



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

Zoning Board of Appeals  
**DEC - 7 2016**  
Town of Newburgh

## APPLICATION

OFFICE OF ZONING BOARD  
(845) 566-4901

DATED: 11/18/16

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

I (WE) THOMAS AMODEO, JR PRESENTLY

RESIDING AT NUMBER 516 LAKE SIDE ROAD, NEWBURGH

TELEPHONE NUMBER 845-234-1074

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

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

1. LOCATION OF THE PROPERTY:

14-3-2.1 (TAX MAP DESIGNATION)

516 LAKE SIDE ROAD (STREET ADDRESS)

R-1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

BUKE TABLE, SCHEDULE 3, 2 DWELLING UNITS  
(1 PERMITTED)



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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: 6/17/16
- 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: FOR A SECOND DWELLING UNIT

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:  
Taxes are high need additional income present financial situation

(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:

LOT IS OVERSIZED (5.1 AC)

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

BUILDING IS EXISTING. FOOT PRINT WILL NOT CHANGE. BUILDING IS SCREENED BY FOREST

**TAXPAYER'S RECEIPT  
TAX YEAR 2016**

**COLLECTOR'S NAME:**

Tax Collector  
Walkkill Central School Dist.  
PO Box 310, 19 Main St.  
Walkkill, NY 12589

**OWNER NAME & ADDRESS:**

Amodeo Thomas J Jr.  
PO Box 567708  
Dallas, TX 75356

**PROPERTY DESCRIPTION AND VALUES**

Municipality:	334600	Newburgh	
School District:	515201	WALKKILL CENTRAL	
Section-Block-Lot:	14-3-2.1		
Parcel Location:	516	Lakeside Rd	
Property Classification:	210	1 FAMILY RES	
Acres:	5.10		
Frontage x Depth:			0.00 X 0.00
Land Assessed Value:			\$11,100.00
Total Assessed Value:			\$173,000.00
Full Market Value:			\$480,600.00
Uniform % of Value Used to Determine Assessment:			36 %
Tax Bill Number:			60
STAR Tax Savings:			\$0.00
NYS Tax & Finance Code:			662

**TAX PAYMENT INFORMATION**

Received Date:	9/30/2016	Deposit Date:	10/14/2016
Tax Amount Paid:	\$14,456.37	Memo/Deposit ID:	
Penalty Paid:	\$0.00	Payment Type:	Check
Adv. Fee Paid:	\$0.00	Check/MO #:	187
Ret. Ck. Fee Paid:	\$0.00	Batch #:	38
Total Paid:	\$14,456.37		

**\*\*PAID IN FULL\*\***

ORANGE COUNTY - TOWN OF NEWBURGH  
 2016 COUNTY AND TOWN REAL PROPERTY TAX BILL  
 For Fiscal Year 01/01/2016-12/31/2016 - Warrant Date 12/29/2015

BILL No: 000294

MAKE CHECKS PAYABLE TO:  
 RECEIVER OF TAXES  
 1496 ROUTE 300  
 NEWBURGH, NY 12550

TO PAY IN PERSON  
 MON-FRI 8:30AM-4:30 PM  
 SAT JAN 30, 9AM - 1 PM  
 PHONE 845-564-4553  
 Deborah A. Smith-Rec of Taxes

PROPERTY ADDRESS & LEGAL DESCRIPTION  
 Address: 516 LAKESIDE RD  
 Town of: NEWBURGH Roll Sect. 1  
 Bank Code:  
 Property Class Name: 210 - 1 Family Res  
 Parcel Dimensions: Acreage = 5.1  
 School: 515201 - WALLKILL  
 Est State Aid: COUNTY: 83,616,440  
 TOWN: 400,000

334600 / 14--3-2.100

PROPERTY TAXPAYER'S BILL OF RIGHTS

Assessor estimates the FULL MARKET VALUE of property as of 7/1/2014: \$455,300  
 The ASSESSED VALUE of this property as of 7/1/2015 was: \$173,000  
 The UNIFORM PERCENT OF VALUE used to establish assessment was: 38.00%  
 If you feel your assessment is too high, you have the right to seek a reduction in the future.  
 A publication entitled "Contesting your assessment" is available at the assessor's office and online  
 at www.tax.ny.gov. Please note that the period for filing complaints on the  
 above assessment has passed.

AMODEO THOMAS J JR.  
 PO BOX 567708  
 DALLAS TX 75356

<u>Exemption</u>	<u>Value</u>	<u>TaxPurpose</u>	<u>Full Value Estimate</u>	<u>Exemption</u>	<u>Value</u>	<u>TaxPurpose</u>	<u>Full Value Estimate</u>
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IF YOU HAVE AN ESCROW ACCOUNT PLEASE FORWARD THIS BILL TO YOUR BANK

PROPERTY TAXES

<u>Taxing Purpose</u>	<u>Total Tax Levy</u>	<u>% Change From Prior Year</u>	<u>Taxable Value</u>	<u>Tax Rate Per \$1000</u>	<u>Tax Amount</u>
COUNTY	\$118,296,374	1.90	\$173,000	10.317200	\$1,784.88
TOWN	\$9,819,255	2.10	\$173,000	9.340200	\$1,615.85
HIGHWAY	\$4,372,183	3.70	\$173,000	4.158600	\$719.44
Cronomer vly fire	\$1,116,550	-0.30	173,000	4.493200	\$777.32

**TOTAL TAXES DUE \$4,897.49**

<u>IF PAID BY</u>	<u>Penalty %</u>	<u>Amount</u>	<u>Penalty Amt</u>	<u>Amount Due</u>
1/31/2016	0.00	\$4,897.49	0.00	\$4,897.49
2/29/2016	1.00	\$4,897.49	\$48.97	\$4,946.46
3/31/2016	2.00	\$4,897.49	\$98.95*	\$4,996.44

>>>PAID DATE<<< 1/28/2016  
 81% OF YOUR COUNTY PROPERTY TAXES ARE FOR STATE  
 MANDATED MEDICAID AND SOCIAL SERVICE PROGRAMS  
 TAXES PAID BY \_\_\_\_\_ CA CH

2016 TOWN REAL PROPERTY TAX RECEIVER'S STUB  
 Bank Code: 334600 14--3-2.100  
 Bill No. 000294

AMODEO THOMAS J JR.  
 PO BOX 567708  
 DALLAS TX 75356  
 Town of: NEWBURGH  
 Property Address: 516 LAKESIDE RD

<u>IF PAID BY</u>	<u>Penalty %</u>	<u>Amount</u>	<u>Penalty Amt</u>	<u>Amount Due</u>
1/31/2016	0.00	\$4,897.49	0.00	\$4,897.49
2/29/2016	1.00	\$4,897.49	\$48.97	\$4,946.46
3/31/2016	2.00	\$4,897.49	\$98.95*	\$4,996.44

**TOTAL TAXES DUE \$4,897.49**

>>>> PAID DATE: 1/28/2016 <<<<<<  
 TAXES PAID BY \_\_\_\_\_ CA CH

RECEIVER'S STUB MUST BE RETURNED WITH PAYMENT. FOR A RECEIPT OF PAYMENT, PLACE  
 A CHECK MARK IN THIS BOX [ ] AND RETURN THE ENTIRE BILL WITH PAYMENT.



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

DUES TO HEALTH ISSUES, MY INCOME  
IS REDUCED

N/A

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# TOWN OF NEWBURGH

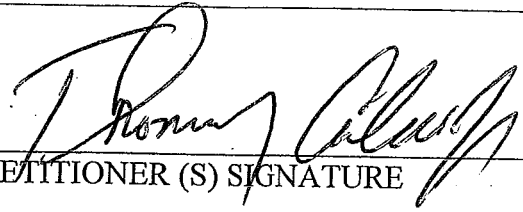
*Crossroads of the Northeast*

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

OFFICE OF ZONING BOARD  
(845) 566-4901

## 7. ADDITIONAL REASONS (IF PERTINENT):

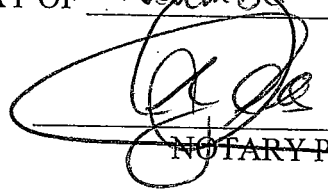
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
PETITIONER (S) SIGNATURE

X

STATE OF NEW YORK: COUNTY OF ORANGE:

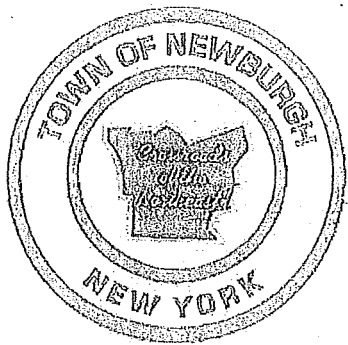
SWORN TO THIS 23<sup>rd</sup> DAY OF November 20 16

  
NOTARY PUBLIC

**NIGEL AUNDRAE REYNOLDS**  
NOTARY PUBLIC STATE OF NEW YORK  
DUTCHESS COUNTY  
LIC. #01RE6287234  
COMMISSION EXPIRES 08/05/2017

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)



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## PROXY

Thomas Amodeo Jr, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 516 Lakeside Road Newburgh N.Y. 12550  
IN THE COUNTY OF Orange AND STATE OF NY  
AND THAT HE/SHE IS THE OWNER IN FEE OF 516 Lakeside Road  
Newburgh NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED CHARLES T. BROWN, PE  
Talcott Engineering Design PLLC  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 12/7/2016

[Signature]  
OWNER'S SIGNATURE

[Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7 DAY OF December 2016

[Signature]  
NOTARY PUBLIC

ANNMARIE E. DWYER  
Notary Public, State of New York  
Reg. No. 01DW6004914  
Qualified in Ulster County  
Commission Expires March 30, 2018

## 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>			
Name of Action or Project: AMODEO USE VARIANCE		JOB # 16024	
Project Location (describe, and attach a location map): 516 LAKESIDE ROAD			
Brief Description of Proposed Action: USE VARIANCE TO ALLOW A SECOND DWELLING UNIT IN A EXISTING EXCESSORY STRUCTURE ON THE SUBJECT PARCEL.			
Name of Applicant or Sponsor: THOMAS AMODAO JR.		Telephone: 845-234-1074	
		E-Mail:	
Address: 516 LAKESIDE ROAD			
City/PO: NEWBURGH		State: NY	Zip Code: 12550
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 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: BUILDING PERMIT FROM THE TOWN OF NEWBURGH BUILDING DEPARTMENT			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5.1 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" 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			





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   <input checked="" type="checkbox"/>	YES   <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   <input checked="" type="checkbox"/>	YES   <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   <input checked="" type="checkbox"/>	YES   <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: CHARLES T. BROWN, PE		Date: 11-18-2016
Signature: _____		

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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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)

16024-AM0



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: 13925 / 934  
INSTRUMENT #: 20150049198

Receipt#: 1983739  
Clerk: MG  
Rec Date: 07/29/2015 01:10:56 PM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 3  
Rec'd Frm: FINKELSTEIN & PARTNERS, LLP  
(18)

Party1: AMODEO THOMAS  
Party2: AMODEO THOMAS  
Town: NEWBURGH (TN)  
14-3-2.1

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

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

*Ann G. Rabbitt*  
Ann G. Rabbitt  
Orange County Clerk

Recording:  
Recording Fee 35.00  
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: 185.00

Transfer Tax  
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 185.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 8289  
Transfer Tax  
Consideration: 0.00

Total: 0.00

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 July 29, 2015 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 November 28, 2016

Record and Return To:

FINKELSTEIN & PARTNERS LLP  
1279 ROUTE 300, PO BOX 1111  
NEWBURGH, NY 12551

**THIS INDENTURE**, made the July 28<sup>th</sup>, 2015,

between Thomas J. Amodeo, Sr. and Gloria Amodeo, of 14 Stern Drive, Newburgh, New York 12550

party of the first part, and

Thomas J. Amodeo, Jr., of 516 Lakeside Road, Newburgh, New York 12550

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of love and affection and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York,

BEING same premises conveyed by deed from Thomas J. Amodeo, Jr. To Thomas J. Amodeo, Sr. And Gloria Amodeo dated January 20, 2003 and recorded April 25, 2003 in Liber 11029 at page 1325 in the Orange County Clerk's office, more particularly described in Schedule A attached hereto.

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

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

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

**AND** the party of the first part, 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 costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

**Section: 14**  
**Block: 3**  
**Lot: 2.1**

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

Thomas J. Amodeo By Gloria Amodeo  
Thomas J. Amodeo, Sr. by Gloria Amodeo his Agent

Gloria E. Amodeo  
Gloria Amodeo

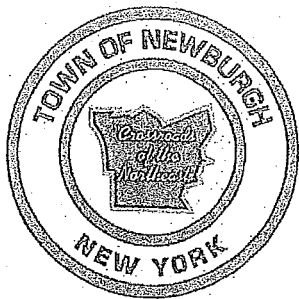
STATE OF NEW YORK )  
COUNTY OF ORANGE ) ss.:

On the 28<sup>th</sup> day of JULY in the year 2015, before me, the undersigned, personally appeared Gloria Amodeo, 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 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.

Maureen McKinney  
(signature and office of individual taking acknowledgment)

MAUREEN MCKINNEY  
NOTARY PUBLIC STATE OF NEW YORK  
LIC. #01MC6101235  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES NOVEMBER 10, 2015

RECORD AND RETURN  
FINKELSTEIN & PARTNERS, LLP  
1279 ROUTE 300  
NEWBURGH, NY 12550  
ATTN: JOSEPH P. RONES  
SECTION 14, BLOCK 3, LOT 2.1



**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

**2575-16**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 06/17/2016**

**Application No. 16-0497**

**To: Thomas Amodeo, Jr  
516 LAKESIDE ROAD  
NEWBURGH, NY 12550**

**SBL: 14-3-2.1  
ADDRESS: 516 Lakeside Rd**

**ZONE: R-1**

PLEASE TAKE NOTICE that your application dated 06/10/2016 for permit to keep a prior built 1400 s.f. second dwelling unit over a garage that had previously recieved a variance for storage space only on the premises located at 516 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 3 permits only 1 dwelling unit per lot.
- 2) The 2001 variance for this structure required the second floor of the garage to be storage only.

*Joseph Mattina*  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# Town of Newburgh Code Compliance

**OWNER INFORMATION**

*BUILT WITH OUT A PERMIT*

**YES**

NAME: \_\_\_\_\_ Thomas Amodeo Jr.

ADDRESS: \_\_\_\_\_ 516 Lakeside Rd Newburgh NY 12550

**PROJECT INFORMATION:**

**USE VARIANCE**

TYPE OF STRUCTURE: \_\_\_\_\_ 36'x40'x29' Accessory building

SBL: \_\_\_\_\_ 14-3-2.1 \_\_\_\_\_ ZONE: \_\_\_\_\_ R-1

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
Dwelling units per lot	1.00	2.00		1.00	100.00%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
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: **Rec. a variance for this structure in Feb. 2, 2001. The attic was for storage and not to be finished. Created a 2nd dwelling unit above the garage.**

**VARIANCE(S) REQUIRED:**

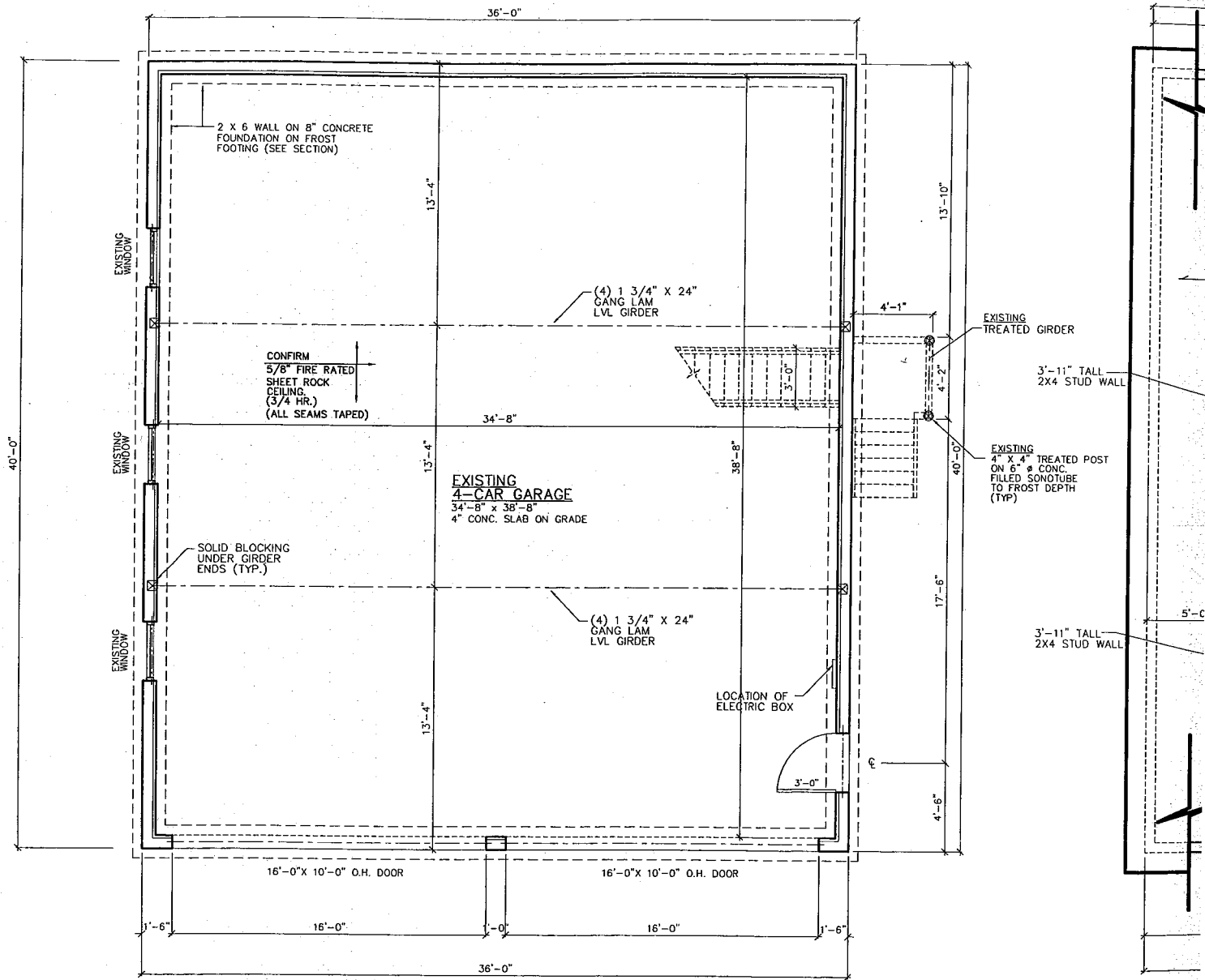
- 1 Bulk table schedule 3 permits 1 dwelling unit per lot.
- 2 Did not follow the previously approved variance. Created a dwelling unit above the garage.
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ Joseph Mattina

DATE: \_\_\_\_\_ 17-Jun-16

# AMODEO ACCESS

TOWN OF NEWBURGH



## EXISTING FOUNDATION PLAN

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

### I. DESIGN LOADS:

FLOOR: 40 P.S.F. LIVE LOAD  
10 P.S.F. DEAD LOAD  
SOIL BEARING PRESSURE: 1500 P.S.F.  
DESIGN WIND SPEED: "90 MPH"  
SEISMIC CATEGORY: "C"  
WEATHERING POTENTIAL: SEVERE

ROOF: 40 P.S.F. GROUND SNOW LOAD  
10 P.S.F. DEAD LOAD  
MINIMUM FROST DEPTH SHALL BE 3'-6".

### II. CONCRETE: (AS APPLICABLE)

- ALL CONCRETE, EXCEPT SLABS, SHALL BE 3000 P.S.I. (28 DAY COMPRESSIVE STRENGTH) WITH 5% TO 7% AIR ENTRAINMENT. CONCRETE DESIGN MIX AND REBAR SPICES AND COVERAGE SHALL BE IN ACCORDANCE WITH CURRENT ACI CODES. ALL REINFORCING BARS SHALL BE GRADE 60.
- ALL SLABS ON GRADE SHALL BE 3500 P.S.I. WITH 5% TO 7% AIR ENTRAINMENT. 4" CONCRETE ON 4" SAND OR GRAVEL FILL WITH 6X6-10X10WWM REINFORCING. ALL INTERIOR SLABS SHALL BE PLACED ON A 6 MIL POLYETHYLENE VAPOR BARRIER. VAPOR BARRIER JOINTS SHALL BE LAPPED 6" MIN.
- PROVIDE 1/2" EXPANSION JOINT MATERIAL BETWEEN ALL CONCRETE SLABS AND ADJUTING CONCRETE WALLS OCCURRING IN EXTERIOR OR UNHEATED INTERIOR AREAS.
- ALL FOOTINGS SHALL BE 20"(MIN.) X 10"(MIN.) (OR PER PLANS) CONCRETE ON UNDISTURBED SOIL WITH TWO #4 BARS CONTINUOUS 3" FROM FOOTING BOTTOM. PLACE 1/2" DIA. X 12" SILL PLATE ANCHOR BOLTS AT 6'-0" MAX. O.C. AND 12" FROM END OR SPICE, AT EACH CORNER AND BOTH SIDES OF OPENINGS.
- WATERPROOF WALLS OF EXCAVATED AREAS WITH THORSEAL OR EQUAL.
- PLACE 4" DIA. PERFORATED PVC DRAINAGE PIPE AT PERIMETER OF EXCAVATED AREAS. COVER TOP OF JOINTS W/ 15 LB. FELT AND MINIMUM OF 6" COARSE ROCK OR GRAVEL. SLOPE PIPE 3/16" PER FT. MIN. TO POINT OF DISCHARGE.
- CONCRETE PLACED IN COLD WEATHER SHALL BE IN CONFORMANCE WITH ACI CODES FOR DESIGN MIX AND/OR CURING OF COLD WEATHER CONCRETE.
- CRAWL SPACES SHALL BE VENTED ONE SQ.FT. MINIMUM PER 150 SQ.FT. AREA. VENTS SHALL BE WITHIN 3' OF CORNERS. IN ADDITION, A 18" X 24" MIN. ACCESS OPENING SHALL BE PROVIDED.

### III. CARPENTRY: (AS APPLICABLE)

- UNLESS OTHERWISE NOTED, FRAMING LUMBER SHALL BE CONSTRUCTION GRADE. BEAMS, HEADERS AND FLOOR JOISTS SHALL HAVE AN ALLOWABLE BENDING STRESS (FB) OF 1200 PSI.
- UNLESS OTHERWISE NOTED, PROVIDE:
  - DOUBLE HEADER JOISTS AND TRIMMERS AT ALL FLOOR OPENINGS.
  - DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS.
  - DOUBLE 2 X 10 HEADERS WITH 1/2" PLYWOOD BETWEEN ALL DOOR AND WINDOW OPENINGS. (UNLESS OTHERWISE NOTED ON PLAN).
  - 1 ROW OF 1" X 3" CROSS BRIDGING PER JOISTS SPAN.
  - FLOOR CONSTRUCTION SHALL BE 3/4" TONGUE AND GROOVE PLYWOOD WITH EXTERIOR GLUE.
  - USE WATER RESISTANT GYPSUM BOARD FOR WALLS AND CEILINGS AND 1/2" PLYWOOD UNDERLAYMENT IN ALL BATH AND TOILET AREAS.

### IV. MISCELLANEOUS: (AS APPLICABLE)

- UNLESS OTHERWISE NOTED, PROVIDE:
  - R-38 BATT INSULATION IN ALL CEILING OR RAFTERS ADJACENT TO THE EXTERIOR OR TO UNHEATED SPACES.
  - INSTALL VAPOR BARRIERS AGAINST INSIDE OF ALL INSULATION.
  - NEW WINDOWS SHALL BE SILVERLINE 2900 SERIES SLIDING WINDOWS. WINDOWS SHALL BE LABELED TO SHOW COMPLIANCE WITH RESIDENTIAL CODE OF NEW YORK STATE.
  - CAULKING AT ALL SASH, SLIDING GLASS DOORS, ENTRANCE DOORS, AND BOTTOM PLATES.

### IV. MISCELLANEOUS: CONT.

- HEATING SYSTEM IS GAS AND MEETS THE

### V. CODES:

- ALL MATERIALS, SYSTEMS, AND METHODS SHALL CONFORM WITH CURRENT EDITION C STATE CODES AND APPLICABLE TOWN AND ORDINANCES, RULES AND REGULATIONS.
- ELECTRICAL SERVICE SHALL BE 200 AMP/ ALL PLUMBING, HEATING AND ELECTRICAL CONFORMANCE WITH STATE AND LOCAL CODES.

NOTE: THIS PLAN MEETS THE ENR CONSERVATION CONSTRUCTION CO

### VI. ENERGY CODES:

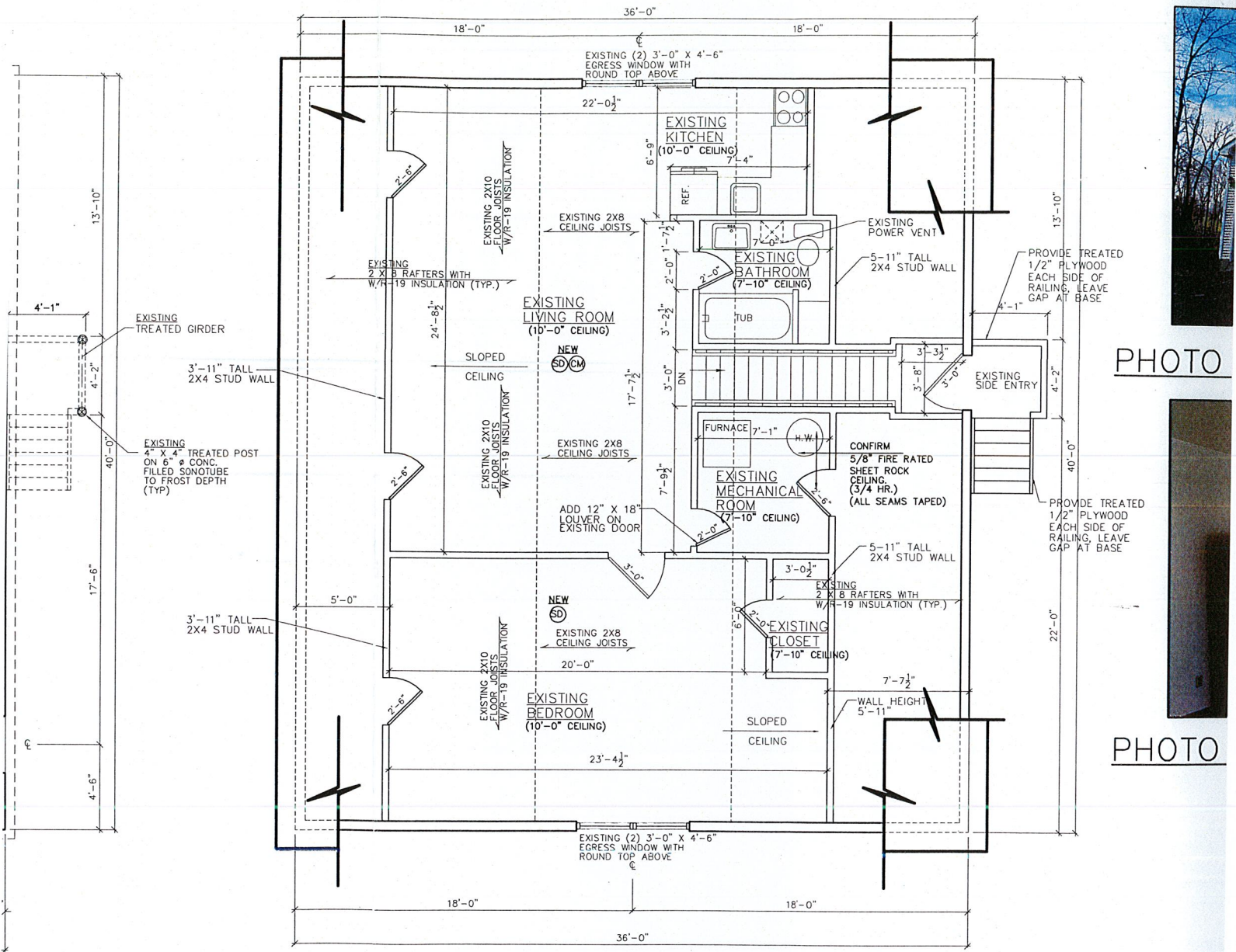
- R-VALUES
- GLAZING
- CEILING VALUE
- EXTERIOR WALL VALUE
- FLOOR VALUE

THE PLANS AND SPECIFICATIONS HEREFOR THE SUBJECT PROJECT ONLY. ALL CONTRACTUAL NEGOTIATIONS BETWEEN THE CLIENT NOTED AND TALCOTT EN THESE PLANS AND SPECIFICATIONS. I HEREBY CERTIFY THAT I AM THE AUTHOR OF THESE PLANS AND SPECIFICATIONS.



# ACCESSORY APARTMENT

OWN OF NEWBURGH, NEW YORK



PHOTO



PHOTO

## ACCESSORY APARTMENT PLAN

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

- NOTES: 1.) ALL ELEMENTS EXISTING EXCEPT AS NOTED.  
 2.) GAS FURNACE MEETING THE DEMAND LOADS FOR THIS APARTMENT

**IV. MISCELLANEOUS: CONT.**  
 B. HEATING SYSTEM IS GAS AND MEETS THE DESIGN LOADS FOR THIS APARTMENT.

- V. CODES:**  
 A. ALL MATERIALS, SYSTEMS, AND METHODS OF CONSTRUCTION SHALL CONFORM WITH CURRENT EDITION OF THE NEW YORK STATE CODES AND APPLICABLE TOWN AND COUNTY LAWS, ORDINANCES, RULES AND REGULATIONS.  
 B. ELECTRICAL SERVICE SHALL BE 200 AMP/220 VOLT.  
 C. ALL PLUMBING, HEATING AND ELECTRICAL WORK SHALL BE IN CONFORMANCE WITH STATE AND LOCAL CODES.

NOTE: THIS PLAN MEETS THE ENERGY CONSERVATION CONSTRUCTION CODE OF NYS. (2010)

- VI. ENERGY CODES:**  
 R-VALUES  
 GLAZING R-2.56  
 CEILING VALUE R-19  
 EXTERIOR WALL VALUE R-19  
 FLOOR VALUE R-19

**ADDITION CONSTRUCTION NOTES:**

- 1.) PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY DIMENSIONS, EXISTING FRAMING (SIZES, SPACING, AND ORIENTATION), AND BEARING WALL LOCATIONS WITH HEADER SIZES.
- 2.) ANY DISCREPANCIES FOUND SHALL IMMEDIATELY BE CONVEYED TO THE DESIGN ENGINEER FOR DESIGN ADJUSTMENTS AT THE ENGINEER'S DISCRETION.
- 3.) ON COMPLETION OF FRAMING AND PRIOR TO INSULATING AND/OR SHEETROCKING, THE DESIGN ENGINEER SHALL BE NOTIFIED SO HE CAN INSPECT AND DOCUMENT THE AS-BUILT STRUCTURE.
- 4.) THE ENGINEER SHALL BE IMMEDIATELY NOTIFIED OF ANY MATERIAL SUBSTITUTIONS AND/OR FIELD CHANGES FOR PURPOSES OF REVIEW AND AUTHORIZATION.
- 5.) TECHNICAL DOCUMENTS, MANUFACTURED CERTIFIED DESIGNS, AND PERFORMANCE CERTIFICATION, ETC. FOR ALL PRE-MANUFACTURED COMPONENTS AND/OR NON-STANDARD MATERIALS AND/OR ELEMENTS, SUCH AS TRUSSES, LAMINATED BEAMS, I-JOISTS, PRECAST FOUNDATIONS, ETC. SHALL BE PROVIDED TO THE DESIGN ENGINEER FOR REVIEW AND APPROVAL.
- 6.) UPON COMPLETION OF PROJECT, CONTRACTOR SHALL SUBMIT A COMPLETE AS-BUILT SET OF DRAWINGS TO THE DESIGN ENGINEER FOR HIS RECORDS.

3  
 TIAL CODE

THE PLANS AND SPECIFICATIONS HEREIN ARE INTENDED FOR THE SUBJECT PROJECT ONLY AS A RESULT OF CONTRACTUAL NEGOTIATIONS BETWEEN THE BUILDERS, THE CLIENT NOTED AND TALCOTT ENGINEERING DESIGN, PLLC.



# APARTMENT

NEW YORK

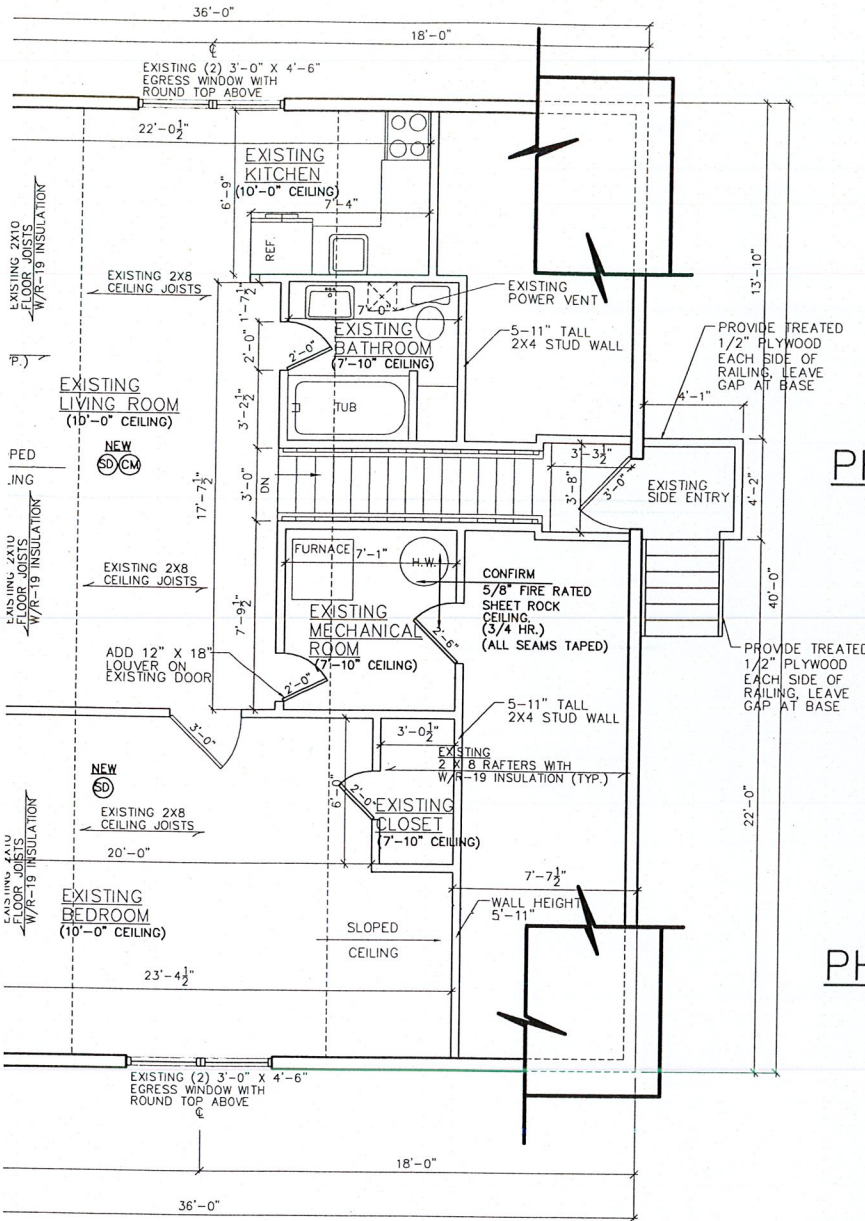


PHOTO OF EXISTING STRUCTURE



PHOTO OF EXISTING BEDROOM

## ACCESSORY APARTMENT PLAN

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

- NOTES: 1.) ALL ELEMENTS EXISTING EXCEPT AS NOTED.  
2.) GAS FURNACE MEETING THE DEMAND LOADS FOR THIS APARTMENT

### DRAWING KEY

SD

HARD WIRE CARBON MONOXIDE DETECTOR INTERCONNECTED W/SD HARD WIRE W/ BATTERY BACKUP, PER NEW YORK STATE RESIDENTIAL CODE

SD

SMOKE DETECTOR HARD WIRE W/ BATTERY BACKUP, PER NEW YORK STATE RESIDENTIAL CODE

S-B-L: 14-3-21

**AMODEO ACCESSORY APARTMENT**  
516 LAKESIDE ROAD  
TOWN OF NEWBURGH, NEW YORK

**TALCOTT ENGINEERING DESIGN, P.L.L.C.**  
1 GARDNERTOWN ROAD  
NEWBURGH, NY 12550  
(845) 569-8400  
(845) 569-4583 (fax#)

SEAL:

**CHARLES T. BROWN, PE**

P.O. BOX 4470  
NEW WINDSOR, NEW YORK 12553

TITLE:

**PROPOSED ACCESSORY PLAN, PHOTOS,**

DATE:  
1/18/16

SCALE:  
AS NOTED

REVISED:

ENGINEER:

DRAWN BY:

### ADDITION CONSTRUCTION NOTES:

- 1.) PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY DIMENSIONS, EXISTING FRAMING (SIZES, SPACING, AND ORIENTATION), AND BEARING WALL LOCATIONS WITH HEADER SIZES.
- 2.) ANY DISCREPANCIES FOUND SHALL IMMEDIATELY BE CONVEYED TO THE DESIGN ENGINEER FOR DESIGN ADJUSTMENTS AT THE ENGINEER'S DISCRETION.
- 3.) ON COMPLETION OF FRAMING AND PRIOR TO INSULATING AND/OR SHEETROCKING, THE DESIGN ENGINEER SHALL BE NOTIFIED SO HE CAN INSPECT AND DOCUMENT THE AS-BUILT STRUCTURE.
- 4.) THE ENGINEER SHALL BE IMMEDIATELY NOTIFIED OF ANY MATERIAL SUBSTITUTIONS AND/OR FIELD CHANGES FOR PURPOSES OF REVIEW AND AUTHORIZATION.
- 5.) TECHNICAL DOCUMENTS, MANUFACTURED CERTIFIED DESIGNS, AND PERFORMANCE CERTIFICATION, ETC. FOR ALL PRE-MANUFACTURED COMPONENTS AND/OR NON-STANDARD MATERIALS AND/OR ELEMENTS, SUCH AS TRUSSES, LAMINATED BEAMS, I-JOISTS, PRECAST FOUNDATIONS, ETC. SHALL BE PROVIDED TO THE DESIGN ENGINEER FOR REVIEW AND APPROVAL.
- 6.) UPON COMPLETION OF PROJECT, CONTRACTOR SHALL SUBMIT A COMPLETE AS-BUILT SET OF DRAWINGS TO THE DESIGN ENGINEER FOR HIS RECORDS.
- 7.) FOUNDATION IS PRE-EXISTING AND THEREFORE NOT A COMPONENT OF THIS DESIGN



