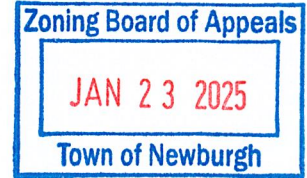




# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550



OFFICE OF ZONING BOARD  
DARRIN SCALZO, CHAIRMAN  
SIOBHAN JABLESNIK, SECRETARY

TELEPHONE 845-566-4901

FAX LINE 845-564-7802 **APPLICATION**

DATED: \_\_\_\_\_

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

I (WE) JOSEPH ACCERTTURA PRESENTLY  
RESIDING AT NUMBER 1 FARMSTEAD ROAD, NEW WINDSOR, N.Y. 12553  
TELEPHONE NUMBER 845-591-7038

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:

62-1-8 (TAX MAP DESIGNATION)

1463 ROUTE 300 (STREET ADDRESS)

B (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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 VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWNBUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: \_\_\_  
\_\_\_ JAN 10 2025 \_\_\_\_\_
- 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: \_\_\_\_\_  
\_\_\_\_\_

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:

IF AN AREA VARIANCE IS REQUESTED:

- e) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

\_\_\_ This would bring the existing structure in compliant with today's set back standers \_\_\_\_\_

- f) 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:

The structure built in 1957 setbacks would not be in compliant with today's stand for any improvements to the existing property \_\_\_\_\_

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

\_\_\_ The requires setbacks would be needed to do any improvements to the existing site \_\_\_\_\_

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

\_\_\_ the require setbacks would not alter or change the neighborhood charter

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


The structure built in 1957 setbacks would not be in compliant with today's stand for any improvements to the existing property \_\_\_\_\_

6. ADDITIONAL REASONS (IF PERTINENT):

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\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 22<sup>nd</sup> DAY OF January 2025

  
\_\_\_\_\_  
NOTARY PUBLIC

MARIA SPILIOIS DAVIS  
Notary Public, State of New York  
Qualified Notary Public  
Registration No. 101450009  
Commission Expires 02/10/2027

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 13 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

Joseph Accettura, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 1 Farmstead Rd New Windsor, NY  
IN THE COUNTY OF Orange AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_  
1463 Rt 900 Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Fly! Towne Custom Design  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 1/22/25

[Signature]  
OWNER'S SIGNATURE

[Signature]  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 22<sup>nd</sup> DAY OF January 2025

Maria Spilicis Davis  
NOTARY PUBLIC

MARIA SPILICIS DAVIS  
Notary Public for the State of New York  
No. 00000000000000000000000000000000  
My Comm. Expires June 16, 2027

# 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.

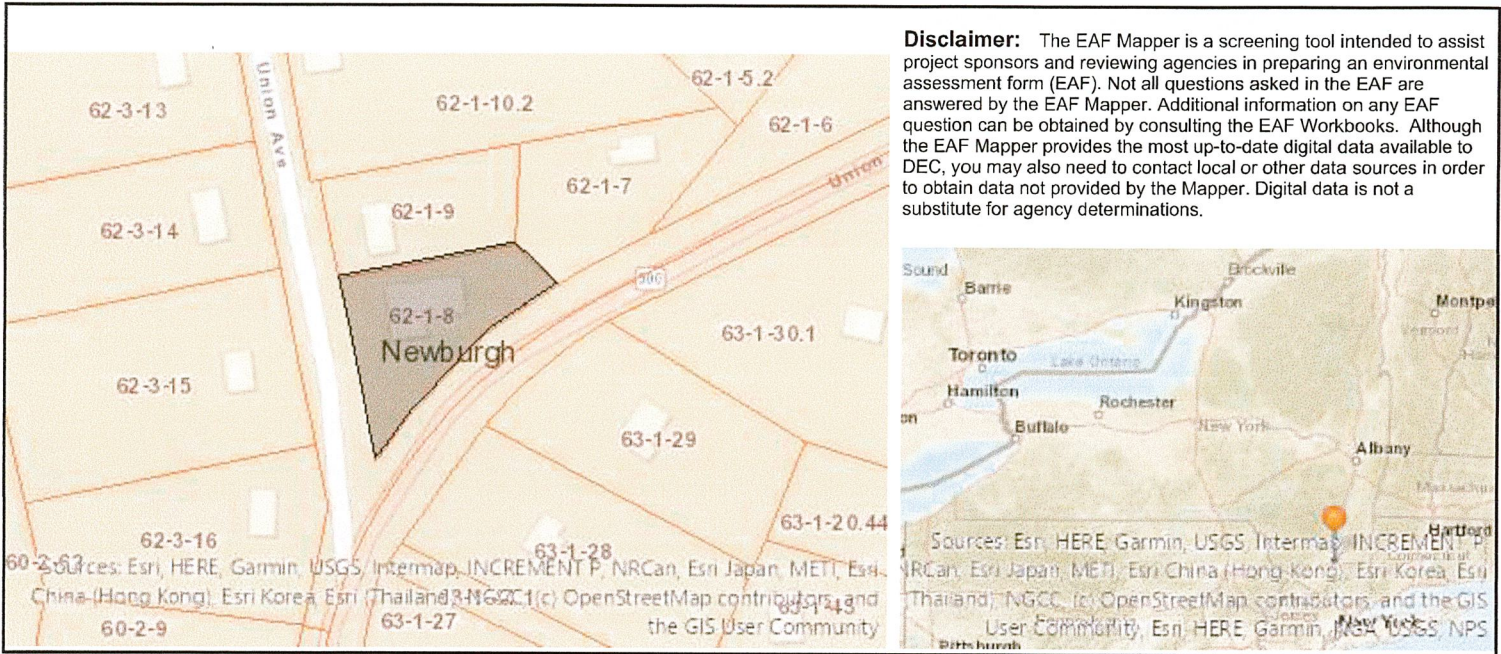
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
1463 ROUTE 300 GARAGE, JOSEPH ACCETTURA, 1 FARMSTEAD RD, NEW WINDSOR			
Name of Action or Project: GARAGE ADDISION			
Project Location (describe, and attach a location map): 1463 ROUTE 300, TOWN OF NEEWBYRGH			
Brief Description of Proposed Action: CONSTRUCT A 27'x28' GARAGE WITH TWO BEDROOM AND BATHROOM ABOVE			
Name of Applicant or Sponsor: JOSEPH ACCETTURA		Telephone: 845- E-Mail:	
Address: 1 FARMSTEAD ROAD			
City/PO: NEW WINDSOR		State: N.Y.	Zip Code: 12553
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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: TOWN OF NEWBURGH		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		44,392sf	acres
b. Total acreage to be physically disturbed?		756sf	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		44,392sf	acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
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: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
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?  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: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

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 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? Indiana Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/> <hr/>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
<hr/> <hr/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
<hr/> <hr/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
<hr/> <hr/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>          JOSEPH ACCETTURA          </u> Date: _____</p> <p>Signature: _____ Title: _____</p>		





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

# SOBO & SOBO

ATTORNEYS AT LAW

HQ: One Dolson Avenue  
Middletown, NY 10940

Phone: (845) 343-7626

Fax: (845) 343-0929

N.Y. offices:

Bronx

Manhattan

Middletown

Monticello

Newburgh

Poughkeepsie

Spring Valley

October 19, 2022

*Via First Class Mail*

Joseph M. Accettura  
1 Farmstead Road  
New Windsor NY 12553

Re: Deed transfer Joseph M Accettura & Diane M Accettura  
To JM and DM Holdings LLC  
Premises: 1463 Route 300, Newburgh NY 12550

Dear Mr. Accettura:

Enclosed please find your original deed, which we have recorded for you in the permanent records of the Orange County Clerk's Office.

We have also added a copy of the deed to your profile here at our office to assist you in the future. Therefore, if you ever need any other legal help in the areas of personal injury, real estate, or general law, please feel free to contact us.

It was our pleasure to serve you.

Best regards,

SOBO & SOBO

enclosure



ORANGE COUNTY – STATE OF NEW YORK  
 KELLY A. ESKEW, 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: 15213 / 1788  
 INSTRUMENT #: 20220031131

Receipt#: 3025525  
 Clerk: KP  
 Rec Date: 04/25/2022 02:08:39 PM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 4  
 Rec'd Frm: J T Abstract Inc

Party1: WARDEN CHRISTOPHER T  
 Party2: ACCETTURA JOSEPH  
 Town: NEWBURGH (TN)  
 62-1-8

Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 200.00

Transfer Tax	
Transfer Tax - State	1054.00

Sub Total: 1054.00

Total: 1254.00  
 \*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 9231  
 Transfer Tax  
 Consideration: 263500.00

Transfer Tax - State	1054.00
----------------------	---------

Total: 1054.00

Payment Type: Check \_\_\_  
 Cash \_\_\_  
 Charge \_\_\_  
 No Fee \_\_\_

Comment: \_\_\_\_\_

Kelly A. Eskew  
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

Record & Return to:  
Patrick Hickey, Esq.  
Sebe & Sons  
One Nelson Avenue  
Middletown, New York 10940

Michael S. Blustein, Esq.  
Blustein Shapiro Frank & Barone  
10 Matthews St.  
Grafton, NY 10924.

Town of Newburgh  
S/B/L: 62-1-8

Bargain and Sale Deed, with Covenant against Grantor's Acts - Individual or Corporation

**DEED**

C.T. W  
D.W

*THIS INDENTURE* made the 28 day of April, 2021, between, CHRISTOPHER T. WARDEN AND DAWN WARDEN, residing at 1463 Route 300, Newburgh, New York 12550, party of the first part and JOSEPH ACCETTURA and DIANE ACCETTURA, residing at Farmstead Road, New Windsor, New York 12553, party of the second part;

husband and wife

**WITNESSETH:**

That the party of the first part, in consideration of TEN (\$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 for 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, State of New York, more particularly bounded and described as follows:

**SEE SCHEDULE "A" DESCRIPTION ATTACHED HERETO AND MADE PART HEREOF**

Subject to covenants, easements and restrictions of record.

BEING and intended to be the same premises conveyed to CHRISTOPHER T. WARDEN and DAWN WARDEN by deed of DAVID J. SINCLAIR and MARJORIE R. VANTINE dated September 28, 1998 and recorded in the Office of the Orange County Clerk in Liber 4889 of Deeds at page 171.

*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 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 said premises have been encumbered in any way whatever, except as aforesaid.

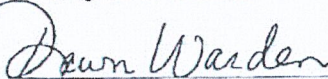
*AND* the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost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

The word "party" shall be construed as if it read "parties" wherever the sense of this indenture so requires.

*IN WITNESS WHEREOF*, the party of the first part has duly executed this deed the day and year first above written.

*IN PRESENCE OF:*

  
\_\_\_\_\_  
Christopher T. Warden

  
\_\_\_\_\_  
Dawn Warden

STATE OF NEW YORK            )  
  )ss.:  
COUNTY OF *Orange*        )

On the *27* day of *April*, 2021 before me, the undersigned, personally appeared Christopher T. Warden and Dawn Warden, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) (are) subscribed to the within instrument and acknowledged to me that they executed the same in their capacity(ies), and that by their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

*Jeano Maruggi*  
Notary Public, State of New York  
No. 02MA6240616  
Qualified in Dutchess County  
Commission Expires Dec 24, 20*23*

  
\_\_\_\_\_  
NOTARY PUBLIC

# Property Description Report For: 1463 Route 300, Municipality of Newburgh

No Photo Available

<b>Status:</b>	Active
<b>Roll Section:</b>	Taxable
<b>Swis:</b>	334600
<b>Tax Map ID #:</b>	62-1-8
<b>Property Class:</b>	483 - Converted Res
<b>Site:</b>	RES 1
<b>In Ag. District:</b>	No
<b>Site Property Class:</b>	210 - 1 Family Res
<b>Zoning Code:</b>	-
<b>Neighborhood Code:</b>	40813
<b>School District:</b>	Newburgh
<b>Total Assessment:</b>	2024 - \$92,600
<b>Property Desc:</b>	
<b>Deed Book:</b>	15059
<b>Deed Page:</b>	1159
<b>Grid East:</b>	610316
<b>Grid North:</b>	982573

## Area

<b>Living Area:</b>	2,258 sq. ft.	<b>First Story Area:</b>	2,258 sq. ft.
<b>Second Story Area:</b>	0 sq. ft.	<b>Half Story Area:</b>	0 sq. ft.
<b>Additional Story Area:</b>	0 sq. ft.	<b>3/4 Story Area:</b>	0 sq. ft.
<b>Finished Basement:</b>	0 sq. ft.	<b>Number of Stories:</b>	1
<b>Finished Rec Room</b>	0 sq. ft.	<b>Finished Area Over Garage</b>	0 sq. ft.

## Structure

<b>Building Style:</b>	Ranch	<b>Bathrooms (Full - Half):</b>	2 - 0
<b>Bedrooms:</b>	4	<b>Kitchens:</b>	1
<b>Fireplaces:</b>	1	<b>Basement Type:</b>	Partial
<b>Porch Type:</b>	Porch-covered	<b>Porch Area:</b>	84.00
<b>Basement Garage Cap:</b>	0	<b>Attached Garage Cap:</b>	280.00 sq. ft.
<b>Overall Condition:</b>	Normal	<b>Overall Grade:</b>	Average
<b>Year Built:</b>	1957	<b>Eff Year Built:</b>	1971

## Owners

JM and DM Holdings LLC  
1 Farmstead Rd  
New Windsor NY 12553

## Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Add. Parcels	Deed Book and Page
5/23/2022	\$0	483 - Converted Res	Land & Building	Accettura, Joseph	No	No	No	15299/438
8/26/2021	\$0	483 - Converted Res	Land & Building	JM and DM Holdings LLC	No	No	No	15059/1159
4/28/2021	\$263,500	483 - Converted Res	Land & Building	Warden, Christopher T	Yes	Yes	No	15213/1788
10/9/1998	\$160,000	210 - 1 Family Res	Land & Building	Sinclair, David J	No	Yes	No	4889/171

## Utilities

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

## Improvements

Structure	Size	Grade	Condition	Year
Porch-covered	84.00 sq ft	Average	Normal	2024
Shed-machine	96.00 sq ft	Average	Normal	2016
Sol Panels,Elec	24.00 sq ft	Average	Normal	2022
Porch-covered	102.00 sq ft	Good	Good	1957
Gar-1.0 att	0 x 0	Good	Good	1957
Porch-covered	0 x 0	Good	Normal	1957

Schedule A Description

Title Number JT-1687OR

Page 1

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

BEGINNING at a point of intersection of the easterly line of Union Avenue and the westerly line of Union Avenue Extension and running thence along the easterly line of Union Avenue, North 1 degrees 13' West 179.46 feet to the line of the lands of Goddard; thence along the line of lands of said Goddard, North 89 degrees 23' East 175.00 feet to an iron pipe found; thence, South 36 degrees 34' East 58.19 feet along the line of lands of Terhune to a point in the northwesterly side of the Union Avenue Extension; thence along the side of the said Union Avenue Extension, South 66 degrees 10' West 86.29 feet to a point, still along the said side, South 53 degrees 40' West 104.24 feet to a point; thence still along said side, South 48 degrees 33' West 57.50 feet to the point or place of BEGINNING.

Special Districts for 2024

Description	Units	Percent	Type	Value
AM010-Newburgh Ambulance	0	0%		0
FD030-Orange lk fire	0	0%		0
LT004-Consol lt	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
2024	County	\$3,309.57
2024	School	\$6,851.61
2023	County	\$3,317.56
2023	School	\$6,675.85

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



1. Property Location 1463 Route 300  
\* STREET NUMBER \* STREET NAME  
Newburgh 12550  
\* CITY OR TOWN VILLAGE \* ZIP CODE

2. Buyer Name JM and DM Holdings LLC  
\* LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form)  
LAST NAME/COMPANY FIRST NAME  
STREET NUMBER AND NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels  OR  Part of a Parcel (Only if Part of a Parcel) Check as they apply:  
 4A. Planning Board with Subdivision Authority Exists   
 4B. Subdivision Approval was Required for Transfer   
 4C. Parcel Approved for Subdivision with Map Provided

5. Deed Property Size 179 X 248 OR 0.00  
\* FRONT FEET \* DEPTH \* ACRES

6. Seller Name Accettura Joseph M.  
\* LAST NAME/COMPANY FIRST NAME  
Accettura Diane M.  
LAST NAME/COMPANY FIRST NAME

\*7. Select the description which most accurately describes the use of the property at the time of sale:  
A. One Family Residential

Check the boxes below as they apply:  
 8. Ownership Type is Condominium   
 9. New Construction on a Vacant Land   
 10A. Property Located within an Agricultural District   
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

**SALE INFORMATION**

11. Sale Contract Date \_\_\_\_\_  
 \* 12. Date of Sale/Transfer \_\_\_\_\_  
 \* 13. Full Sale Price 0.00  
 ( Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale 0.00  
Deed from husband and wife into newly formed LLC

15. Check one or more of these conditions as applicable to transfer:  
 A. Sale Between Relatives or Former Relatives  
 B. Sale between Related Companies or Partners in Business.  
 C. One of the Buyers is also a Seller  
 D. Buyer or Seller is Government Agency or Lending Institution  
 E. Deed Type not Warranty or Bargain and Sale (Specify Below)  
 F. Sale of Fractional or Less than Fee Interest (Specify Below)  
 G. Significant Change in Property Between Taxable Status and Sale Dates  
 H. Sale of Business is Included in Sale Price  
 I. Other Unusual Factors Affecting Sale Price (Specify Below)  
 J. None

\*Comment(s) on Condition:  
Deed from husband and wife into newly formed LLC

**ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill**

16. Year of Assessment Roll from which information taken(YY) 21 \* 17. Total Assessed Value 92,600  
 \* 18. Property Class 210 - 1 \* 19. School District Name Newburgh  
 \* 20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))  
62-1-8

**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE Diane M. Accettura  
 SELLER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 BUYER SIGNATURE [Signature] 8/26/21  
 BUYER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**BUYER CONTACT INFORMATION**  
 (Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)  
Accettura Joseph M.  
\* LAST NAME FIRST NAME  
(845) 591 7038  
\* AREA CODE \* TELEPHONE NUMBER (Ex: 9999999)  
1 Farmstead Rd  
\* STREET NUMBER \* STREET NAME  
New Windsor NY 12553  
\* CITY OR TOWN \* STATE \* ZIP CODE  
**BUYER'S ATTORNEY**





Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

Schedule A - Information relating to conveyance

Grantor/Transferor and Grantee/Transferee information including names, addresses, and identification numbers.

Location and description of property conveyed

Table with columns: Tax map designation, SWIS code, Street address, City, town, or village, County.

Type of property conveyed (mark an X in applicable box)

Property type selection (1-5) and date of conveyance (month, day, year).

Condition of conveyance (mark an X in all that apply)

Conveyance conditions a-s, including fee interest, acquisition of interest, and exemption from transfer tax.

For recording officer's use table with columns: Amount received, Date received, Transaction number.

**Schedule B – Real estate transfer tax return (Tax Law Article 31)**

**Part 1 – Computation of tax due**

1	Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, mark an X in the Exemption claimed box, enter consideration and proceed to Part 3) ..... <input checked="" type="checkbox"/> Exemption claimed	1.	0	00
2	Continuing lien deduction (see instructions if property is taken subject to mortgage or lien) .....	2.	0	00
3	Taxable consideration (subtract line 2 from line 1) .....	3.	0	00
4	Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3 .....	4.	0	00
5	Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G) .....	5.	0	00
6	Total tax due* (subtract line 5 from line 4) .....	6.	0	00

**Part 2 – Computation of additional tax due on the conveyance of residential real property for \$1 million or more**

1	Enter amount of consideration for conveyance (from Part 1, line 1) .....	1.		
2	Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...	2.		
3	Total additional transfer tax due* (multiply line 2 by 1% (.01)) .....	3.		

**Part 3 – Explanation of exemption claimed on Part 1, line 1 (mark an X in all boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, New York State, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) ..... a
- b. Conveyance is to secure a debt or other obligation..... b
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d
- e. Conveyance is given in connection with a tax sale..... e
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F ..... f
- g. Conveyance consists of deed of partition..... g
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property..... i
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, § 1401(e) (attach documents supporting such claim) ..... k

\* The total tax (from Part 1, line 6 and Part 2, line 3 above) is due within 15 days from the date of conveyance. Make check(s) payable to the county clerk where the recording is to take place. For conveyances of real property within New York City, use Form TP-584-NYC. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

**Schedule C – Credit Line Mortgage Certificate (Tax Law Article 11)**

Complete the following only if the interest being transferred is a fee simple interest.  
This is to certify that: (mark an X in the appropriate box)

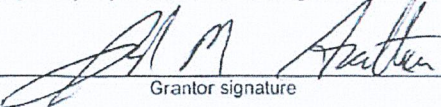
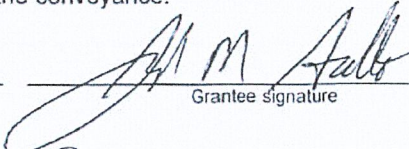
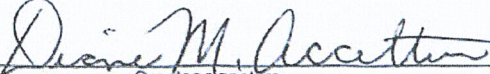
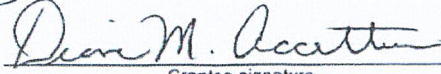
1.  The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2.  The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
  - a.  The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
  - b.  The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
  - c.  The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
  - d.  The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

**Note:** for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

- e.  Other (attach detailed explanation).
3.  The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
  - a.  A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
  - b.  A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4.  The real property being transferred is subject to an outstanding credit line mortgage recorded in \_\_\_\_\_ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is \_\_\_\_\_. No exemption from tax is claimed and the tax of \_\_\_\_\_ is being paid herewith. (Make check payable to county clerk where deed will be recorded.)

**Signature (both the grantors and grantees must sign)**

The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

 _____ Grantor signature	_____ Title	 _____ Grantee signature	_____ Title
 _____ Grantor signature	_____ Title	 _____ Grantee signature	_____ Title

**Reminder:** Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you marked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place? If no recording is required, send this return and your check(s), made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.



# TOWN OF NEWBURGH

~Crossroads of the Northeast~

**CODE COMPLIANCE DEPARTMENT**  
21 HUDSON VALLEY PROFESSIONAL PLAZA  
NEWBURGH, NEW YORK 12550

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

# 2025-02

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 01/10/2025

Application No. 24-1286

To: Joseph Accettura  
1 Farmstead Rd.  
New Windsor, NY 12553

SBL: 62-1-8  
ADDRESS: 1463 Route 300

ZONE: B

PLEASE TAKE NOTICE that your application dated 11/13/2024 for permit to build a 16' x 28' (2) story garage, bedroom addition. on the premises located at 1463 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-18-C-4-b: 60' Front yard setback on state roads
- 2) 185-18-C-4-a: No structure placed within 80' of the center line of Union Ave Extension.
- 3) Bulk table schedule 7: Allows a maximum of 50% lot surface coverage.
- 4) 185-19-C-1: Shall not increase the degree of non-conformity. (Rear yard)

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# TOWN OF NEWBURGH ZONING CHART

NAME: Joseph Accettura

ADDRESS: 1463 Rt 300

STRUCTURE: 16' x 28' 2 story addition

TYPE OF VARIANCE: AREA

S:B:L: 62-1-8

ZONE: B

TOWN WATER: NO

TOWN SEWER: NO

VARIANCE DESCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
Front yard setback	185-18-C-4-b	60'	29.4'	30.6'	51%
Lot surface coverage	Bulk table schedule 7	10211 sf	10614 sf	403 sf	4%
Center line setback	185-18-C-4-(a)	80'	48'	32'	40.00%
Rear yard setback	185-19-C-1	40'	20.5'	Increasing degree of non-conformity	

**COMMENTS:**

REVIEWED BY: JOSEPH MATINA

DATE: 1-10-2025

APPLICATION: 24-1286

*2514 # 2525-02*



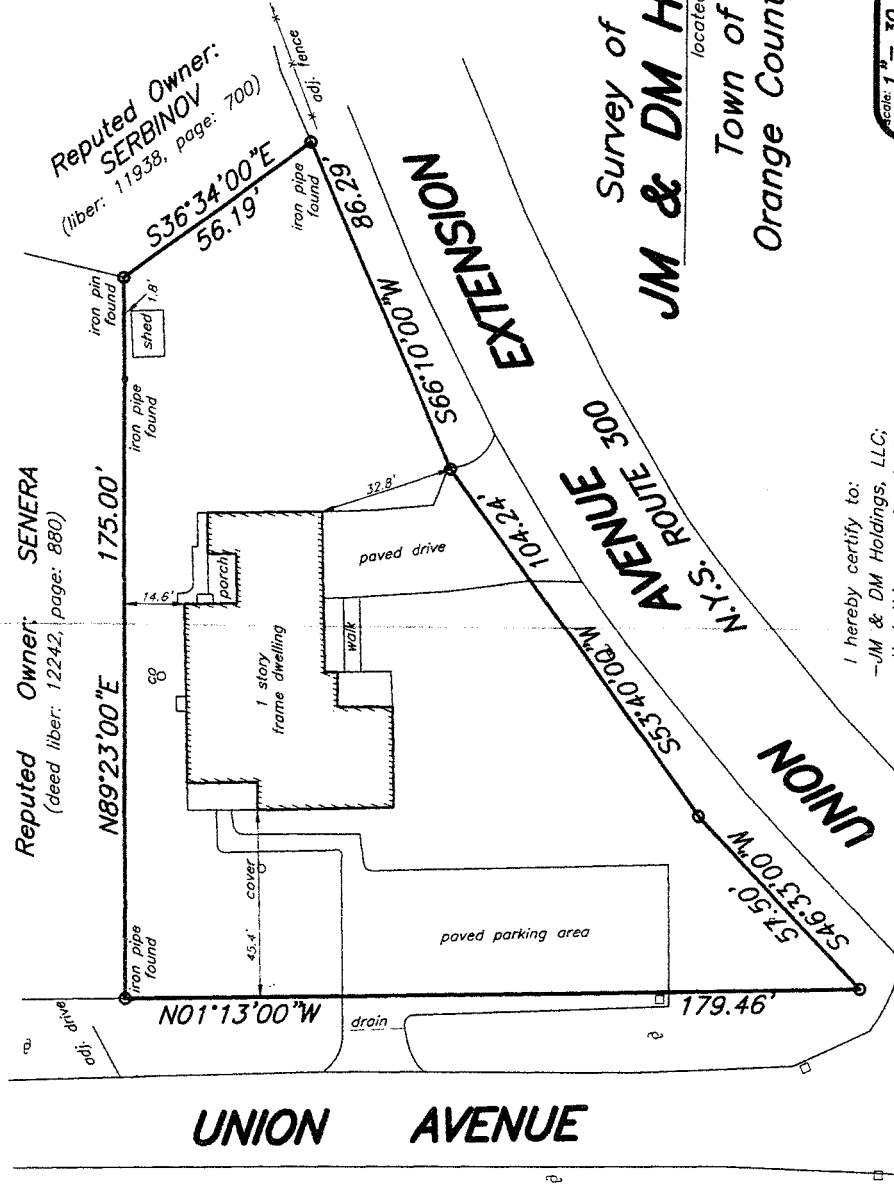
**NOTES:**

SUBJECT to any easements, rights-of-ways, and/or agreements that the utility companies may have.  
 SUBJECT to such facts disclosed by an accurate, up-to-date title search.  
 OFFSETS shown hereon are not to be used for construction purposes and/or fence installation.

**AREA = 20,422 S.F.**  
 = 0.469± acres

**REFERENCES:**

TAX MAP DATA:  
 Section: 62  
 Block: 1  
 Lot: 8  
 Deed Liber: 4889, Page: 171



Reputed Owner: **SENERA**  
 (deed liber: 12242, page: 880)

Reputed Owner: **SERBINOV**  
 (liber: 11938, page: 700)

**UNION AVENUE**

**JM & DM HOLDINGS, LLC**  
 Survey of Property for  
 Town of Newburgh  
 Orange County - New York

I hereby certify to:  
 - JM & DM Holdings, LLC;  
 that this mapping is based on a field survey performed on the date indicated hereon, deeds and/or maps obtained from the County Clerk's office, and is correct and accurate to the best of my knowledge.

*Howard W. Weeden*  
 Howard W. Weeden, P.L.S., P.C. NYS Lic. No. 049967

scale: 1" = 30' date: 13 May 2021 file no.: 21-172  
**HOWARD W. WEEDEN, P.L.S., P.C.**  
**PROFESSIONAL LAND SURVEYING**  
 62 Main Street, Walden, N.Y. 12586  
 tel.: (845) 778-7643  
 © copyright by Howard W. Weeden, P.L.S., P.C. Walden, New York

Certifications indicated herein signify that the survey was conducted in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. Said certifications are not a guarantee of the accuracy of the survey is prepared, and on his/her behalf the title company, governmental agency and the lending institution, listed hereon, and to the best of their knowledge and belief, the conditions are not transferable to additional institutions or their subsequent owners.

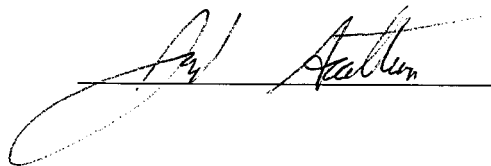
Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 2209 sub-division 2, of the New York State Education Law.

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Joseph Accetta, being duly sworn, depose and say that I did on or before  
February 13, 2025, post and will thereafter maintain at  
1463 Route 300 62-1-8 B 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 23

day of January, 2025

Anne R. DeRize

NOTARY PUBLIC  
Newburgh, New York  
Commission Expires 11, 2026

NOTARY PUBLIC  
Newburgh, New York  
Commission Expires 11, 2026





