

**REGULAR MEETING
May 25, 2010**

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 May 25, 2010 at 7:30 p.m. at the Newburgh Activity Center, 401 Washington Street, Newburgh, NY.

Members Present: Joanne Lugo
Victor Mirabelli
Mary Ann Prokosch
Mirta Rivas
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 April 27, 2010 Meeting

Motion Made: Victor Mirabelli

Motion Second: Mirta Rivas

Motion Carried: Unanimous

NEW BUSINESS:

1. Appeal No. 2010-10

Location: 37 Sherman Drive

Applicant/Owner: Brendan Lawler

Requesting an **AREA Variance** for 6.7 feet on side yard setback which does not meet the requirements of the Schedule of Use and Bulk Regulations in an R-1 Zone.

Jacqueline Lawler appeared on behalf of her husband and gave a description of the proposed two level deck they would like to build in their backyard.

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

The public hearing was duly convened and completed on May 25, 2010.

Motion to Close Public Hearing: Victor Mirabelli

Motion Second: Mary Ann Prokosch

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: Mary Ann Prokosch
Roll Call Vote: Unanimous
Motion Carried: Unanimous

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

Motion Made to approve **AREA VARIANCE:** Victor Mirabelli
Motion Second: Mary Ann Prokosch
Roll Call Vote: Unanimous
Motion Carried: Unanimous

2. Appeal No. 2010-11
Location: 95 Renwick Street
Applicant/Owner: Bluestone Developers, Inc.

Requesting an **AREA Variance** for 2500 square feet on lot area, 25 feet on lot width, 5 feet on front yard setback, 7 feet on side yard setback and 4 parking spaces, which do not meet the requirements of the Schedule of Use and Bulk Regulations in an R-2 Zone.

A.J. Coppola appeared before the Board, as Architect for the project. On behalf of the applicant he presented financial statements indicating the significant costs involved to fix the building which had been completely destroyed by fire. Mr. Coppola also presented maps and diagrams detailing the proposed two family house.

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

The public hearing was duly convened and completed on May 25, 2010.

Motion to Close Public Hearing: Victor Mirabelli
Motion Second: David Schwartz
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: James Kulisek

Motion Second: Victor Mirabelli

Roll Call Vote: Unanimous

Motion Carried: Unanimous

Motion Made to approve **USE VARIANCE**: David Schwartz

Motion Second: James Kulisek

Roll Call Vote: Unanimous

Motion Carried: Unanimous

Motion Made to approve **AREA VARIANCE**: Victor Mirabelli

Motion Second: David Schwartz

Roll Call Vote: Unanimous

Motion Carried: Unanimous

OTHER:

The next meeting of the Newburgh Zoning Board of Appeal will be held on July 27, 2010.

Meeting Adjourned 7:45 p.m.

Respectfully Submitted:

Approved:

Michelle M. Mills, Secretary

Joanne Lugo, Chairperson