**TOWN OF NEWBURGH**

**ZONING BOARD OF APPEALS**

**308 GARDNERTOWN ROAD**

**NEWBURGH, NEW YORK 12550**

**JAMES E. MANLEY, JR., CHAIRPERSON Office: (845) 566-4901**

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

 **Email:** **zoningboard@townofnewburgh.org**

**AGENDA**

**THURSDAY, DECEMBER 22, 2016**

**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:**

P.J. LIN CORPORATION 5177 ROUTE 9W, NBGH

 (ELEGANT SPA) (43-1-6) B ZONE

VARIANCE (S):

AREA VARIANCES FOR THE NON-CONFORMING REAR YARD SETBACK AND FOR A FREE-STANDING SIGNS REQUIRED 15 FT. SETBACK FOR A CHANGE OF USE SITE PLAN BEFORE THE PLANNING BOARD TO OPERATE A MASSAGE THERAPY SPA.

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BALMVILLE CONSTRUCTION INC. 94 WELLS ROAD, NBGH

 (39-1-21.13) R-2 ZONE

VARIANCE:

USE VARIANCE FOR 185-38-B-4-(CRITERIA) - DWELLING SHALL NOT BE LESS THAN (5) FIVE YEARS OLD - TO BUILD AN ACCESSORY APARTMENT IN A PROPOSED SINGLE-FAMILY RESIDENCE.

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RODNEY VILLELLA & 2 NORTH END ROAD, NBGH

 AMY BARTOLETTI (51-1-3.2) R-1 ZONE

VARIANCE (S);

AREA VARIANCES FOR THE MINIMUM FRONT YARD SETBACK, THE MINIMUM REAR YARD SETBACK, THE MAXIMUM BUILDING COVERAGE, THE MAXIMUM LOT SURFACE COVERAGE; AND INCREASING THE DEGREE OF NON-CONFORMITY OF ONE SIDE YARD SETBACK AND THE COMBINED SIDE YARDS SETBACK TO BUILD A REAR DECK, A REAR ADDITION AND A FRONT FOYER ADDITION ON THE RESIDENCE.

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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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THOMAS AMODEO, JR. 516 LAKESIDE ROAD, NBGH

 (14-3-2.1) R-1 ZONE

VARIANCE:

USE VARIANCE FOR BULK TABLE-SCHEDULE 3 - ONLY (1) ONE DWELLING UNIT PER LOT IS PERMITTED; THE 2001 ZBA VARIANCE FOR THIS STRUCTURE REQUIRED THE SECOND FLOOR OF THE GARAGE TO BE USED FOR STORAGE ONLY AND APPLICANTS SEEKS A VARIANCE TO KEEP THE PRIOR BUILT 1400 SQ. FT. DWELLING UNIT OVER THE GARAGE.

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**HELD OPEN FROM THE NOVEMBER 22, 2016 MEETING**

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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