



Orange County Department of Planning
Application for Mandatory County Review of Local Planning Action
(Variances, Zone Changes, Special Permits, Subdivisions)

To be completed by Local Board having jurisdiction.

To be signed by Local Official.

TOWN 2 B A Town of Newburgh

MUNICIPALITY: Zoning Board of Appeals

TAX MAP ID: 17-2-4
(Section-Block-Lot)

Local File #: 2293-12

Project Name:

Applicant: GARY CURTIS

Address: 572 FOSTERTOWN RD Newburgh

Attorney, Engineer, Architect:

Location of Site: 572 FOSTERTOWN RD Pressler SARVIS
(Street, highway, nearest intersection)

Size of Parcel: 12.2 ACRES Existing Lots: Proposed Lots/Units

Present Zoning District: A1R

TYPE OF REVIEW:

Special Use Permit\* (SUP):

Variance\* USE (VU):

AREA (AV): MAX Allowed Accessory bldgs,
MAX Allowed YEARS Storage & MAX height

Zone Change\* FROM: TO:

Zoning Amendment\*\* To Section:

Subdivision Major Minor

Sketch

Preliminary

Final

DATE: 7/31/12

Grace Cardone

Chairperson, Zoning Board of Appeals

\*Cite Section of Zoning Regulations where pertinent.

FOR COUNTY USE ONLY

County ID #

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

OFFICE OF ZONING BOARD  
(845) 566-4901

## APPLICATION

DATED: 27 July 2012

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

I (WE) GARY & BARBARA CURTIS PRESENTLY  
RESIDING AT NUMBER 572 FOSTERTOWN RD  
TELEPHONE NUMBER 845-222-3792

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

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE

### 1. LOCATION OF THE PROPERTY:

17-2-4 (TAX MAP DESIGNATION)

572 FOSTERTOWN RD (STREET ADDRESS)

1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4 Greater than 1000 sq. ft.  
Schedule 2 column A #2 MAXIMUM 4 VEHICLE Storage  
185-15-A-1 NOT TO EXCEED 15' HEIGHT

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: 27 April 2012
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: April 27, 2012

4. DESCRIPTION OF VARIANCE SOUGHT: \_\_\_\_\_

\_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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:

(NUMEROUS) BARNS THROUGHOUT NEIGHBORHOOD  
NORTH SIDE NEIGHBOR HAS LARGE BARN, YEARS  
AGO ~~THE~~ HAD HORSES (PREVIOUS OWNERS)

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:

CONFORMITY REGULATIONS ?  
\_\_\_\_\_  
\_\_\_\_\_

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

12.2 ACRES PROPERTY SIZE  
\_\_\_\_\_  
\_\_\_\_\_

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

ALREADY ZONED AGR/RES.  
\_\_\_\_\_  
\_\_\_\_\_

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

NO HARDSHIP  
\_\_\_\_\_  
\_\_\_\_\_

7. ADDITIONAL REASONS (IF PERTINENT):

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

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

STATE OF NEW YORK: COUNTY <sup>OF NY</sup> ~~OR~~ ORANGE:

SWORN TO THIS 27<sup>th</sup> DAY OF JULY 20 12

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

MICHAEL J GIAMMARCO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01GI6236061  
Qualified in Orange County  
My Commission Expires February 22, 2015

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.

## Appendix C

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

## PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <b>GARY M CURTIS</b>	2. PROJECT NAME <b>CURTIS BARN</b>
3. PROJECT LOCATION: Municipality <b>TOWN OF NEWBURGH</b> County <b>ORANGE</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>572 FOLBERTOWN RD NEWBURGH NY 12550</b>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>POST &amp; BEAM BARN</b>	
7. AMOUNT OF LAND AFFECTED: Initially <b>12.2</b> acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: _____	Date: _____
Signature: <b>Gary M Curtis</b>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

OVER

1

Reset

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  
 Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- 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 **AND** provide, on attachments as necessary, the reasons supporting this determination.

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)



### Sharon Horse Barn

While many of our barn designs can be configured to accommodate horses (or other livestock), the **Sharon Horse Barn** was designed deliberately to meet the needs of horses and their owners. 12' wide bays will allow stalls to be spacious and the raised main girts provide ample headroom. The large loft volume serves up copious amounts of space for hay storage and the wide center aisle below creates a traditional "drive through". Of course, as always, the mortise & tenon pegged joinery is authentic *throughout*.



See more photos

**Std Size** 36' x 48' \*

See Comparison Chart

**Bays** 4

**Area** 1728 sq. ft.

**Loft Area** 1348 sq.ft.\*\*

**Eave Ht** 14'-5"

**Ridge Ht** 30'-0"

**Roof Pitch** 10 / 12

40 x 48

\* Can be customized  
\*\* 6 ft headroom - total loft area can be greater

#### Four Bay Barns

Sharon Horse Barn

#### Three Bay Barns

Dutch Anchorbeam Barn

Purlin Post Barn

Ridgefield Queenpost Barn

Litchfield Queenpost Barn

Kent Carriage Barn

Weather Hill Barn

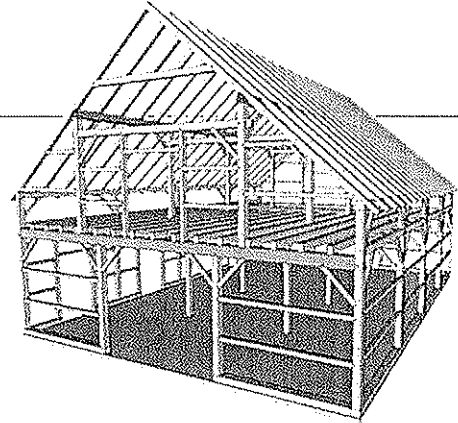
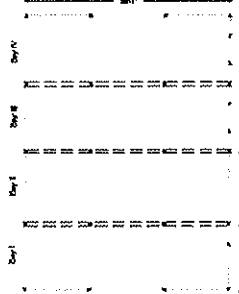
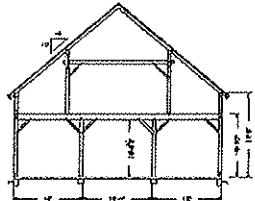
#### Two Bay Barns

New England Kingpost Barn

Redding Workshop Barn

Warren Gardener's Barn

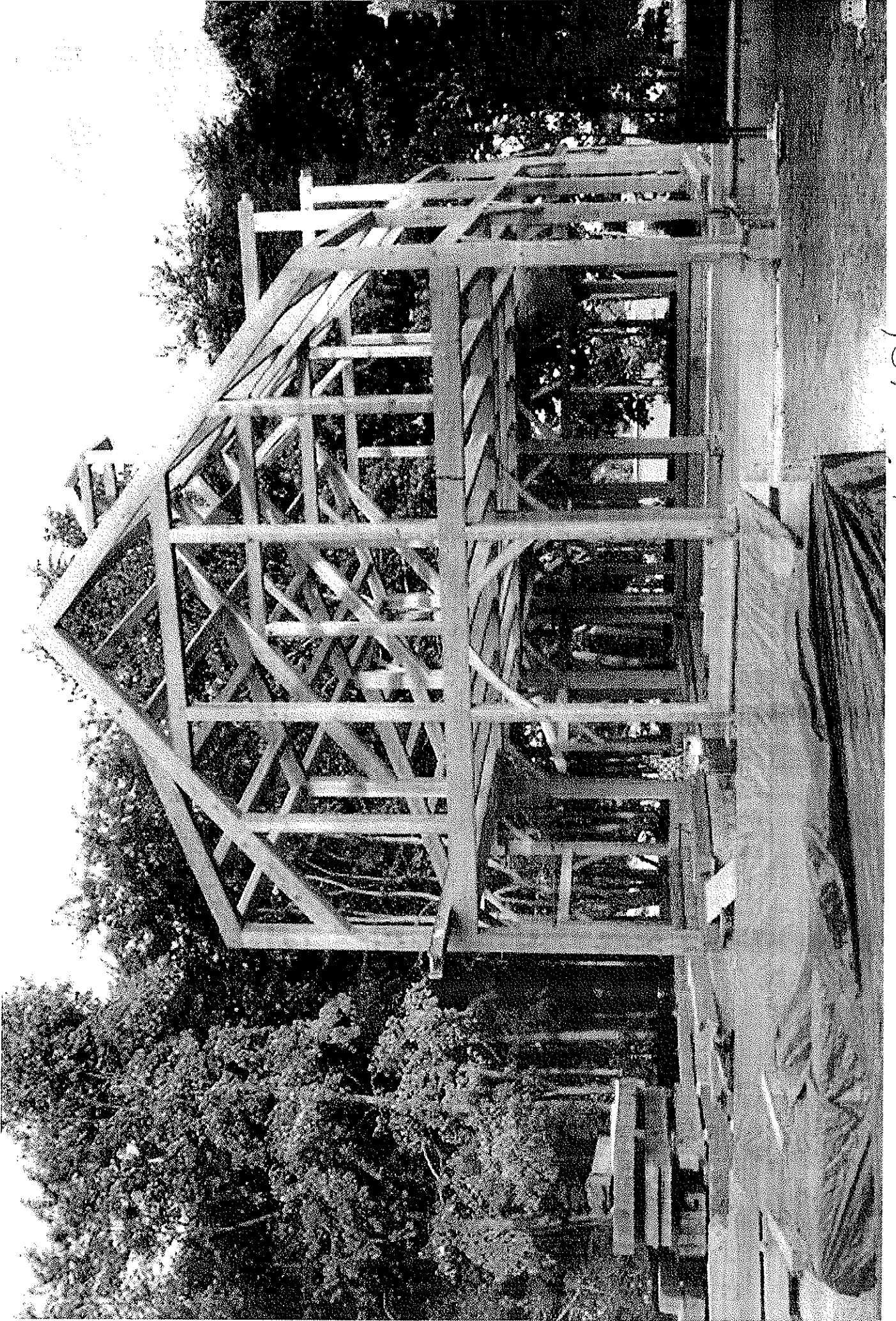
Authentic Joinery Throughout  
See Glossary



See other Timber Frame Model views

See larger drawings





40x07  
187x07

TOWN OF NEWBURGH

*Crossroads of the Northeast*  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550  
(845)564-7801

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. 2293-12 Date: April 27, 2012

To: GARY CURTIS SBL 17-2-4  
572 FOSTERTOWN ROAD ADD: 572 FOSTERTOWN RD  
NEWBURGH, NY 12550 ZONE A / R

PLEASE TAKE NOTICE that your application dated February 9,  
20 12 for permit to build and accessory building (40 x 48 x 40 h)  
At the premises located at 572 Fostertown Road

Is returned herewith and disapproved on the following grounds:

**185 - 15 - A - 4 -**  
ALLOWS A MAXIMUM OF 1000 SQ. FT. OF ACCESSORY BUILDINGS.  
**BULK TABLE - SCHEDULE 2 - COLUMN A - #2 -**  
ALLOWS A MAXIMUM OF (4) FOUR VEHICLE STORAGE.  
**185 - 15 - A - 1 -**  
SHALL NOT EXCEED 15 FEET IN HEIGHT.

  
JOSEPH MATTINA

Cc: Town Clerk & Assessor (300')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

*BUILT WITH OUT A PERMIT*

*NO*

NAME: GARY CURTIS

ADDRESS: 572 FOSTERTOWN RD NEWBURGH NY 12550

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: 40' X 48' X 40' HIGH ACCESSORY BUILDING

SBL: 17-2-4      ZONE: A/R

TOWN WATER:  NO      TOWN SEWER:

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
ACCESSORY S.F.	1000 S.F.	832 S.F.	2752 S.F.	1752 S.F.	175.2%
VEHICLE STORAGE	4 CAR TOTAL	4 CARS	13 CARS	9 CARS	225.0%
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT	15'		40' TO COPPOLA	25'	167.0%
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:      **832 SF EXISTING GARAGE. PROPOSED 1920 SF ADDITIONAL GARAGE**

**VARIANCE(S) REQUIRED:**

- 1 185-15-A-4 ALLOWS 1000 SF OF TOTAL ACCESSORY BUILDINGS.
- 2 BULK TABLE SCHEDULE 2 COLUMN A #2 ALLOWS A MAXIMUM OF 4 VEHICLE STORAGE
- 3 185-15-A-1 SHALL NOT EXCEED 15' IN HEIGHT
- 4 \_\_\_\_\_

REVIEWED BY: JOSEPH MATTINA      DATE: 27-Apr-12

# Curtis 572 Fostertown Rd 17-2-4

