



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: 10-23-22

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

I (WE) ALFRED BOCKEMUEHL PRESENTLY

RESIDING AT NUMBER 35 OLD SOUTH PLANK RD., NEWBURGH, NY 12550

TELEPHONE NUMBER (845) 629-7510

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:

52-2-16 (TAX MAP DESIGNATION)

35 OLD SOUTH PLANK ROAD (STREET ADDRESS)

R1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-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:

9-29-2022

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: ALLOW CONSTRUCTION

OF ROOF OVER PORCH & SIDE PASS DOOR

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 OVERALL SIZE OF BUILDING WON'T CHANGE. SIMPLY REQUESTING TO ADD ROOFS OVER DOORWAYS.

- 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:

THERE IS NO OTHER WAY TO COVER DOORWAYS EXCEPT TO ADD THESE ROOFS.

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

IT DOESN'T CHANGE THE SIZE OF THE STRUCTURE

- 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 DOESN'T CHANGE THE SIZE OF THE STRUCTURE.

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

THIS LOT IS A PRE-EXISTING NON-CONFORMING LOT.

7. ADDITIONAL REASONS (IF PERTINENT):

[Handwritten Signature]

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 23rd DAY OF October 2023

[Handwritten Signature]

NOTARY PUBLIC

LIZANN WAY
Notary Public, State of New York
Qualified In Dutchess County
Registration No. 01WA6097893
Commission Expires September 2, 2023

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

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

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			
BOCKEMUAL RESIDENCE COVERED PORCH			
Name of Action or Project:			
Project Location (describe, and attach a location map): 35 OLD SOUTH PLANK ROAD, NEWBURGH, NY 12550			
Brief Description of Proposed Action: CONSTRUCT COVERED PORCH & ROOF OVER PASS DOOR TO GARAGE.			
Name of Applicant or Sponsor: ALFRED BOCKEMUAL		Telephone: 845-629-7510	
		E-Mail: ALFIE623@VERIZON.NET	
Address: 35 OLD SOUTH PLANK 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?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.17 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?		0.17 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			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<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 type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>ALFRED BOCKEMUELLER</u> Signature: <u><i>Alfred BockemueLLer</i></u>	Date: <u>10-23-22</u>	

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 – 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: 14218 / 1181
 INSTRUMENT #: 20170027434

Receipt#: 2304512
 Clerk: CH
 Rec Date: 04/18/2017 12:41:02 PM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 5
 Rec'd Frm: ALFRED BOCKEMUHL

Party1: BOCKEMUHL ALFRED IV
 Party2: BOCKEMUHL ALFRED IV
 Town: NEWBURGH (TN)
 52-2-16

Recording:
 Recording Fee 45.00
 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: 195.00

Transfer Tax
 Transfer Tax - State 0.00

Sub Total: 0.00

Total: 195.00
 **** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 8372
 Transfer Tax
 Consideration: 0.00

Total: 0.00

Payment Type: Check ___
 Cash ___
 Charge ___
 No Fee ___

Comment: _____

Ann G. Rabbitt
 Orange County Clerk

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
 I, KELLY A. ESKEW, 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 4-18-17 AND THE SAME IS A CORRECT
 TRANSCRIPT THEREOF IN WITNESS WHEREOF, I HAVE
 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL

Kelly A. Eskew 10-25-27

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS
 ORANGE COUNTY

Record and Return To:

NANCY J SCHNEIDER ESQ
 22 NORTH STREET
 WASHINGTONVILLE, NY 10992

Deed

THIS INDENTURE, made the 18th day of April, two thousand and seventeen,
BETWEEN ALFRED BOCKEMUHL, IV, residing at 35 Old South Plank Road,
Newburgh, NY 12550 and **KRISTEN L. BOCKEMUHL, N/K/A KRISTEN L. BECKER**,
residing at 131 Beacon Lane, Wappinger Falls, NY 12490, party of the first part,
and **ALFRED BOCKEMUHL, IV**, residing at 35 Old South Plank Road, Newburgh,
NY 12550, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00)
dollars, lawful money of the United States, and other good and valuable
consideration paid by the party of the second part, does hereby grant and
release unto the party of the second part, the heirs or successors and assigns
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 more particularly
described in the Attached Schedule A.

~~**BEING** and intended to be the same premises as conveyed to **ALFRED
BOCKEMUHL, IV and KRISTEN L. BOCKEMUHL** by deed dated February 23, 2005
and recorded in the Orange County Clerk's Office on February 28, 2005 in
Liber 11762 at Page 1723.~~

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

Schedule A Description

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, known and designated as Lot No. 10 on the "Map of Lots owned by the Orange Lake Land Corporation Section A" which map was made by Gridley & Huber, Civil Engineers, April 1927, and was filed in the Office of the Clerk of the County of Orange, more particularly bounded and described as follows:

BEGINNING at a point in the east side of the Newburgh-Ellenville Plank Road distant 199.2 feet from the intersection of the north side of Roosevelt Avenue with the east line of the Newburgh-Ellenville Plank Road, and running thence in an easterly direction along the south side of Lot No. 11, 146.7 feet to a point marking the northwest corner of Lot No. 21; running thence in a northerly direction along the west line of Lot No. 20, 50 feet to a point marking the south-east corner of Lot No. 9; running thence along the south side of Lot No. 9, 142.2 feet to the east line of the Newburgh-Ellenville Plank Road; running thence southerly along the east line of the Newburgh-Ellenville Plank Road 49.8 feet to the point or place of beginning.

BEING a lot of land of 49.8 feet frontage and 50 feet rear and unequal sides of 146.7 feet and 142.2 feet.

BEING the same premises described in a Deed dated 10/19/85 from Brian K. Ellis to Alfred Bockemuhl (a/k/a Alfred Bockemuhl III) and Frances Bockemuhl which Deed was recorded on 10/25/85 in the Orange County Clerk's Office in Liber 2430 at page 199.

SUBJECT to a continuing right of first refusal in favor of the Grantors herein to purchase the premises should they ever be offered for sale by Grantees. In such event Grantors herein shall have the right to purchase the premises at said time at fair market value as determined by a bona fide offer to the Grantees herein.

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:

Alfred Bockemuhl, IV
ALFRED BOCKEMUHL, IV

Kristen L. Bockemuhl now Kristen L. Becker
KRISTEN L. BOCKEMUHL, N/K/A
KRISTEN L. BECKER N/K/A

STATE OF NEW YORK, COUNTY OF ORANGE: SS:

On the 6TH day of April, in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared **ALFRED BOCKEMUHL, IV**, 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 upon behalf of which the individual acted, executed the instrument.

Nancy J. Schneider
NOTARY PUBLIC

NANCY J. SCHNEIDER
NOTARY PUBLIC, STATE OF NEW YORK
NO. 4795721
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES 2/28/08 18

STATE OF NEW YORK, COUNTY OF ORANGE: SS:

On the 14TH day of April, in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared **KRISTEN L. BOCKEMUHL, N/K/A KRISTEN L. BECKER**, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Madeline R. Carney
NOTARY PUBLIC

MADALINE R. CARNEY
Notary Public, State of New York
No. 01CA4860276
Qualified in Orange County
Commission Expires June 2, 2018

Bargain and Sale Deed
With Covenants Against Grantor's Acts

**ALFRED BOCKEMUHL, IV &
KRISTEN L. BOCKEMUHL
N/K/A KRISTEN L. BECKER**

**SECTION 52
LOCK 2
Lot 16**

TO

ALFRED BOCKEMUHL, IV

**RECORD & RETURN TO:
NANCY J. SCHNEIDER, ESQ.
22 North Street
Washingtonville, NY 10992**



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

3005-22

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/29/2022

Application No. 20-0022

To: Alfred Bockemuhl
35 Old South Plank Rd
Newburgh, NY 12550

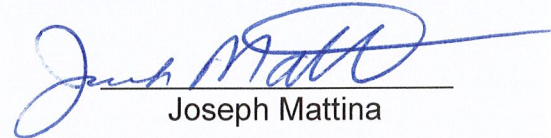
SBL: 52-2-16
ADDRESS: 35 Old South Plank Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 01/08/2020 for permit to rebuilding the side yard steps and extending the existing roof to cover the steps on an existing non-conforming structure on the premises located at 35 Old South Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-19-C-1: Shall not increase the degree of non-conformity. (Front)
- 2) 185-19-C-1: Shall not increase the degree of non-conformity. (One side yard)
- 3) 185-19-C-1: Shall not increase the degree of non-conformity. (Combined side yards)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: ALFRED BOCKEMUHL **Application #** 20-0022

ADDRESS: 35 OLD SOUTH PLANK RD NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 19'-2" x 5' COVERED DECK AND STEPS

SBL: 52-2-16 **ZONE:** R1 **ZBA Application #** 3005-22

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'	7'	Increasing the degree non-conformity		
ONE SIDE YARD	30'	11.7'	Increasing the degree non-conformity		
COMBINED SIDE YARD	80'	25.7'	Increasing the degree non-conformity		
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:

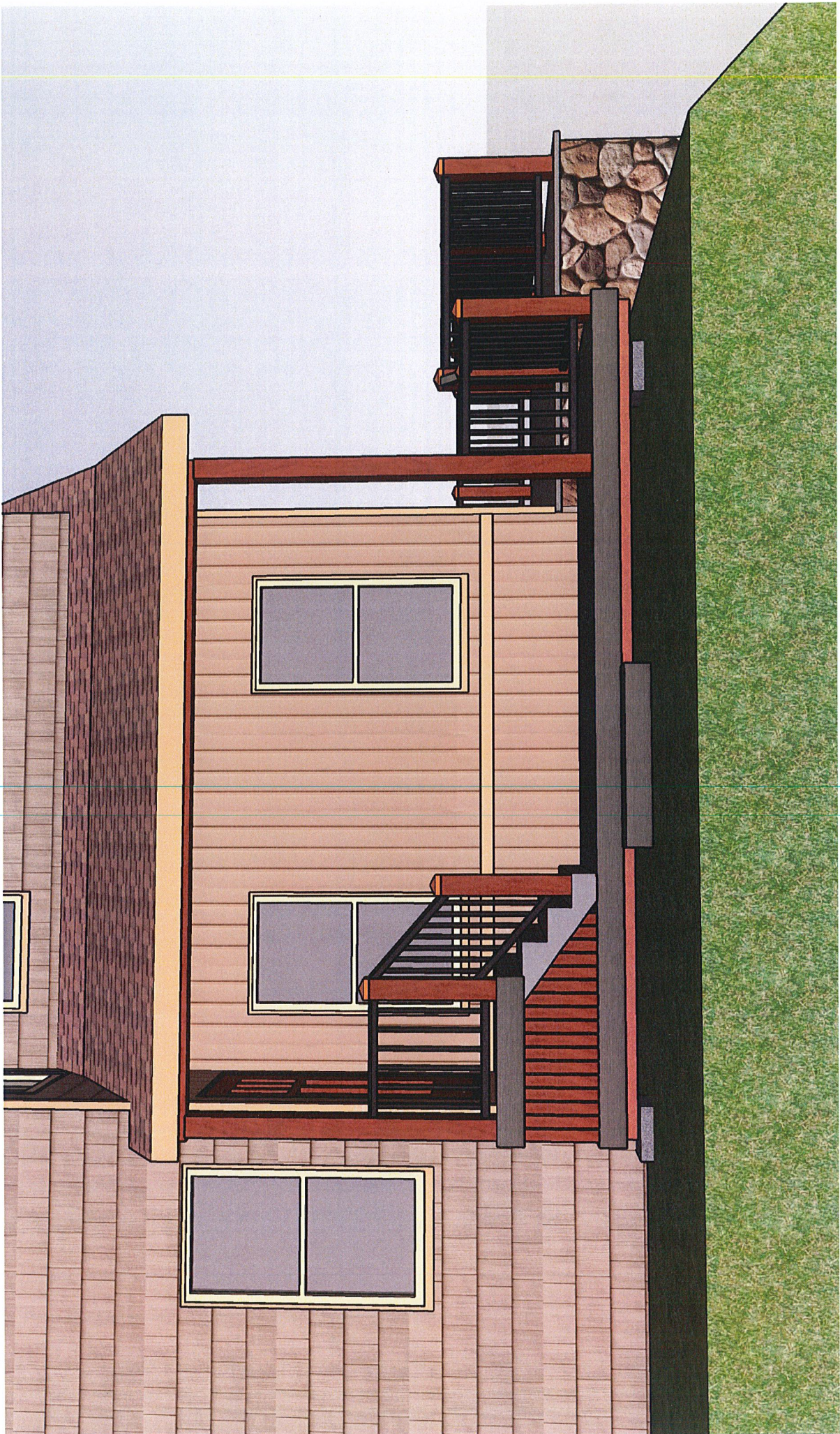
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES:

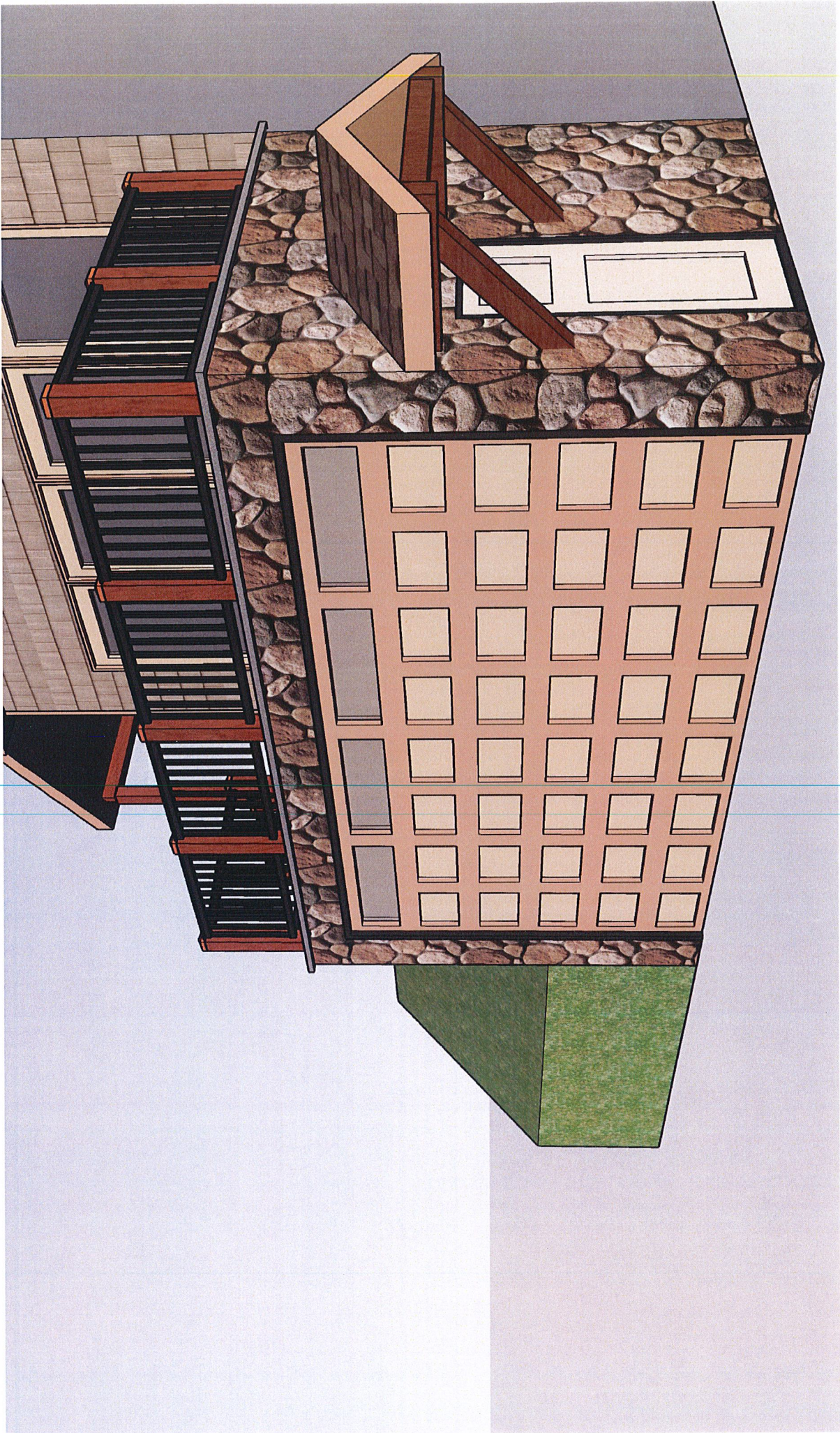
REVIEWED BY: Joseph Mattina **DATE:** 29-Sep-22











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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, ALFRED BOCKMUTZ, being duly sworn, depose and say that I did on or before

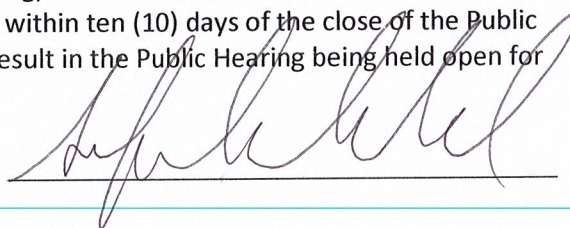
November 8, 2022, post and will thereafter maintain at

35 Old S Plank Rd 52-2-16 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

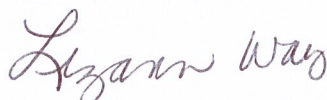
notice was in the form attached hereto.

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.



Sworn to before me this 28th

day of October, 2022.



LIZANN WAY
Notary Public, State of New York
Qualified In Dutchess County
Registration No. 01WA6097893
Commission Expires September 2, 2023



TOWN OF NEWBURGH

Corssroads 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

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Tuesday the 22nd day of November, 2022 at 7:00 P.M., in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Alfred Beckemuhl for an area variance of increasing the degree of non-conformity of the front, side and combined side yards to rebuild the side yard stairs and extend the existing roof to cover the stairs.

PREMISES LOCATED at 35 Old S Plank Rd 52-2-16 R1 Zone in the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

BY ORDER of the Zoning Board of Appeals dated the 8th day of November, 2022.


(APPLICANT)