



TOWN OF NEWBURGH

Crossroads of the Northeast

2984-20 (A)

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

OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 12/21/20

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

I (WE) Gifford & Atayo Austin PRESENTLY

RESIDING AT NUMBER 48 Jennifer Rose Way, Wallkill, NY 12589

TELEPHONE NUMBER 845-636-0841

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:

_____ (TAX MAP DESIGNATION)

_____ (STREET ADDRESS)

_____ (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

3. IF 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: December 9, 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

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

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

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

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

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

The decks will be similar/comparable to the surrounding homes. We are replacing/repairing existing decks.

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

Slightly over variance line.

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

There is ample space between the two homes and existing property line.

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

It is on my direct property.

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

Condition existed prior to the purchase of the home w/o your knowledge.

7. ADDITIONAL REASONS (IF PERTINENT):

D. Ouster

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF January 2021

E. Rapp

NOTARY PUBLIC

ELISHA L. RAPP
Notary Public, State of New York
Reg. No. 02RA6363807
Qualified in Orange County
Commission Expires 08/28/2021

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 action 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 AGENDA ITEM OF THE MEETING).

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



TOWN OF NEWBURGH

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TELEPHONE 845-566-4901

FAX LINE 845-564-7802

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RESIDING AT NUMBER 48 Jennifer Rose Way, Walkkill, NY 12589

TELEPHONE NUMBER 845-636-0841

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SWORN TO THIS 7th DAY OF January 2021

E. Rapp

NOTARY PUBLIC

ELISHA L. RAPP
Notary Public, State of New York
Reg. No. 02RA6363807
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~~_____~~
~~_____~~
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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							
Name of Action or Project: deck repair							
Project Location (describe, and attach a location map): 48 Jennifer Rose way, Wallkill, NY 12589							
Brief Description of Proposed Action: deck replacement. Changing from wood to composite							
Name of Applicant or Sponsor: Gifford & Ibtayo Austin		Telephone: 845-636-0841					
Address: 48 Jennifer Rose way		E-Mail: ife43@yaho.com					
City/PO: Wallkill		State: NY	Zip Code: 12589				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		_____ acres					
b. Total acreage to be physically disturbed?		_____ acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 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"/>	<input type="checkbox"/>	<input checked="" 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?		<input type="checkbox"/>	<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: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" 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: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		<input checked="" 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: _____		<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 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"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		<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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES 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"/>

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	NO	YES
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Ataco Justin</u></p>	<p>Date: <u>12/21/20</u></p>	
<p>Signature: <u>[Signature]</u></p>		

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)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK: NAME(S) OF PARTY(S) TO DOCUMENT

RALPH T. PERRA
PATRICIA PERRA F/M/A
PATRICIA KAVANAGH
TO
GIFFORD B. AUSTIN, JR.
IFETAYO M. AUSTIN

SECTION 5 BLOCK 1 LOT 12

RECORD AND RETURN TO: (name and address)

GIFFORD and IFETAYO AUSTIN
48 Jennifer Rose Way
WALLELL, NY 10566
REA 813 31408



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED [R] MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLG)
2289 CHESTER (TN)
2201 CHESTER (VLG)
2489 CORNWALL (TN)
2401 CORNWALL (VLG)
2600 CRAWFORD (TN)
2800 DEERPARK (TN)
3089 GOSHEN (TN)
3001 GOSHEN (VLG)
3003 FLORIDA (VLG)
3005 CHESTER (VLG)
3200 GREENVILLE (TN)
3489 HAMPTONBURGH (TN)
3401 MAYBROOK (VLG)
3689 HIGHLANDS (TN)
3601 HIGHLAND FALLS (VLG)
3889 MINISINK (TN)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG)
4003 HARRIMAN (VLG)
4005 KIRYAS JOEL (VLG)
4289 MONTGOMERY (TN)
4201 MAYBROOK (VLG)
4203 MONTGOMERY (VLG)
4205 WALDEN (VLG)
4489 MOUNT HOPE (TN)
4401 OTISVILLE (VLG)
4600 NEWBURGH (TN)
4800 NEW WINDSOR (TN)
5089 TUXEDO (TN)
5001 TUXEDO PARK (VLG)
5200 WALKKILL (TN)
5489 WARWICK (TN)
5401 FLORIDA (VLG)
5403 GREENWOOD LAKE (VLG)
5405 WARWICK (VLG)
5600 WAWAYANDA (TN)
5889 WOODBURY (TN)
5801 HARRIMAN (VLG)
CITIES
0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO PAGES 3 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK [X]
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$ 417,000
TAX EXEMPT.
Taxable
MORTGAGE AMT. \$
DATE

MORTGAGE TAX TYPE:
(A) COMMERCIAL/FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(E) EXEMPT
(F) 3 TO 6 UNITS
(I) NAT.PERSON/CR. UNION
(J) NAT.PER-CR.UN/1 OR 2
(K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: River City

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
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

January 07, 2006
Ann G. Rabbit
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY

RECORDED/FILED
04/06/2006 14:03:02
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060038428
DEED R / BK 12122 PG 1341
RECORDING FEES 114.00
TTX# 008393 T TAX 1,668.00
Receipt#560697 dab



REA 813 JG/ps

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 24th day of February, 2006,

BETWEEN RALPH T. PERRA & PATRICIA PERRA, of 48 JENNIFER ROSE WAY, WALLKILL, New York 12589, party of the first part, * *F/K/A PATRICIA KAVANAGH*

and GIFFORD B. AUSTIN, JR. & IFETAYO M. AUSTIN of 14 VAIL AVENUE, PEEKSKILL, NY 10566, party of the second part, *AS HUSBAND AND WIFE*

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, 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 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, covenants that the party of the first part has not done or suffered anything whereby the 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 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.

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

Patricia Perra
PATRICIA PERRA *F/K/A PATRICIA KAVANAGH*
Ralph T. Perra
RALPH T. PERRA

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

On the 19th day of January, 2005, before me, the undersigned, personally appeared PATRICIA PERRA* and RALPH T. PERRA, 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. * *F/K/A PATRICIA KAVANAGH*

[Signature]
(signature and office of individual taking acknowledgment)

JOSEPH M. SAFFIOTI
Notary Public, State of New York
No. 4985013
Qualified in Orange County
Commission Expires August 5, 2009

TITLE NO. RCA-813-36408

SCHEDULE A

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 designated as Lot No. 7 on a certain map entitled, "Map of Plattekill Heights", dated 2/3/1978, revised 10/4/1978, and filed in the Office of the Orange County Clerk on 9/9/1979 as Filed Map No. 4968, said parcel and aforesaid filed map also being referenced on a map entitled "Subdivision Plan for Land Investment Group of Newburgh", dated 1/29/1986, revised 2/15/1986, and filed in the Orange County Clerk's Office on 3/27/1986 as Map No. 7547, being bounded and described as follows:

BEGINNING at a point on the easterly line of a 50 foot right of way, known as Jennifer Rose Way, a private road, said point also being on the division line between Lot No. 6 of the abovementioned filed map, lands n/f of Jegamont Realty Corp., on the north and Lot No. 7 herein described on the south; thence along the last mentioned division line, North 75 degrees 53' 34" East 226.99 feet to a point on the division line between the lands n/f of Land Investment Group of Newburgh on the east and south and Lot No. 7 herein described on the west and north; thence along the last mentioned division line, the following two courses, South 12 degrees 53' 55" East 214.73 feet and North 85 degrees 46' 03" West 247.48 feet to a point on the aforementioned easterly line of Jennifer Rose Way; thence along the last mentioned line the following two courses, on a curve to the left having a radius of 309.00 feet and an arc length of 88.00 feet and North 40 degrees 06' 26" West 50.00 feet to the point or place of BEGINNING containing 0.93 acres of land more or less.

Together with and subject to the rights of ingress and egress as well as the right to run utilities over the 50 foot right of way known as Jennifer Rose Way, a private road as shown on the aforesaid Filed Map No. 7547 as filed in the Office of the Orange County Clerk, and subject to the terms of the Private Road Maintenance Agreement for Jennifer rose Way duly filed in the Orange County Clerk's Office.

BEING AND INTENDED to be the same premises conveyed by deed dated 4/9/99 JOSEPH M. SAFFIOTI to RALPH T. PERRA and PATRICIA KAVANAGH n/k/a PATRICIA PERRA recorded in the Office of the Orange County Clerk on 4/16/99 in liber 5038 at page 289.



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

2884-20 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/07/2020

Application No. 20-1213

To: Ifetayo Austin
48 Jennifer Rose Way
Walkkill, NY 12594

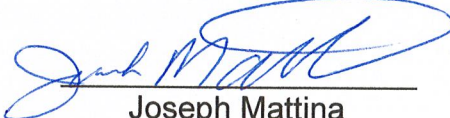
SBL: 5-1-12
ADDRESS: 48 Jennifer Rose Way

ZONE: RR

PLEASE TAKE NOTICE that your application dated 11/20/2020 for permit to keep a 10' x 12' lower rear deck built without a permit on the premises located at 48 Jennifer Rose Way is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 1: Requires a rear yard setback of 100' minimum.



Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: _____ GIFFORD AUSTIN _____ Application # _____ 20-1213

ADDRESS: _____ 48 JENNIFER ROSE WAY WALLKILL NY 12589 _____

PROJECT INFORMATION:**AREA VARIANCE**USE VARIANCE

TYPE OF STRUCTURE: _____ 10' X 12' REAR LOWER DECK _____

SBL: _____ 5-1-12 _____ ZONE: _____ RR _____ ZBA Application # _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'	91'		9'	9.00%
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:**LOWER DECK WITH RAMP**

REVIEWED BY: _____ Joseph Mattina _____ DATE: _____ 7-Dec-20 _____



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

2009-20(B)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/07/2020

Application No. 20-1210

To: Ifetayo Austin
48 Jennifer Rose Way
Wallkill, NY 12594

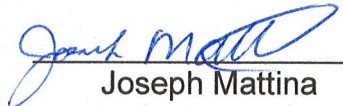
SBL: 5-1-12
ADDRESS: 48 Jennifer Rose Way

ZONE: RR

PLEASE TAKE NOTICE that your application dated 11/20/2020 for permit to keep a 10' x 12' rear upper deck built without a permit on the premises located at 48 Jennifer Rose Way is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 1: Requires a rear yard setback of 100' minimum.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: _____ GIFFORD AUSTIN _____ **Application #** _____ **20-1210**

ADDRESS: _____ 48 JENNIFER ROSE WAY WALLKILL NY 12589 _____

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: _____ **10' X 12' REAR UPPER DECK** _____

SBL: _____ **5-1-12** _____ **ZONE:** _____ **RR** _____ **ZBA Application #** _____

TOWN WATER: YES / NO _____ **TOWN SEWER:** YES / NO _____ **N/A**

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'	89'		11'	11.00%
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: _____ **UPPER DECK** _____

REVIEWED BY: _____ **Joseph Mattina** _____ **DATE:** _____ **7-Dec-20** _____



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

2884 20(c)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/07/2020

Application No. 20-1211

To: Ifetayo Austin
48 Jennifer Rose Way
Wallkill, NY 12594

SBL: 5-1-12
ADDRESS: 48 Jennifer Rose Way

ZONE: RR

PLEASE TAKE NOTICE that your application dated 11/20/2020 for permit to keep a 16' x 16' side deck built without a permit on the premises located at 48 Jennifer Rose Way is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 1: Requires a side yard setback of 50' minimum.
- 2) Bulk table schedule 1: Requires a combined side yard setback of 100' minimum.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: GIFFORD AUSTIN **Application #** 20-1211

ADDRESS: 48 JENNIFER ROSE WAY WALLKILL NY 12589

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: 16' X 16' SIDE DECK

SBL: 5-1-12 **ZONE:** RR **ZBA Application #** _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
COMBINED SIDE YARDS	100'		86'	14'	14.00%
ONE SIDE YARD	50'		46'	4'	8%
MAX. BUILDING HEIGHT	EXISTING NON-CONFORMING				
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

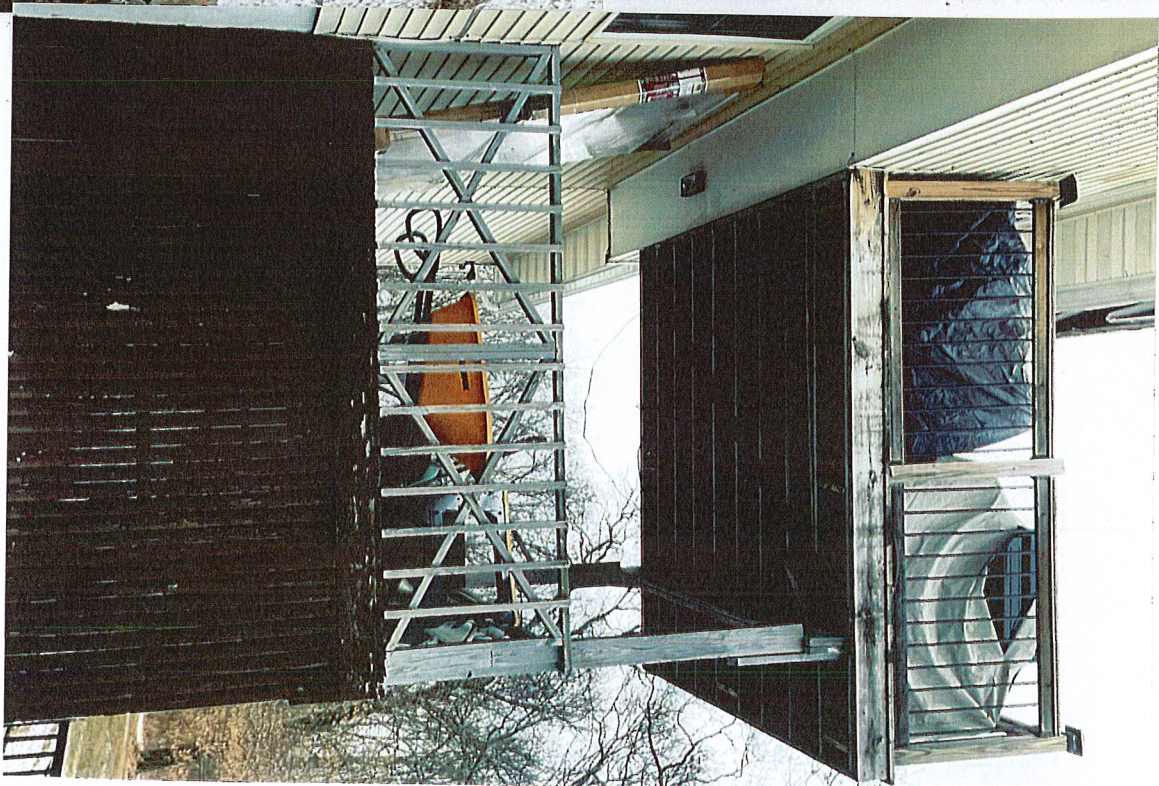
10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

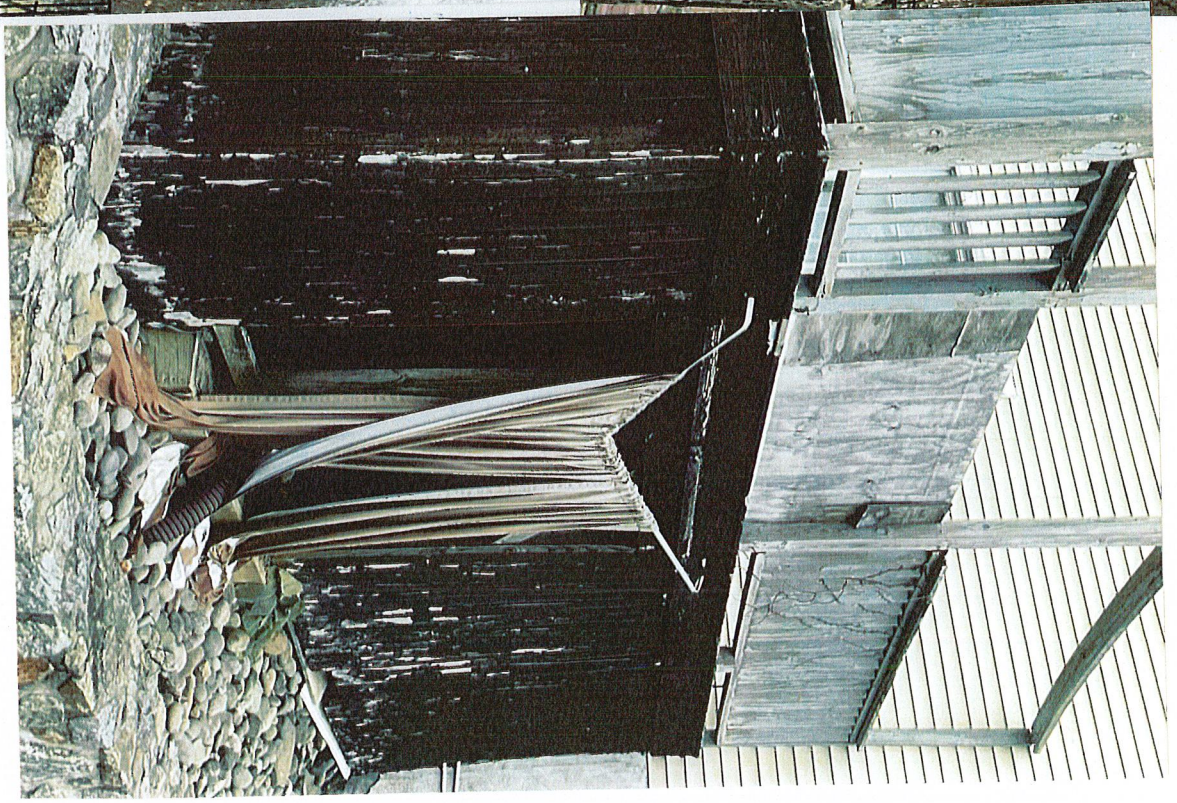
NOTES:

SIDE DECK

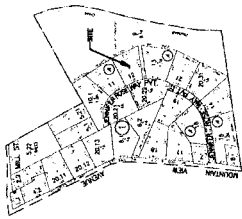
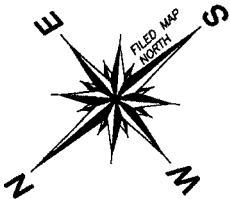
REVIEWED BY: Joseph Mattina

DATE: 7-Dec-20





2884-20
 Letayo Austin
 48 Jennifer Rose Way
 Wallkill Ny 12589

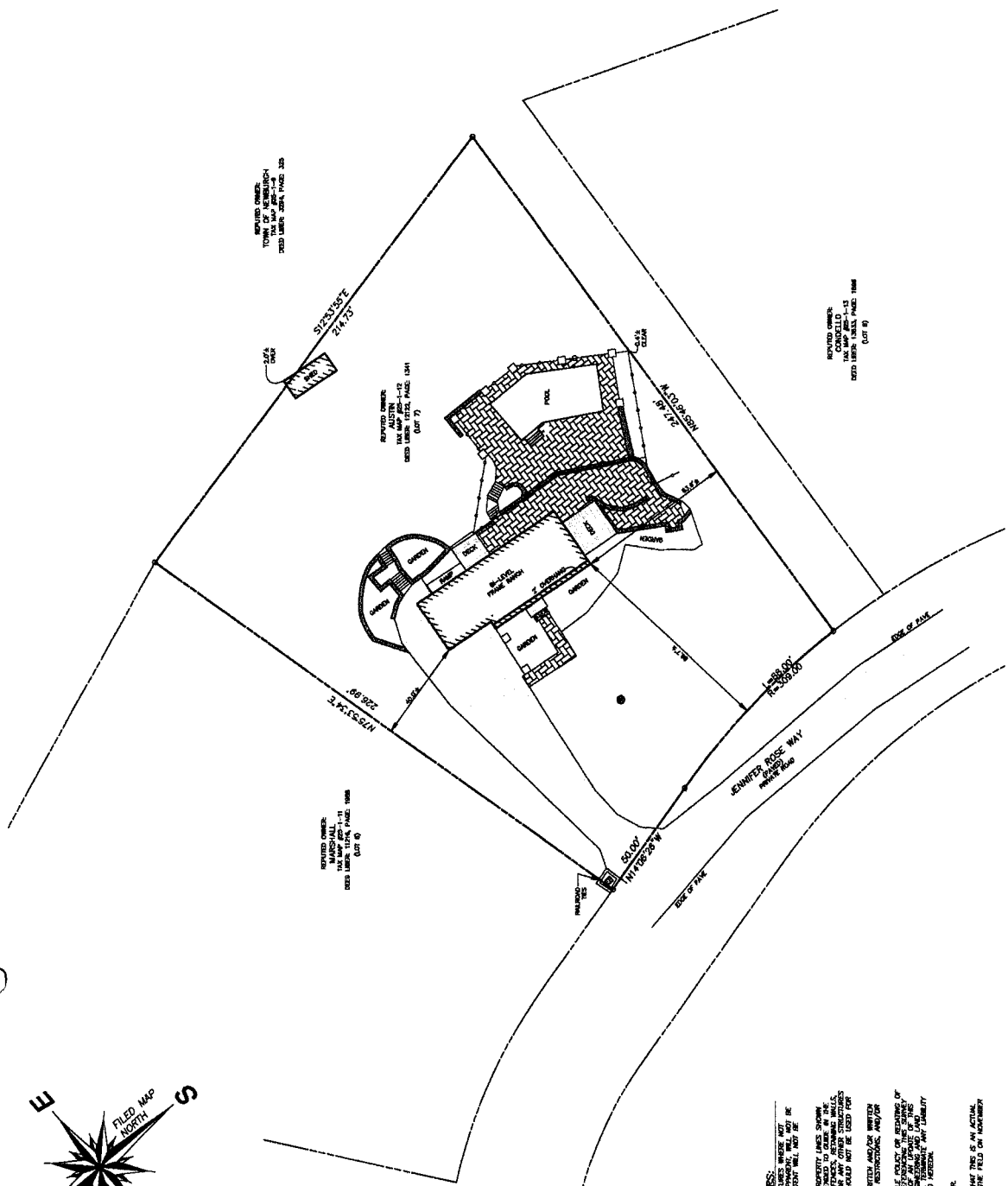


LOCATION MAP
N.T.S.

REFERENCE
 TAX MAP 48-04-04, LOT 12
 66.64 AC. S.T. / 0.83 AC. ACRES
 DEED LIBER. 117122, PAGE 1341
 BEING KNOWN AS LOT 7 ON A PLEA MAP ENTITLED
 'PLEA MAP NO. 117122, 117123, 117124, 117125,
 11726 AND 11727, DATED OCTOBER 1, 1970 AND FILED WITH
 THE ORANGE COUNTY CLERK'S OFFICE ON MARCH 27,
 1970 AS MAP 27241.

LEGEND

- ELECTRIC BOX
- WELL
- COLUMN
- PROPERTY LINE
- ADJOURNING PROPERTY LINE
- WOODPOST IRON FENCE
- STONE RETAINING WALL
- PAVED ROAD/DRIVE
- PAVER WALL/PATIO
- WOOD DECK
- CONCRETE PAD



GENERAL NOTES:
 1. THE SURVEY IS BASED UPON THE FIELD BOOK OF THE SURVEYOR, AND THE FIELD BOOK IS THE ONLY SOURCE OF RECORD FOR THIS SURVEY.
 2. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ADJACENT PROPERTY LINES OR ENCUMBRANCES.
 3. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 4. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 5. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 6. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 7. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 8. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 9. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.
 10. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER ENCUMBRANCES OR ADJACENT PROPERTY LINES.

TO: GREGORY AUSTIN, JR.
 48 JENNIFER ROSE WAY
 WALLKILL NY 12589

DATE: 1/17/20
 SHEET NUMBER: 1
 OF TOTAL SHEETS: 1

NEW YORK LICENSE NO. 30041

FUSCO ENGINEERING & LAND SURVEYING, P.C.
 CONSULTING ENGINEERS

DATE: 1/17/20
 SHEET NUMBER: 1
 OF TOTAL SHEETS: 1

PROJECT TITLE: SURVEY OF PROPERTY FOR AUSTIN

DATE: 1/17/20

REVISIONS:

NO.	DATE	DESCRIPTION
1	1/17/20	ISSUED FOR PERMITS

DATE: 1/17/20

REVISIONS:

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

STATE OF NEW YORK: COUNTY OF ORANGE:

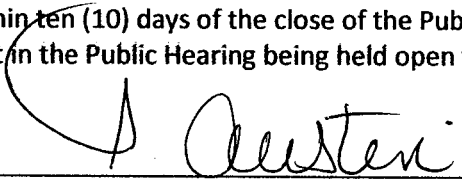
I, Itayo Austin, being duly sworn, depose and say that I did on or before

January 14, 2021, post and will thereafter maintain at

48 Jennifer Rose Way 5-1-12 RR 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 13th

day of January, 2021.

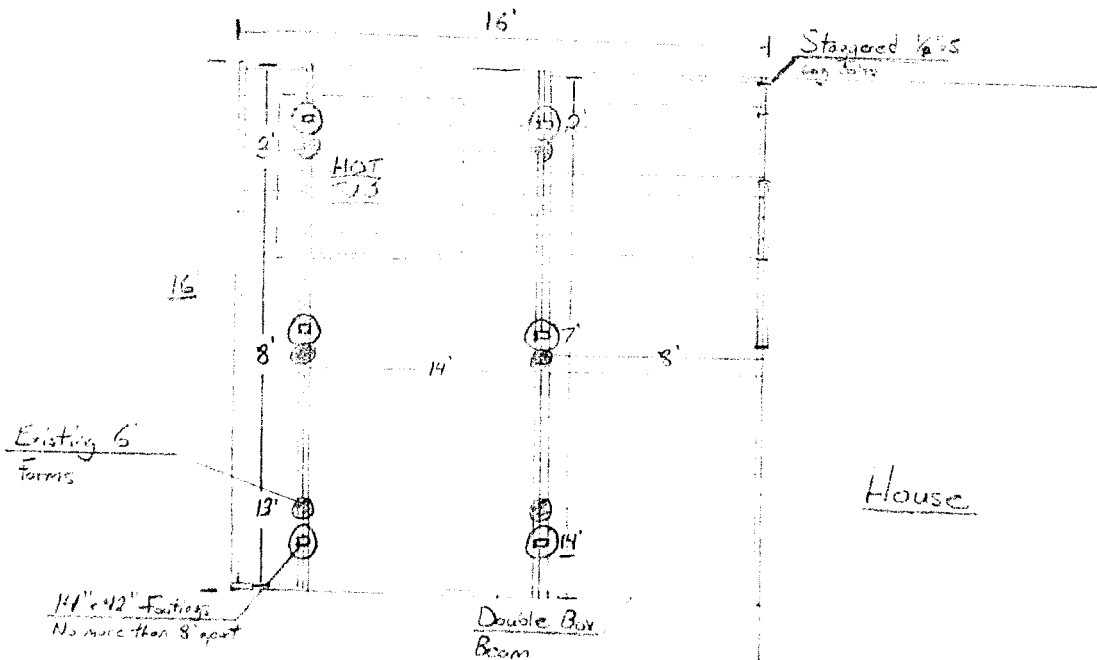


ELISHA L. RAPP
Notary Public, State of New York
Reg. No. 02RA6363807
Qualified in Orange County
Commission Expires 08/28/2021



48 Jennifer Rose Way

1/4" Scale



- Notes:
- Finish Material TimberTech
 - Existing Framing 16" O.C.
 - All other Framing to be under hot tub
 - 12" O.C. under Hot Tub
 - Corner ties to be installed in all corners
 - Hurricane ties & 2x10 Joist hangers to all Joists
 - Bridging spacers to be no more than 4" apart

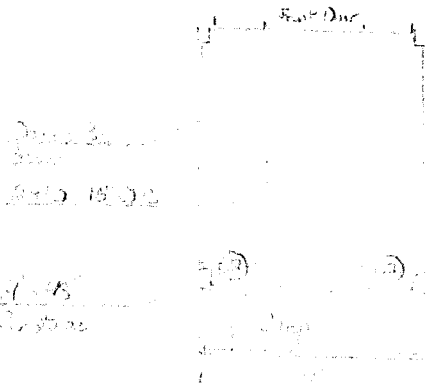
Detroit Builders Contracting
 845-855-9885
 Al Detroit
 48 Jennifer Rose Way
 Wallkill, NY 12589

Itayo Austin
 48 Jennifer Rose Way
 Wallkill, NY 12589 -
 # 2884-20

48 Jennifer Rose Way

House

Front Porch



- Notes:
- Finish Material TimberTech
 - Transition to be PT & 16" OC
 - 1/2" gap joints tapered 16" OC
 - Measure how far boards & covers to be set back
 - Samples to be in different sizes 4"

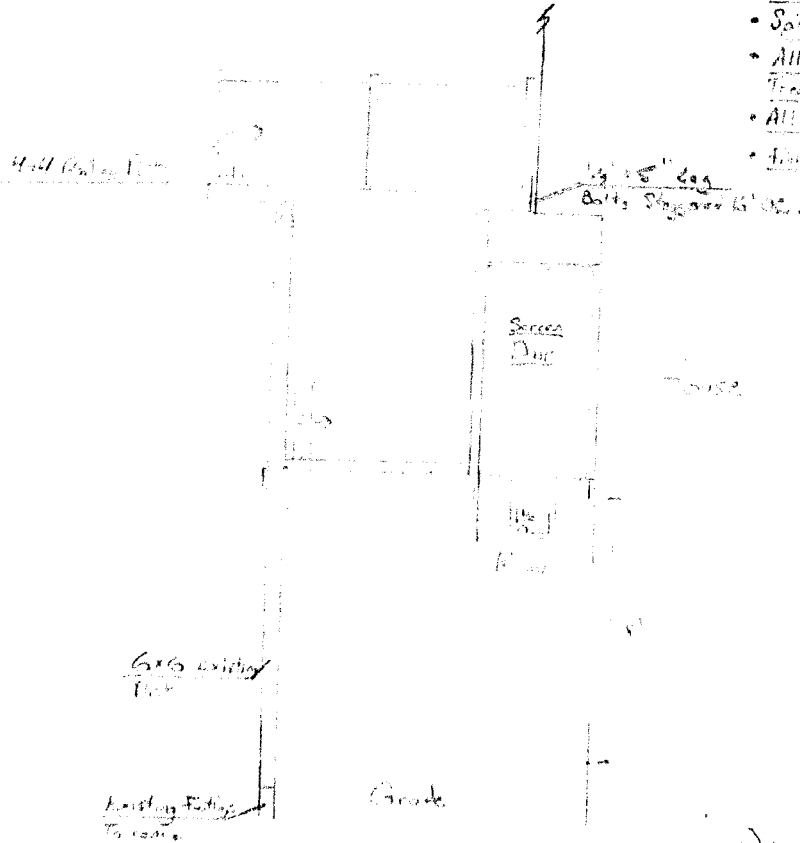
1/4" Scale
 Design Builders Contracting
 415-855-9885
 At Desaut
 48 Jennifer Rose Way
 501.127.117 12589

Itelayo Austin
 48 Jennifer Rose Way
 Wallkill, NY

#2884-20

12589

48 Jennifer Rose Way



- Notes:
- 4x4 Piling posts no more than 8' apart
 - Sables to be placed no more than 4" api
 - All framing material to be Pressure Treated
 - All Connectors & Hangers to be Galvanized
 - Joint Material is Turbo Tech

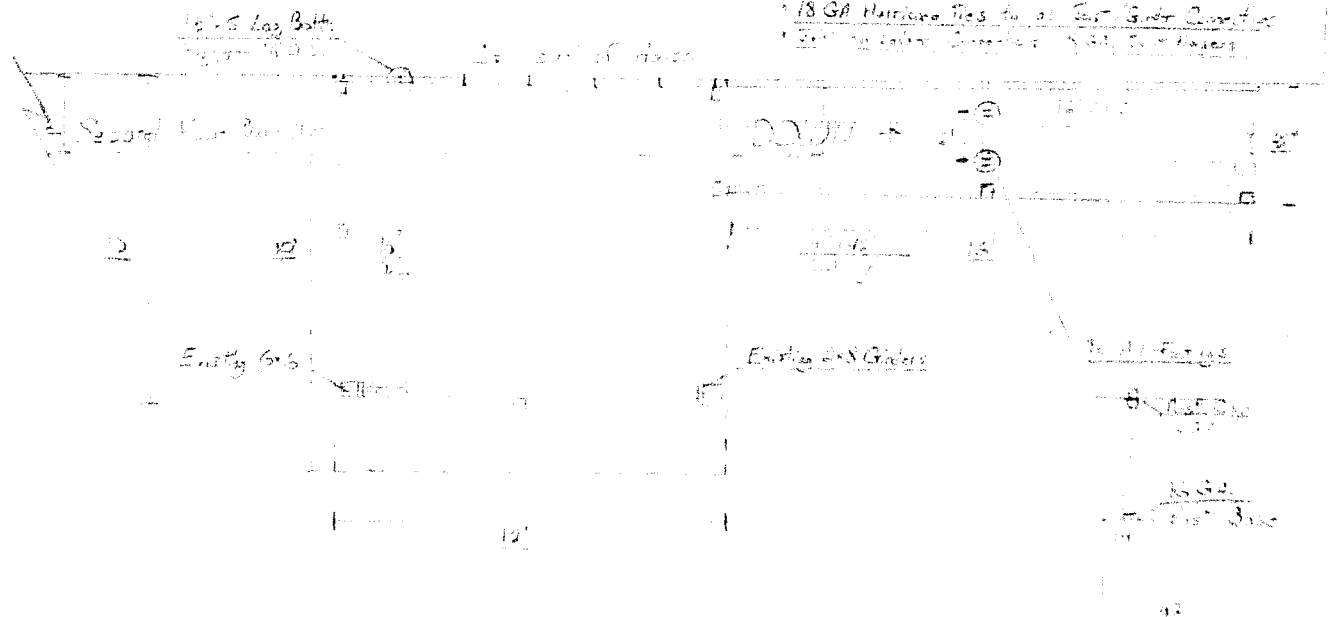
1/4" Scale
Denaat Builders Contracting
515-555-9885
Al Denaat
48 Jennifer Rose Way
Waukegan, IL 60087

I Retays Austin
48 Jennifer Rose Way
Waukegan, IL 60087

2884-20

48 Jennifer Rose Way

- Notes:
- Existing 2x8 structure to remain & be improved
 - Ramp to be constructed 2x10 framing
 - Existing Framing 16" O.C.
 - Decks To Receive Durable Box Beam
 - 18 GA Hurricane Ties to all Fastener Connections
 - Existing Existing Structure 2x8's To 2x8's

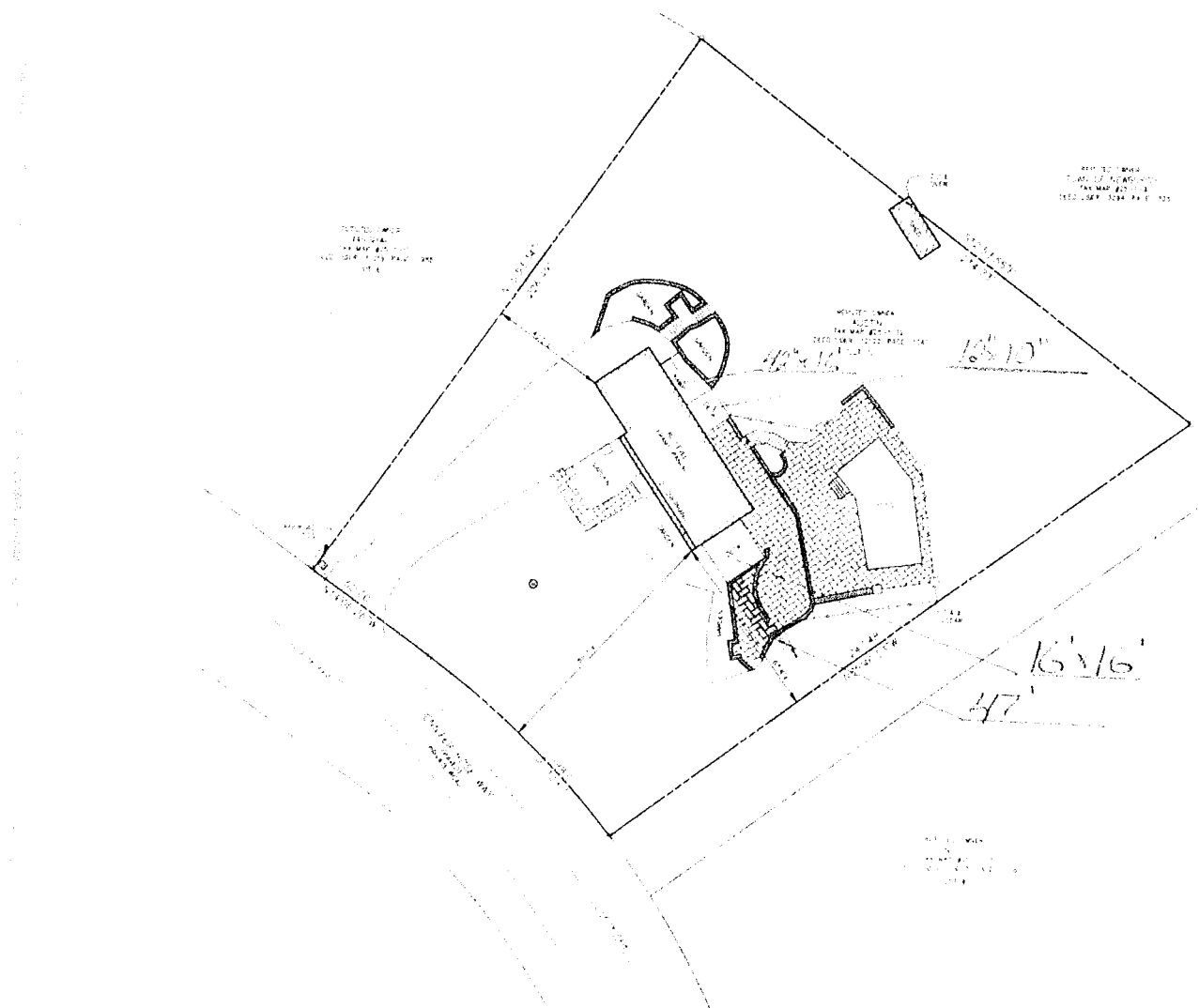


- Notes:
- Spigots to be no farther than 1"
 - Check & Trade Tech

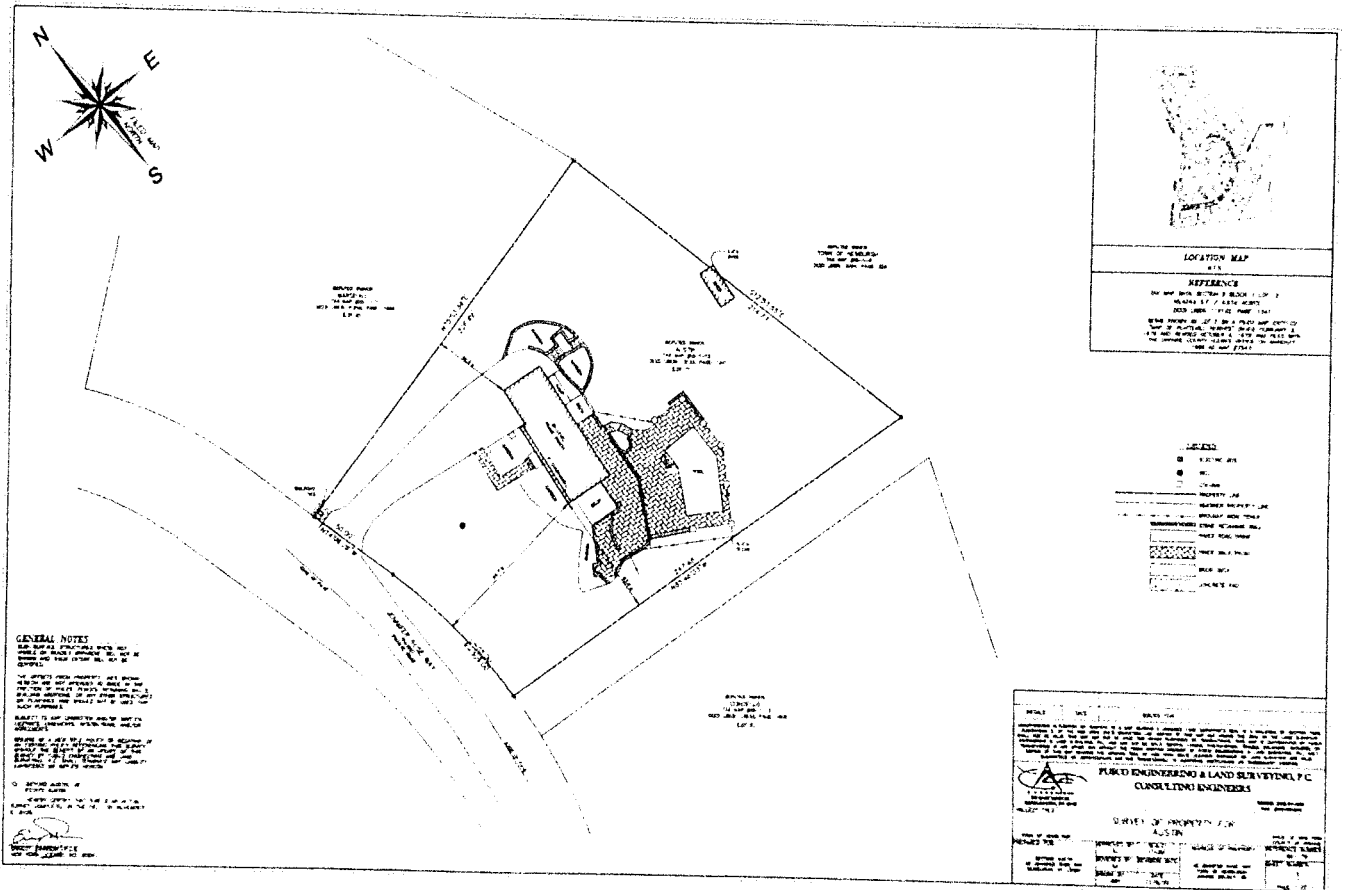
1/4" Scale

Demet Builders Contracting
 345 555-1111
 All Demet
 48 Jennifer Rose Way
 Wallkill, NY 12589

Letayo Austin
 48 Jennifer Rose Way
 Wallkill, NY 12589
 #2884-20



Itayso Austin
 48 Jennifer Rose Way
 Wallkill, NY 12589
 # 2884-20



I stayed Austin
 48 Jennifer Rose way
 walkkill, tx 78789
 # 2884-20