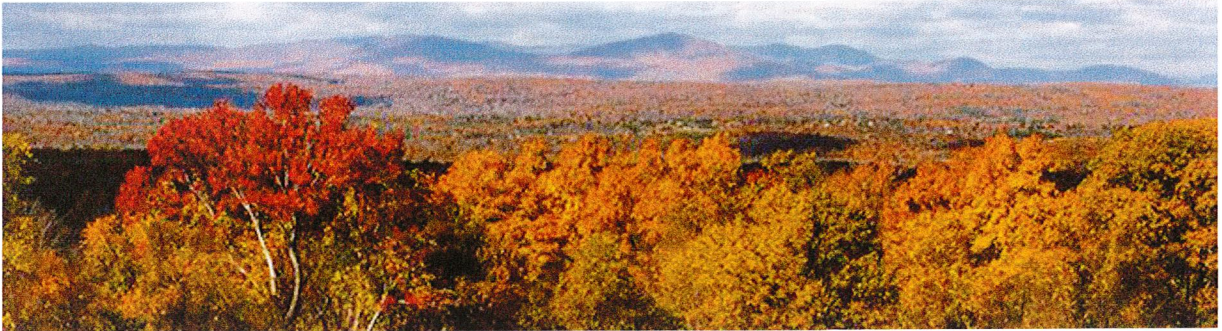


Gardiner Engineering, PC

61 Ferris Lane
New Paltz, NY 12561
914 474-2500 • Fax 845 256-9147



March 4, 2020

Mr. Darrin J. Scalzo, Chairman
Town of Newburgh, NY
Zoning Board of Appeals
Old Town Hall
308 Gardnertown Road,
Newburgh, NY 12550

March 5, 2020

**Re: PROPOSED AREA VARIANCE for 15 Brooker Drive Garage Reconstruction Project
SBL 22-10-5 1110 – 72 nd Street LLC.**

Dear Mr. Scalzo:

Under cover of this letter, I am transmitting the following documents for your records and approval in connection with issuing an area variance for the referenced project.

Documents:

- ZBA Application and Check for \$ 300.
- Building Inspectors Permit Disapproval Form & letter.
- Plot Plan of property 11 copies – 3 Sheets
- Notarized Proxy Form
- Certified copy of Deed from Orange County
- Bargain and Sale Deed
- SEQRA Short Environmental Assessment Form
- Property Inventory Report from Orange County
- Zoning Excerpts from Bulk Table and 185-18A(1)

Explanation:

The home was constructed in 1956 before the adoption of the Building Code and Zoning Laws. The garage attached to the home was repaired in 2007 following notification by the Building Inspector in 2006. The former owner did not obtain a building permit for the work associated with repairs prior to the adoption of the property maintenance code. As you are aware, many of

the homes constructed during that time period have variances with the setback requirements of the bulk table. This home is located in district R-3 and is covered under Bulk Table 5. A drawing is attached for your review that identifies the issue of having less than 30 foot combined left and right side yards. There is an exception in the zoning law for homes that are located in R-3 district under 185-18-A(1), that recognizes these historical variances from the current code.

The project included only the reconstruction of the garage that is reported to have occurred in 2007. The 22'x16', 392 SF wood framed structure appears to have been re-constructed atop the existing foundation wall.

As always, thank you for your assistance in this matter.

Respectfully,



Anthony MeJuso, PE
Gardiner Engineering



OFFICE OF ZONING BOARD
(845) 566-4901

TOWN OF NEWBURGH

Crossroads of the Northeast

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

APPLICATION

DATED: March 4, 2020

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

I (WE) Alon Sheerth for 1110 72nd st. PRESENTLY associates LLC
RESIDING AT NUMBER 429 Bambrick st. oceanside, NY
TELEPHONE NUMBER 718-5103533

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:

22-10-5 (TAX MAP DESIGNATION)
15 Brooker Dr. (STREET ADDRESS)
R-3 (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).

BULK TABLE - SCHEDULE 5; REQUIRES 30'
COMBINED SIDE YARD SETBACK
185-18 A(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: 2/5/2020
- 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: AREA VARIANCE FOR

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:
IT CAN NOT BE OCCUPIED OR SOLD.

(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:



TOWN OF NEWBURGH

Crossroads of the Northeast

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

~~X~~ THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

N/A CONTINUED FROM USE VARIANCE

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:

THIS HOME, ORIGINALLY CONSTRUCTED IN 1956 BLENDS WITH NEIGHBORHOOD AESTHETIC REQUIREMENTS FOR THE PERIOD. NO NEW CONSTRUCTION BEYOND THE ORIGINAL BUILDING FOOTPRINT IS SOUGHT.

- 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:

ANY OTHER REMEDY WOULD REQUIRE DEMOLITION OF PART OF THE STRUCTURE TO THE "PRESCRIBED" SIDE YARD. THE GARAGE IS LISTED AS A TAXABLE ASSET ON THE COUNTY WEBSITE AND THE TOWN'S PROPERTY CARD.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THIS VARIANCE, IF APPROVED WILL ADDRESS THE CONFLICT BETWEEN HISTORICAL BUILDING PRACTICES AND THE CURRENT BUILDING AND ZONING CODES. IT DOES NOT INCREASE LOT COVERAGE.

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

NO NEW CONSTRUCTION, OR INCREASE IN LOT COVERAGE ON THIS 100X200 (WIDE X DEEP) LOT IS PROPOSED. THE ARRANGEMENT OF HOMES ON EITHER SIDE PROVIDES FOR PRIVACY. THIS WILL CORRECT A POSSIBLE MATH ERROR IN GARAGE SIZE.

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

THIS HOME WAS PURCHASED BY CURRENT OWNER WELL AFTER THE SERIES OF EVENTS THAT NOW REQUIRE AN AREA VARIANCE TO RECONCILE THE DICOTOMY BETWEEN THE EXISTING HOME ON THE LOT, WITH THE CURRENT CODES. SITING

7. ADDITIONAL REASONS (IF PERTINENT):

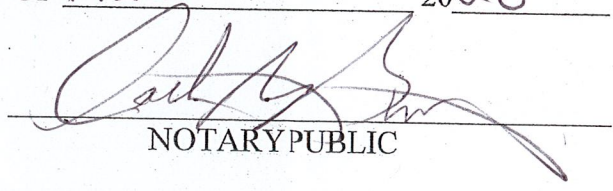
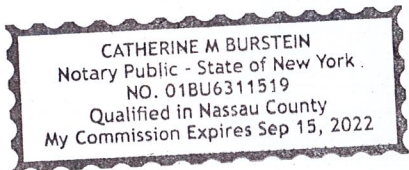
SEE ATTACHED DRAWINGS



Alon Shestov For 1110 72nd St
PETITIONER (S) SIGNATURE associates LLC

STATE OF NEW YORK: COUNTY OF ~~ORANGE~~: Nassau

SWORN TO THIS 3rd DAY OF March 2020


NOTARY PUBLIC

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)

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Alon Shedit for 1110 72nd St. Assets LLC., DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 429 Bambridge St. Oceanside
IN THE COUNTY OF Nassau AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 15 Brooker
Dr. Newburgh

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

DATED: 03/03/2020

[Signature]

OWNER'S SIGNATURE

[Signature]

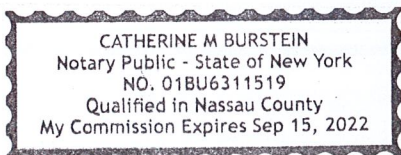
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF Nassau ~~ORANGE~~:

SWORN TO THIS 3rd DAY OF March 2020

[Signature]

NOTARY PUBLIC



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

February 6, 2020

1110 72nd Associates LLC
429 Bambrick St
Oceanside, NY 11572

Re: 1 Brooker Dr, Newburgh
22-10-5 R3 Zone

To whom it may concern:

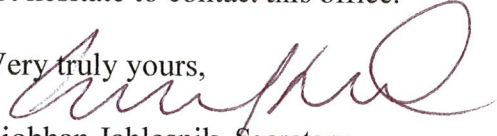
Enclosed please find Notice of Disapproval of Building Permit Application together with Application and Instructions for the Zoning Board of Appeals.

To keep a 16' x 22' attached garage on your property in the Town of Newburgh you must obtain variances from the Zoning Board of Appeals.

The next scheduled available meeting of the Zoning Board of Appeals is Thursday March 26, 2020. If this Agenda is full, the next meeting will be Thursday April 23, 2020. If you plan on applying to the Zoning Board of Appeals for variances, the application and all materials requested must be submitted to this office no later than 10 business days prior to the hearing date. Also all mailings must be completed at least 10 business days prior to that date.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,


Siobhan Jablesnik, Secretary
Zoning Board of Appeals

/BG

Encl. NYS GML Section 239 requires the Zoning Board of Appeals 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.



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

2825-20

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 02/05/2020

Application No. 20-0090

To: 1110 72nd Associates LLC
429 Bambrick Street
Oceanside, NY 11572

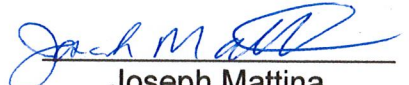
SBL: 22-10-5
ADDRESS: 15 Brooker Dr

ZONE: R3

PLEASE TAKE NOTICE that your application dated 02/04/2020 for permit to keep a 16' x 22' attached garage built without permits or approvals on the premises located at 15 Brooker Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 5: Requires a combined side yard setback of 30'


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: 1110 72nd Associates LLC **Building Application #** 20-0090

ADDRESS: 429 Bambrick St. Oceanside NY 11572

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: Garage @ 15 Brooker Dr.

SBL: 22-10-5 **ZONE:** R-3 **ZBA Application #** 2825-20

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
ONE SIDE YARD	15'		1.75'	Existing non-conforming	
COMBINED SIDE YARD	30'		14.33'	15.67'	52.23%
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

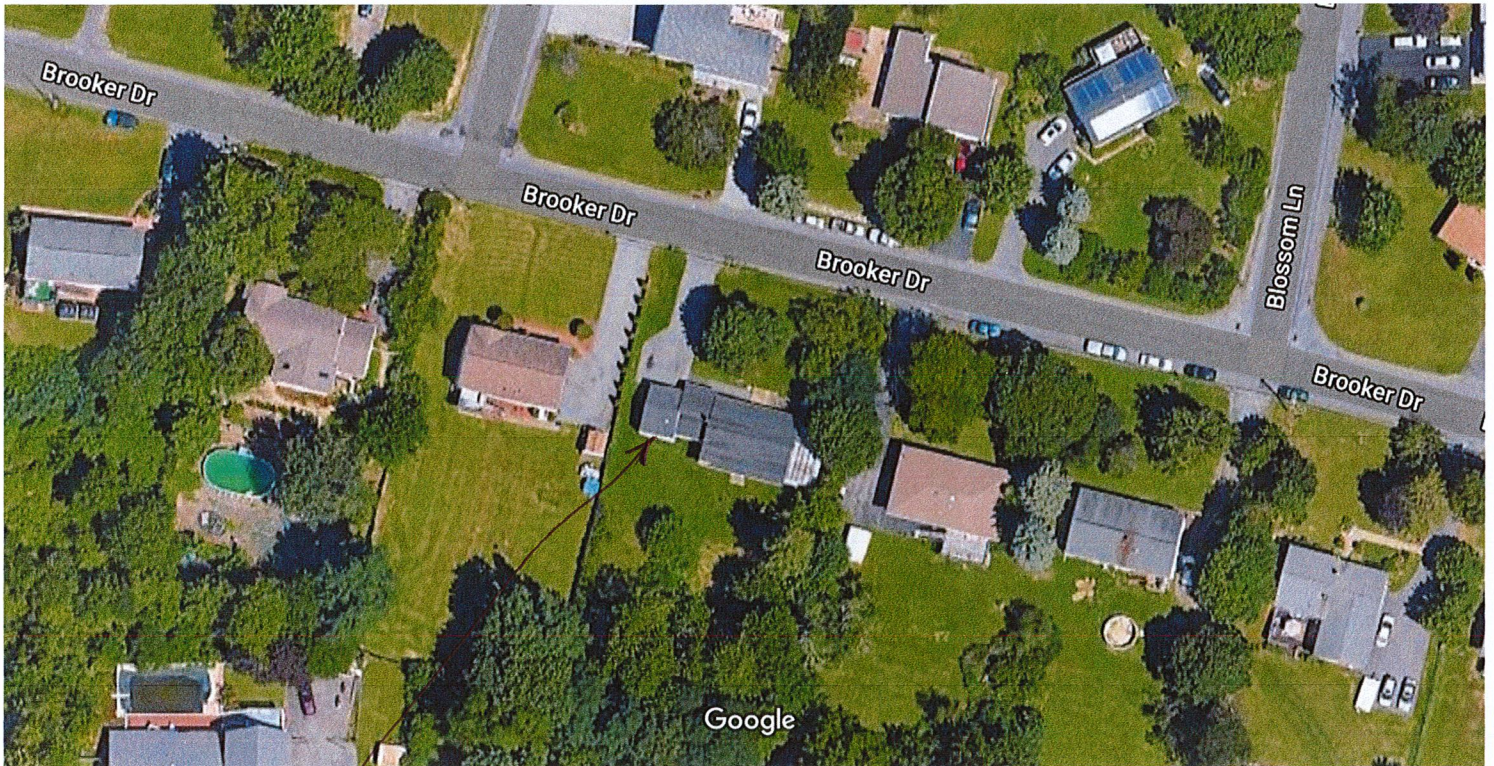
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES: Enlarged an existing non-conforming attached garage approximately 2007

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 5: Requires a 30' combined side yard setback
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 5-Feb-20



GARAGE AND EXISTING STOCKADE
FENCE ON WESTSIDE OF LOT
22-10-5 @ BROOKER DRIVE
RECONSTRUCTED OR REPAIRED
IN 2007 FOLLOWING BUILDING
INSPECTORS COMMENTS ON
APPARENT MAINTENANCE ISSUES.

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			
1110 72ND STREET ASSOCIATES			
Name of Action or Project: AREA VARIANCE FOR 15 BROOKER DRIVE			
Project Location (describe, and attach a location map): NEWBURGH, NY			
Brief Description of Proposed Action: AREA VARIANCE TO RECONCILE HISTORICAL SINGLE FAMILY RESIDENTIAL HOME PLACEMENT ON 100' WIDE X 200' DEEP LOT WITH CURRENT TOWN OF NEWBURGH ZONING.			
Name of Applicant or Sponsor: ALON SHEETKIT		Telephone:	
		E-Mail:	
Address: 429 BAMBRIDGE STREET			
City/PO: OCEANSIDE		State: NY	Zip Code: 11572
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, 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.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.46 acres	
b. Total acreage to be physically disturbed?		ZERO acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.46 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> N/A
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> N/A
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
13. a. 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?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
16. Is the project site located in the 100 year flood plain? <p style="text-align: center;">NO</p>	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO	<input type="checkbox"/> YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Alon Sheerit Per 1410 22nd St. associates LLC</u> Date: <u>3/5/2020</u> Signature: <u>[Signature]</u>		

Anthony Meluso PE



Agency Use Only [If applicable]

Project:

Date:

*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 Part 1 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?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency 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)

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Code of the Town of Newburgh Zoning Board of Appeals Application Fees Effective January 1, 2017".

SECTION 2 - AMENDMENTS TO CHAPTER 104

1. That Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code is amended as follows:

Subsection 104-2D(2) of Section 104-2 entitled "Planning, zoning and building fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(2) Zoning Board of Appeals Applications:

(a)	Area Variance for Single and Two Family Residential Use and Accessory Use thereto	\$250.00
(b)	Use Variance for Single and Two Family Residential Use And Accessory Use thereto	\$250.00
(c)	All other Area Variances	\$500.00
(d)	All other Use Variances	\$750.00
(e)	Special Permits	\$150.00
(f)	ZBA Interpretation of Code	\$250.00
(g)	Appeal of Code Compliance Determination	\$250.00

Additionally, a \$50.00 public hearing publication fee will be charged for all applications requiring a public hearing, and for those proceedings for which a court reporter is used, the applicant shall pay the costs of transcription

SECTION 3 - UNCONSTITUTIONALITY OR ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect on the later of the date it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law or January 1, 2017.



ORANGE COUNTY – STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****



BOOK/PAGE: 14578 / 1742
 INSTRUMENT #: 20190039380

Receipt#: 2663316
 Clerk: MAH
 Rec Date: 06/12/2019 02:43:36 PM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: LAW OFFICE OF FREDERICK R
 XLANDER PC

Party1: US HUD
 Party2: 1110 72ND ASSOCS LLC
 Town: NEWBURGH (TN)
 22-10-5

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

Ann G. Rabbitt
 Ann G. Rabbitt
 Orange County Clerk

Recording:
 Recording Fee 40.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00
 RP5217 Residential/Agricu 116.00
 RP5217 - County 9.00

Sub Total: 190.00

Transfer Tax
 Transfer Tax - State 264.00

Sub Total: 264.00

Total: 454.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 9960
 Transfer Tax
 Consideration: 66000.00

Transfer Tax - State 264.00

Total: 264.00

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
 I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE
 SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
 HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
 THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
 ON 06/12/2019 AND THE SAME IS A CORRECT
 TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt
 COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS
 ORANGE COUNTY 06/14/2019

Record and Return To:

XLANDER LAW OFFICE
 189 MAIN STREET SUITE 102
 ONEONTA NY 13820

Bargain and Sale Deed, Special Form

HUD Case Number: 374-463282

BARGAIN AND SALE DEED – NEW YORK STATE

THIS INDENTURE, made this 20 day of MAY 2019, between _____,
Secretary of the U. S. Department of Housing and Urban Development, 451 7th Street, S.W.,
Washington, DC 20410,

Party of the First Part,

and 1110 72nd Associates LLC, 1875 Swarthmore Avenue, Lakewood, NJU 08701

Party of the Second Part

WITNESSETH, that the Party of the First Part, in consideration of
Sixty-Six Thousand Dollars (\$66,000.00), lawful money of the United States of America, paid by the
Party of the Second Part, does hereby grant and release unto the Party of the Second Part, and to the
heirs, distributees and assigns of the Party of the Second Part, forever

***ALL THAT TRACT OR PARCEL OF LAND situate in in the Town of Newburgh, County of
Orange, and State of New York and be more particularly described in Schedule "A attached
hereto.***

TAX ACCOUNT NUMBER: 22-10-5

PROPERTY ADDRESS: 15 Brooker Drive, Newburgh, NY 12550

TAX MAILING ADDRESS: _____

BEING THE SAME PROPERTY as acquired by the Party of the First Part pursuant to the
provisions of the National Housing Act., as amended (12 USC 1701 et seq.) and the Department of
Housing and Urban Development Act (42 U.S.C. 3531).

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, and to the
heirs, distributees and assigns of said Party of the Second Part, forever.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights appearing of
record; and SUBJECT to any state of facts an accurate survey would show.

BARGAIN AND SALE DEED - PAGE 2

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 whatsoever.

THE Party of the First Part, in compliance with Section 13 of the Lien Law of the State of New York 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 that said Party of the First Part will apply the same first to the payment of the cost of improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the undersigned has set his / her hand as principal and/or officer of BLB Resources and on behalf of the said Secretary of the U. S. Department of Housing and Urban Development, under authority and by virtue of 12 U.S.C. 1710 (g) and 70 F.R. 43171 (7/26/05).

**By: Secretary of the U. S. Department
of Housing and Urban Development**

By: HUD Authorized Signer

By: *Myva Collins*

(Title) Myva Collins
Authorized Agent

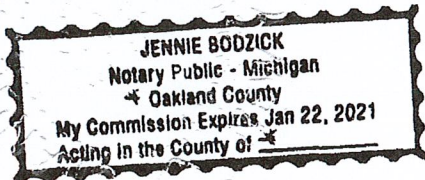
Printed Name

STATE OF Michigan)

COUNTY OF Oakland) ss.: Oakland

On the 22 day of May, 2019, before me, the undersigned, personally appeared, Myva Collins, Authorized Agent for the Department of Housing and Urban Development. The Secretary of Housing and Urban Developments (Seller) agrees to sell the property at the price and terms set forth herein, and to prepare a deed containing a covenant which warrants against the acts of the Seller and all claiming by, through or under him, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of whom the individual(s) acted, executed the instrument.

Jennie Bodzick
Notary Public



Stamp or Seal:

My Commission Expires:

BARGAIN AND SALE DEED

The effective date of transfer (Closing Date) is: May 24, 2019

Record & Return to:

Xlander Law office

189 Main Street, Suite 102

Oneonta, NY 13820

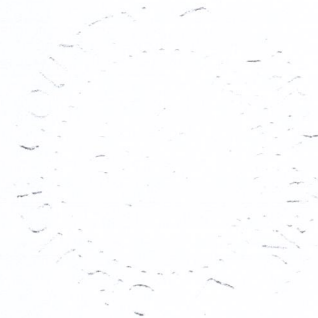
Stewart Title Insurance Company

Title No: M-815343901

Schedule A Description

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

BEGINNING at a point on the southwesterly side of Brooker Drive, said point being on the division line between lands now or formerly of Kozaczek on the southeast, and the parcel herein described on the northwest; thence along said division line South 24° 55' 00" West 200.00 feet to a point; thence along lands of others North 64° 30' 00" West, 100.00 feet to a point; thence along the lands now or formerly of Salas North 24° 55' 00" East 200.00 feet to a point; thence along the aforesaid side of Brooker Drive South 64° 30' 00" East 100.00 feet to the point or place of BEGINNING.



VOICE DESCRIPTION

06 CONTEMPORARY	11 LOG CABIN	01
1 RANCH 07 MANSION	12 DUPLEX	
LEVEL 08 OLD STYLE	13 BUNGALOW	
200 09 COTTAGE	14 OTHER	
15 10 ROW	15 TOWN HOUSE	
DF STORIES		1.0
3 WALLS:	4 COMPOSITION	7 STONE
FRAME	5 CONCRETE	
FINYL	6 STUCCO	
R BUILT		
LED		
7E YR BUILT		
BED	BATH	
FAMILY	TOTAL	
NT:		
SLAB 2 CRAWL 3 PARTIAL 4 FULL		4
NT GARAGE CAPACITY		2
PE:		
NTRAL 2 HOT AIR		
W/HOT WATER 4 ELECTRIC		2
PE:		
3 ELECTRIC	5 WOOD	7 COAL
4 OIL	6 SOLAR	
ADDITIONING: 1 YES		
NG: 1 YES		1

INTERIOR CONDITION

EXTERIOR CONDITION

1 POOR 2 FAIR 3 NORMAL
4 GOOD 5 EXCELLANT

COST FACTORS

GRADE PERCENT GOOD
FUNCTIONAL/ECONOMIC OCSOLESCENCE
CDU (EX. VG. G. AV. P. VP. UNI)

GRADE ADJ. 40%

LIVING AREA:

FIRST FLOOR (SF) 1450

SECOND FLOOR (SF)

ADDITIONAL FLOOR (SF)

HALF STORY FINISHED (SF)

HALF STORY UNFINISHED (SF)

THREE QUARTER STORY UNFIN. (SF)

THREE QUARTER STORY UNFIN. (SF)

FINISHED BASEMENT (SF)

FINISHED ATTIC (SF)

FINISH OVER GARAGE (SF)

UNFINISHED ROOM (SF)

TOTAL LIVING AREA (SF) 1450

UNFINISHED ATTIC (SF)

RECREATION ROOM (SF)

NOTES: Remodeled
Rebuilt 2007

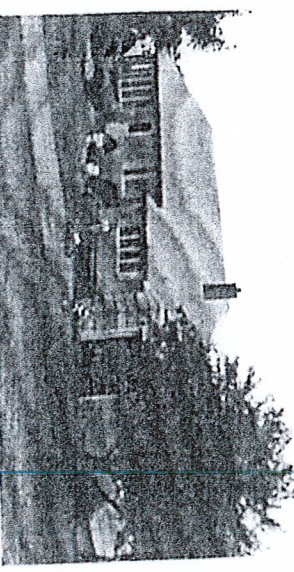
CHED IMPROVEMENTS

MOD. CODE	U	MEASURE	MEASURE	QUAN	GR	YEAR	RATE	C FUNC	TOTAL
		1	2	TITY	..	BUILT		↑	

1									
2									
3									
4									
5									
6									
7									
8									
9									
10									

DETACHED IMPROVEMENTS

STR. CODE	MOD. CODE	U	MEASURE	MEASURE	QUAN	GR	YEAR	RATE	C FUNC	TOT
			1	2	TITY	..	BUILT		↑	



22-10-5

- UNITS: 1 QUANTITY 2 DIMENSIONS 3 SQUARE FEET 4 DOLLARS (MST ONLY)
- CONDITION: 1 POOR 2 FAIR 3 NORMAL 4 GOOD 5 EXCELLENT
- GRADE: A EXPENSIVE B GOOD C AVERAGE D ECONOMY E MINIMUM



10/15/18

22-10-5

OWNERSHIP & MAILING ADDRESS

1110 7ard Associates LLC
 429 Bondhusch Street
 Deaneville, NY. 11512

RECORD OF OWNERSHIP

to mortgagee due + SMCIT and Trust
 when Development + debt
 to mortgagee due.

DEPTH FACTOR	ADJUSTED FF PRICE	INFLUENCE CODE =	INFLUENCE %	LAND VALUE	SPECIAL DISTRICTS											
					19	19	19	19	19	19	19	19	19	19	19	
75	122			9200	SCHOOL	321160	FIRE	FD025	WATER	W0000172	SEWER		LIGHT		PARK	
					INFLUENCE CODES:											
					1-CORNER											
					2-TOPOGRAPHY											
					3-UNIMPROVED											
					4-EXCESSIVE FRONT											
					5-SHAPE OR SIZE											
					6-RESTRICTIONS											
					7-ECONOMIC MISIMPROVED											
					8-VIEW											
					9-OTHER											
					10-NONE											

PROPERTY IDENTIFICATION

334600 22 10 50
 SWIS S B L SUFFIX

CLASS CODE 01 OF 01 E
 PROPERTY ADDRESS #15 Brooks Dr.
 DATE MO. 11 18 19 12 3 4 5
 1 LAND 2 BLDG. 3 LAB
 1 UNCONFIRMED 2 BUYER 4 FEE 3 SELLER 5 AGENT
 VALIDITY 1 YES 2 NO

DATE	MO.	YR.	1 LAND 2 BLDG. 3 LAB	SALE PRICE	GRID COORDINATE									
					1	2	3	4	5	1	2	3	4	5
11	18	19	1 2 3	10	1	2	3	4	5	1	2	3	4	5
11	18	19	1 2 3	1462.00	1	2	3	4	5	1	2	3	4	5
11	19	19	1 2 3	660.00	1	2	3	4	5	1	2	3	4	5

SITE DESCRIPTION SITE NUMBER PROPERTY CLASS (PROCLAS)
 NEIGHBORHOOD I.D. 40103

ZONING: 01 - NONE 04 - FARM 07 - MIXED
 02 - SINGLE RES 05 - COMMERCIAL 08 - GOVERNMENT
 03 - MULT RES 06 - INDUSTRIAL

TOPOGRAPHY RATING: 1-GOOD 2-FAIR 3-POOR 4-VERY POOR
 VIEW: 1-DETRIMENTAL 2-TYPICAL 3-ENHANCING
 LAYOUT (FARMS ONLY) 1-POOR 2-AVERAGE 3-GOOD
 FLOOD RATING: 1-ALWAYS 2-MIXED 3-OFTEN 4-SOME 5-NEVER
 MUCK: 1 2 3 4
 SITE ELEVATION: 1-BELOW GRADE 2-LEVEL 3-ABOVE GRADE
 DWELLING SETBACK: NEAREST 10 FEET
 ROAD: 1-NONE 2-UNIMPROVED 3-IMPROVED
 WATER: 1-NONE 2-PRIVATE 3-COMM/PUBLIC
 SEWER: 1-NONE 2-PRIVATE 3-COMM/PUBLIC
 OTHER UTILITIES: 1-NONE 2-GAS 3-ELECTRIC 4-GAS AND ELECTRIC
 NEIGHBORHOOD TYPE: 1-RURAL 2-SUBURBAN 3-URBAN 4-COMMERCIAL
 SITE DESIRABILITY: 1-INFERIOR 2-TYPICAL 3-SUPERIOR
 LOT LANDSCAPING: 1 EXCELLENT 2 GOOD 3 FAIR 4 POOR 5 NONE
 DRIVEWAY: 1-NONE 2-UNIMPROVED 3-IMPROVED
 FRONTING TRAFFIC: 1-HEAVY 2-MEDIUM 3-LIGHT
 BUILDING PERMIT RECORD
 DATE TYPE 1 DEMOL 2 ADDR 3 AMOUNT NUMBER
 MO. YR. 1 2 3 4 5

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES

CERTIFICATE OF FORMATION

1110 72ND ASSOCIATES LLC
0450199780

The above-named DOMESTIC LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey State Law on 09/13/2017 and was assigned identification number 0450199780. Following are the articles that constitute its original certificate.

1. **Name:**
1110 72ND ASSOCIATES LLC
2. **Registered Agent:**
LEGALINC CORPORATE SERVICES INC.
3. **Registered Office:**
301 ROUTE 17 NORTH
SUITE 800 # 12-40
RUTHERFORD, NEW JERSEY 07070
4. **Business Purpose:**
REAL ESTATE HOLDING
5. **Duration:**
PERPETUAL
6. **Effective Date of this Filing is:**
09/13/2017
7. **Members/Managers:**
ALON SHEETRIT
520 EAST 72ND STREET
APT 6F
NEW YORK, NEW YORK 10021
8. **Main Business Address:**
1875 SWARTHMORE AVE
LAKEWOOD, NEW JERSEY 08701

Signatures:

MARSHA SIHA
AUTHORIZED REPRESENTATIVE



Certificate Number : 4039955601

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingsCert/ISP/Verify_Cert.jsp

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
13th day of September, 2017

A handwritten signature in cursive script, appearing to read "Ford M. Scudder".

Ford M. Scudder
State Treasurer

BARGAIN AND SALE DEED – NEW YORK STATE

THIS INDENTURE, made this 20 day of May 2019, between _____,
Secretary of the U. S. Department of Housing and Urban Development, 451 7th Street, S.W.,
Washington, DC 20410,

Party of the First Part,

and 1110 72nd Associates LLC, 1875 Swarthmore Avenue, Lakewood, NJ 08701

Party of the Second Part

WITNESSETH, that the Party of the First Part, in consideration of
Sixty-Six Thousand Dollars (\$66,000.00), lawful money of the United States of America, paid by the
Party of the Second Part, does hereby grant and release unto the Party of the Second Part, and to the
heirs, distributees and assigns of the Party of the Second Part, forever

**ALL THAT TRACT OR PARCEL OF LAND situate in in the Town of Newburgh, County of
Orange, and State of New York and be more particularly described in Schedule "A attached
hereto.**

TAX ACCOUNT NUMBER: 22-10-5

PROPERTY ADDRESS: 15 Brooker Drive, Newburgh, NY 12550

TAX MAILING ADDRESS: _____

BEING THE SAME PROPERTY as acquired by the Party of the First Part pursuant to the
provisions of the National Housing Act., as amended (12 USC 1701 et seq.) and the Department of
Housing and Urban Development Act (42 U.S.C. 3531).

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, and to the
heirs, distributees and assigns of said Party of the Second Part, forever.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights appearing of
record; and SUBJECT to any state of facts an accurate survey would show.

BARGAIN AND SALE DEED - PAGE 2

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 whatsoever.

THE Party of the First Part, in compliance with Section 13 of the Lien Law of the State of New York 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 that said Party of the First Part will apply the same first to the payment of the cost of improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the undersigned has set his / her hand as principal and/or officer of BLB Resources and on behalf of the said Secretary of the U. S. Department of Housing and Urban Development, under authority and by virtue of 12 U.S.C. 1710 (g) and 70 F.R. 43171 (7/26/05).

By: Secretary of the U. S. Department of Housing and Urban Development

By: HUD Authorized Signer

By: Myya Collins

(Title) Myya Collins
Authorized Agent

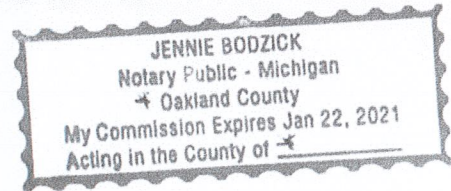
Printed Name

STATE OF Michigan)

COUNTY OF Oakland) ss.: Oakland

On the 22 day of May, 2019, before me, the undersigned, personally appeared, Myya Collins, Authorized Agent for the Department of Housing and Urban Development. The Secretary of Housing and Urban Developments (Seller) agrees to sell the property at the price and terms set forth herein, and to prepare a deed containing a covenant which warrants against the acts of the Seller and all claiming by, through or under him, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of whom the individual(s) acted, executed the instrument.

Jennie Bodzick
Notary Public



Stamp or Seal:

My Commission Expires:

BARGAIN AND SALE DEED

The effective date of transfer (Closing Date) is: May 24, 2019

Record & Return to:

Xlander Law office

189 Main Street, Suite 102

Oneonta, NY 13820



Property Description Report For: 15 Brooker Dr,
Municipality of Newburgh

No Photo Available

	Status:	Active
	Roll Section:	Taxable
	Swis:	334600
	Tax Map ID #:	22-10-5
	Property Class:	210 - 1 Family Res
	Site:	RES 1
	In Ag. District:	No
	Site Property Class:	210 - 1 Family Res
	Zoning Code:	-
	Neighborhood Code:	40103
	School District:	Newburg
	Total Assessment:	2019 - \$50,600
Total Acreage/Size:	100 x 200	
Land Assessment:	2019 - \$9,200	
Full Market Value:	2019 - \$157,100	
Equalization Rate:	----	
Deed Book:	14578	
Grid East:	625533	
	Property Desc:	
	Deed Page:	1742
	Grid North:	990910

Area

Living Area:	1,450 sq. ft.	First Story Area:	1,450 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	1
Finished Rec Room	0 sq. ft.	Finished Area Over Garage	0 sq. ft.

Structure

Building Style:	Ranch	Bathrooms (Full - Half):	1 - 0
Bedrooms:	3	Kitchens:	1
Fireplaces:	0	Basement Type:	Full
Porch Type:	Porch-covered	Porch Area:	420.00
Basement Garage Cap:	0	Attached Garage Cap:	460.00 sq. ft.
Overall Condition:	Normal	Overall Grade:	Average
Year Built:	1956		

Owners

1110 72nd Associates LLC
429 Bambrick St
Oceanside NY 11572

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
5/24/2019	\$66,000	210 - 1 Family Res	Land & Building	Citimortgage, Inc.	No	No	No	14578/1742
8/29/2018	\$146,200	210 - 1 Family Res	Land & Building	The Secretary of Housing and, Urban Development	No	No	No	14463/652
6/22/2018	\$10	210 - 1 Family Res	Land & Building	Citimortgage, Inc	No	No	No	14437/1842
6/4/2015	\$146,200	210 - 1 Family Res	Land & Building	Lafergola, Angela V	No	No	No	13914/938
9/22/2006	\$215,000	210 - 1 Family Res	Land & Building	Demilio, Gregg	Yes	Yes	No	12285/1122
10/14/1999	\$126,140	210 - 1 Family Res	Land & Building	Vidal, Frank	Yes	Yes	No	5165/162

Utilities

Sewer Type:	Private	Water Supply:	Comm/public
Utilities:	Electric	Heat Type:	Hot wtr/stm
Fuel Type:	Oil	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year
Patio-asphlt	11 x 12	Average	Normal	1956
Porch-covered	420.00 sq ft	Average	Normal	1956
Gar-1.0 att	460.00 sq ft	Average	Good	2007

Special Districts for 2019

Description	Units	Percent	Type	Value
FD025-Middlehope fire	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
------	-------------	--------	----------	----------	--------	--------	--------	-------

Taxes

Year	Description	Amount
2020	County	\$1,777.79
2019	County	\$1,731.27
2019	School	\$3,853.61


*** Taxes reflect exemptions, but may not include recent changes in assessment.**

Chapter 185. Zoning

Article V. Supplementary Regulations Applicable to All Districts

§ 185-18. Exceptions to district regulations.

A. Nonconforming lots of record.

 (1) Existing lots. Nothing shall prohibit the use of a lot of less than the prescribed area or width when such lot is owned individually and separate from any adjoining tract at the time of enactment of this chapter, provided that all other provisions of this chapter are met.

(2) Subdivisions.^[1] Two or more nonconforming subdivision lots, not in separate ownership, in a subdivision which was approved by the Planning Board prior to the effective date of this chapter shall have three years from the effective date of this chapter to obtain a building permit.

[1] *Editor's Note: See also Ch. 163, Subdivision of Land.*

(3) Future amendments.^[2] In the event of a change or an amendment to this chapter, the provisions of which establish or increase either lot area or lot dimensions to exceed the lot areas or the lot dimensions of the lots shown and delineated on a subdivision plat of land into lots for residential use, and which said subdivision plat also shows and delineates one or more new streets, roads or highways in addition to lot lines and dimensions of the lots thereon delineated and which said subdivision plat has been duly approved by the Planning Board and which said subdivision plat or the first section thereof has been duly filed in the office of the County Clerk of the County of Orange, or the provisions of which establish or increase side, rear or front yard or setback requirements to exceed those applicable to the building plots under the provisions of the Zoning Law in force and in effect at the time of the filing of said subdivision plat or the first section thereof, then the lots contained therein shall have three years from the effective date of such change or amendment to obtain a building permit. Following such a three-year period, said subdivision, part or lots thereof not subject to a valid building permit shall be resubmitted to the Planning Board for approval in full conformity with the provisions of this chapter.

[2] *Editor's Note: See also §§ 185-5 and 185-64.*

B. Height regulations. The height limitations of these regulations may be waived for structures such as, but not limited to, silos and private home antennas and for the following roof-mounted facilities, provided that such facilities do not cover in excess of 10% of the total area of the roof on which they are situated: flagpoles, spires, belfries, chimneys, transmission towers, skylights, water or cooling towers and elevator penthouses.

C. Yard requirements.

[Amended 3-5-2007 by L.L. No. 1-2007]

(1) Yard requirements shall not apply to:

(a) Chimneys, open trellises, unroofed steps or terraces not higher than one foot from ground level.

(b) Overhanging roof that does not project into the required yard over 10% of the required setback distance.

(c) Awning or movable canopy that does not project over 10 feet into a required yard area.

ZONING

185 Attachment 9

Town of Newburgh

Table of Use and Bulk Requirements
 R-3 District – Schedule 5
 [Amended 9-28-1998 by L.L. No. 10-1998; 4-8-2000 by L.L. No. 2-2000; 4-9-2018 by L.L. No. 3-2018]

A. Accessory User	B. Permitted Use C1-3, D1-13 and 4	C. Permitted Use 1. Single-family dwellings, not to exceed 1 dwelling unit per lot: a. Without both public sewer and public water systems b. With both public sewer and public water systems c. With either public sewer or public water only 2. (Reserved) 3. (Reserved) 4. Municipal buildings and town activities	D. Uses Subject to Site Plan Review by the Planning Board	Minimum Required							Maximum Permitted						
				Lot Area (square feet)	Lot Width (feet)	Lot Depth (feet)	Front Yard (feet)	Rear Yard (feet)	1 Side Yard (feet)	Both Side Yards (feet)	Healthcare Plot Area Per Dwelling Unit (square feet)	Dwelling Unit Per Acre	Lot Coverage (percent)	Building Height (feet)	Lot Surface Coverage (percent)		
1. Home occupations; ²	C1-3	1. Multiple dwellings in accordance with § 185-25: a. 1- or 4-family dwellings b. 1-family attached dwellings c. Garden-style dwellings 2. Conversion of existing dwellings for multifamily use in accordance with § 185-25.2 3. Cluster developments in accordance with § 185-26 4. Affordable housing in accordance with § 185-26.1 5. Membership clubs in accordance with § 185-29 6. Places of worship, parish houses, seminaries, convents, dormitories and related activities 7. Schools for preschool children 8. Schools for students, including colleges, with related facilities 9. Hospitals and nursing homes for general medical care 10. Seniors (above rehabilitation homes) 11. Community residences for the disabled 12. Funeral homes 13. Cemeteries 14. Public utility structures and right-of-way 15. Senior citizen housing in accordance with § 185-16 16. 2-family dwellings, not to exceed 2 dwelling units per lot: a. Without both public sewer and public water systems b. With both public sewer and public town water systems c. Either public sewer or public water system only	40,000 ⁴	150 ⁴	150	50 ⁴	40	NA	30 ⁴	NA	NA	NA	NA	NA	NA		
2. Private garage or carport for not more than 4 vehicles	D1-13		12,500	85	100	40	NA	NA	NA	15	NA	NA	900	6.0	15%	35	30%
3. Garden house, toolshed, wading or swimming pool or tennis court in accordance with § 185-43	C1-5		15,000	100	125	40	NA	NA	NA	NA	NA	NA	NA	6.0	35%	35	65%
4. Signs in accordance with § 185-14	C1-3, D1 and 4 C4, D8-13 C1, D1, 3-13		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	25%	35	50%
5. Keeping up to 5 (total) dogs or cats over 6 months of age	C1-3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	15% ³	35	30%	
6. Keeping up to 2 horses on a lot of 2 acres or more	D1-7, 10 and 11	4 acres	150	150	40	50	50	50	50	25	25	50	50	35%	35	60%	
7. Off-street parking as required by the principal use	All	10 acres	300	300	30	35	50	50	50	30	30	60	6.0	35%	35	65%	
8. Off-street parking for commercial vehicles in accordance with § 185-43	D1-12	15,000 per dwelling unit	150	150	40	40	40	40	40	25	25	50	NA	25%	35	50%	
9. Separate living quarters within the permitted structure for persons employed on the premises	C1-3 D3 and 4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	900	NA	15%	35	30%	
10. Accessory apartments in accordance with § 185-38.2	C1-3	10 acres	300	300	300	200	200	200	200	200	200	400	NA	15%	35	30%	
11. Satellite earth stations in accordance with § 185-40	D3	2 acres	150	150	50	50	50	50	50	50	50	100	NA	NA	NA	40%	
12. Nursery school or day care	D3	5 acres	300	300	75	75	75	75	75	75	75	100	NA	NA	NA	40%	
		30,000	125	130	40	50	50	50	50	25	25	50	1,000 plus 100 per person	20%	35	40%	
		60,000	200	200	50	40	40	40	40	30	30	80	NA	NA	NA	40%	
		5 acres	300	300	55	50	50	50	50	50	50	100	NA	NA	NA	40%	
		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	20%	35	50%	
		100,000	200	130	50	50	50	50	50	30	30	80	900	20%	35	40%	
		50,000	100	125	40	50	50	50	50	25	25	50	900	20%	35	40%	
		50,000	125	130	40	40	40	40	40	25	25	50	900	20%	35	40%	

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

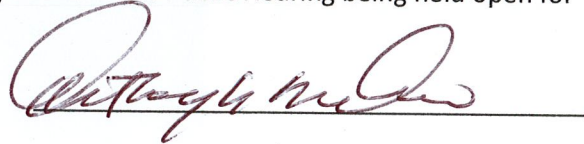
STATE OF NEW YORK: COUNTY OF ORANGE:

I ANTHONY N. MELUSO, being duly sworn, depose and say that I did on or before

March 12, 2020, post and will thereafter maintain at

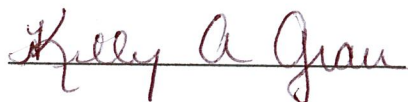
15 Brooker Dr 22-10-5 R-3 Zone in the Town of Newburgh, New York, at or near the front property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 6th

day of MARCH, 2020.



Notary Public

KELLY A GRAU
Notary Public State of New York
No. 01GR6287694
Qualified in Orange County
My Commission Exp. 08/19/2021

[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this affidavit.]

