



Orange County Department of Planning
Application for Mandatory County Review of Local Planning Action
(Variances, Zone Changes, Special Permits, Subdivisions)

To be completed by Local Board having jurisdiction.
To be signed by Local Official.

TONZBA Town of Newburgh

MUNICIPALITY: ZONING BOARD of Appeals TAX MAP ID: 80-4-1.22
(Section-Block-Lot)

Local File #: 2317-12

Project Name: _____

Applicant: BRIAN R. MOREHEAD

Address: 137 Powelton Circle, Newburgh NY

Attorney, Engineer, Architect: D. FREEMAN, Architect

Location of Site: 137 Powelton Circle CATALPARA
(Street, highway, nearest intersection)

With in
500 Ft of
9W

Size of Parcel: 1 acre Existing Lots: _____ Proposed Lots/Units _____

Present Zoning District: R-1

TYPE OF REVIEW:

[] Special Use Permit* (SUP): _____

[x] Variance* USE (VU):
AREA (AV): INCREASING DEGREE of NON-CONFORMITY of
FRONT YARD setback for RAISING ROOF for
REAR ADDITION

[] Zone Change* FROM: _____ TO: _____

[] Zoning Amendment** To Section: _____

[] Subdivision Major _____ Minor _____

[] Sketch

[] Preliminary

[] Final

DATE: 10/3/12

Shane Cardone

CHAIRPERSON, Signature and Title
ZONING BOARD of Appeals

*Cite Section of Zoning Regulations where pertinent.

FOR COUNTY USE ONLY

County ID # _____



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Grace Cardone

Chairperson, Signature and Title
ZONING BOARD of Appeals

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FOR COUNTY USE ONLY

County ID # _____

TOWN OF NEWBURGH

Crossroads of the Northeast

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

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 2 OCTOBER 2012

TO: THE ZONING BOARD OF APPEALS
THE TOWN OF NEWBURGH, NEW YORK 12550

I (WE) BRIAN R. MOREHEAD PRESENTLY
RESIDING AT NUMBER 137 POWELTON CIRCLE
TELEPHONE NUMBER 566-9354

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

S 80 B 4 L 1.22 (TAX MAP DESIGNATION)
137 POWELTON CIRCLE (STREET ADDRESS)
R-1 (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: SEPT. 20, 2012
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: INCREASING DEGREE OF NON-CONFORMITY FOR EXISTING FRONT YARD SETBACK

N/A

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- a) 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)

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF 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:

ALTERATIONS TO THE FRONT OF THE HOUSE ARE NOT SUBSTANTIAL AND WILL BLEND WITH THE EXISTING STRUCTURE.

b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

ADDITION IS TO AN EXISTING STRUCTURE ALREADY PROTRUDING INTO THE FRONT YARD SETBACK.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

IT IS 13% OF THE REQUIRED.

d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

ALTERATION WILL BE NO NEARER TO THE STREET THAN THE EXISTING STRUCTURE.

e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

HOUSE WAS PURCHASED IN ITS CURRENT CONDITION.

7. ADDITIONAL REASONS (IF PERTINENT):

ALL OTHER BULK REQUIREMENTS ARE SUFFICIENT AND WILL REMAIN SO AFTER CONSTRUCTION.

Brian R Morehead
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OR ORANGE:

SWORN TO THIS 28 DAY OF Sept. 2012

Maureen C Bifolco
NOTARY PUBLIC

MAUREEN C. BIFOLCO
Notary Public, State of New York
No. 01BI6112706
Qualified in Orange County
My Commission Expires 07/06/ 2016

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.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR BRIAN R. MOOREHEAD	2. PROJECT NAME HOUSE ADDITION AND ALTERATION
3. PROJECT LOCATION: Municipality TOWN OF NEWBURGH County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 137 POWELTON CIRCLE TAX. MAP SECTION 80 BLOCK 4 LOT 1, 22	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: 984 SQ. FT. ADDITION TO THE REAR OF THE HOUSE. ALTERATION TO THE FRONT ENTRANCE.	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.0</u> acres Ultimately <u>1.0</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly FRONT YARD SET BACK VARIANCE REQUIRED.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: TOWN OF NEWBURGH BUILDING DEPARTMENT.	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: BRIAN R. MOOREHEAD	Date: 10/2/12
Signature: William B. Helms, L.S. (PREPARED)	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 AND provide, on attachments as necessary, the reasons supporting this determination.

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)

Reset

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Brian R. Morehead, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 137 Powelton Circle - Newburgh
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF _____
SAME

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED George Barley
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9-28-2012 Brian R. Morehead

OWNER'S SIGNATURE

Eric M. Hoasmir

WITNESS' SIGNATURE

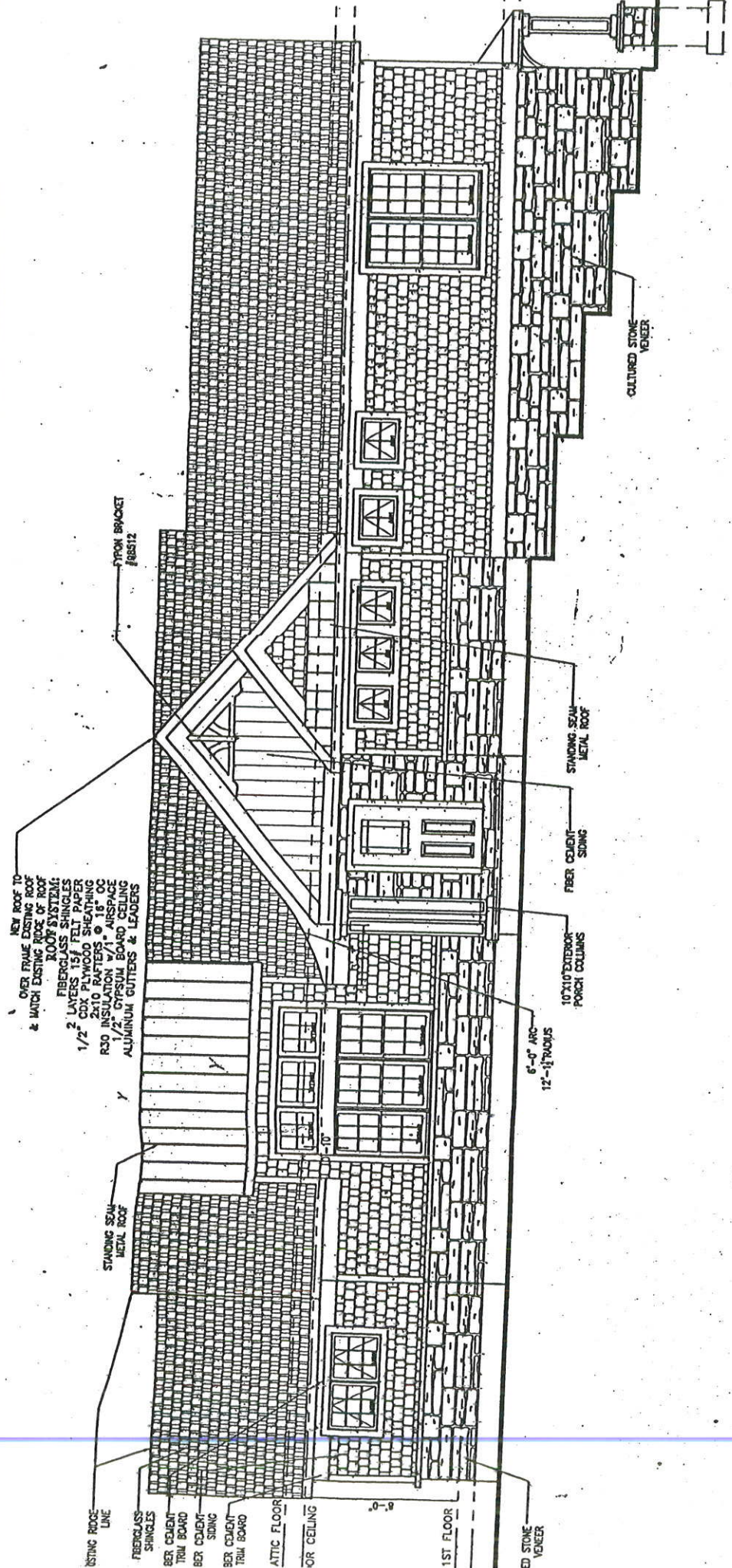
STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 28 DAY OF Sept. 2012

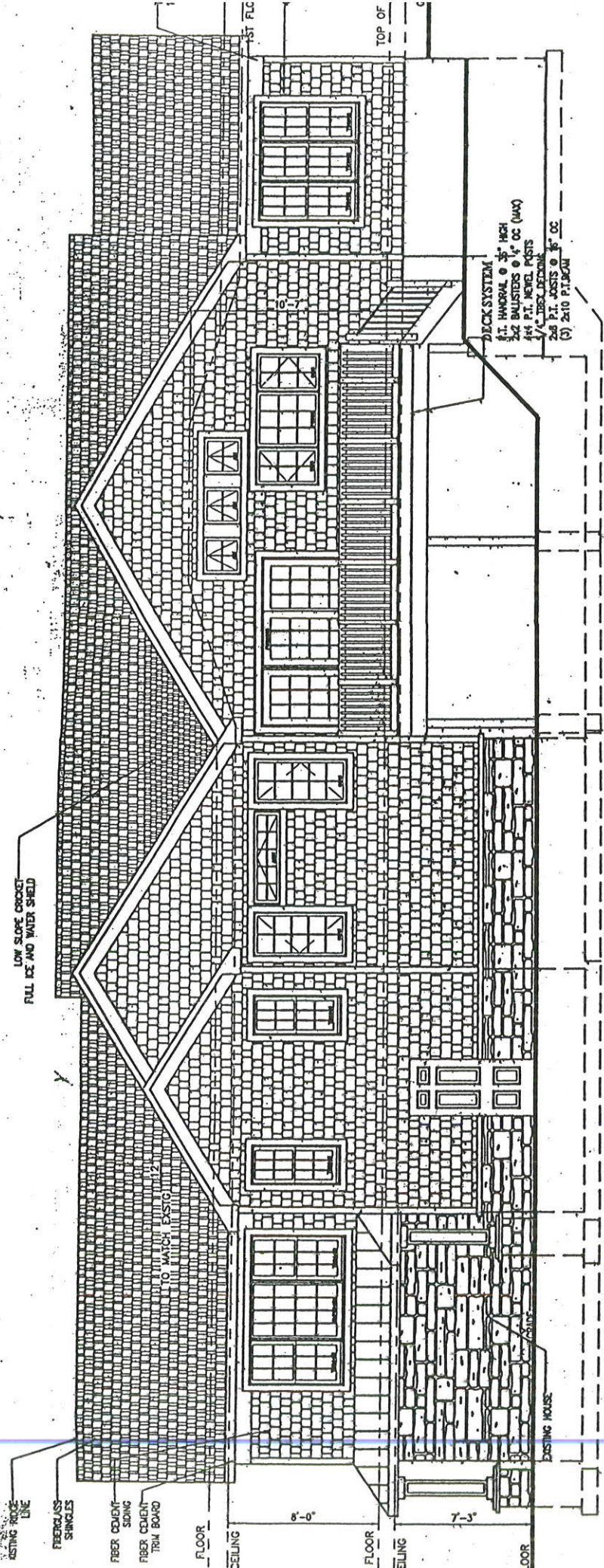
Maureen C. Bifolco

NOTARY PUBLIC

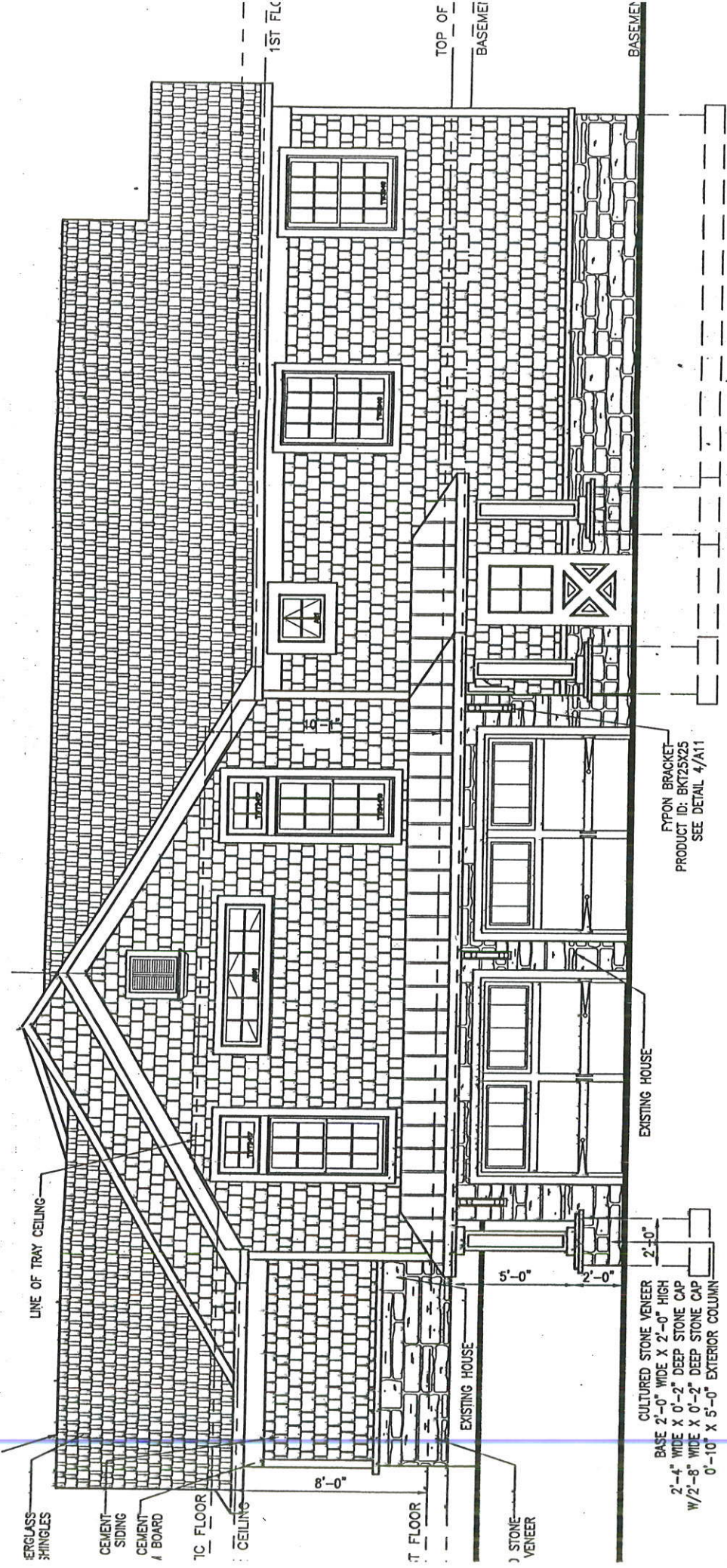
MAUREEN C. BIFOLCO
Notary Public, State of New York
No. 01B16112706
Qualified in Orange County
My Commission Expires 07/06/ 2016



1 Front Elevation
A5 Scale: 1/4"=1'-0"



2 Rear Elevation
A6 Scale: 1/4"=1'-0"



2 Right Elevation

Scale: 1/4"=1'-0"

A5

FYPON BRACKET
PRODUCT ID: BKT25X25
SEE DETAIL 4/A11

EXISTING HOUSE

CULTURED STONE VENEER
BASE 2'-0" WIDE X 2'-0" HIGH
2'-4" WIDE X 0'-2" DEEP STONE CAP
W/2'-8" WIDE X 0'-2" DEEP STONE CAP
0'-10" X 5'-0" EXTERIOR COLUMN

EXISTING HOUSE

STONE VENEER

1ST FLOOR

8'-0"

5'-0"

2'-0"

2'-10"

TOP OF BASEMENT

BASEMENT

1ST FLOOR

PERGLASS SHINGLES

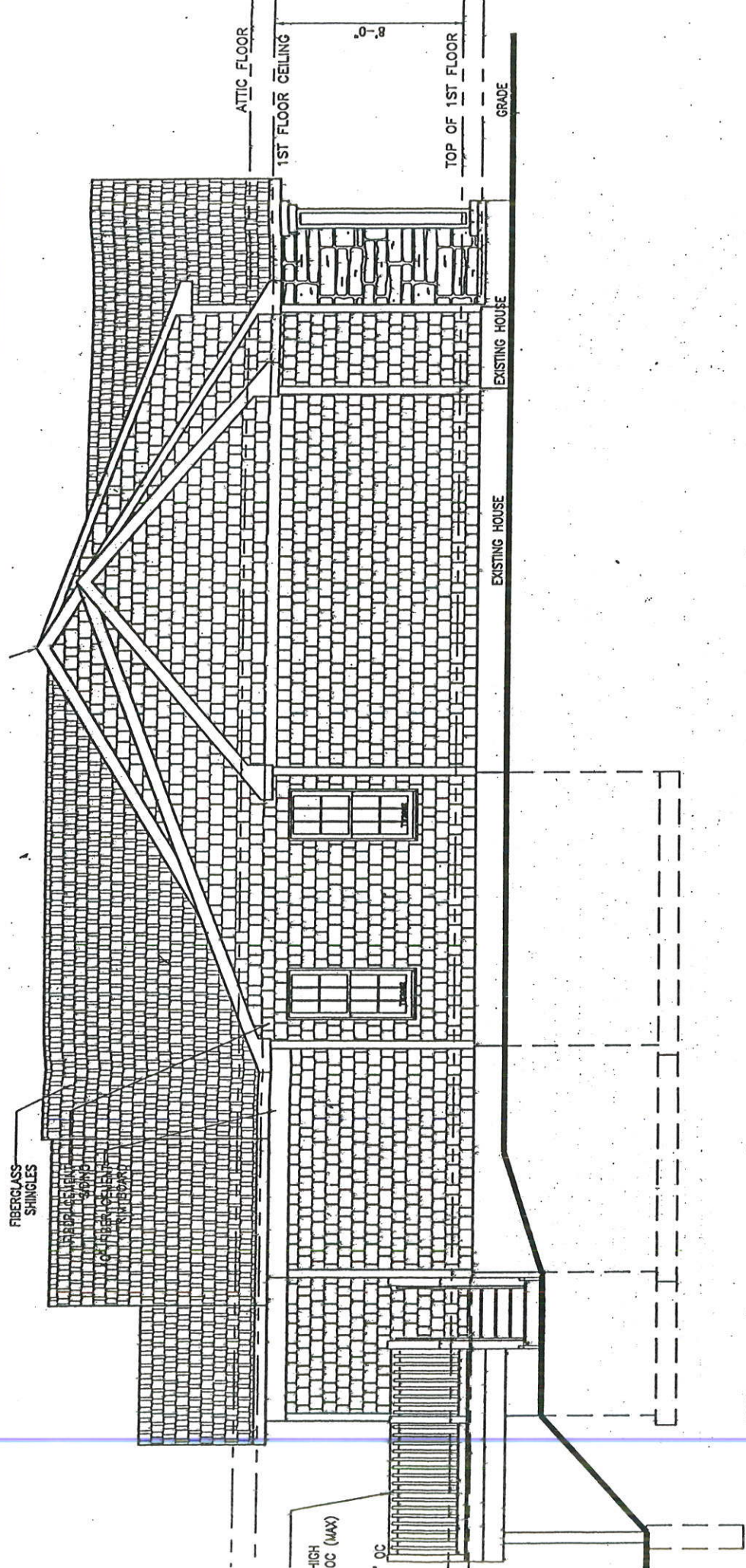
CEMENT SIDING

CEMENT BOARD

1ST FLOOR

CEILING

LINE OF TRAY CEILING



1 Left Elevation

A6 Scale: 1/4"=1'-0"

LOW SLOPE CRICKET
FULL ICE AND WATER SHIELD



TOWN OF NEWBURGH

Crossroads of the Northeast
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550
(845)564-7801

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. 2317-12

Date: September 20, 2012

To: BRIAN MOREHEAD

SBL 80-4-1.22

137 POWELTON CIRCLE

ADD: 137 POWELTON CIRCLE

NEWBURGH, NY 12550

ZONE R-1

PLEASE TAKE NOTICE that your application dated September 11,

20 12 for permit to build a rear addition raising the roof.

At the premises located at 137 Powelton Circle

Is returned herewith and disapproved on the following grounds:

185 - 19 - C - 1 -
SHALL NOT INCREASE THE DEGREE OF NON-CONFORMITY (FRONT YARD
SETBACK)


JOSEPH MATTINA

Cc: Town Clerk & Assessor (300')
File

Town of Newburgh Code Compliance

OWNER INFORMATION *BUILT WITH OUT A PERMIT* **NO**

NAME: BRIAN MOREHEAD

ADDRESS: 137 POWELTON CIRCLE NEWBURGH NY 12550

2317-12

PROJECT INFORMATION:

TYPE OF STRUCTURE: REAR ADDITION / RAISING ROOF

SBL: 80-4-1.22 **ZONE:** R / 1

TOWN WATER: **YES** **TOWN SEWER:** **NO**

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'	43.7'	INCREASING DEGREE NON-CONFORMITY		
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 **YES**
 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 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

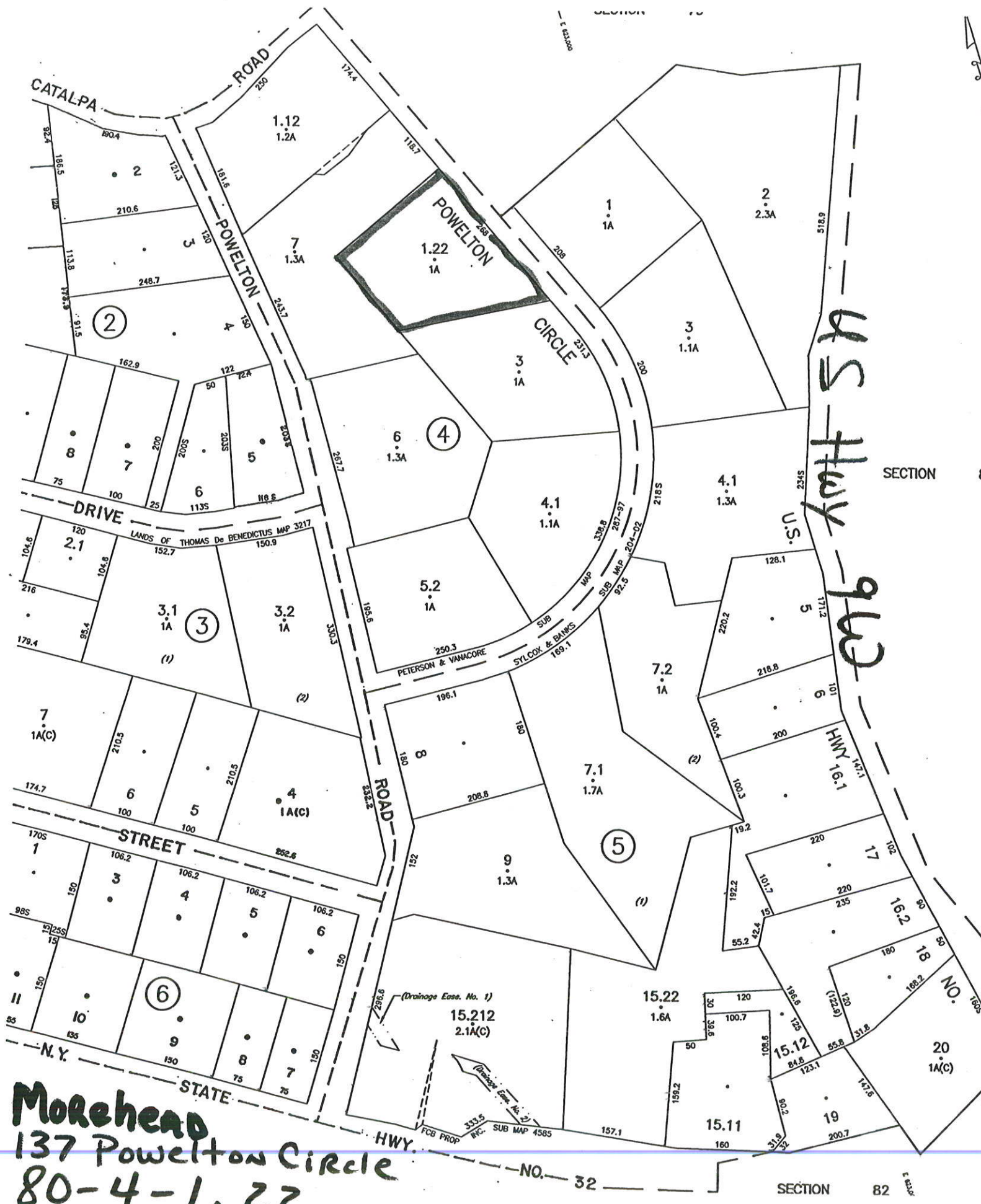
NOTES: **RAISING THE ROOF PITCH ON THE FRONT OF THE DWELLING.
 NON CONFORMING WITH FRONT YARD SETBACK.**

VARIANCE(S) REQUIRED:

- 1 185-19-C-1 SHALL NOT INCREASE THE DEGREE OF NON-CONFORMITY.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: SEPTEMBER 19,2012



Morehead
 137 Powelton Circle
 80-4-1.22

U.S. Hwy 963

SECTION 8

SECTION 82