

**REGULAR MEETING
November 24, 2015**

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, 2015 at 7:30 p.m. at City Hall, 83 Broadway, Newburgh, New York 12550.

Members Present: Joanne Lugo, Chairperson
Michael Papaleo
David Schwartz
Barbara Smith
Corey Allen
Lashawn Jasper

Also Present: Timothy Kramer, Assistant Corporation Counsel
Eliana Diaz, Secretary

Old Business:

Appeal No. 2013-13

Applicant: Michael Starace

Owner: Michael Starace

Location: 2 Nicoll Street

Requesting an extension of an **AREA Variance** for 50 feet on lot depth, .3 feet on front yard setback, .6 feet on side yard setback and 11.4 feet on rear yard setback.

Michael Starace, applicant/owner, appeared. He stated this would be his first time requesting an extension of an area variance. The Zoning Board granted the variance in 2013, and he received an extension in 2014. He was unable to perform the work during the extension period because he a replacement of both of his hips. Mr. Starace stated that the property has remained intact; the property is insured, the taxes are current, and he maintains the property.. Pictures were provided to the members of the board of the current state of the property as well as pictures of the expected finished work on the property, which he anticipates will occur by the middle of the summer. Mr. Starace submitted plans to the Building Department on August 31, 2015 and has been in contact with the Building Inspector. He has submitted a building permit application. There are no code violations on the property.

Motion Made to approve extension of **AREA Variance for one year:** Barbara Smith

Motion Second: David Schwartz

Roll Call Vote: Unanimous

Motion Approved: 5 in favor, Lashawn Jasper abstained

Appeal No. 2015-17

Applicant: Phong Pham

Owner: Phong Pham

Location: 23 Pierces Road

Requesting an **AREA Variance** for 6 feet, 9 inches on front yard setback, which does not meet the

requirements of the Schedule of Use and Bulk Regulations in the Residential Low Density Zone.

Phong Pham, applicant/owner appeared. Mr. Pham's architect Mr. Hennessy was not able to attend the meeting. The house is currently a raised ranch on a corner lot. The area variance is to allow a two story addition to the house that would extend 10 feet towards Pierces Road from the side of the house opposite of the driveway. The addition would be the same design as the house; its purpose is to enlarge the bedrooms in the house. The addition will include a master bedroom upstairs, the extension of an existing bedroom and the removal of a wall.

The public hearing was duly convened and completed on November 24, 2015.

Motion to Close Public Hearing on Appeal Number 2015-17: David Schwartz

Motion Second: Michael Papaleo

Roll Call Vote: Unanimous

Motion Carried: Unanimous

Zoning Board of Appeals to assume Lead Agency status for S..E.Q.R.A

Motion Made: David Schwartz

Motion Second: Joanne Lugo

Roll Call Vote: Unanimous

Motion Carried: Unanimous

Zoning Board of Appeals declares a Negative Declaration for S.E.Q.R.A

Motion Made: David Schwartz

Motion Second: Corey Allen

Roll Call Vote: Unanimous

Motion Carried: Unanimous

Motion Made to approve **AREA Variances**: David Schwartz

Motion Second: Corey Allen

Roll Call Vote: Unanimous

Motion Carried: Unanimous

Motion to approve minutes of October 27, 2015: David Schwartz

Motion Second: Michael Papaleo

Motion Carried: Unanimous

Meeting Adjourned 7:50 p.m.

Respectfully Submitted:

Approved:

Eliana Diaz, Secretary

Joanne Lugo, Chairperson