**TOWN OF NEWBURGH**

**ZONING BOARD OF APPEALS**

**308 GARDNERTOWN ROAD**

**NEWBURGH, NEW YORK 12550**

**GRACE CARDONE, CHAIRPERSON Office: (845) 566-4901**

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

 **Email:** **zoningboard@hvc.rr.com**

**AGENDA**

**THURSDAY, JUNE 26, 2014**

**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:**

ANTONINO CASSARA 442 FOSTERTOWN ROAD, NBGH

 (17-2-32.12) A / R ZONE

VARIANCE:

AREA VARIANCE FOR THE FRONT YARD SETBACK FOR AN EXISTING RESIDENCE ON LOT # 2 OF A PROPOSED THREE LOT SUBDIVISION.

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LZL EQUITIES LLC. 301 ROUTE 32, NBGH

 (DUNKIN DONUTS) (14-1-43) B ZONE

INTERPRETATION:

INTERPRETATION OF ARTICLE II DEFINITIONS 185-3 - DEFINITIONS; WORD USAGE - CONVENIENCE STORE, DRIVE-UP ESTABLISHMENT, EATING AND DRINKING PLACE, FOOD PREPARATION SHOP AND RESTAURANT FOR A DUNKIN DONUT SHOP IN A BUSINESS (B) ZONE.

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KEVIN BENTO 12 HOLMES ROAD, NBGH

 (20-1-3.12) A / R ZONE

VARIANCE:

AREA VARIANCE FOR MAXIMUM ALLOWED SQUARE FOOTAGE OF ACCESSORY BUILDINGS TO BUILD AN ACCESSORY BUILDING (POOL HOUSE 12 X 16).

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VINCENT & JESSICA WEYANT 40 LESLIE ROAD, NBGH

 (26-4-4.1) R-3 ZONE

VARIANCE:

AREA VARIANCE FOR POOLS SHALL NOT BE LOCATED IN A FRONT YARD TO BUILD AN ABOVE GROUND POOL WITH A POOL DECK. (HAS TWO FRONT YARDS LESLIE ROAD AND KOHL AVENUE).

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**THIS APPLICATION HAS BEEN WITHDRAWN**

LAXMI ESTATES II, LLC. 5277 ROUTE 9W, NBGH

 (DUNKIN DONUTS) (20-2-40) B / LHI OVERLAY ZONE

VARIANCE:

USE VARIANCE TO ALLOW A FOOD PREPARATION SHOP WITH A DRIVE-THRU WINDOW IN THE BUSINESS / LHI OVERLAY ZONE.

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**HELD OPEN FROM THE MAY 22ND, 2014 MEETING**

LAXMI ESTATES II, LLC. 5277 ROUTE 9W, NBGH

 (DUNKIN DONUTS) (20-2-40) B / LHI OVERLAY ZONE

VARIANCE:

AREA VARIANCE FOR THE FRONT YARD SETBACK TO BUILD A FOOD PREPARATION SHOP WITH A DRIVE-THRU WINDOW IN THE BUSINESS / LHI OVERLAY ZONE.

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**RESERVED DECISION FROM MAY 22ND, 2014 MEETING**

LAKE CREEK PROPERTIES, LLC / 65 NORTH PLANK ROAD, NBGH

 LINGO ASSOCIATES, LLC. (76-1-1.1) B ZONE

 (McDONALD’S)

INTERPRETATION:

INTERPRETATION OF 185 ATTACHMENT 11 - SCHEDULE 11 - USE INTERPRETATION - TO DEMOLISH AND REBUILD THE EXISTING DRIVE-THRU McDONALD’S ESTABLISHMENT.

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**RESERVED DECISION FROM THE OCTOBER 24TH, 2013 MEETING**

C D & SONS CONSTRUCTION CORP. 12 BANNERMAN VIEW DRIVE, NBGH

 (22-4-6) R-3 ZONE

VARIANCE (S):

AREA VARIANCES FOR LOT #1 (BUILDING PERMIT # 13-0428) FOR ONE SIDE YARD SETBACK AND THE MINIMUM LOT WIDTH AND FOR LOT #2 FOR THE MINIMUM LOT WIDTH FOR A PROPOSED TWO-LOT SUBDIVISION .

**OTHER BOARD BUSINESS**

JULIUS & MARYANN MAGYAR 5469 ROUTE 9W, NBGH

 (9-1-3) B ZONE