

**REGULAR MEETING**

**April 26, 2011**

**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 April 26, 2011 at 7:30 p.m. at the Newburgh Activity Center, 401 Washington Street, Newburgh, NY.

Members Present: Joanne Lugo  
Victor Mirabelli  
David Schwartz  
Barbara Smith  
James Kulisek

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

**Motion Made to Approve Minutes of January 25, 2011 Meeting**

**Motion Made: Victor Mirabelli**

**Motion Second: David Schwartz**

**Motion Carried: Unanimous**

**New Business:**

**1. Appeal No. 2011-01**

Applicant/Owner: Marie N. Figueroa

Location: 169 Liberty Street

Requesting a USE Variance to allow for a beauty salon on the first and lower floors and an AREA Variance for 2,501 square feet on lot area, 25 feet on lot width, 15 feet on front yard setback, 10 feet and 7.7 feet on side yard setbacks and 15 parking spaces, which do not meet the requirements of the Schedule of Use and Bulk Regulations in an RC Zone.

Anthony Coppola, Architect for the project and applicant Marie Figueroa appeared before the Board and described their plans to convert the two lower levels of the building into a beauty salon. The applicant will operate the salon. Minor interior alterations and no exterior alterations to the building are proposed. The applicant currently owns the adjacent property and plans to paint and clean up the exterior of that building. The Board reviewed a statement from the applicant detailing her expenses on the property.

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 April 26, 2011.

Motion to Close Public Hearing: Victor Mirabelli

Motion Second: James Kulisek

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: David Schwartz  
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: David Schwartz  
Roll Call Vote: Unanimous  
**Motion Carried: Unanimous**

Motion Made to approve **USE VARIANCE**: Victor Mirabelli  
Motion Second: David Schwartz  
Roll Call Vote: Unanimous  
**Motion Defeated: Unanimous**

Motion Made to approve **AREA VARIANCE**: Victor Mirabelli  
Motion Second: David Schwartz  
Roll Call Vote: Unanimous  
**Motion Defeated: Unanimous**

## **2. Discussion Item**

John Nolan and Jessica Bacher from Pace Law School Land Use Center appeared before the Board to discuss the current process for vacant and distressed City properties. Board members raised concerns regarding the lack of a coordinated approach by various City agencies regarding this issue.

Meeting Adjourned 9:30 p.m.

Respectfully Submitted:

Approved:

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**Michelle M. Mills, Secretary**

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**Joanne Lugo, Chairperson**