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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

CESAR LEMUS
582 Fostertown Road, Newburgh
Section 17; Block 2; Lot 5
RR Zone

----- X

Date: October 23, 2025
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York

BOARD MEMBERS: DARRELL BELL, Acting Chairman
LATWAN BANKS
JAMES EBERHART, JR.
GREGORY M. HERMANC
JOHN MASTEN
DONNA REIN

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

APPLICANT'S REPRESENTATIVE: DAVID NIEMOTKO

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

2 MR. BELL: Good evening. We are
3 here for the public hearings that are
4 scheduled for today. The procedure of
5 the Board is that the applicant will be
6 called upon to step forward, state their
7 request and explain why it should be
8 granted. The Board will then ask the
9 applicant any questions it may have, and
10 then any questions or comments from the
11 public will be entertained. The Board
12 will consider the applications in the
13 order heard and will try to render a
14 decision this evening, but we could take
15 up to 62 days to reach a determination.

16 I would ask that if you have a
17 cellphone, if you could please put it on
18 silent. When you speak, please speak
19 directly into the mic because it is being
20 recorded.

21 Roll call, please.

22 MS. JABLESNIK: Latwan Banks.

23 MS. BANKS: Present.

24 MS. JABLESNIK: Darrell Bell.

25 MR. BELL: Present.

2 MS. JABLESNIK: James Eberhart.

3 MR. EBERHART: Present.

4 MS. JABLESNIK: Greg Hermance.

5 MR. HERMANCE: Here.

6 MS. JABLESNIK: John Masten.

7 MR. MASTEN: Here.

8 MS. JABLESNIK: Donna Rein.

9 MS. REIN: Here.

10 MS. JABLESNIK: Darrin Scalzo will
11 be here shortly.

12 Also present is our Attorney, Dave
13 Donovan. From Code Compliance, Joseph
14 Mattina. Our Stenographer this evening
15 is Michelle Conero.

16 MR. BELL: If you would stand,
17 please, for the Pledge.

18 (Pledge of Allegiance.)

19 MR. BELL: The chairman actually
20 will be about fifteen minutes late. Once
21 he comes in, we will switch seats.

22 The first order of business is
23 Cesar Lemus for area variances of the
24 existing nonconforming front yard, rear
25 yard, side yard, lot area and lot surface

2 coverage to enlarge the second story and
3 add a roof to the front porch.

4 How many letters did he send out?

5 MS. JABLESNIK: This applicant sent
6 twenty-four letters.

7 MR. BELL: Are we good with Orange
8 County?

9 MS. JABLESNIK: Yes.

10 MR. BELL: Sir, you can explain
11 what you're trying to do.

12 MR. NIEMOTKO: Hello, everyone. My
13 name is David Niemotko. I'm the
14 architect for the project.

15 This project is located at 582
16 Fostertown Road, right up the street
17 here. The house, as you can see from the
18 pictures we provided, had burnt, had
19 experienced a fire. As a result, the
20 owner would like to replace it.

21 We realize that although we're not
22 replacing or changing the footprint of
23 the building, we would be removing the structure
24 above it and replacing it with a new two-
25 story house, typical within the area.

2 Most if not -- four out of the five
3 variances are preexisting nonconforming
4 conditions.

5 This is the existing footprint of
6 the house. With the setbacks of the
7 current zoning code, you can see that
8 this is the only area where a house could
9 be built. It's quite a small area.

10 We are requesting, as was
11 mentioned, a front yard setback. Where
12 your Zoning Code requires 60 feet, we
13 have 48.3 feet. In the rear yard we're
14 asking for a 21.2 foot variance where we
15 have 78 feet, which is over here. For
16 the side yard we're asking for a 16.8
17 foot variance where your Zoning Code
18 requires 50 feet.

19 The existing house already occupies
20 a little over the allowable area of 10
21 percent. It's exactly, I believe, 10.1.
22 What we're asking for is a variance, in
23 addition to the lot area, for a concrete
24 patio that would be on grade, it would be
25 covered by a roof. Because that's part

2 of lot coverage, it would result in 11.5
3 percent lot coverage of the whole area.
4 That would be the new variance or a
5 variance that's not a preexisting
6 nonconforming condition. It is on grade.
7 It's not an elevated deck. It would be a
8 concrete patio poured at grade.

9 MR. BELL: You mentioned that this
10 house was in a fire? Did you say it was
11 in a fire?

12 MR. NIEMOTKO: That's my understanding,
13 yes.

14 MR. BELL: You say that you are
15 only looking to remove the second floor?

16 MR. NIEMOTKO: No. The structure.

17 MR. BELL: The whole structure?

18 MR. NIEMOTKO: Except for the
19 foundation. We're not changing the
20 footprint of the foundation.

21 Just to bring the Board up to date,
22 a portion of the foundation on the west
23 side had been repaired at one point. The
24 rest of the foundation is stone. Parts
25 of the stone were laid in cement and are

2 in good condition. There are other parts
3 that are not. Once the house or wood
4 framing is removed, we plan to pour a
5 concrete foundation within that structure
6 and then just allow the floor joists to
7 cantilever over the existing stone
8 foundation.

9 MS. REIN: I have a few quick
10 questions.

11 MR. BELL: I'm going to start with
12 Ms. Donna.

13 MS. REIN: This is going to be a
14 one-family home?

15 MR. NIEMOTKO: Yes.

16 MS. REIN: Are you extending the
17 roof line on that?

18 MR. NIEMOTKO: On the first floor
19 over the concrete patio. We're looking
20 to cover that concrete patio which is
21 new.

22 MS. REIN: In the assessment, on
23 line 11 it says will the proposed action
24 connect to existing wastewater utilities.
25 Whoever signed this -- I guess you did,

2 you're the architect, right -- said no.

3 MR. NIEMOTKO: I hesitate.

4 MS. REIN: I'm thinking it's an
5 existing well?

6 MR. NIEMOTKO: There is an existing
7 well and there is an existing septic.
8 However, we did receive comments from the
9 Building Department. A septic will have
10 to be redesigned for the new house.

11 MS. REIN: In the same place?

12 MR. NIEMOTKO: We're hoping to get
13 perc here or anywhere close to here, yes.

14 MS. REIN: On that same assessment,
15 on line 7 it says is the site of the
16 proposed action located in or does it
17 adjoin a state listed critical environmental
18 area. The answer was yes, and there was
19 really no explanation of that, how it
20 affects this or what's going on with
21 that.

22 MR. NIEMOTKO: That must have been
23 a generated answer from the EAF mapper
24 onsite. It must be located close to a
25 sensitive area. The last page would have

2 an explanation on that.

3 MS. REIN: It just says reason:
4 Development threat to public health.
5 Agency, Town of Newburgh. There's
6 nothing more on that.

7 MR. NIEMOTKO: I have nothing more
8 on that.

9 MR. BELL: Is this something that
10 would be looked at by your office, Joe?

11 MR. MATTINA: The septic?

12 MR. BELL: Yes.

13 MR. MATTINA: I've already brought
14 it up that they need to reevaluate it,
15 re-perc it, redesign it.

16 MR. DONOVAN: Relative to the
17 critical environmental area, this is a
18 Type 2 under SEQRA. It's an existing
19 house, so it's not a relevant thing.

20 I don't know if -- is this near a
21 watershed, Dave? Do you have any idea?

22 MR. NIEMOTKO: Not that I know of.
23 It's not near anything.

24 MR. DONOVAN: As you've heard many
25 times before, these are auto generated.

2 When you go to the DEC website and you
3 start filling this out, there must be a
4 critical environmental area somewhere.
5 It's up to the Board to determine whether
6 the preference is for a burnt out, vacant
7 house or a new house.

8 MS. REIN: I've come across a lot,
9 Dave. I know these are auto generated,
10 but it seems people just sign them.
11 They're auto generated and they sign
12 them. There's a lot of discrepancies in
13 there. I like to make sure what is in
14 there is true because it's in the record.

15 MR. DONOVAN: Understood. If you
16 read the SEQRA handbook, it will tell you
17 for Type 2 actions you don't even need to
18 fill out an EAF. It's done as a matter
19 of course because you have to make a
20 determination that it's a Type 2 action.
21 This is a Type 2 action under the SEQRA
22 regulations.

23 It's important to you so it's
24 important. Relative to the whole big
25 picture, it's not that important of an

2 issue because it is a Type 2.

3 MS. REIN: If I was buying that
4 house it would be an important issue.
5 I'd want to know.

6 MR. BELL: It's preexisting as
7 well. Okay.

8 MS. REIN: Thank you. I'm good.

9 MR. BELL: Mr. Masten.

10 MR. MASTEN: I'm good.

11 MR. BELL: Greg.

12 MR. HERMANCENCE: I have nothing.

13 MR. BELL: James.

14 MR. EBERHART: I have nothing.

15 MS. BANKS: Nothing.

16 MR. BELL: With that said, is there
17 anyone from the public that has any
18 comments on this?

19 (No response.)

20 MR. BELL: No.

21 Okay. One last time to the Board.
22 Are we good?

23 MR. EBERHART: Yes.

24 MR. BELL: Okay. I'll make a
25 motion -- if someone would make a motion

2 to close the public hearing.

3 MR. EBERHART: I'll make a motion
4 to close the public hearing.

5 MS. BANKS: Second.

6 MR. BELL: We have a motion by
7 Mr. Eberhart and a second by Ms. Banks.
8 All in favor.

9 MS. BANKS: Aye.

10 MR. EBERHART: Aye.

11 MR. HERMANCE: Aye.

12 MR. BELL: Aye.

13 MR. MASTEN: Aye.

14 MS. REIN: Aye.

15 MR. BELL: With that said, this is
16 a Type 2 action?

17 MR. DONOVAN: That is correct, Mr.
18 Vice Chairman.

19 MR. BELL: We're going to go
20 through the balancing act here. We'll go
21 through all the various criteria and
22 discuss the five factors that are being
23 weighed, the first one being whether or
24 not the benefit can be achieved by any
25 other means feasible to the applicant. I

2 wouldn't think so since it's preexisting.
3 It burned from a fire and he wants to
4 replace it.

5 Second, is there an undesirable
6 change in the neighborhood character or a
7 detriment to nearby properties.

8 MR. EBERHART: No.

9 MR. HERMANCE: No.

10 MR. BELL: None.

11 Third, whether the request is
12 substantial. Well, it's not.

13 Fourth, whether the request will
14 have adverse physical or environmental
15 effects. I don't think so.

16 MR. EBERHART: No.

17 MR. BELL: Fifth, whether the
18 alleged difficulty is self-created. That
19 is relevant but not determinative.

20 With that said, what would be the
21 motion of the Board?

22 MS. REIN: I'll make a motion to
23 close the public hearing.

24 MR. BELL: The public hearing is
25 already closed.

2 MR. EBERHART: I'll make a motion
3 for approval.

4 MR. MASTEN: Second.

5 MR. BELL: We have a motion from
6 Mr. Eberhart and we have a second
7 from Mr. Masten.

8 Roll call, Siobhan

9 MS. JABLESNIK: Ms. Banks.

10 MS. BANKS: Approve.

11 MS. JABLESNIK: Mr. Eberhart.

12 MR. EBERHART: Yes.

13 MS. JABLESNIK: Mr. Hermance.

14 MR. HERMANCE: Yes.

15 MS. JABLESNIK: Mr. Masten.

16 MR. MASTEN: Yes.

17 MS. JABLESNIK: Ms. Rein.

18 MS. REIN: Yes.

19 MS. JABLESNIK: Mr. Bell.

20 MR. BELL: Yes.

21 Approved.

22

23 (Time noted: 7:12 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 3rd day of November 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

PAUL O'HARE

80 Albany Post Road, Newburgh
Section 25; Block 5; Lot 3
B Zone

----- X

Date: October 23, 2025
Time: 7:13 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York

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

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

APPLICANT'S REPRESENTATIVE: PAUL O'HARE

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

2 MR. BELL: The second one is Paul
3 O'Hare, 80 Albany Post Road, an area
4 variance of the maximum square footage of
5 an accessory structure to keep a 24 by 25
6 accessory building on the premises.

7 If you can state your name and
8 address.

9 MR. O'HARE: Paul O'Hare, 80 Albany
10 Post Road regarding the structure for
11 storage.

12 There's no storage at all at the
13 house. You can't put a lawnmower away.
14 You can't do nothing. There's zero
15 storage. There's only a basement with a
16 couple steps down. Something goes down,
17 it never comes up, you know. We're just
18 lacking storage. That's why I -- it's a
19 25 by 24 metal structure.

20 MR. BELL: Was this built without a
21 permit?

22 MR. O'HARE: It was built without a
23 permit, yeah.

24 MR. BELL: How long has it been on
25 the premises?

2 MR. O'HARE: How long have I owned
3 it?

4 MR. BELL: Yes.

5 MR. O'HARE: For ten years.

6 MR. BELL: You used this only for
7 storage or a garage or --

8 MR. O'HARE: That's all basically
9 storage. Yeah.

10 MR. BELL: I'm going to start down
11 on my right this time with Ms. Banks.

12 MS. BANKS: So the storage was put
13 in nine years ago?

14 MR. O'HARE: No. I had the house
15 ten years.

16 MR. BELL: I was asking about the
17 storage.

18 MR. O'HARE: About two years.

19 MR. BELL: Okay. Thank you, Ms. Banks.
20 What makes you come now before the

21 Board to want to --

22 MR. O'HARE: I'm selling the property.
23 It came up on the property card that it
24 has a violation.

25 MR. BELL: It is a violation

2 because it was built without a permit.

3 MS. BANKS: That's all.

4 MR. BELL: Jim.

5 MR. EBERHART: No. That's what I
6 was wondering. I wasn't quite clear if
7 he had purchased the property with this
8 or did he have it built and didn't get a
9 permit. I'm clear now on what the
10 situation is.

11 MR. BELL: Greg.

12 MR. HERMANCENCE: This building is
13 strictly for storage? There are no plans
14 for apartments or a rental?

15 MR. O'HARE: No, no.

16 MR. BELL: Is there power in there?

17 MR. O'HARE: There's no power.

18 MR. BELL: No power. Okay.

19 MR. HERMANCENCE: It currently doesn't
20 meet the setbacks on the property?

21 MR. O'HARE: It does.

22 MR. HERMANCENCE: It does?

23 MR. O'HARE: Yeah.

24 MR. DONOVAN: It's the maximum
25 square footage.

2 MR. HERMANCE: I have nothing
3 further.

4 MR. DONOVAN: Pursuant to the
5 formula, he's entitled to 467.8 square
6 feet. He's got 600. It's 28 percent,
7 132 square feet over.

8 MR. BELL: John.

9 MR. MASTEN: I have no questions.

10 MR. BELL: Donna.

11 MS. REIN: I'm good.

12 MR. BELL: Okay. With that said,
13 is there anybody from the public who
14 wishes to speak on this?

15 (No response.)

16 MR. BELL: Nobody wants to speak
17 tonight.

18 With that said, I'll look back to
19 the Board one more time. Is there
20 anything else from the Board?

21 MR. HERMANCE: No.

22 MR. BELL: If someone wants to make
23 a motion to close the public hearing.

24 MR. HERMANCE: I'll make a motion
25 to close the public hearing.

2 MR. MASTEN: Second.

3 MR. BELL: We've got a first by
4 Greg and a second by John to close the
5 public hearing. All in favor.

6 MS. BANKS: Aye.

7 MR. EBERHART: Aye.

8 MR. HERMANCENCE: Aye.

9 MR. BELL: Aye.

10 MR. MASTEN: Aye.

11 MS. REIN: Aye.

12 MR. BELL: With that said, this is
13 a Type 2?

14 MR. DONOVAN: This is a Type 2
15 action under SEQRA.

16 MR. BELL: All right. So we'll go
17 back through the five factors again, the
18 first one being whether or not the
19 benefit can be achieved by any other
20 means feasible to the applicant.

21 Well, the applicant built it
22 without a permit and now he's trying to
23 sell the home. He can't sell the home
24 without getting everything legitimate.

25 Second, is there an undesirable

2 change in the neighborhood character or a
3 detriment to nearby properties. No.

4 MS. REIN: No.

5 MR. BELL: Third, whether the
6 request is substantial.

7 MS. EBERHART: No.

8 MR. BELL: No.

9 Fourth, whether the request will
10 have adverse physical or environmental
11 effects. No, it would not.

12 Fifth, whether the alleged
13 difficulty is self-created, which it is
14 but it's not relevant -- it's not
15 determinative, but it is.

16 Okay. With that said, we've gone
17 through the balancing act, is there a
18 motion from the Board of some sort?

19 MS. BANKS: Can I ask you a
20 question --

21 MR. BELL: Okay.

22 MS. BANKS: -- even though we
23 closed?

24 Forgive me. I'm new, guys.

25 When we have these kinds of

2 retroactive situations, is there like a
3 tax assessment? A retroactive tax
4 assessment?

5 MR. DONOVAN: That's not the
6 purview of this Board to do that. The
7 answer is no.

8 MS. BANKS: No. Okay.

9 MR. DONOVAN: It's like when
10 someone finishes their bonus room and
11 lives there for thirty years and they got
12 away with all the taxes, they got away
13 with it.

14 I'm not saying that was Mr.
15 O'Hare's intention. There's not a
16 retroactive.

17 MS. REIN: Ms. Banks, there's no
18 repercussions for asking for forgiveness.

19 MR. HERMAN: I believe there are
20 fines for building without a permit.

21 MR. DONOVAN: If Code Compliance
22 decides to take it to court and there's
23 not bigger fish to fry.

24 MR. MATTINA: There's a \$50 fee if
25 you build something without a permit.

2 MS. REIN: Nothing through us.

3 (Whereupon, Mr. Scalzo entered the
4 meeting room but did not take his seat as
5 a Board Member.)

6 MR. BELL: With that said --

7 MR. EBERHART: I'll make a motion
8 for approval.

9 MR. BELL: We have a motion for
10 approval from Mr. Eberhart.

11 MR. HERMANCE: I'll second it.

12 MR. BELL: We have a second by
13 Greg. Roll call.

14 MS. JABLESNIK: Ms Banks.

15 MS. BANKS: No.

16 MS. JABLESNIK: Mr. Eberhart.

17 MR. EBERHART: Yes.

18 MS. JABLESNIK: Mr. Hermance.

19 MR. HERMANCE: Yes.

20 MS. JABLESNIK: Mr. Masten.

21 MR. MASTEN: Yes.

22 MS. JABLESNIK: Ms. Rein.

23 MS. REIN: No.

24 MS. JABLESNIK: Mr. Bell.

25 MR. BELL: No.

2 MR. DONOVAN: So it doesn't pass.
3 It's three-three, so it fails.

4 The Chairman is here if he wants to
5 participate, not that I want to put that
6 on him.

7 MR. SCALZO: I did not participate
8 in enough of the public hearing to render
9 an opinion at this point. I didn't hear
10 enough.

11 MR. DONOVAN: So the Board voted
12 the way the Board voted.

13 I think you should understand that
14 you look at the five factors. You went
15 through the five-part balancing test.
16 You can figure for yourself, did anyone
17 say anything that would indicate that
18 this was out of character with the
19 neighborhood, would cause a detriment to
20 the neighborhood? Anything along those lines?
21 That the variance is substantial?
22 There's nothing in the record that -- I
23 don't ever want to tell you what to do,
24 but there's nothing in the record that
25 would support a determination adverse.

2 There's nothing there.

3 MS. REIN: Does that have a direct
4 impact on our vote?

5 MR. DONOVAN: Well, if you're going
6 to vote in favor or vote against any
7 application, you should have a reason for
8 that. Typically if you're going to vote
9 against something, you should, in the
10 five-part balancing test, make a
11 determination that there's a reason that
12 it's going to have an adverse impact on
13 the neighborhood, there's a reason that
14 the variance is substantial, there's a
15 reason that you don't want to set a
16 precedent relative to the magnitude of
17 the variance. Absent those things, you
18 should use commonsense. If you decide
19 everything is fine and then you vote
20 against it --

21 MR. EBERHART: My concern is I
22 understand the vote of no is because he
23 didn't get the permit in the first place,
24 but, you know, that shouldn't be
25 justification, in my view, that you

2 vote no. You're basically punishing
3 him, saying that he can't have the
4 building and sell that property.

5 MS. REIN: He has the ability to
6 sell it. He can. He just has to remove
7 it.

8 MR. EBERHART: It's pretty steep.
9 Right?

10 MS. REIN: I don't know.

11 MR. EBERHART: Okay.

12 MR. BELL: You're right. I'm going
13 to change my vote.

14 MR. DONOVAN: You voted. Someone
15 would have to make a motion to approve,
16 it would have to be seconded and you'd
17 have to vote again. That's up to you
18 guys.

19 MR. BELL: Okay. Let's do that.

20 MR. EBERHART: I'll make a motion
21 that we approve.

22 MR. DONOVAN: Your motion would be?

23 MR. EBERHART: For approval.

24 MR. DONOVAN: Someone needs to
25 second that.

2 MR. HERMANCE: I'll second it.

3 MR. DONOVAN: Siobhan, you have to
4 roll on that.

5 MS. JABLESNIK: Ms. Banks.

6 MS. BANKS: No.

7 MS. JABLESNIK: Mr. Eberhart.

8 MR. EBERHART: Yes.

9 MS. JABLESNIK: Mr. Hermance.

10 MR. HERMANCE: Yes.

11 MS. JABLESNIK: Mr. Masten.

12 MR. MASTEN: Yes.

13 MS. JABLESNIK: Ms. Rein.

14 MS. REIN: No.

15 MS. JABLESNIK: Mr. Bell.

16 MR. BELL: Yes. It makes sense.

17 Okay. It's approved.

18 MR. O'HARE: Thank you very much.

19

20 (Time noted: 7:23 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 3rd day of November 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

GARY TAGLIAFERRI

45 Windwood Drive, Newburgh
Section 91; Block 5; Lot 11
R-1 Zone

----- X

Date: October 23, 2025
Time: 7:25 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. HERMANC
JOHN MASTEN
DONNA REIN

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

APPLICANT'S REPRESENTATIVE: GARY TAGLIAFERRI

----- X

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

2 CHAIRMAN SCALZO: Our next applicant
3 is Gary Tagliaferri, 45 Windwood Drive,
4 Newburgh, seeking an area variance of
5 the maximum front yard setback to build
6 a 10 by 7 covered front porch. The
7 applicant is requesting 30.4 where 50
8 is required.

9 Do we have mailings on this, Siobhan?

10 MS. JABLESNIK: This applicant sent
11 twenty-four letters.

12 CHAIRMAN SCALZO: Twenty-four letters.
13 Okay.

14 There are no implications for
15 GML-239?

16 MS. JABLESNIK: No.

17 CHAIRMAN SCALZO: Who do we have?

18 MR. TAGLIAFERRI: How are you
19 doing. My name is Gary Tagliaferri and I
20 live at 45 Windwood Drive.

21 I'm requesting a 7 by 10 covered
22 front porch to be added onto the front of
23 my property.

24 Looking for a good reason. I'm
25 looking to improve the value of the

2 house. I'd like to have a nice front
3 porch on the front of my property.

4 CHAIRMAN SCALZO: Who doesn't like
5 to sit on the front porch in the rain
6 looking at the traffic going by.

7 MR. TAGLIAFERRI: I wish that
8 architect was here to represent me. I
9 don't have a ton of great information.
10 I'm looking to increase the value
11 of my home, the aesthetics of the home.

12 CHAIRMAN SCALZO: Thank you so
13 much. We actually have a handful of
14 people wanting to put front porches on
15 the front of their houses because there's
16 an aesthetic value to it. It gives it a
17 different look than all the rest of the
18 other houses in the neighborhood.

19 I've been by the site. I didn't
20 have any comments on this. I thought it
21 would actually be a nice addition to what
22 you have going on right now.

23 MR. TAGLIAFERRI: Thank you.

24 CHAIRMAN SCALZO: I'm going to look
25 to my right. Ms. Banks, do you have any

2 comments on this application?

3 MS. BANKS: No.

4 CHAIRMAN SCALZO: Mr. Eberhart.

5 MR. EBERHART: No.

6 MR. HERMANCE: It's pretty
7 straightforward.

8 CHAIRMAN SCALZO: Mr. Bell.

9 MR. BELL: No. I'm good.

10 CHAIRMAN SCALZO: Mr. Masten.

11 MR. MASTEN: No.

12 CHAIRMAN SCALZO: Ms. Rein.

13 MS. REIN: No.

14 CHAIRMAN SCALZO: Very good.

15 All right. At this point I want to
16 look to the members of the public. Does
17 anybody have anything that they would
18 like to add to this application perhaps
19 for the Board to consider?

20 (No response.)

21 MR. BELL: Nobody joined us
22 tonight.

23 CHAIRMAN SCALZO: Maybe they're all
24 going to be late like me.

25 I'll look to the Board for a motion

2 to close the public hearing.

3 MR. EBERHART: I'll make a motion
4 to close the public hearing.

5 MR. BELL: Second.

6 CHAIRMAN SCALZO: We've got a
7 motion from Mr. Eberhart. We have a
8 race, but I think Mr. Bell may have
9 pulled it out. All in favor.

10 MS. BANKS: Aye.

11 MR. EBERHART: Aye.

12 MR. HERMANCE: Aye.

13 CHAIRMAN SCALZO: Aye.

14 MR. BELL: Aye.

15 MR. MASTEN: Aye.

16 MS. REIN: Aye.

17 CHAIRMAN SCALZO: Those opposed?
18 (No response.)

19 CHAIRMAN SCALZO: Very good. This
20 is a Type 2 action under SEQRA?

21 MR. DONOVAN: That's correct, Mr.
22 Chairman.

23 CHAIRMAN SCALZO: We'll go through
24 the area variance criteria and discuss
25 the five factors we are weighing, the

2 first one being whether or not the
3 benefit can be achieved by other means
4 feasible to the applicant.

5 MS. BANKS: No.

6 MR. EBERHART: No.

7 MR. HERMANCE: No.

8 MR. BELL: No.

9 MR. MASTEN: No.

10 MS. REIN: No.

11 CHAIRMAN SCALZO: No.

12 Second, if there's an undesirable
13 change in the neighborhood character or a
14 detriment to nearby properties. I think
15 quite the opposite. I think it's going
16 to be a desirable change to the
17 neighborhood.

18 Third, whether the request is
19 substantial. Well, I don't believe so.

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

23 MR. BELL: None.

24 MR. EBERHART: No.

25 MR. HERMANCE: No.

2 CHAIRMAN SCALZO: Fifth, whether
3 the alleged difficulty is self-created,
4 which is relevant but not determinative.
5 Of course it's self-created, but that
6 shouldn't make a big deal.

7 Having gone through the balancing
8 tests of the area variance, what is the
9 pleasure of the Board?

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

12 MS. REIN: I'll second it.

13 CHAIRMAN SCALZO: Races all around.
14 We have a motion for approval from Mr. Bell.
15 We have a second from Ms. Rein.

16 Can you roll on that, please, Siobhan.

17 MS. JABLESNIK: Ms. Banks.

18 MS. BANKS: Approve.

19 MS. JABLESNIK: Mr. Bell.

20 MR. BELL: Yes.

21 MS. JABLESNIK: Mr. Eberhart.

22 MR. EBERHART: Yes.

23 MS. JABLESNIK: Mr. Hermance.

24 MR. HERMANCE: Yes.

25 MS. JABLESNIK: Mr. Masten.

2 MR. MASTEN: Yes.

3 MS. JABLESNIK: Ms. Rein.

4 MS. REIN: Yes.

5 MS. JABLESNIK: Mr. Scalzo.

6 CHAIRMAN SCALZO: Yes.

7 The motion is carried. The
8 variances are approved.

9 MR. TAGLIAFERRI: Thank you.

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11 (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 3rd day of November 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

KAREN WILLIAMS & DAVID ARROTTA

6 Barbara Court, Newburgh
Section 79; Block 1; Lot 1
R-1 Zone

----- X

Date: October 23, 2025
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. HERMANC
JOHN MASTEN
DONNA REIN

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

APPLICANT'S REPRESENTATIVES: KAREN WILLIAMS
DAVID ARROTTA

----- X

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

2 CHAIRMAN SCALZO: Next we have
3 Karen Williams and David Arrotta, 6
4 Barbara Court, seeking an area variance
5 of the maximum height of an accessory
6 structure to build a 28 by 24 by 21.52
7 garage.

8 Do we have mailings on this, Siobhan?

9 MS. JABLESNIK: This applicant sent
10 forty-two letters.

11 CHAIRMAN SCALZO: Forty-two. I
12 didn't hear all the numbers. Is that the
13 winner tonight?

14 MS. JABLESNIK: That's the winner.

15 MS. WILLIAMS: Luckily I have a
16 letter holder at work.

17 CHAIRMAN SCALZO: Who do we have?
18 I gave one word, a very informative
19 narrative, on what it is you're looking
20 to do. If you want to add some color
21 commentary to that, we're all happy to
22 hear you.

23 MS. WILLIAMS: I'm Karen Williams,
24 lifelong resident -- well, I was born in
25 Newburgh, raised in Newburgh, left and

2 came back.

3 MR. ARROTTA: I'm Dave Arrotta. I
4 actually grew up in the house, moved away
5 for awhile and came back.

6 CHAIRMAN SCALZO: Very good. What
7 you're looking to do is a nice
8 architecturally designed little accessory
9 structure in the back.

10 Not that I expect anyone that's
11 sitting here, other than our regulars
12 that hear my concerns when it comes to
13 situations such as these. The big deal
14 is the area variance looking for height
15 for me. Once you get a second story in
16 there, the concern is that perhaps you
17 may have other plans of finishing that
18 area off, putting in some heat, running
19 water, you know, flushable toilets, and
20 next thing you know you've got the
21 neighborhood kids having a kegger in
22 there.

23 MR. ARROTTA: It's going to be
24 storage.

25 MS. WILLIAMS: The septic wouldn't

1 Karen Williams & David Arrotta
2 take another extra toilet.

3 CHAIRMAN SCALZO: You would be
4 stunned to know that we have applicants
5 come in here and say they have no plans
6 for an upstairs in the accessory
7 building.

8 MR. DONOVAN: They're certainly not
9 going to insulate it.

10 CHAIRMAN SCALZO: The chairman is
11 going to get a letter that's describing
12 that very situation.

13 Anyway, I noticed with the design
14 plans that you have, it's almost prefab.

15 MR. ARROTTA: Correct.

16 MS. WILLIAMS: Yes. Well, they
17 build it onsite. They shake and bake
18 them and build them.

19 MR. ARROTTA: It's not taller than
20 the houses that are around it. It's also
21 not taller than the area it's in. Set
22 down, it's not actually taller than the
23 existing house.

24 MS. WILLIAMS: We're going to side
25 it so it's white so it will match the

2 house and the character of the neighborhood.
3 We're also tired of parking our cars on
4 the lawn.

5 CHAIRMAN SCALZO: Okay.

6 MR. ARROTTA: We'll improve the
7 neighborhood.

8 MS. WILLIAMS: It will improve the
9 neighborhood.

10 CHAIRMAN SCALZO: Okay. I don't
11 have any -- I said my peace with regard
12 to the height.

13 As I say, we saw the renderings of
14 what it's going to be.

15 I'm going to look to my left.
16 Ms. Rein, do you have any comments?

17 MS. REIN: I'm good.

18 CHAIRMAN SCALZO: Mr. Masten.

19 MR. MASTEN: I was there and looked
20 at it. I'll go along with it.

21 MR. ARROTTA: Thank you.

22 CHAIRMAN SCALZO: Mr. Bell.

23 MR. BELL: No.

24 CHAIRMAN SCALZO: Mr. Hermance.

25 MR. HERMANCE: This is just going

to be a garage?

MR. ARROTTA: Correct. And storage above it.

MR. HERMANCE: Could you tell me, just out of curiosity, why wouldn't you just add on to the existing building?

MS. WILLIAMS: Then I've got to get an architect involved and all that. I don't have infinite amounts of money.

MR. HERMANCE: Okay.

CHAIRMAN SCALZO: That's certainly a hardship.

MR. EBERHART: No questions.

CHAIRMAN SCALZO: Ms. Banks.

MS. BANKS: No questions.

CHAIRMAN SCALZO: I'll open it up to any members of the public that wish to comment on this application.

(No response.)

CHAIRMAN SCALZO: No. Very good.

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.

2 MR. EBERHART: Second.

3 CHAIRMAN SCALZO: We have a motion
4 to close from Mr. Bell. I think it was
5 Mr. Eberhart.

6 MR. EBERHART: I beat him.

7 CHAIRMAN SCALZO: All in favor.

8 MS. BANKS: Aye.

9 MR. EBERHART: Aye.

10 MR. HERMANCE: Aye.

11 CHAIRMAN SCALZO: Aye.

12 MR. BELL: Aye.

13 MR. MASTEN: Aye.

14 MS. REIN: Aye.

15 CHAIRMAN SCALZO: Those opposed?

16 (No response.)

17 CHAIRMAN SCALZO: Should we get to
18 a point where the word approval comes out
19 of all the Board Members' mouths, I just
20 want to be very clear that your
21 intentions here are not to make that any
22 type of space that can be inhabited by
23 guests or anything else?

24 MS. WILLIAMS: No.

25 CHAIRMAN SCALZO: As we were to

2 move forward, the conditions of the
3 permit would be that is never the intent
4 of the application and therefore there
5 would be no approvals for anything
6 without you guys revisiting the Board
7 regarding any type of occupation there.

8 MS. WILLIAMS: It is not an ADU.
9 It's a garage.

10 CHAIRMAN SCALZO: That being said,
11 it's a Type 2 action under SEQRA.
12 Correct, Counsel?

13 MR. DONOVAN: That is correct, Mr.
14 Chairman.

15 CHAIRMAN SCALZO: Thank you, sir.

16 We're going to discuss our five
17 factors, the first one being whether or
18 not the benefit can be achieved by other
19 means feasible to the applicant.

20 MR. BELL: No.

21 MS. REIN: No.

22 CHAIRMAN SCALZO: It could, but it
23 would be much more expensive for the
24 architect.

25 The second, if there's an undesirable

2 change in the neighborhood character or a
3 detriment to nearby properties. Well,
4 not having to park on the grass might be
5 more appealing to some folks.

6 Third, whether the request is
7 substantial. You folks on the Board have
8 heard me talk about the height variance.
9 That's my sticking point.

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

13 MR. BELL: None.

14 CHAIRMAN SCALZO: It doesn't appear
15 so.

16 The fifth, whether the alleged
17 difficulty is self-created, which is
18 relevant but not determinative. Of
19 course it's self-created.

20 That being said, does the Board
21 have a motion of some sort?

22 MS. REIN: I'll make a motion to
23 approve.

24 MS. BANKS: I'll second.

25 CHAIRMAN SCALZO: We have a motion

2 for approval from Ms. Rein. We have a
3 second from Ms. Banks.

4 Can you roll on that, please, Siobhan.

5 MR. HERMANCE: With the verbiage.

6 CHAIRMAN SCALZO: Absolutely. With
7 the condition.

8 MR. DONOVAN: That needs to be part
9 of the motion, though. If someone has
10 made a motion to approve, you can't add
11 on. The person that made the motion
12 needs to --

13 CHAIRMAN SCALZO: Let me go back to
14 Ms. Rein. Would you like to amend your
15 motion?

16 MS. REIN: I'll make a motion with
17 the condition that it will never be
18 anything but a garage and a storage area.

19 CHAIRMAN SCALZO: We have that
20 motion from Ms. Rein. Would you like to
21 confirm your second to that?

22 MS. BANKS: I'll second that.

23 CHAIRMAN SCALZO: Now we can roll
24 on that.

25 MS. JABLESNIK: Ms. Banks.

2 MS. BANKS: Approve.

3 MS. JABLESNIK: Mr. Bell.

4 MR. BELL: Yes.

5 MS. JABLESNIK: Mr. Eberhart.

6 MR. EBERHART: Yes.

7 MS. JABLESNIK: Mr. Hermance.

8 MR. HERMANCE: Yes.

9 MS. JABLESNIK: Mr. Masten.

10 MR. MASTEN: Yes.

11 MS. JABLESNIK: Ms. Rein.

12 MS. REIN: Yes.

13 MS. JABLESNIK: Mr. Scalzo?

14 CHAIRMAN SCALZO: Yes.

15 The motion is carried. The
16 variances are approved.

17 Thanks, Counsel, for not allowing
18 me to go willy-nilly here.

19

20 (Time noted: 7:36 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 3rd day of November 2025.

Michelle Conero

MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

WOODHOLLOW CONTRACTING CORP.
FIRST PRESTIGE PROPERTIES, INC.

5306 Route 9W, Newburgh
Section 23; Block 2; Lot 1
B Zone

----- X

Date: October 23, 2025
Time: 7:36 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: Moving on to the
3 holdovers held open from the September
4 2025 meeting. We have Woodhollow
5 Contracting Corp for First Prestige
6 Properties, 5306 Route 9W.

7 Again, this was a Planning Board
8 referral for a project to install EV
9 charging stations. The property has
10 preexisting nonconformities, the rear
11 yard, side yard, front yard, on a State
12 highway and a front yard on McCall Place.

13 We had interesting comments here
14 from the County on that, did we not?

15 MS. JABLESNIK: We had no comments
16 from the County.

17 CHAIRMAN SCALZO: So this is a
18 second -- I remember reading comments
19 that had something to do with --

20 MS. JABLESNIK: No. That's the
21 e-mail that I sent today.

22 MR. BELL: That was your e-mail.

23 MR. DONOVAN: Is there anybody here
24 representing that applicant?

25 CHAIRMAN SCALZO: Is anybody here

for 5306 Route 9W?

(No response.)

MR. BELL: No.

CHAIRMAN SCALZO: So if there's no one here representing, I'll look to the Board for a motion to hold this --

MR. DONOVAN: If I can, Mr. Chairman. I don't know what your work schedule was today. Siobhan sent an e-mail to you and I. Basically they were referred by the Planning Board. They need variances for the EV charging stations, but the specific variances were not called out. In other words, it should be you need an extra 10 feet or something specific. It was not called out and not called out on their application to us. They are supposed to be revising their plans.

Right, Siobhan?

MS. JABLESNIK: Yes.

MR. DONOVAN: Siobhan did give us a memo from Pat Hines, Planning Board Engineer, identifying what they were, but

2 we still don't have the updated
3 information. That's my long winded way
4 of saying that keeping the public
5 hearing open to the November meeting
6 should be conditioned upon them
7 providing the information that you
8 need to make a determination on the
9 variance.

10 MS. REIN: What happens, Dave, if
11 they don't show up again?

12 MR. DONOVAN: What you've done in
13 the past, and I'm not saying you have to
14 do it. If they're not here you could
15 vote. What the Board has done in the
16 past is said one of two things, we're
17 going to give you one more chance, if you
18 don't show up we're going to either
19 consider your application withdrawn or
20 we're going to vote based on the
21 information you have. You could do
22 either of those things.

23 MS. REIN: Thank you.

24 CHAIRMAN SCALZO: Therefore I'll
25 look to the Board for a motion to keep

2 the public hearing open to the November
3 meeting.

4 MR. MASTEN: I'll make a motion to
5 keep it open, the public hearing, until
6 November.

7 MS. REIN: Second.

8 CHAIRMAN SCALZO: We have a motion
9 from Mr. Masten to keep the public
10 hearing open to November. We have a
11 second from Ms. Rein. All in favor.

12 MS. BANKS: Aye.

13 MR. EBERHART: Aye.

14 MR. HERMANCENCE: Aye.

15 CHAIRMAN SCALZO: Aye.

16 MR. BELL: Aye.

17 MR. MASTEN: Aye.

18 MS. REIN: Aye.

19 CHAIRMAN SCALZO: Those opposed?

20 (No response.)

21 CHAIRMAN SCALZO: Very good.

22 MR. MASTEN: Darrin, being the
23 holiday is on Thursday --

24 CHAIRMAN SCALZO: It's the Tuesday
25 prior to Thanksgiving.

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(Time noted: 7:40 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 3rd day of November 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

JOSEPH & BRIDGET ZAPPONE
35 & 41 Lattintown Road, Newburgh
Section 9; Block 3; Lots 12.1 & 12.2
R-3 Zone
----- X

Date: October 23, 2025
Time: 7:40 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. HERMANC
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 actually
3 have one more additional business.
4 Joseph and Bridget Zappone, 35 & 41
5 Lattintown Road. This is also a
6 Planning Board referral for an area
7 variance for a proposed lot line
8 change. It requires an area variance
9 for a covered deck and a cabana 0.7
10 away from the property line where 5
11 foot is required.

12 This is a continuation from last
13 month. There was the GML-239. The
14 County had not weighed in.

15 Did the County --

16 MS. JABLESNIK: Yes. A Local
17 determination.

18 CHAIRMAN SCALZO: Very good.

19 Do we have anyone here this evening
20 representing this application?

21 (No response.)

22 CHAIRMAN SCALZO: I know last month
23 it was Mr. Babcock. I don't see him this
24 evening.

25 MR. DONOVAN: My review of the

2 minutes, Mr. Chairman, indicated that
3 you asked them if they could reduce
4 the magnitude of the variance.

5 Mr. Babcock was supposed to look into
6 that and supply information.

7 CHAIRMAN SCALZO: We have not
8 received supplementary information to
9 that application. Without anyone here --

10 MR. DONOVAN: The second verse same
11 as the first verse.

12 CHAIRMAN SCALZO: Yes, sir.

13 I'll look to the Board for a motion
14 to keep the public hearing open to the
15 Tuesday prior to Thanksgiving in
16 November.

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

19 MR. HERMANCE: Second.

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

23 MS. BANKS: Aye.

24 MR. EBERHART: Aye.

25 MR. HERMANCE: 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.

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10 (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 3rd day of November 2025.



MICHELLE CONERO

STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

ANTONIO VINCIGUERRA
18 Winding Lane, Newburgh
Section 80; Block 2; Lot 12

----- X

Date: October 23, 2025
Time: 7:42 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: Our other order
3 of business is Antonio Vinciguerra,
4 18 Winding Lane in Newburgh. He's
5 requesting a six-month extension to a
6 variance that was granted at the
7 April 2025 meeting.

8 I take no position against this.

9 Does anyone on the Board have
10 any discussion on this?

11 MR. EBERHART: No.

12 MR. HERMANCE: No.

13 MR. BELL: No.

14 MR. MASTEN: No.

15 CHAIRMAN SCALZO: We do it all the
16 time, folks.

17 I'll look to the Board for a motion
18 to approve the six-month extension for
19 the 18 Winding Lane application.

20 MR. BELL: I'll make a motion to
21 approve an extension for Winding Lane.

22 MR. EBERHART: Second.

23 CHAIRMAN SCALZO: We have a motion
24 to approve from Mr. Bell. We have a
25 second from Mr. Eberhart. All in favor.

2 MS. BANKS: Aye.

3 MR. EBERHART: Aye.

4 MR. HERMANCE: Aye.

5 CHAIRMAN SCALZO: Aye.

6 MR. BELL: Aye.

7 MR. MASTEN: Aye.

8 MS. REIN: Aye.

9 CHAIRMAN SCALZO: Very good.

10 The last item on the agenda would
11 be the approval of the minutes from the
12 September meeting. Has everyone had a
13 chance to review those? Any comments,
14 revisions?

15 MS. REIN: No.

16 CHAIRMAN SCALZO: I'll look to the
17 Board for a motion to approve the meeting
18 minutes from the September meeting.

19 MR. EBERHART: I'll make a motion
20 to approve the September meeting minutes.

21 MR. HERMANCE: Second.

22 CHAIRMAN SCALZO: We have a motion
23 from Mr. Eberhart. We have a second from
24 Mr. Hermance. All in favor.

25 MS. BANKS: Aye.

2 MR. EBERHART: Aye.

3 MR. HERMANCE: Aye.

4 CHAIRMAN SCALZO: Aye.

5 MR. BELL: Aye.

6 MR. MASTEN: Aye.

7 MS. REIN: Aye.

8 CHAIRMAN SCALZO: Those opposed?

9 (No response.)

10 CHAIRMAN SCALZO: I'll look to the
11 Board for a motion to adjourn.

12 MR. BELL: I'll make a motion to
13 adjourn.

14 MR. MASTEN: I'll second it.

15 CHAIRMAN SCALZO: I have a motion
16 to adjourn from Mr. Bell and a second
17 from Mr. Masten. All in favor.

18 MS. BANKS: Aye.

19 MR. EBERHART: Aye.

20 MR. HERMANCE: Aye.

21 CHAIRMAN SCALZO: Aye.

22 MR. BELL: Aye.

23 MR. MASTEN: Aye.

24 MS. REIN: Aye.

25 (Time noted: 7:48 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 3rd day of November 2025.



MICHELLE CONERO