



# 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: September 29, 2022

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

I (WE) John and Yvonne DeMarco PRESENTLY

RESIDING AT NUMBER 9 Anchor Drive, Newburgh NY 12550

TELEPHONE NUMBER 845-206-3667

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:

121-1-17 (TAX MAP DESIGNATION)

9 Anchor Drive (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).  
Bulk Table Schedule 3

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

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:  
09/29/2022

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: 11.6% Building Coverage where 10% allowed

(16% variance percentage)

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:  
N/A

**(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:  
N/A

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:  
N/A

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

The proposed house will produce a desirable change in the character of the neighborhood because it is keeping in style and scale of the existing neighborhood. Many of the neighboring houses are larger in square footage, so the house will blend in nicely.

- 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:

The project seeks to take advantage of the river front views that the property offers, which led to including a back covered patio and balcony. The design also calls for a first floor primary bedroom for the family for easier mobility in the future. Both of these items increased the building coverage value.

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

Many neighboring homes are similar in size/scale to the proposed house, so the proposed house will fit in well with the existing neighborhood.

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

The proposed variance will have a positive impact in the neighborhood given the home's design characteristics - focused on aesthetics, contemporary design, and efficiency. By adding the covered back balcony, more of the rainwater on the property will be diverted through leader drains, helping with water management at neighboring properties at lower elevations.

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

The project contains a first floor primary bedroom and bathroom, as well as a home office which are necessary to allow the family to maintain use of the house throughout their lifetime.

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7. ADDITIONAL REASONS (IF PERTINENT):

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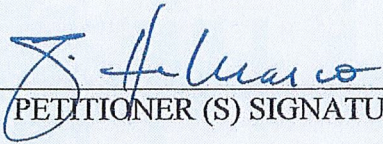
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7. ADDITIONAL REASONS (IF PERTINENT):

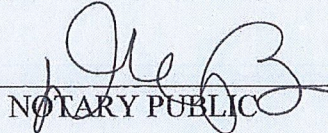
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF <sup>Ulster</sup> ORANGE:

SWORN TO THIS 30 DAY OF September 2022

DARLENE M. BELL  
Notary Public-State of New York  
No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2025

  
NOTARY PUBLIC

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)



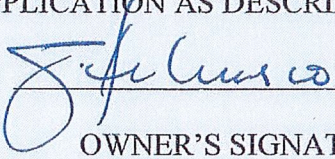
**TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS**

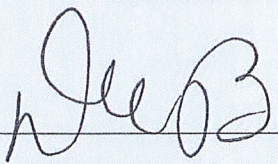
PROXY

John DeMarco, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 9 Anchor Drive  
IN THE COUNTY OF Orange AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF 9 Anchor Drive,  
Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Thomas Jeffrey DeGraw  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

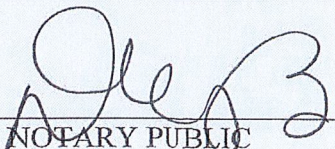
DATED: 9-30-2022

  
OWNER'S SIGNATURE

  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF Ulster ORANGE:  
SWORN TO THIS 30 DAY OF September 2022

DARLENE M. BELL  
Notary Public-State of New York  
No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2025

  
NOTARY PUBLIC



*Short Environmental Assessment Form*  
*Part 1 - Project Information*

**Instructions for Completing**

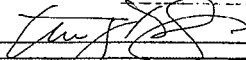
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: DeMarco Single Family Residence			
Project Location (describe, and attach a location map): 9 Anchor Drive, Newburgh, NY 12550			
Brief Description of Proposed Action: Construction of new structure - single family residence.			
Name of Applicant or Sponsor: Thomas Jeffrey DeGraw		Telephone: (845) 343-8510 E-Mail: jdegraw@degrowanddehaan.com	
Address: 9 Anchor Drive			
City/PO: Newburgh		State: New York	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input 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: Town of Newburgh Code Compliance - Building Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.98	acres
b. Total acreage to be physically disturbed?		0.70	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.98	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?	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 checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<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?	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,	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES			
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		

<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>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>Thomas Jeffrey DeGraw</u></p> <p>Signature: <u></u></p>	<p>Date: <u>September 30, 2022</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 – 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\*\*\*



Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 315.00

Transfer Tax	
Transfer Tax - State	600.00

Sub Total: 600.00

Total: 915.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 4987  
 Commercial Transfer Tax  
 Consideration: 150000.00

Transfer Tax - State	600.00
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Total: 600.00

BOOK/PAGE: 14876 / 1688  
 INSTRUMENT #: 20210001029

Receipt#: 2850967  
 Clerk: KP  
 Rec Date: 01/06/2021 02:58:46 PM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 4  
 Rec'd Frm: REGENCY ABSTRACT SERVICES LTD

Party1: SOLOMON LBOVITS LLC  
 Party2: DEMARCO JOHN  
 Town: NEWBURGH (TN)  
 121-1-17

Payment Type: Check   
 Cash   
 Charge   
 No Fee

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

Ann G. Rabbitt  
 Orange County Clerk

Record and Return To:

DANIEL J MCCABE  
 42 CATHERINE ST  
 POUGHKEEPSIE, NY 12601

**BARGAIN AND SALE DEED**  
With Covenant Against Grantor's Acts

THIS INDENTURE made the 19 day of November, 2020, *Delivered December 4, 2020*

**BETWEEN Solomon Lebovits, LLC**, having an office at 583 Route 32, Suite 3U, Highland Mills, New York 10930, party of the first part, and **John DeMarco**, residing at 15 Ruby Road, Marlboro, New York 12542, party of the second part; *and Yvonne De Marco, as husband and wife*

**WITNESSETH**, that the party of the first part, in consideration of Ten 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 lot piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

**BEING** the same premises conveyed to Solomon Lebovits, LLC by deed dated August 20, 2020 and recorded in the Orange County Clerk's office on October 27, 2020 in Liber 14830 of Deeds at Page 1597, from Nicholas J. Cardaropoli, Jr.

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, 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, if a corporation, the party of the first part covenants that this conveyance is made in the regular course of the business conducted by it or has been approved by the Board of Directors and shareholders of the party of the first part, in accordance with the provisions of its by-laws and the provisions of the Business Corporations Law of the State of New York.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, hereby 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.

Section  
121  
Block  
1  
Lot(s)  
17




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.

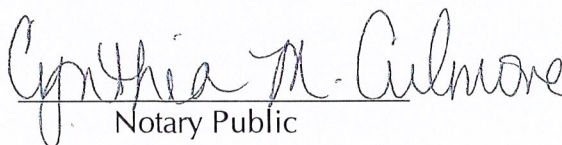
**IN PRESENCE OF:**

Solomon Lebovits, LLC

By:   
Solomon Lebovits, Managing Member

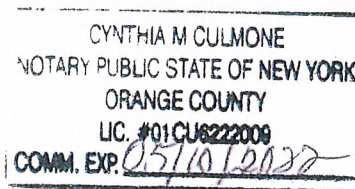
STATE OF NEW YORK     )  
  )ss.:  
COUNTY OF ORANGE    )

On the 9<sup>th</sup> day of November, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Solomon Lebovits, 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 he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public

**RECORD AND RETURN BY MAIL TO:**

Daniel J. McCabe, Esquire  
42 Catherine Street  
Poughkeepsie, New York 12601

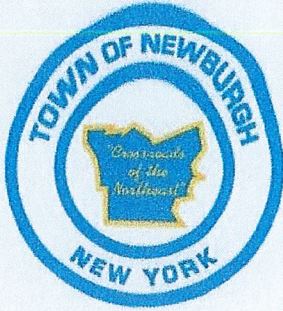


**SCHEDULE "A"**

*Title #: 20RG-X3298*

**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 shown and delineated as Lot 17 on a certain map entitled "Subdivision Plat Prepared For Anchorage-On-Hudson" filed in the Orange County Clerk's Office as Filed Map No. 216-02, as amended by map filed in the Office of the Orange County Clerk on April 3, 2009 as Filed Map No. 87-09.





## 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

# 3004-22

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 09/29/2022**

**Application No. 22-0172**

**To: John DeMarco**  
111 Western Avenue  
Marlboro, NY 12542

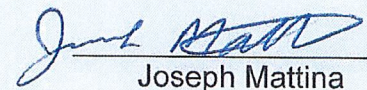
**SBL: 121-1-17**  
**ADDRESS: Anchor Dr**

**ZONE: R1**

PLEASE TAKE NOTICE that your application dated 03/08/2022 for permit to construct a single-family dwelling unit which exceeds the maximum allowed (10%) lot building surface coverage on the premises located at Anchor Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 3: Permits a maximum of 10% lot building coverage.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# Town of Newburgh Code Compliance

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

NAME: JOHN DEMARCO Application # 22-0172

ADDRESS: 111 WESTERN AVE MARLBORO NY 12542

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: DWELLING @ 9 ANCHOR DR NEWBURGH NY

SBL: 121-1-17 ZONE: R1 ZBA Application # 3004-22

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	4272 SF		4958 SF	686.00	16.00%
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: 

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REVIEWED BY: Joseph Mattina

DATE: 29-Sep-22







9 Anchor Drive  
SBL: 121-1-17





9 Anchor Drive  
SBL: 121-1-17





9 Anchor Drive  
SBL: 121-1-17





9 Anchor Drive  
SBL: 121-1-17



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

STATE OF NEW YORK: COUNTY OF ORANGE:

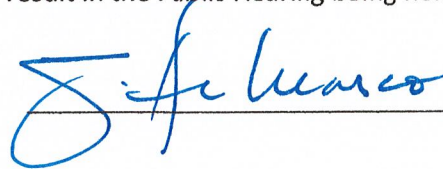
I JOHN DEMARCO, being duly sworn, depose and say that I did on or before

October 13, 2022, post and will thereafter maintain at

Anchor Dr 121-1-17 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.



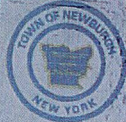
Sworn to before me this 11<sup>th</sup>

day of October, 2022.



**DARLENE M. BELL**  
Notary Public-State of New York  
No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2025





**TOWN OF NEWBURGH**

*County of the Platteau*  
**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 (4) 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 Thursday the 27th day of October, 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 John and Yvonne DeMarco for an area variance of lot building coverage to build a possible family residence.

PREMISES LOCATED at Anchor Dr 171-1-17 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 13th day of October, 2022.

  
(APPLICANT)