



TOWN OF NEWBURGH

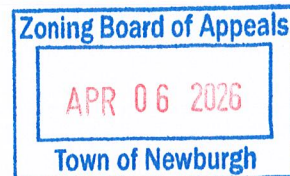
Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD
DARRIN SCALZO, CHAIRMAN
SIOBHAN JABLESNIK, SECRETARY

TELEPHONE 845-566-4901

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APPLICATION

DATED: 4/6/2026

TO: **THE ZONING BOARD OF APPEALS**
THE TOWN OF NEWBURGH, NEW YORK 12550

AMENDED

I (WE) Ready Coffee PRESENTLY

RESIDING AT NUMBER 7 Nancy Court, Wappingers Falls, NY 12590

TELEPHONE NUMBER (914) 261-8997

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

USE VARIANCE

☒ X AREA VARIANCE (S)

INTERPRETATION OF THE ORDINANCE

SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

Section 60, Block 3, Lot 23 (TAX MAP DESIGNATION)

1422 Route 300, Newburgh, NY (STREET ADDRESS)

IB (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).
Table of Use and Bulk Requirements, IB District, Schedule 8, as defined in Section 185-42

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:

- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:
_____X_____

4. DESCRIPTION OF VARIANCE SOUGHT: a) The proposed project would be classified as a D6-restaurant and fast food establishment in conjunction with a shopping center, theater or office. This is a stand alone project not in conjunction with any other use; b) lot size: 40,000 SF required, 14,806SF provided; c) rear yard setback: 60 feet required, 40.5 proposed; d) side yard setback: 30 feet required, 18.2 proposed; and e) both side yards: 80 feet required, 62.7 proposed. _____

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

- d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

The adjacent properties are industrial (Verizon and self-storage) and the new building on the property will occupy less than 1/3 of the footprint of the existing building

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

In order to maximize stacking of vehicles the building needs to be placed further back on the lot to prevent vehicles from stacking onto Route 300. In addition, the newly created exit onto the old cinema exit drive allows cars exiting to go either north or south without creating a conflict.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The new building takes up less square footage than the existing building

- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

The entirety of the adjacent tenants are national retailers or industrial uses.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The current building takes up more square footage on the property than our proposed site plan and we actually improving the property

7. ADDITIONAL REASONS (IF PERTINENT):

The use here is allowed in the IB zone but the physical requirements (that a restaurant be located within shopping center or theater) requires an area variance pursuant to section 81-b(b) of the General Code.
