

TOWN OF NEW BURGH

_Crossroads of the Northeast _

ZONING BOARD OF APPEALS OLD TOWN HALL 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

APPLICATION
DATED: 7/27/2020
TO: THE ZONING BOARD OF APPEALS THE TOWN OF NEWBURGH, NEW YORK 12550
I (WE) Jeannine Gramstad PRESENTLY
RESIDING AT NUMBER 13
TELEPHONE NUMBER 845-567-1944
HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:
USE VARIANCE
AREA VARIANCE (S)
INTERPRETATION OF THE ORDINANCE
SPECIAL PERMIT
1. LOCATION OF THE PROPERTY:
90-3-25 (TAX MAP DESIGNATION)
13 Westwood Drive (STREET ADDRESS)
(ZONING DISTRICT)
2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

3. IF V	ARIANCE TO THE ZONING LAW IS REQUESTED:
a)	APPEAL IS MADE FROM DISAPPROVALBY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:
b)	OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:
4. DESC	CRIPTION OF VARIANCE SOUGHT: enlarging existing
5. IF A UZONI	USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE NG LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT
	UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:
	(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION
	The second section of the sect
b)	THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOI BECAUSE:
c)	THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

•	
AN	AREA VARIANCE IS REQUESTED:
a)	THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:
	the new deck doesn't interfere in other properties
b)	THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE OTHER PROPERTY.
	TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:
	Dontheed required setbacks for
c)	THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE: Not asking for enfire yard construct.
	THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:
	No restrictions/neighbor interference

6.

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	Hamene (1) () umxy
	PETITIONER (S) SIGNATURE
	. Baran (1986) - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
CTATE OF M	EW YORK: COUNTY OF ORANGE:
DIVITO OF ME	W YORK: COUNTY OF ORANGE:

7. ADDITIONAL REASONS (IF PERTINENT):

SWORN TO THIS

NOTARYPUBLIC



DAY OF

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
Jeannine Gramstad Deck		
Name of Action or Project:		
New Deck		
Project Location (describe, and attach a location map):		
13 Westwood Drive Newburgh M 12557 90	-3-25 R1	1
Brief Description of Proposed Action:	a de la	L
13 Westwood Drive Newburgh M/2550 98 Brief Description of Proposed Action: teplacing & enlarging old deck		
Name of Applicant or Sponsor: Telephone 845-567	-19 U.V	
Jeannine Tramstad E-Mail: alansmom 3	3/82egol.co	W
Address:	0,70 - 0,011 - 0	- (
13 Westwood Drive		
Newburan	Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance,	NO YES	
administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that		
may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	$ \mathcal{P} $	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?	NO YES	
If Yes, list agency(s) name and permit or approval:	\mathbb{X}	
3.a. Total acreage of the site of the proposed action?		
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned		
or controlled by the applicant or project sponsor?		
4. Check all land uses that occur on, adjoining and near the proposed action. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)		
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify):		
Parkland		

Would the proposed action physically alter, or encroach into, any existing wetlander waterbody? identify the wetland or waterbody and extent of alterations in square feet or acres: entify the typical habitat types that occur on, or are likely to be found on the project site. Check all the shoreline		10 X V V V V V V V V V	YES VES VES
the project site located in the 100 year flood plain?		NO NO NO NO NO NO NO NO	YES
entify the typical habitat types that occur on, or are likely to be found on the project site. Check all the shoreline		10 X 10 10 10 10 10 10 1	
tentify the wetland or waterbody and extent of alterations in square feet or acres: Comparison		X	
in square feet or acres: dentify the wetland or waterbody and extent of alterations in square feet or acres: dentify the typical habitat types that occur on, or are likely to be found on the project site. Check all the shoreline	1	•	YES
in square feet or acres: dentify the wetland or waterbody and extent of alterations in square feet or acres: dentify the typical habitat types that occur on, or are likely to be found on the project site. Check all the shoreline	1	•	YES
entify the typical habitat types that occur on, or are likely to be found on the project site. Check all the Shoreline Forest Agricultural/grasslands Early mid-successiona	nat app	Dly:	
, identify the wetland or waterbody and extent of alterations in square feet or acres:		X	
Would the proposed action physically alter, or encroach into, any existing wetlander waterbody? , identify the wetland or waterbody and extent of alterations in square feet or acres:	_ [X	
Would the proposed action physically alter, or encroach into, any existing wetlander waterbody?		XII	
	1 1		لللل
Does any portion of the site of the proposed action, or lands adjoining the proposedaction, contain wetlands or other waterbodies regulated by a federal, state or local agency?	- 1	10 X	YES
		Ž	
. Places?		XI	YES
Does the site contain a structure that is listed on either the State on National Parks are	_		7/70/5
If No, describe method for providing wastewater treatment:		וא	
ill the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing potable water:	_	X	
		NO	YES
	_	内	
proposed action will exceed requirements, describe design features and technologies:	-	NO NO	YES
Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the proposed action meet or exceed the grote or sixty and the grote or sixt		X	
	f	团	間
\cdot	ŀ	NO X	YES
the site of the proposed action located in, or does it adjoin, a state listed Critical Evironmental Ares, identify:	a?	NO	YE.
uidscaper		NO	YE
Consistent with the adopted comprehensive plan?		囚	
•		X	S N/A
	the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Are s, identify: Will the proposed action result in a substantial increase in traffic above present levels? Are public transportation service(s) available at or near the site of the proposed action? Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action set the proposed action meet or exceed the state energy code requirements? proposed action will exceed requirements, describe design features and technologies: Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: If No, describe method for providing wastewater utilities? If No, describe method for providing wastewater treatment: Does the site contain a structure that is listed on either the State or National Registr of Historic Places? Is the proposed action located in an archeological sensitive area?	A permitted use under the zoning regulations? Consistent with the adopted comprehensive plan? the proposed action consistent with the predominant character of the existing builtor natural indicape? the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? s, identify: Will the proposed action result in a substantial increase in traffic above present leels? Are public transportation service(s) available at or near the site of the proposed action? Are any pedestrian accommodations or bicycle routes available on or near site of a proposed action? es the proposed action meet or exceed the state energy code requirements? proposed action will exceed requirements, describe design features and technologis: Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: If No, describe method for providing wastewater utilities? If No, describe method for providing wastewater treatment: Does the site contain a structure that is listed on either the State or National Registr of Historic Places? Is the proposed action located in an archeological sensitive area? Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	A permitted use under the zoning regulations? Consistent with the adopted comprehensive plan? the proposed action consistent with the predominant character of the existing builtor natural

18. Does the proposed action include construction or other activities that result in the inpoundment of	NO	YES
water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:		
19. Has the site of the proposed action or an adjoining property been the location of anictive or closed solid waste management facility?	NO	YES
If Yes, describe:	X	
20. Has the site of the proposed action or an adjoining property been the subject of remdiation (ongoing or	NO	YES
completed) for hazardous waste? If Yes, describe:	XI	
	الدخا	——————————————————————————————————————
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE I KNOWLEDGE	EST OI	YMT
Applicant/sponsor name: Jeannine R. Gramstad Date: 7/27/20	<u> </u>	

A	gency Use Only [If applicable]
Project:	
Date:	
	A STATE OF THE STA

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

1.	Will the proposed action create a material conflict with an adopted land use plan or oning	No, or small impact may occur	Moderate to large impact may occur
2.	Togutations:		
	Will the proposed action result in a change in the use or intensity of use of land?		
3.	Will the proposed action impair the character or quality of the existing community?		
·4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6.	Will the proposed action cause an increase in the use of energy and it fails to incorprate reasonably available energy conservation or renewable energy opportunities?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	b. public / private wastewater treatment utilities?		
8.	Will the proposed action impair the character or quality of important historic, archaelogical, architectural or aesthetic resources?		Paragraphic I
9,	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10.	Will the proposed action result in an increase in the potential for erosion, flooding a drainage problems?		
11.	Will the proposed action create a hazard to environmental resources or human health?		

Agen	cy Use Only [If applicable]
Project:	
Date:	

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.					
Name of Lead Agency Date					
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer				
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)				

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the day of September, Two Thousand Three

BETWEEN

DOROTHY ELMENDORF, residing at 13 Westwood Drive, Newburgh, NY 12550 party of the first part, and

JEANNINE GRAMSTAD, residing at 72-22 67th Street, Glendale, NY 11385,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN and 00/100 (\$10.00) dollars,

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

BEING the same premises described in a certain deed dated August 13, 2003 from Dorothy Elmendorf and Clinton Elmendorf to Dorothy Elmendorf, and recorded in the Orange County Clerk's office simultaneously herewith.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

Description of lands for Gramstad

All that certain lot piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at an iron pipe found in the easterly line of Westwood Drive at the southwesterly corner of lands of Giff as described in dl.5435 pg.97 and being at the northwesterly corner of the here-in described parcel; thence from the said point or place of beginning and following along the line of lands of Giff, South 77 degrees 00 minutes 00 seconds East 120.00 feet to an iron pipe found; thence along the line of lands of Goldner and lands of Grey and passing near an iron pipe found in concrete at 10 feet, South 13 degrees 00 minutes 00 seconds West 90.00 feet to a point; thence along the line of lands of Guidry, North 77 degrees 00 minutes 00 seconds West 120.00 feet to an iron pipe found; thence along the easterly line of Westwood Drive, North 13 degrees 00 minutes 00 seconds East 90.00 feet to the point or place of beginning and containing 0.247 acres of land, more or less.

The word "party" shall be construed as if it re	ead "parties	s" when	ever the se	nse of thi	s indenture s	o requires.
IN WITNESS WHEREOF, the party of the	first part h	as duly	executed t	his deed t	he day and y	ear first
above written.					•	
IN PRESENCE OF			_	1	1	

STATE OF NEW YORK)
ss.:
COUNTY OF ORANGE)

On the day of September, 2003, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared Dorothy Elmendorf, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that said individual executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument

TODD A. KELSON

NOTARY PUBLIC, State of New York

Qualified in Orange County

No. 4870143

Commission Expires August 11, 19

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

Title No.

130-001754

DOROTHY ELMENDORF

SECTION 90
BLOCK 3
LOT 25
COUNTY OF ORANGE
TOWN OF NEWBURGH

TO

JEANNINE GRAMSTAD RETURN BY MAIL TO:

WILLIAM D. BAVOSO, ESQ. 19 East Main Street Port Jervis, NY 12771

NBC ABSTRACT, INC.
PATRICIA A. NIOSI
P.O. BOX 1010
27 BALL STREET
PORT JERVIS, N.Y. 12771
(914) 856-3330



TOWN OF NEWBURGH

~Crossroads of the Northeast~

308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801 FAX LINE 845-564-7802

2843-20

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/10/2020

Application No. 20-0369

To: Jeannine Gramstad 13 Westwood Dr Newburgh, NY 12550

SBL: 90-3-25

ADDRESS:13 Westwood Dr

ZONE: R1

PLEASE TAKE NOTICE that your application dated 05/13/2020 for permit to add a 8'-6" x 19'-6" rear deck onto a 9'-6" x 19'-6" deck that was built without a permit on the premises located at 13 Westwood Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 3: Requires a 40' rear yard setback

2) Bulk table schedule 3: Requires a 80' combined side yard setback

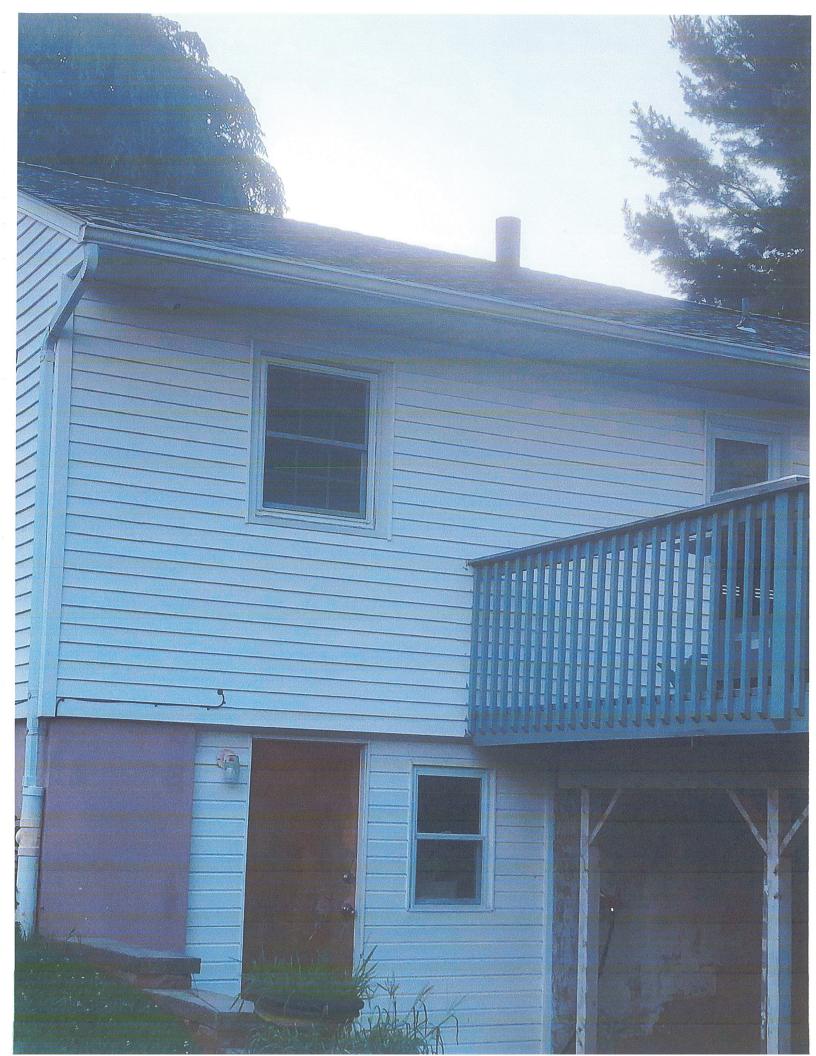
Joseph Mattina

Cc: Town Clerk & Assessor (500')

File

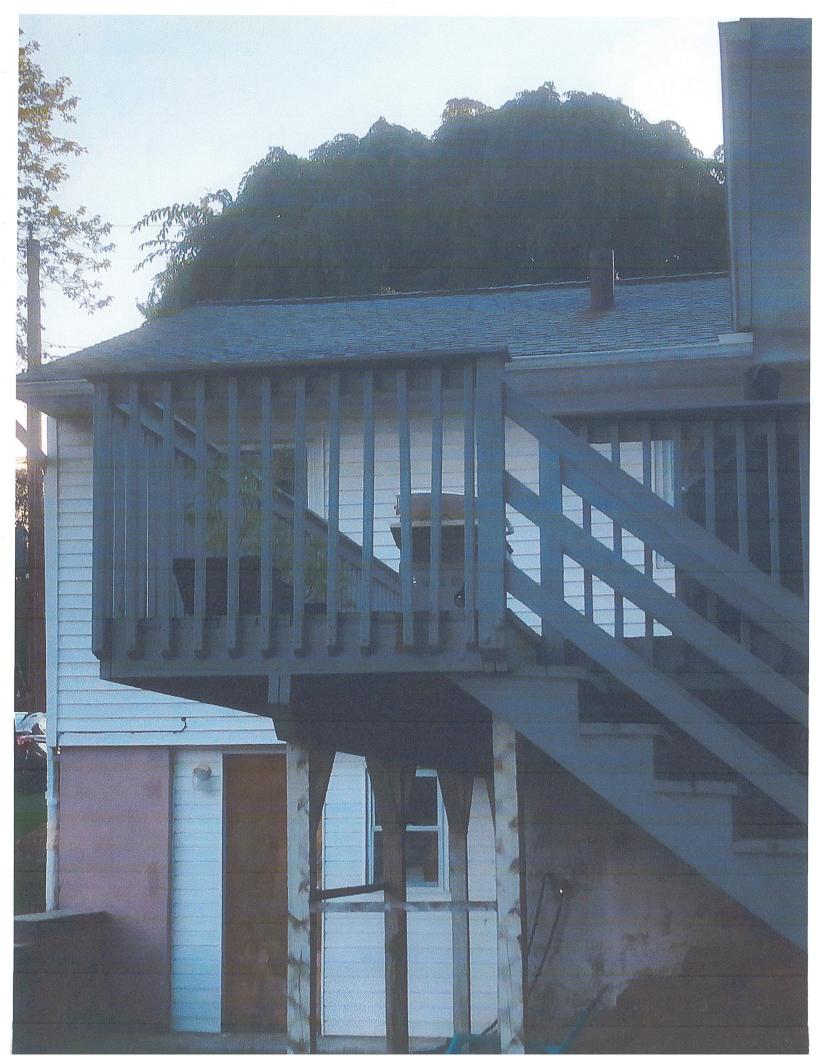
Town of Newburgh Code Compliance

OWNER INFORMA	TION BUIL	.I WIIH OU	A PERMIT	YES	NO NO	
NAME: Jeannine Gra		mstad		Building permit#		20-0369
ADDRESS:	13 \	Westwood Dr.	Newburgh N	Y 12550		
PROJECT INFORMATION:		AREA VARIANCE		<u>USE VARIANCE</u>		
TYPE OF STRUCTURE:		19'-6" x 18' rear deck				
SBL: 90-3-25 ZONE:		R-1 ZBA Application # 7843-70			3-20	
TOWN WATER:	NO		WN SEWER: YES / NO			
	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE	
LOTA	REA					
LOT W	DTH					
LOT DE	PTH					
FRONT Y	ARD					
REAR Y	ARD 40'	37'		3'	7.50	
COMBINED SIDE Y	ARD 80'	50.2'		29.8'	37.25	
MAX. BUILDING HEI	GHT					
BUILDING COVER	AGE					
SURFACE COVER	AGE					
INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES X 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO CORNER LOT - 185-17-A YES / NO						
ACCESSORY STRUCTURE: GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 FRONT YARD - 185-15-A STORAGE OF MORE THEN 4 VEHICLES HEIGHT MAX. 15 FEET - 185-15-A-1 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO						
NOTES: A	dding a 8'-6" x 19	'-6" rear dec	k to a prior	built 9'-6" x	19'-6" deck	E THE METHOD STATE OF THE STATE
VARIANCE(S) REQI	JIRED:					
1 Bulk table schedule 3	: Requires a 40' mi	nimum rear ya	rd setback			
2 Bulk table schedule 3	: Requires a 80' coi	mbined side ya	ard setback			
3					ne er neu mederne er hitze it en neu en der meserke er meder neuen er geben der neuen er der neuen er der neue	All the latest of the the section of
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REVIEWED BY: Joseph Mattina			DA	TE:	5-Jun-20	enterendente de la companya de la co







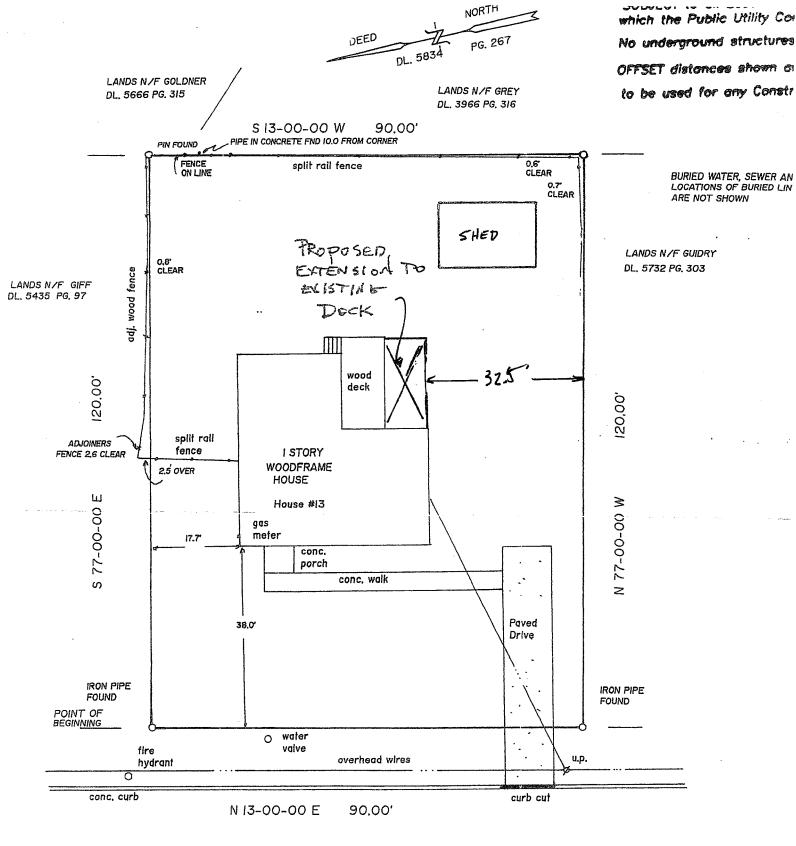












WESTWOOD DRIVE

conc. curb

SURVEY MAP
of lands for

AFFIDAVIT OF POSTING(S) OF NOTICE OF PUBLIC HEARING AT THE PROPERTY

STATE OF NEW YORK: COUNTY OF ORANGE:
1 Jemnine Gramstad, being duly sworn, depose and say that I did on or before
August 13, 2020, post and will thereafter maintain at
13 westwood Dr 90-3-25 R-1 Zone in the Town of Newburgh, New York, at or near the front
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which
notice was in the form attached hereto.
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time. Sworn to before me this 27th Sworn to before me this 27th
Christine M. Giaimo NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01G15035167 Qualified in Ulster County Commission Expires Oct. 24, 20

