



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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: 9-8-2020

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

I (WE) Charles + Susan Bissinger PRESENTLY

RESIDING AT NUMBER 43 Windwood Drive

TELEPHONE NUMBER 845-567-3268

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

\_\_\_\_\_ USE VARIANCE  
FRONT YARD, SIDE YARD, SIDE YARD (BOTH), LOT COVERAGE, SURFACE COVERAGE  
AREA VARIANCE (S)

\_\_\_\_\_ INTERPRETATION OF THE ORDINANCE

\_\_\_\_\_ SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

91-5-10 (TAX MAP DESIGNATION)

43 WINDWOOD DRIVE (STREET ADDRESS)

R-1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

BULK TABLE SCHEDULE 3  
185-19-6-1

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:  
YES 8/10/2020

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: FRONT YARD, SIDE YARD, SIDE YARD (BOTH), LOT COVERAGE, SURFACE COVERAGE

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:

OTHER HOMES IN COLDEN PARK HAVE ADDITIONS  
AND IS IN SUBSTANTIAL SIZE & SHAPE WITH OTHER  
HOMES IN THE NEIGHBORHOOD.

- 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:

OTHER ARRANGEMENTS WOULD NOT BE FEASIBLE  
WITH THE CONSTRUCTION OF THE OTHER PHASES.

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

THE PROPOSED DIMENSIONS GENERALLY COMPLY  
WITH THE EXISTING DEFICIENCIES. ADDITIONALLY, THE  
CURRENT EXISTING HOME WAS BUILT PRIOR TO THE NEW ZONING REGULATIONS.

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

OTHER HOMES IN COLDEN PARK HAVE ADDITIONS THAT  
DO NOT COMPLY WITH CURRENT ZONING REGULATIONS.

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

THE PROPOSED ADDITIONS WOULD CONFLICT WITH ONE  
ANOTHER



7. ADDITIONAL REASONS (IF PERTINENT):

THE PROPOSED ADDITION IS TO FACILITATE THE CARE OF A FAMILY MEMBER WITH A HEART CONDITION TO ALLOW THE CARE OF SAID FAMILY MEMBER.

Susan Bissinger  
Chad Bissinger  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8<sup>th</sup> DAY OF September 2023  
and subscribed Susan Bissinger and Chad Bissinger  
Michael C. Stepien  
Commissioner of Surveys  
NOTARY PUBLIC

5/31/2023  
Registration Number 01ST3803835

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 FOR THE MEETING.

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



**TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS**

PROXY

\_\_\_\_\_, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT \_\_\_\_\_

IN THE COUNTY OF \_\_\_\_\_ AND STATE OF \_\_\_\_\_

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

\_\_\_\_\_

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED \_\_\_\_\_

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

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

OWNER'S SIGNATURE

\_\_\_\_\_

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

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

# Short Environmental Assessment Form

## Part 1 - Project Information

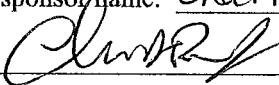
### Instructions for Completing

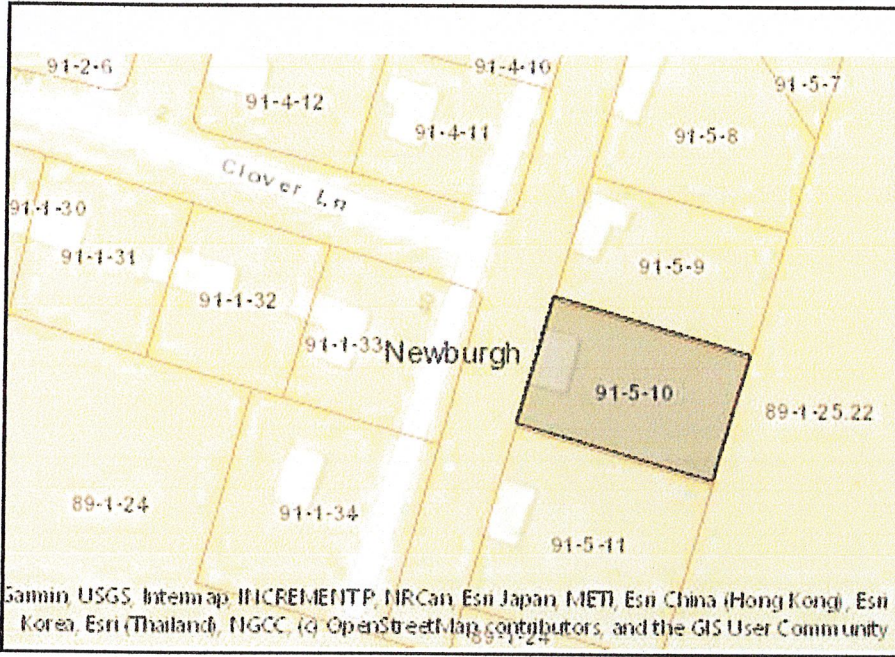
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Bissinger Addition			
Project Location (describe, and attach a location map): Town of Newburgh SBL: 91-5-10			
Brief Description of Proposed Action: The application includes two phased additions to the existing residential dwelling			
Name of Applicant or Sponsor: Charles and Susan Bissinger		Telephone: 845-741-0047 E-Mail: jeremy.c.bissinger@gmail.com	
Address: 43 Windwood Drive			
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 type="checkbox"/>
			YES <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 Area Variances and Building Permit			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .34 acres			
b. Total acreage to be physically disturbed? _____ <.1 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .34 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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			



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? 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"/>
_____		
_____		
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
_____	<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
_____	<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
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Charles Bissinger Susan Bissinger</u> Date: <u>9/9/2020</u>		
Signature: <u></u> <u>Susan Bissinger</u> Title: <u>owner</u>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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



ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



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

ANTON S. KEPPEL by RONALD KEPPEL his  
Attorney-in-fact

TO

CHARLES A. BISSINGER, JR. and  
SUSAN BISSINGER

SECTION 91 BLOCK 5 LOT 10

RECORD AND RETURN TO:  
(Name and Address)

LAWRENCE X. KENNEDY, ESQ.  
26 Scotchtown Avenue  
PO Box 857  
Goshen, NY 10924

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

PROPERTY LOCATION

- |                                |  |
|--------------------------------|--|
| ___ 2089 BLOOMING GROVE (TN)   | ___ 4289 MONTGOMERY (TN)                               |
| ___ 2001 WASHINGTONVILLE (VLG) | ___ 4201 MAYBROOK (VLG)                                |
| ___ 2289 CHESTER (TN)          | ___ 4203 MONTGOMERY (VLG)                              |
| ___ 2201 CHESTER (VLG)         | ___ 4205 WALDEN (VLG)                                  |
| ___ 2489 CORNWALL (TN)         | ___ 4489 MOUNT HOPE (TN)                               |
| ___ 2401 CORNWALL (VLG)        | ___ 4401 OTISVILLE (VLG)                               |
| ___ 2600 CRAWFORD (TN)         | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| ___ 2800 DEERPARK (TN)         | ___ 4800 NEW WINDSOR (TN)                              |
| ___ 3089 GOSHEN (TN)           | ___ 5089 TUXEDO (TN)                                   |
| ___ 3001 GOSHEN (VLG)          | ___ 5001 TUXEDO PARK (VLG)                             |
| ___ 3003 FLORIDA (VLG)         | ___ 5200 WALLKILL (TN)                                 |
| ___ 3005 CHESTER (VLG)         | ___ 5489 WARWICK (TN)                                  |
| ___ 3200 GREENVILLE (TN)       | ___ 5401 FLORIDA (VLG)                                 |
| ___ 3489 HAMPTONBURGH (TN)     | ___ 5403 GREENWOOD LAKE (VLG)                          |
| ___ 3401 MAYBROOK (VLG)        | ___ 5405 WARWICK (VLG)                                 |
| ___ 3689 HIGHLANDS (TN)        | ___ 5600 WAWAYANDA (TN)                                |
| ___ 3601 HIGHLAND FALLS (VLG)  | ___ 5889 WOODBURY (TN)                                 |
| ___ 3889 MINISINK (TN)         | ___ 5801 HARRIMAN (VLG)                                |
| ___ 3801 UNIONVILLE (VLG)      |  |
| ___ 4089 MONROE (TN)           |  |
| ___ 4001 MONROE (VLG)          |  |
| ___ 4003 HARRIMAN (VLG)        |  |
| ___ 4005 KIRYAS JOEL (VLG)     |  |

CITIES

- |                      |
|----------------------|
| ___ 0900 MIDDLETOWN  |
| ___ 1100 NEWBURGH    |
| ___ 1300 PORT JERVIS |
| ___ 9999 HOLD        |

NO. PAGES 4 CROSS REF \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ AFFT. \_\_\_\_\_

PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

CONSIDERATION \$ 95000<sup>00</sup>  
TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT \$ \_\_\_\_\_  
DATE \_\_\_\_\_

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

*Donna L. Benson*

DONNA L. BENSON  
Orange County Clerk

RECEIVED FROM: C.T.I.

STATE OF NEW YORK (COUNTY OF ORANGE) DEED 4729 PG 220  
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 March 02, 1998  
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL

*September 02, 2000*  
*Ann G. Rabbitt*

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY

LIBER 4729 PAGE 220

ORANGE COUNTY CLERKS OFFICE 11495 NRL  
RECORDED/FILED 03/02/98 03:31:02 PM  
FEES 47.00 EDUCATION FUND 5.00  
SERIAL NUMBER: 005850  
DEED CNTL NO 52480 RE TAX 380.00

A 291

Standard N.Y.D.T.U. Form 8007  
Bargain & sale deed, with covenant against grantor's acts—Ind. or Corp.

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 26<sup>th</sup> day of February, nineteen hundred and ninety-eight  
BETWEEN ANTON S. KEPPEL, joint tenant and survivor by the entirety, by  
RONALD KEPPEL, his Attorney-in-Fact, by Power of Attorney dated June 18th,  
1997, with an address at 350 Crosswick Extonville Road, Trenton, New  
Jersey, 08620,

party of the first part, and CHARLES A. BISSINGER, JR. and SUSAN BISSINGER, both <sup>Husband & Wife</sup>  
residing at 526 Canterbury Drive, Walden, New York, 12586,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100-----  
-----(\$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 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 and State of New York,  
more particularly described on Schedule "A" attached hereto and made a part  
hereof.

BEING the same premises conveyed to Anton S. Keppel and Lillian R. Keppel by  
Philip R. Consorti, Jr. by deed dated September 19th, 1969 and recorded in the  
Orange County Clerk's Office in Liber 1830 of deeds at page 636 on September  
23rd, 1969. The said Lillian R. Keppel having died a resident of Orange  
County on October 18th, 1997.



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

BEGINNING at a point on the easterly side of Windwood Drive (formerly Circle Drive) which is South 28 Degrees 10' West 100 feet from the southwesterly corner of lands conveyed by Schoonmaker to Conover by deed dated February 19, 1958, recorded February 21, 1958 in Liber 1454 of Deeds at page 361, Orange County Clerk's Office, and from said point of beginning running thence along said easterly side of Windwood Drive South 28 Degrees 10' West 100 feet;

Thence South 61 Degrees 50' East 150 feet to the east line of grantors,

Thence North 28 Degrees 10' East along said East line of grantors for 100 feet;

Thence North 61 Degrees 50' West 150 feet to the point of beginning on the easterly side of Windwood Drive.

TOGETHER with a right in common with all others heretofore given or who hereafter may be given by the grantors or their assigns a right of ingress and egress over and upon the hereinabove mentioned proposed street lying in front of the westerly side of the premises herein conveyed as well as a similar right of way over and upon any continuation of said street or any connecting street or streets to afford and enable passage and re-passage from the conveyed premises to and from Newburgh-Cochecton Turnpike.

TOGETHER with a right in common with all others given the same rights to water for ordinary domestic purposes from the well and any auxiliary well subsequently connected thereto which is located upon premises set aside for that purpose by the grantor, and which water may be transmitted to the instant premises by means of any pipe lines running from said well or any auxiliary thereof upon payment from time to time to the owner of said well and/or auxiliary well and premises upon which located, in accordance with rates hereinafter established, it being understood that until the establishment of such rates and the grantees shall meanwhile pay \$2.00 per month for such water usage, said payments to be made semi-annually in advance.

Said Premises be also described, in accordance with a survey prepared by Howard W. Weeden, PLS, dated February 11, 1998 as follows:

BEGINNING at a point on the southeasterly side of Windwood Drive, said point being the westerly most corner of the lands reputedly of Hussey;

THENCE from said point or place of beginning and along the lands reputedly of said ussey, South 61 Degrees 50' 00" East a distance of 150.00 feet;

THENCE along the lands reputedly of Scop Development, LLC, and following the general line of an old stone wall, South 28 Degrees 10' 00" West a distance of 100.00 feet to an iron pin found;

THENCE along lands reputedly of Crawford, North 61 Degrees 50' 00" West a distance of 150.00 feet;

THENCE along the southeasterly side of said Windwood Drive, North 28 Degrees 10' 00" seconds East a distance of 100.00 feet to the point or place of BEGINNING.

SCHEDULE A

LIBER 4729 PG 222

**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 incumbered 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.

IN PRESENCE OF:

*anton S. Keppel or Ronald Keppel*  
ANTON S. KEPPEL by RONALD KEPPEL  
his attorney-in-fact  
**HIS ATTORNEY-IN-FACT**



STATE OF NEW YORK, COUNTY OF

551

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

551

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

551

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No. \_\_\_\_\_

that he is the \_\_\_\_\_ of \_\_\_\_\_

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

On the 26 day of February, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared, RONALD KEPPEL, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person on behalf of which the individual signed the instrument.

STEPHEN P. DURAKO  
NOTARY PUBLIC, State of New York  
Qualified in Orange County  
Reg. No. 02DU1038120  
Commission Expires June 30, 19\_\_

STATE OF NEW YORK, COUNTY OF

551

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me personally came the subscribing witness to the foregoing instrument; with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. \_\_\_\_\_

that he knows \_\_\_\_\_

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

*[Signature]*  
Notary Public

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. \_\_\_\_\_

ANTON. S. KEPPEL by RONALD KEPPEL,  
his Attorney-in-fact

TO

CHARLES A. BISSINGER, JR. and  
SUSAN BISSINGER

SECTION 91  
BLOCK 5  
LOT 10  
COUNTY OR TOWN Newburgh

RETURN BY MAIL TO:

LAWRENCE X. KENNEDY, ESQ.  
26 Scotchtown Avenue  
PO Box 857  
Goshen, NY 10924

Zip No.

Reserve this space for use of Recording Office.

LIBER 4729 PG 224



## 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

2851-20

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/10/2020

Application No. 20-0692

To: Charles Bissinger  
43 Windwood Drive  
Newburgh, NY 12550

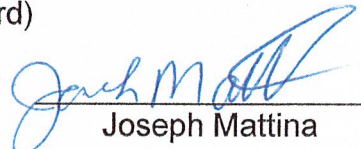
SBL: 91-5-10  
ADDRESS: 43 Windwood Dr

ZONE: R1

PLEASE TAKE NOTICE that your application dated 07/28/2020 for permit to 24' x 30' & 10' x 16.2' additions with a 12' x 26' rear deck on the premises located at 43 Windwood Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 3: Requires a 50' front yard setback
- 2) Bulk table schedule 3: Requires an 80' combined side yard setback
- 3) Bulk table schedule 3: Allows a maximum lot surface coverage of 20%
- 4) Bulk table schedule 3: Allows a maximum lot building coverage of 10%
- 5) 185-19-C-1: Shall not increase the degree of non-conformity. (1 side yard)

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

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

**NAME:** Charles Bissinger      **Building permit #** 20-0692

**ADDRESS:** 43 Windwood Dr. Newburgh NY 12550

**PROJECT INFORMATION:**      **AREA VARIANCE**      USE VARIANCE

**TYPE OF STRUCTURE:** 24' X 30' & 10' X 16.2' ADDITIONS WITH 12' X 26' DECK

**SBL:** 91-5-10      **ZONE:** R-1      **ZBA Application #** 2851-20

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'		37.3'	12.7'	25.40%
COMBINED SIDE YARDS	80'		30.8'	49.2'	61.50%
ONE SIDE YARD	30'	11.8'	Increasing the degree of non-conformity		
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	10.0%		13%		
SURFACE COVERAGE	20.0%		28%		

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

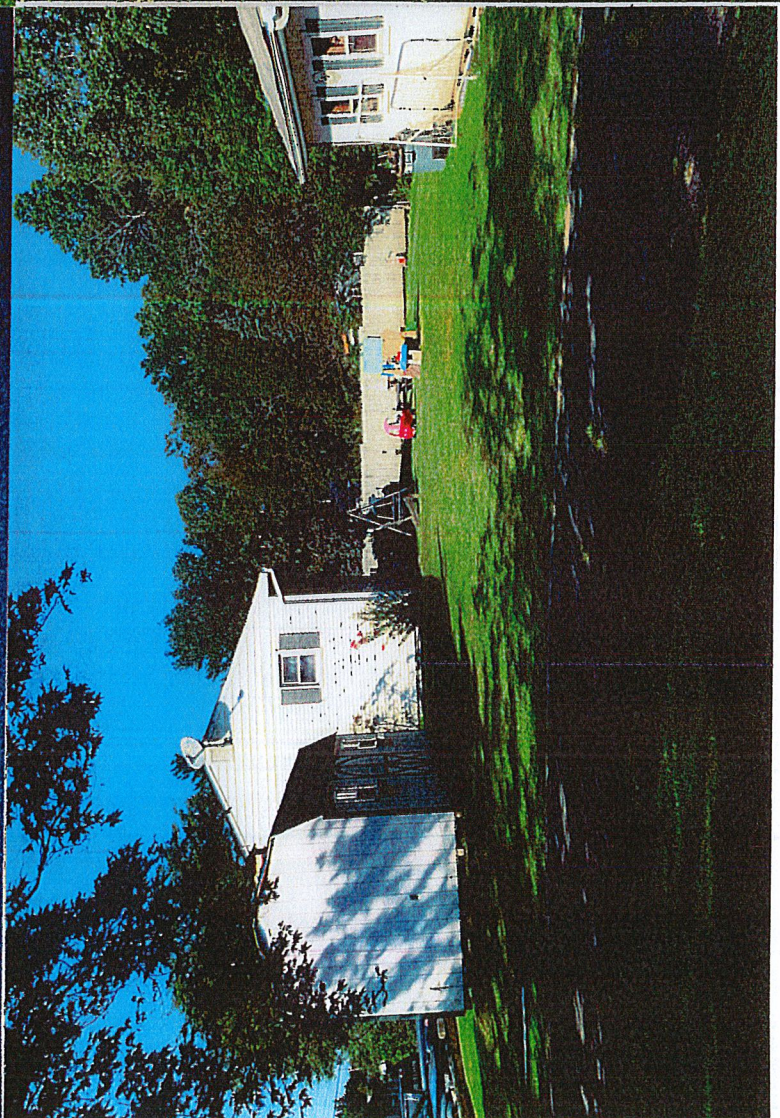
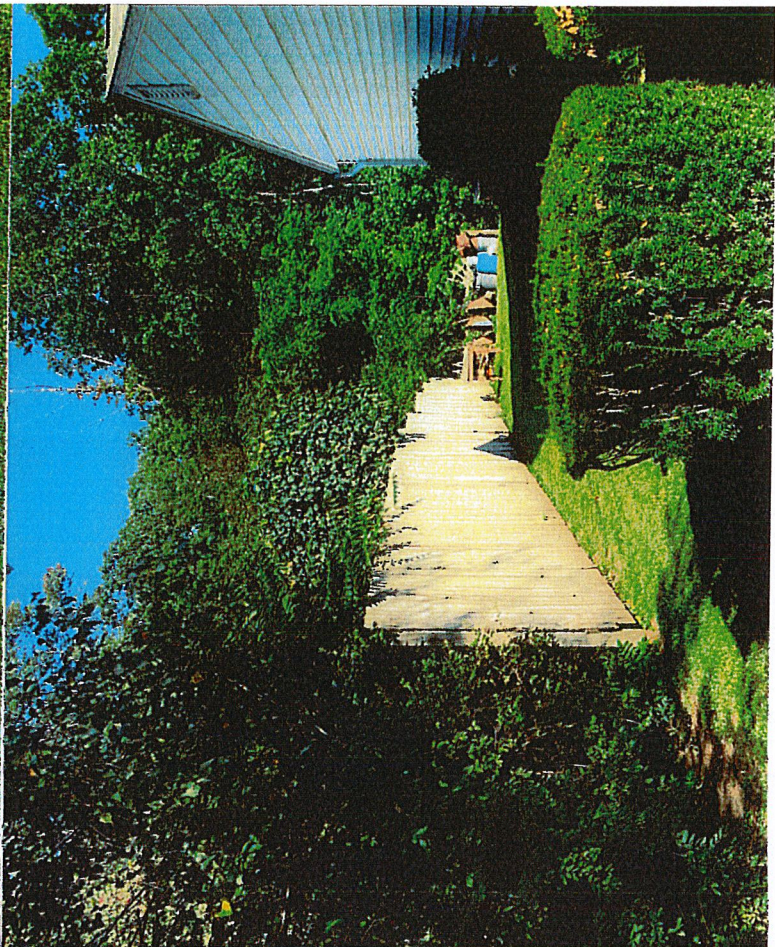
**ACCESSORY STRUCTURE:**  
 GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4      YES / NO  
 FRONT YARD - 185-15-A      YES / NO  
 STORAGE OF MORE THEN 4 VEHICLES      YES / NO  
 HEIGHT MAX. 15 FEET - 185-15-A-1      YES / NO  
 10% MAXIMUM YARD COVERAGE - 185-15-A-3      YES / NO

**NOTES:** 2 additions and a rear deck

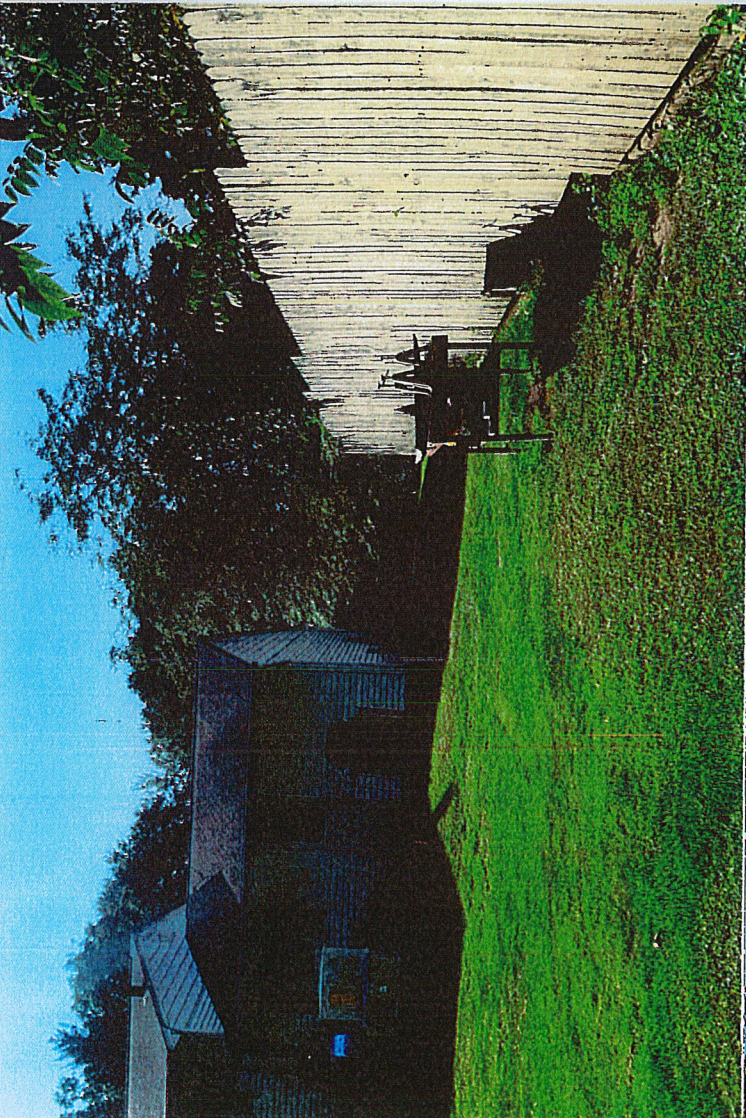
- VARIANCE(S) REQUIRED:**
- 1 FRONT YARD      5. SURFACE COVERAGE
  - 2 COMBINED SIDE YARD
  - 3 SIDE YARD
  - 4 BUILDING COVERAGE

**REVIEWED BY:** Joseph Mattina      **DATE:** 10-Aug-20











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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Susan Bissinger, being duly sworn, depose and say that I did on or before  
October 8, 2020, post and will thereafter maintain at

43 Windwood Dr 91-5-10 R1 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.

Susan Bissinger

Sworn to before me this 10<sup>th</sup>  
day of Sept., 2020.

Doreen T. Lynch

**Doreen T. Lynch**  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 4716978  
Commission Expires Dec 31, 2022

