO: We're going to  
17 see that shortly again.

18 No comments, Mr. Hermance?

19 MR. HERMANCE: No.

20 CHAIRMAN SCALZO: Mr. Eberhart.

21 MR. EBERHART: No.

22 MS. BANKS: Can I make a motion to  
23 close?

24 CHAIRMAN SCALZO: Hold that.

25 Are there any members of the public

2 here that wish to speak about this  
3 application?

4 (No response.)

5 CHAIRMAN SCALZO: Okay. No.

6 MS. BANKS: I'll make a motion to  
7 close the public hearing.

8 CHAIRMAN SCALZO: We have a motion  
9 to close the public hearing.

10 MS. REIN: I'll second.

11 CHAIRMAN SCALZO: We have a second  
12 from Ms. Rein. All in favor.

13 MS. BANKS: Aye.

14 MR. EBERHART: Aye.

15 MR. HERMANCE: Aye.

16 CHAIRMAN SCALZO: Aye.

17 MR. BELL: Aye.

18 MR. MASTEN: Aye.

19 MS. REIN: Aye.

20 CHAIRMAN SCALZO: Those opposed?

21 (No response.)

22 CHAIRMAN SCALZO: Very good.

23 This also is a Type 2 action under  
24 SEQRA. Correct, Counsel?

25 MR. DONOVAN: That is correct,

2 Mr. Chairman. I have to say that  
3 loudly.

4 CHAIRMAN SCALZO: We're going to go  
5 through the variance criteria and discuss  
6 our five factors, the first one being  
7 whether or not the benefit can be  
8 achieved by other means feasible to the  
9 applicant.

10 If you look at the layout of the  
11 property, he has this one tiny area he  
12 can put it in. I understand.

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

16 MS. BANKS: No.

17 MR. EBERHART: No.

18 MR. HERMANCE: No.

19 MR. BELL: No.

20 MR. MASTEN: No.

21 MS. REIN: No.

22 CHAIRMAN SCALZO: Third, whether  
23 the request is substantial. No.

24 Fourth, whether the request will  
25 have adverse physical or environmental

2 effects.

3 MS. BANKS: No.

4 MR. BELL: No.

5 MR. EBERHART: No.

6 MR. HERMANCE: No.

7 MR. MASTEN: No.

8 MS. REIN: No.

9 CHAIRMAN SCALZO: It does not  
10 appear so.

11 The fifth, whether the alleged  
12 difficulty is self-created, which we know  
13 it is, which is relevant but not  
14 determinative.

15 Having gone through the balancing  
16 tests of the area variance, does the  
17 Board have a motion of some sort?

18 MR. EBERHART: I'll make a motion  
19 for approval.

20 MR. MASTEN: Second.

21 CHAIRMAN SCALZO: Everybody is  
22 racing to the finish line. We have  
23 Mr. Eberhart with a motion. I thought  
24 I heard it down this way first from  
25 Mr. Masten. We have a second from

2 Mr. Masten.

3 Can you roll on that, please,  
4 Siobhan.

5 MS. JABLESNIK: Ms. Banks.

6 MS. BANKS: Yes.

7 MS. JABLESNIK: Mr. Bell.

8 MR. BELL: Yes.

9 MS. JABLESNIK: Mr. Eberhart.

10 MR. EBERHART: Yes.

11 MS. JABLESNIK: Mr. Hermance.

12 MR. HERMANCE: Yes.

13 MS. JABLESNIK: Mr. Masten.

14 MR. MASTEN: Yes.

15 MS. JABLESNIK: Ms. Rein.

16 MS. REIN: Yes.

17 MS. JABLESNIK: Mr. Scalzo.

18 CHAIRMAN SCALZO: Yes.

19 The motion is carried. The  
20 variances are approved.

21 You can stay out a little later.

22 MR. COLLADO: You sent me home a  
23 hero, so I appreciate it.

24

25 (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 8th day of June 2026.

*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

ANDREW & CHRISTINE LUPIEN  
305 Oak Lane, Newburgh  
Section 43; Block 3; Lot 12.1  
R-1 Zone

----- X

Date: May 28, 2026  
Time: 7:24 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman  
LATWAN BANKS  
DARRELL BELL  
JAMES EBERHART, JR.  
GREGORY M. HERMANCE  
JOHN MASTEN  
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.  
JOSEPH MATTINA  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: ANDREW LUPIEN

----- X

MICHELLE L. CONERO  
Court Reporter  
Michelleconero@hotmail.com  
(845) 541-4163

2 CHAIRMAN SCALZO: Our next  
3 applicant is Andrew and Christine  
4 Lupien, 305 Oak Lane, Newburgh,  
5 seeking an area variance of the front  
6 yard -- the property has two front  
7 yards, imagine that -- to keep a 10  
8 by 16 accessory structure.

9 Do we have mailings on this,  
10 Siobhan?

11 MS. JABLESNIK: This applicant sent  
12 29 letters.

13 CHAIRMAN SCALZO: 29. Winner for  
14 the night. This is outstanding.

15 MR. LUPIEN: I hope that's not the  
16 only time.

17 CHAIRMAN SCALZO: We've read your  
18 application. We've seen it. We know  
19 that you, much like the applicant before  
20 you, has two front yards. You can't even  
21 see it from Brewer.

22 Who do we have?

23 MR. LUPIEN: My name is Andrew  
24 Lupien. I'm the homeowner.

25 CHAIRMAN SCALZO: Very good.

2 Mr. Lupien, if you want to add  
3 something more dazzling than that  
4 once sentence I read --

5 MR. LUPIEN: It's an interesting  
6 property. I know it's technically on a  
7 corner, but we're up on the hill there.  
8 We're really removed from Brewer.

9 There's really no other flat spot  
10 that would be in the backyard, the  
11 backyard, to put a shed.

12 CHAIRMAN SCALZO: Been there, seen  
13 that, agree with you.

14 I have nothing.

15 Ms. Banks.

16 MS. BANKS: Nothing.

17 CHAIRMAN SCALZO: Mr. Eberhart.

18 MR. EBERHART: Nothing.

19 CHAIRMAN SCALZO: Mr. Hermance.

20 MR. HERMANCE: I have nothing.

21 CHAIRMAN SCALZO: Mr. Bell.

22 MR. BELL: Why is this an easy  
23 night like this?

24 CHAIRMAN SCALZO: Your last night,  
25 you wanted it to be like a long, dragged

2 out --

3 MR. BELL: A fight.

4 MR. EBERHART: We don't want any  
5 fights.

6 CHAIRMAN SCALZO: Is that your way  
7 of saying you have no comments?

8 MR. BELL: No.

9 CHAIRMAN SCALZO: Mr. Masten.

10 MR. MASTEN: I have none.

11 CHAIRMAN SCALZO: Ms. Rein.

12 MS. REIN: None.

13 CHAIRMAN SCALZO: Very good.

14 Do any members of the public wish  
15 to speak about this application?

16 (No response.)

17 MS. BANKS: I'll make a motion to  
18 close the public hearing.

19 MR. BELL: I'll second.

20 CHAIRMAN SCALZO: We have a motion  
21 to close the public hearing. We have a  
22 second from Mr. Bell. All in favor.

23 MS. BANKS: Aye.

24 MR. EBERHART: Aye.

25 MR. HERMANCENCE: Aye.

2 CHAIRMAN SCALZO: Aye.

3 MR. BELL: Aye.

4 MR. MASTEN: Aye.

5 MS. REIN: Aye.

6 CHAIRMAN SCALZO: Those opposed?

7 (No response.)

8 CHAIRMAN SCALZO: Yes, Counsel, I  
9 know this is a Type 2.

10 MR. DONOVAN: That is correct,  
11 Mr. Chairman.

12 CHAIRMAN SCALZO: I just love  
13 hearing someone tell me I'm right.

14 The five factors here, the first  
15 one being whether or not the benefit can  
16 achieved by other means feasible to the  
17 applicant. I'd say no. It's pretty  
18 hilly up there.

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

22 I'm not quite sure you can see it.  
23 Maybe from directly across the street.

24 MR. MASTEN: The only time you can  
25 see it is when there's no leaves on the

2 trees.

3 CHAIRMAN SCALZO: And you have to  
4 be looking up from Brewer Road.

5 MR. MASTEN: We had a brush fire  
6 about 100 yards away from that years ago  
7 and we saw --

8 CHAIRMAN SCALZO: You saw the shed  
9 then?

10 MR. MASTEN: No, we didn't see the  
11 shed. This was back about ten years ago.

12 CHAIRMAN SCALZO: Okay.

13 MR. MASTEN: It was all overgrown  
14 up there.

15 CHAIRMAN SCALZO: The second factor  
16 would be no undesirable change.

17 Third, whether request is substantial.  
18 It's not a very big shed. I would say  
19 no.

20 Fourth, whether the request will  
21 have adverse physical or environmental  
22 effects.

23 MR. BELL: None.

24 CHAIRMAN SCALZO: Fifth, whether  
25 the alleged difficulty is self-created,

2 which we know it is, but it's relevant  
3 and not determinative.

4 Having gone through the balancing  
5 tests, does the Board have a motion of  
6 some sort?

7 MR. BELL: I'll make a motion to  
8 approve.

9 MR. EBERHART: I'll second it.

10 CHAIRMAN SCALZO: We have a motion  
11 for approval from Mr. Bell. We have a  
12 second from Mr. Eberhart.

13 Can you roll on that, please,  
14 Siobhan.

15 MS. JABLESNIK: Ms. Banks.

16 MS. BANKS: Yes.

17 MS. JABLESNIK: Mr. Bell.

18 MR. BELL: Yes.

19 MS. JABLESNIK: Mr. Eberhart.

20 MR. EBERHART: Yes.

21 MS. JABLESNIK: Mr. Hermance.

22 MR. HERMANCE: Yes.

23 MS. JABLESNIK: Mr. Masten.

24 MR. MASTEN: Yes.

25 MS. JABLESNIK: Ms. Rein.

2 MS. REIN: Yes.

3 MS. JABLESNIK: Mr. Scalzo.

4 CHAIRMAN SCALZO: Yes.

5 The motion is carried. The  
6 variances are approved.

7 If you have an anniversary or  
8 children to go home to, you can also be a  
9 hero.

10 MR. LUPIEN: I do appreciate it.

11 Mr. Bell, best of luck with your  
12 travels. I'm envious.

13

14 (Time noted: 7:30 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 8th day of June 2026.

*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

DAVID DEPUY  
7 Grimm Road, Newburgh  
Section 76; Block 5; Lot 9  
R-3 Zone

----- X

Date: May 28, 2026  
Time: 7:30 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman  
LATWAN BANKS  
DARRELL BELL  
JAMES EBERHART, JR.  
GREGORY M. HERMANCE  
JOHN MASTEN  
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.  
JOSEPH MATTINA  
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: MICHAEL HENDERSON

----- X

MICHELLE L. CONERO  
Court Reporter  
Michelleconero@hotmail.com  
(845) 541-4163

2 CHAIRMAN SCALZO: We are now going  
3 to move over to the applications which  
4 were held over from the April 23rd  
5 meeting.

6 We have Dave Depuy, 7 Grimm Road,  
7 which the only reason we didn't hear the  
8 full presentation last month was because  
9 we didn't receive the GML-239 response.  
10 However, if we haven't, they've timed  
11 out.

12 If you could -- this is all  
13 preexisting stuff except for the --

14 MR. HENDERSON: 12 by 12 addition.

15 CHAIRMAN SCALZO: -- 12 by 12  
16 addition. It's not even the closest  
17 point to the property line.

18 So if you could reintroduce yourself,  
19 just briefly go back over it, and we'll  
20 take it from there.

21 MR. HENDERSON: Michael from  
22 Hennessey Architects.

23 MR. DONOVAN: I'm going to ask you  
24 to speak up because we don't have the  
25 microphone. Michelle has to get every

2 beautifully articulated word.

3 MR. HENDERSON: The existing house  
4 is a single family. They're looking to  
5 make it into a two family for Dave and  
6 his mom. He's going to take tenant 2,  
7 his mom being tenant 1. There will be no  
8 change for that part of the project on  
9 the outside.

10 Then he just wants to put a little  
11 12 by 12 living room addition on his  
12 side. Like you said, there are other  
13 pieces of the house that --

14 CHAIRMAN SCALZO: Right. There are  
15 other pieces to the house that are  
16 actually closer to it. No matter what  
17 you did, you'd be in here seeking those  
18 variances for a preexisting nonconforming  
19 condition.

20 I don't have any questions on this.

21 I'll look down to Ms. Rein.

22 MS. REIN: I didn't hear what he  
23 said for the side. He wanted to put  
24 something in the living room?

25 MR. HENDERSON: The addition is

2 just going to be a living room for him.

3 MS. REIN: Thank you.

4 CHAIRMAN SCALZO: He needs space to  
5 breathe.

6 MS. REIN: Especially from their  
7 mother-in-law.

8 CHAIRMAN SCALZO: I'm going to let  
9 my wife read this when she talks to me  
10 about bringing my mother-in-law in the  
11 house.

12 Mr. Masten, comments on this?

13 MR. MASTEN: I have nothing.

14 CHAIRMAN SCALZO: Mr. Bell.

15 MR. BELL: Nothing.

16 CHAIRMAN SCALZO: Mr. Hermance.

17 MR. HERMANCE: I have no comments.

18 CHAIRMAN SCALZO: Mr. Eberhart.

19 MR. EBERHART: No comment.

20 CHAIRMAN SCALZO: Ms. Banks.

21 MS. BANKS: No.

22 CHAIRMAN SCALZO: I'll look to the  
23 public. Any members of the public here,  
24 or even someone from the Building  
25 Department who is raising their hand

2 frantically.

3 MR. MATTINA: I can't hold a  
4 meeting without saying anything.

5 The size of the addition is listed  
6 here as 16 by 18 but you said 12 by 12.  
7 We need to get the size correct.

8 CHAIRMAN SCALZO: He's going to the  
9 notes.

10 MR. HENDERSON: I don't have it on  
11 the plan, actually.

12 CHAIRMAN SCALZO: I have a scale.

13 MR. DONOVAN: Every good engineer.  
14 Have scale, will travel.

15 CHAIRMAN SCALZO: It's an engineer's  
16 scale, it's not an architect's scale.

17 MR. MATTINA: It's before the  
18 Planning Board. I don't have plans yet.  
19 I want to make sure they match up.

20 MS. JABLESNIK: The referral letter  
21 doesn't state.

22 MR. HENDERSON: We'll conform to  
23 exactly the setback there. I can't  
24 remember off the top of my head.

25 MR. DONOVAN: It does say 16 by 18.

2 CHAIRMAN SCALZO: We'll go to the  
3 10 scale. It scales across the back at  
4 18 and it scales from the house at 16.

5 MR. HENDERSON: I misspoke.

6 MR. DONOVAN: Joe is just showing  
7 off.

8 MR. MATTINA: I would have sent it  
9 back. You applied for a 12 by 12.

10 CHAIRMAN SCALZO: This has to be --  
11 18 by 12?

12 MS. JABLESNIK: 16 by 18.

13 MR. BELL: It's written on there  
14 the same way.

15 MR. HENDERSON: I have another one  
16 that's 12 by 12.

17 CHAIRMAN SCALZO: I'm all twisted  
18 up. I'm too quick tonight. I haven't  
19 gotten warmed up.

20 MR. BELL: You have 16 by 18?

21 MR. MATTINA: 16 by 18.

22 MS. JABLESNIK: Where does it say  
23 it in the application? I don't see it in  
24 the referral. I don't know where I got  
25 16 by 18.

2 MR. DONOVAN: But you were right.  
3 You probably had your own scale and you  
4 scaled it.

5 MS. JABLESNIK: The EAF says 12 by  
6 12. So it's a 16 by 18.

7 CHAIRMAN SCALZO: When we write up  
8 the decision, we have to make sure this  
9 is all what it's supposed to be.

10 MS. JABLESNIK: I don't even see --

11 CHAIRMAN SCALZO: We're confirmed  
12 that it's 16 by 18 by the Chairman's  
13 scale.

14 MR. MATTINA: Okay.

15 MR. DONOVAN: The Chairman's scale  
16 is always right.

17 CHAIRMAN SCALZO: Very good. So  
18 where was I?

19 MS. BANKS: Making a motion to  
20 close or --

21 CHAIRMAN SCALZO: I know I at least  
22 -- Mr. Eberhart, you didn't have any  
23 comments. I was looking to the members  
24 of the public and then the public was Joe  
25 Mattina raising his hand. It's all

2 coming back to me.

3 MR. DONOVAN: As you get older you  
4 have to go back and start talking through  
5 and then figure out --

6 CHAIRMAN SCALZO: Next thing you  
7 know I'll find my keys.

8 MR. BELL: You have to write notes  
9 down step by step.

10 CHAIRMAN SCALZO: Thank you,  
11 Mr. Mattina, for throwing a curve ball  
12 at me.

13 Nobody from the public has anything  
14 to say.

15 MS. BANKS: Motion to close the  
16 public hearing.

17 CHAIRMAN SCALZO: We have a motion  
18 to close the public hearing from Ms.  
19 Banks.

20 MR. BELL: I'll second it.

21 CHAIRMAN SCALZO: We have a second  
22 from Mr. Bell. All in favor.

23 MS. BANKS: Aye.

24 MR. EBERHART: Aye.

25 MR. HERMANCENCE: Aye.

2 CHAIRMAN SCALZO: Aye.

3 MR. BELL: Aye.

4 MR. MASTEN: Aye.

5 MS. REIN: Aye.

6 CHAIRMAN SCALZO: Those opposed?

7 (No response.)

8 CHAIRMAN SCALZO: Very good. This  
9 also is a Type 2 action under SEQRA.

10 MR. DONOVAN: That is correct,  
11 Mr. Chairman.

12 CHAIRMAN SCALZO: We're going to  
13 discuss the five factors, the first one  
14 being whether or not the benefit can be  
15 achieved by other means feasible to the  
16 applicant. It's preexisting nonconforming,  
17 which is really where the variances are  
18 coming from, so no.

19 Second, if there's an undesirable  
20 change in the neighborhood character or a  
21 detriment to nearby properties. I don't  
22 believe so.

23 Third, whether the request is  
24 substantial. Really the setback that  
25 we're looking at the most is the one

2 that's preexisting nonconforming, so no.

3 Fourth, whether the request will  
4 have adverse physical or environmental  
5 effects.

6 MS. BANKS: No.

7 MR. EBERHART: No.

8 MR. HERMANCENCE: No.

9 MR. BELL: No.

10 MR. MASTEN: No.

11 MS. REIN: No.

12 CHAIRMAN SCALZO: No.

13 Fifth, whether the alleged difficulty  
14 is self-created, which we know it is.  
15 This is relevant but not determinative.  
16 So having gone through the balancing tests,  
17 does the Board --

18 MS. REIN: Can I ask a question first?

19 CHAIRMAN SCALZO: Absolutely.

20 MS. REIN: To you specifically?

21 CHAIRMAN SCALZO: Is it about my  
22 scale?

23 MS. REIN: No. Is there a number  
24 for substantial or not substantial? How  
25 do we determine that?

2 CHAIRMAN SCALZO: This is best  
3 answered by Counsel, because if you go by  
4 numbers, you could say it's substantial.  
5 You could make anything substantial in  
6 your mind if you'd like. When it comes  
7 to that as a whole, you kind of -- I  
8 guess it's subjective to the individual  
9 member of the Board. I look at it as a  
10 whole as it relates to the property. Do  
11 I think it's substantial, I really don't  
12 because of what's already there.

13 MR. DONOVAN: There are different  
14 ways to analyze substantiality. One way  
15 is by a percentage. If you had -- for  
16 instance, the last two applications we  
17 had an accessory structure in the side  
18 yard. You could say that's substantial  
19 because the prohibition is you cannot  
20 have an accessory structure in the side  
21 yard.

22 The other way to analyze it is the  
23 overall effect or impact that the  
24 variance has. If the shed in the side  
25 yard is really insubstantial in the

2 overall context of the application, then  
3 you can make that determination.

4 There is no magic number for --  
5 I'll go back to the math. If you go from  
6 49 to 51 percent in variation from what's  
7 allowed it becomes a substantial  
8 variance.

9 I would recommend to you or suggest  
10 you take in the whole. You can look at  
11 the mathematical calculation, but you  
12 also look at the overall effect of  
13 granting or denying the variance.

14 MS. REIN: We're not looking at  
15 another explanation or definition of  
16 substantial? We're not looking at it in  
17 the numbers, we're looking at it as a  
18 whole?

19 MR. DONOVAN: So I say you analyze  
20 it both ways. You're not locked into one  
21 way or another.

22 The most typical way is to look at  
23 the numbers, right, because if you're  
24 only 2 feet, well that's not substantial.  
25 If it's say it's -- you're getting an 80

2 percent variance in a rear yard but it's  
3 a 100-acre lot, it backs up to New York  
4 State park property, then it's not  
5 substantial at all. So you look at the  
6 totality of the circumstances.

7 MS. REIN: Thank you.

8 CHAIRMAN SCALZO: It's tough to get  
9 away from the numbers sitting where I  
10 sit.

11 Anyway, I believe we've gone  
12 through all five factors. We were just  
13 looking for a motion and a vote.

14 MR. BELL: I'll make a motion to  
15 approve.

16 MR. HERMANCE: Second.

17 CHAIRMAN SCALZO: I think we had  
18 a motion from Mr. Bell. I think  
19 Mr. Hermance jumped ahead on that one.

20 Can you roll on that, please,  
21 Siobhan.

22 MS. JABLESNIK: Ms. Banks.

23 MS. BANKS: Yes.

24 MS. JABLESNIK: Mr. Bell.

25 MR. BELL: Yes.

2 MS. JABLESNIK: Mr. Eberhart.

3 MR. EBERHART: Yes.

4 MS. JABLESNIK: Mr. Hermance.

5 MR. HERMANCE: Yes.

6 MS. JABLESNIK: Mr. Masten.

7 MR. MASTEN: Yes.

8 MS. JABLESNIK: Ms. Rein.

9 MS. REIN: Yes.

10 MS. JABLESNIK: Mr. Scalzo.

11 CHAIRMAN SCALZO: Yes.

12 The motion is carried. The  
13 variances are approved.

14 The last order of business is the  
15 meeting minutes from last month. I'll  
16 make a motion to approve the meeting  
17 minutes from last month as they are.

18 MS. BANKS: Second.

19 CHAIRMAN SCALZO: We have a motion  
20 from me. We have a second from Ms. Banks.  
21 All in favor.

22 MS. BANKS: Aye.

23 MR. EBERHART: Aye.

24 MR. HERMANCE: Aye.

25 CHAIRMAN SCALZO: Aye.

2 MR. BELL: Aye.

3 MR. MASTEN: Aye.

4 MS. REIN: Aye.

5 CHAIRMAN SCALZO: Motion to  
6 adjourn.

7 MR. DONOVAN: Before you do that,  
8 could I just wish Darrell well. Eleven  
9 years. It seems like only yesterday you  
10 got on the Board. I can't believe I've  
11 been here going on twenty years.

12 Actually, I appreciate everyone on  
13 the Board because no one does this for  
14 anything else than being dedicated to  
15 your community. You don't make a lot of  
16 money. You're not looking to run for  
17 higher office. You just want to be  
18 involved in your community. I'm  
19 consistently impressed by people who  
20 serve on zoning boards and planning  
21 boards for volunteering their time for  
22 their community.

23 It's been a pleasure. I think a  
24 lot of us work a lot of different places.  
25 I really enjoyed working with you.

2 Best of luck.

3 (Board congratulating Darrell Bell  
4 and wishing him well.)

5 CHAIRMAN SCALZO: We had a motion  
6 to adjourn.

7 MS. JABLESNIK: Before we adjourn,  
8 so it's on the record, the August meeting  
9 is being canceled. No August meeting.  
10 Don't come.

11 CHAIRMAN SCALZO: Motion to  
12 adjourn.

13 MS. BANKS: I'll second it.

14 CHAIRMAN SCALZO: We have a second  
15 from Ms. Banks. All in favor.

16 MS. BANKS: Aye.

17 MR. EBERHART: Aye.

18 MR. HERMANCE: Aye.

19 CHAIRMAN SCALZO: Aye.

20 MR. BELL: Aye.

21 MR. MASTEN: Aye.

22 MS. REIN: Aye.

23

24 (Time noted: 7:42 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 8th day of June 2026.

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