

THE CITY OF NEWBURGH
ZONING BOARD OF APPEALS

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Joanne Lugo, Chairperson
Nancy Evans, Secretary

ZONING BOARD OF APPEALS meeting of **February 26, 2008.**

The regular meeting of the **ZONING BOARD OF APPEALS** was held on **Tuesday, February 26, 2008** at 7:30 p.m. in the Activity Center, Washington Street, Newburgh, New York.

Members Present: **Joanne Lugo – Chair**
 Mirta Rivas
 Mary Ann Prokosch
 David Schwartz
 Barbara Smith
 Joshua Smith

Members Absent: **Victor Mirabelli**

Also Present: **Michelle Kelson, Assistant Corporation Counsel**

The meeting was called at 7:30 p.m. after a quorum was confirmed.

The minutes from the January meeting was voted on:
Motion to approve – Joshua Smith
2nd – Mary Ann Prokosch
Approved 6-0

The Chairperson opened the public hearing by reading the text of the notice.

New Business

Appeal No, 2008-05 Requesting an **Area Variance** for 5.9 feet on the side yard setback in order to build an addition on the home, which does not meet the requirements of the Schedule of Use and Bulk Regulations in a **R1 Zone**.
Location: 100 Prospect Street
Applicant: George Schneider
Owner: Carlos and Alba Tejada

George Schneider, Carlos and Alba Tejada and their daughter Anna Lee appeared before the board.

Mr. Schneider explained the project to the board. This family would like to expand their dining room. They have lived in this house for about 16 years. Mr. Tejada has lived in the City for about 35 years. Dining room is very small. They want to extend the dining area to the width of the house. They do not use that garage. They have a two car garage on First Street. They want to keep it simple.

There were no people present to speak for or against this application.

The public hearing was duly convened and completed on February 26, 2008.

THE ROLL CALL VOTE:

Motion to Close the Public Hearing:

Motion made by: Joshua Smith
Motion second by: Mirta Rivas

Joanne Lugo, Chairperson	Voting	Yes
Mirta Rivas, Member	Voting	Yes
Mary Ann Prokosch, Member	Voting	Yes
David Schwartz, Member	Voting	Yes
Barbara Smith, Member	Voting	Yes
Victor Mirabelli, Member	Absent	
Joshua Smith, Member	Voting	Yes

Zoning Board of Appeals to assume Lead Agency status for SEQRA:

Motion made by: David Schwartz
Motion second by: Joshua Smith

Joanne Lugo, Chairperson	Voting	Yes
Mirta Rivas, Member	Voting	Yes
Mary Ann Prokosch, Member	Voting	Yes
David Schwartz, Member	Voting	Yes
Barbara Smith, Member	Voting	Yes
Victor Mirabelli, Member	Absent	
Joshua Smith, Member	Voting	Yes

Zoning Board of Appeals declares a Negative Declaration for SEQRA:

Motion made by: Joshua Smith
Motion second by: David Schwartz

Joanne Lugo, Chairperson	Voting	Yes
Mirta Rivas, Member	Voting	Yes
Mary Ann Prokosch, Member	Voting	Yes
David Schwartz, Member	Voting	Yes
Barbara Smith, Member	Voting	Yes
Victor Mirabelli, Member	Absent	
Joshua Smith, Member	Voting	Yes

A motion made for the granting of the requested **Area Variance** was put to a vote on roll call on February 26, 2008, the results were as follows:

Motion made by: Mary Ann Prokosch
Motion second by: Mirta Rivas

Joanne Lugo, Chairperson	Voting	for	granting the variance
Mirta Rivas, Member	Voting	for	granting the variance
Mary Ann Prokosch, Member	Voting	for	granting the variance
David Schwartz, Member	Voting	for	granting the variance
Barbara Smith, Member	Voting	for	granting the variance
Victor Mirabelli, Member		Absent	
Joshua Smith, Member	Voting	for	granting the variance

Meeting adjourned at 7:40 P.M

Respectfully Submitted,

Nancy Evans
Secretary