

**REGULAR MEETING
November 24, 2009**

City of Newburgh Zoning Board of Appeals

Summary of Record of Actions Taken at the Regular Meeting of the Newburgh Zoning Board of Appeals held on November 24, 2009 at 7:30 p.m. at the Newburgh Activity Center, 401 Washington Street, Newburgh, NY.

Members Present: Joanne Lugo
Victor Mirabelli
Mirta Rivas
David Schwartz
Barbara Smith
Joshua Smith

Also Present: Michelle Kelson, Corporation Counsel
Michelle Mills, Secretary to the Board

Motion Made to Approve Minutes of September 23, 2009 Meetings

Motion Made: Victor Mirabelli

Motion Second: Joshua Smith

Motion Carried: Unanimous

One Year Extension:

Appeal No. 2008-15

Location: 180 Broadway

Applicant/Owner: Alfred Allen

Mr. Allen appeared before the Board with his attorney, Alexandra Bourne, and advised that his request for the one year extension was to allow his architect additional time to prepare plans. No other changes have been made to the original request.

Motion Made to Approve One Year Extension: Joshua Smith

Motion Second: Victor Mirabelli

Motion Carried: Unanimous

Old Business

1. Appeal No. 2009-15

Location: 150-156 Broadway

Applicant/Owner: Polonia Ventures, LLC

Requesting a Use Variance to permit a paved parking lot on existing vacant lot which does not meet the Schedule of Use Regulations in a TC-1 Zone and an Area Variance to permit parking within 5 feet of a sidewalk and within 20 feet of a residential dwelling; within 10 feet of a street property line; and within 50 feet of a residential district, which does not meet the requirements of Sections 300-43(A), 300-43(E)(3) and 300-44(F), respectively, of the City of Newburgh Zoning Code.

Item cancelled by applicant.

New Business:

- 1. Appeal No. 2009-23**
Location: 660 Broadway
Applicant/Owner: Stephen W. Craig

Requesting an Area Variance for 1.3 feet on front yard setback which does not meet the Schedule of Bulk Regulations in a C-2 Zone.

Mr. Craig appeared before the Board and advised that he is purchasing this piece of property which adjoins his property. He advised that the property is over 100 years old and is situated too close to the street.

At this time the Chairperson opened the public hearing by reading the text of the notice. No one spoke in favor or opposition to the applicant.

The public hearing was duly convened and completed on November 24, 2009.
Motion to Close Public Hearing: Joshua Smith
Motion Second: Victor Mirabelli
Roll Call Vote: Unanimous
Motion Carried: Unanimous

Zoning Board of Appeals to assume Lead Agency status for S.E.Q.R.A.:
Motion Made: Victor Mirabelli
Motion Second: Mirta Rivas
Roll Call Vote: Unanimous
Motion Carried: Unanimous

Zoning Board of Appeals declares a Negative Declaration for S.E.Q.R.A.:
Motion Made: Victor Mirabelli
Motion Second: Mirta Rivas
Roll Call Vote: Unanimous
Motion Carried: Unanimous

Motion Made to approve AREA VARIANCE: David Shwartz
Motion Second: Victor Mirabelli
Roll Call Vote: Unanimous
Motion Carried: Unanimous

Meeting Adjourned 7:50 p.m.

Respectfully Submitted:

Approved:

Michelle M. Mills, Secretary

Joanne Lugo, Chairperson