**TOWN OF NEWBURGH**

**ZONING BOARD OF APPEALS**

**308 GARDNERTOWN ROAD**

**NEWBURGH, NEW YORK 12550**

**JOHN McKELVEY, VICE CHAIRPERSON Office: (845) 566-4901**

**ZONING BOARD OF APPEALS Fax: (845) 564-7802**

**Email:** [**zoningboard@townofnewburgh.org**](mailto:zoningboard@townofnewburgh.org)

**AGENDA**

**THURSDAY, MARCH 23, 2017**

**PLEASE NOTE: THE ZONING BOARD MEETING WILL START AT 7:00 P.M. AND ALL APPLICANTS/REPRESENTATIVES ARE TO BE PRESENT AT THAT TIME. THE MEETING WILL BE HELD IN THE MEETING ROOM OF THE TOWN HALL, 1496 ROUTE 300 NEWBURGH NY.**

**APPLICANTS:** **LOCATIONS:**

DIANE McKOY-WILLS 18 OLD SOUTH PLANK ROAD, NBGH

(51-4-12) R-1 ZONE

VARIANCE (S):

AREA VARIANCES FOR THE MINIMUM REAR YARD SETBACK, THE MAXIMUM LOT SURFACE COVERAGE AND INCREASING THE DEGREE OF NON-CONFORMITY OF THE COMBINED SIDE YARDS SETBACK TO BUILD A SIDE DECK (10 X 10) ONTO THE EXISTING ENCLOSED PORCH.

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ANTHONY FABRIZIO GARDNERTOWN ROAD, NBGH

(51-9-9) R-1 ZONE

VARIANCE (S):

AREA VARIANCES FOR THE MINIMUM FRONT YARD SETBACK, THE MINIMUM REAR YARD SETBACK, THE MINIMUM LOT DEPTH AND THE MINIMUM LOT AREA FOR LOT #1 AND THE MINIMUM LOT AREA AND THE MINIMUM LOT WIDTH FOR LOT # 2 OF A PROPOSED TWO-LOT SUBDIVISION APPLICATION BEFORE THE PLANNING BOARD.

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**APPLICANTS:** **LOCATIONS:**

DWAYNE & TONI ROBBINS 35 ROCK CUT ROAD, NBGH

(86-1-21) R-1 ZONE

VARIANCE (S):

AREA VARIANCES FOR INCREASING THE DEGREE OF NON-CONFORMITY OF ONE SIDE YARD SETBACK AND THE COMBINED SIDE YARDS SETBACK TO KEEP A PRIOR BUILT REAR DECK ON THE RESIDENCE.

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JOHN C. HUSTINS 364 LAKESIDE ROAD, NBGH

(28-1-20.1) R-1 ZONE

VARIANCE (S):

AREA VARIANCES FOR THE MAXIMUM HEIGHT OF ACCESSORY BUILDINGS, THE MAXIMUM ALLOWED SQUARE FOOTAGE FOR ACCESSORY BUILDINGS, THE MAXIMUM ALLOWED STORAGE OF NO MORE THAN (4) FOUR VEHICLES AND ACCESSORY BUILDINGS MAY BE LOCATED IN A SIDE OR REAR YARD TO BUILD A TWO-STORY ACCESSORY BUILDING (28 X 46 X 27’6”).

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**HELD OPEN FROM THE NOV. 22, DEC. 22, 2016 & JAN. 26, FEB. 23, 2017 MEETINGS**

CHEN GROUP LLC.-XIANG ZHEN CHEN 101 N. PLANK ROAD (RTE 32), NBGH

(75-1-8) B ZONE

VARIANCE (S):

USE VARIANCE FOR THE BULK TABLE-SCHEDULE 7 ~ ALLOWS EXISTING SINGLE FAMILY DWELLING UNITS AND 185-19-A-4 ~ A NON-CONFORMING USE SHALL NOT BE RE-ESTABLISHED IF SUCH USE HAS BEEN DISCONTINUED FOR 1 YEAR TO KEEP A PRIOR BUILT 3 BEDROOM DWELLING UNIT (LIVING SPACE) ABOVE THE PROPOSED RESTAURANT.

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**APPLICANTS:** **LOCATIONS:**

**RESERVED DECISION FROM THE FEBRUARY 23, 2017 MEETING**

TOWN OF NEWBURGH - 2102 ROUTE 300 (3-1-21.31) & PLANK ROAD, N.,

CODE COMPLIANCE DEPT. (3-1-21.61) WALLKILL A/R ZONE

INTERPRETATION:

INTERPRETATION IF ON-SITE USES AND/OR ACTIVITIES FALL WITHIN THE INTENDED SCOPE AND BE PERMITTED UNDER THE ZONING BOARD OF APPEALS’ MARCH 11, 1982 DECISION AND RESOLUTION WHICH GRANTED A USE VARIANCE TO PERMIT THE OPERATION OF A FUEL TANK LINING BUSINESS.

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**RESERVED DECISION FROM THE FEBRUARY 23, 2017 MEETING**

TROON PROPERTIES, INC. BESSIE LANE/OLD POST ROAD, NBGH

(8-1-97) A/R ZONE

VARIANCE:

USE VARIANCE FOR A USE FOR 185-83 SOLAR FARMS SHALL BE PERMITTED IN

AN I (INDUSTRIAL) DISTRICT TO CREATE TWO SOLAR “ELECTRIC GENERATING” FARMS IN A RESIDENTIAL DISTRICT. (FOR A TWO-LOT SUBDIVISION BEFORE THE PLANNING BOARD).

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TROON PROPERTIES, INC. BESSIE LANE/OLD POST ROAD, NBGH

(8-1-97) A/R ZONE

VARIANCE (S):

AREA VARIANCES (SHOULD A USE VARIANCE BE GRANTED BY THE ZBA) - LOT #1 - LOT AREA, LOT WIDTH, LOT DEPTH, FRONT YARD SETBACK, REAR YARD SETBACK, ONE SIDE YARD SETBACK AND THE COMBINED SIDE YARDS SETBACK; LOT #2 - LOT AREA, LOT WIDTH, LOT DEPTH, FRONT YARD SETBACK, REAR YARD SETBACK, ONE SIDE YARD SETBACK AND THE COMBINED SIDE YARDS SETBACK OF A TWO-LOT SUBDIVISION TO CREATE TWO SOLAR “ELECTRIC GENERATING” FARMS FOR A TWO-LOT SUBDIVISION APPLICATION BEFORE PLANNING BOARD.

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