

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

60-3-7
60-3-6-1

In the Application of

LOUIS J. GALLI

DECISION AND
RESOLUTION

The application of Louis J. Galli seeks an area variance to permit the enlargement of an existing structure located at the intersection of Route 52 and Union Avenue, an I-S Zone in the Town of Newburgh.

By Decision and Resolution of this Board dated January 21, 1983 this Board denied applicant's request for relief that would result in an expansion of the existing structure either to the front, Route 52 portion of the building, or side, Union Avenue portion of the building. The applicant, with permission of the Board, has returned for further consideration.

1. That the Decision and Resolution of this Board dated the 21st of January, 1983 is incorporated herein by reference and the procedural requirements directed by the Board in accepting the revised application and scheduling the rehearing thereon on February 24, 1983 have been complied with in all respects.


2. While the Board has sympathized with the applicant's need for expansion of the existing structure, it was found that such expansion, either to the front, limiting available space in the area of Route 52, or to the easterly side and into the available

parking area and the proximity to Union Avenue, so violated the public safety standards of the Ordinance as to require denial of the application.

HOWEVER, with the new revision to this application, permission is sought to construct a 12 foot by 36 foot addition to the existing structure, along the westerly side of said structure, being within 25 feet of the westerly lot line at the nearest point. Such improvement has a minimal impact on the Route 52 frontage and preserves existing off street parking along the Union Avenue side line.

THERE BEING NO FURTHER FINDINGS required of this Board, the application of Louis J. Gallo for a variance to permit the construction of a 12 foot by 36 foot addition along the westerly side of his existing, "Dairy Queen" structure be, and the same hereby is granted, subject to the following condition; that there also be constructed a fence or other aesthetic obstruction across the entire front of the structure to prevent vehicle access and parking from and along Route 52 and to afford a measure of security for pedestrians at that location.

APPRO: March 28th, 1983
Newburgh, New York



VOTING APPLICATION OF LOUIS J. GALLO

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| RALPH L. HOLT | YOTE | AYE |
| JAMES A. HARVIE | YOTE | AYE |
| DOUGLAS CARLE | YOTE | AYE |
| RICHARD BARKIN | YOTE | AYE |
| OLIVER COCKLE | YOTE | AYE |

Dated: Saratoga, New York
March 8, 1953

Ralph J. Holt