

13 Anchor Drive

Area Variance / Presentation

13 Anchor Drive

Tax ID: 121-1-15

Acresage: 1 acre

Zoning: R1

Existing Site: Single Family Residence

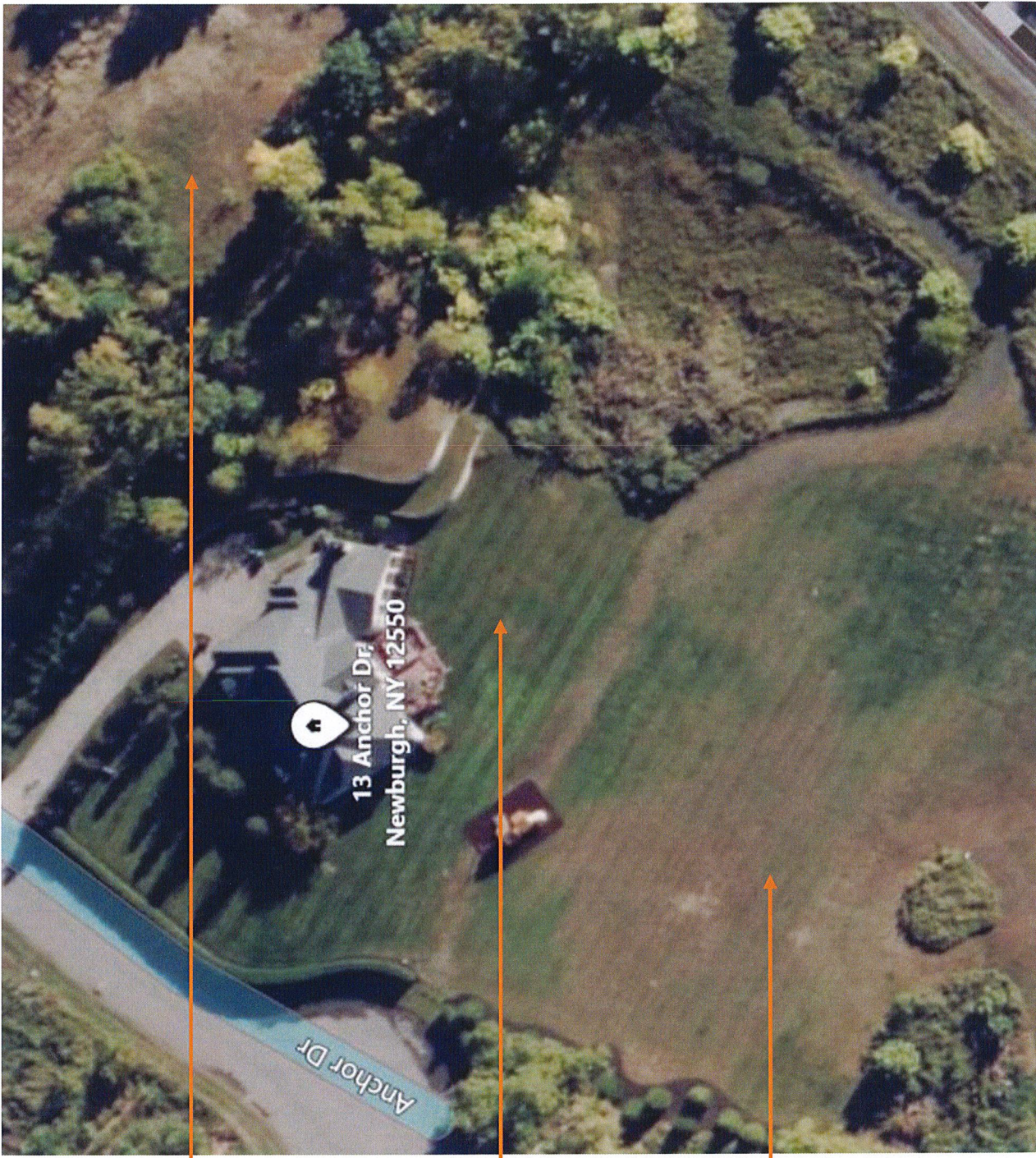
Height for Accessory Structures:

Permitted = 15'

Requested = 24'



13 Anchor Drive



13 Anchor Drive

Neighboring parcel

Location of proposed pool and cabana

Adjoining property also owned by Applicant

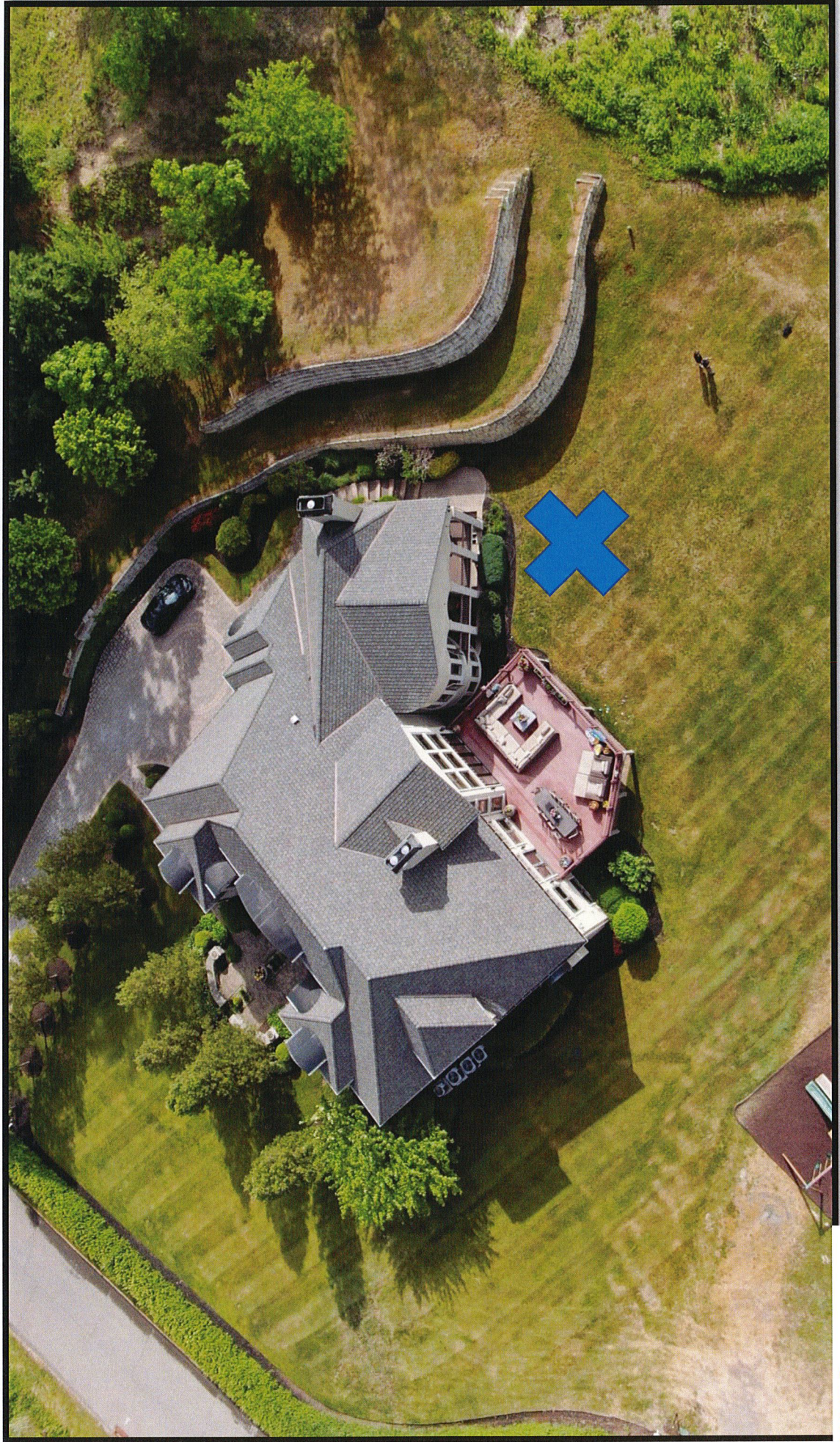
Existing Site



Existing Site



Existing Site



Existing Site / Neighboring Property



History

13 Anchor Drive

June 3, 2021 – Received Building Permit (Pool House & Pool)

Height – 11.6’ measured from northern PL

January 11, 2022 – Issued Stop Work Order

At Issue Height – 24’ measured from Driveway (alleged 31’)

February 3, 2022 – Applied for Area Variance for Height of Structure

* No change to overall design/height of structure from permitted plans



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

Permit No: 20-1303
 SEC-BLK-LOT: 121-1-15

Issue Date: June 03, 2021
 Expire Date: December 03, 2022

BUILDING PERMIT

Addition/Reno/Accessory: 1000.00
 CO- Addition/Renovation: 25.00

A Permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Contact Type	Full Name	Address	City	State	Zip	Phone Number
Contractor	Hill Ford Development	55 North Street	Middletown	NY	10540	
Owner	Nicolas D'Altrici	13 Anchor Dr	Newburgh	NY	12550	

Location of Structure: 13 Anchor Dr

Material: No. Stories: No. Families:
 Dim. of Stru.: No. Bedrooms: No. Toilets:
 Use of Stru.: Accessory Structure Dim. of Lot:
 Census Code: 328 No. Bathrooms: Heating Plant:

Description of Work:
 52'-3" x 28' (2) Story pool house with kitchen and bathroom: 18' x 14' Cabana: 12' x 12' Gazebo: 42' x 48' Half round in-ground pool: Hot tub: (ZBA approved)
Appx. Cost: \$100,000.00 Receipt(s):

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

Joseph Mattina
 Signature of Applicant
 Joseph Mattina, Code Compliance Department

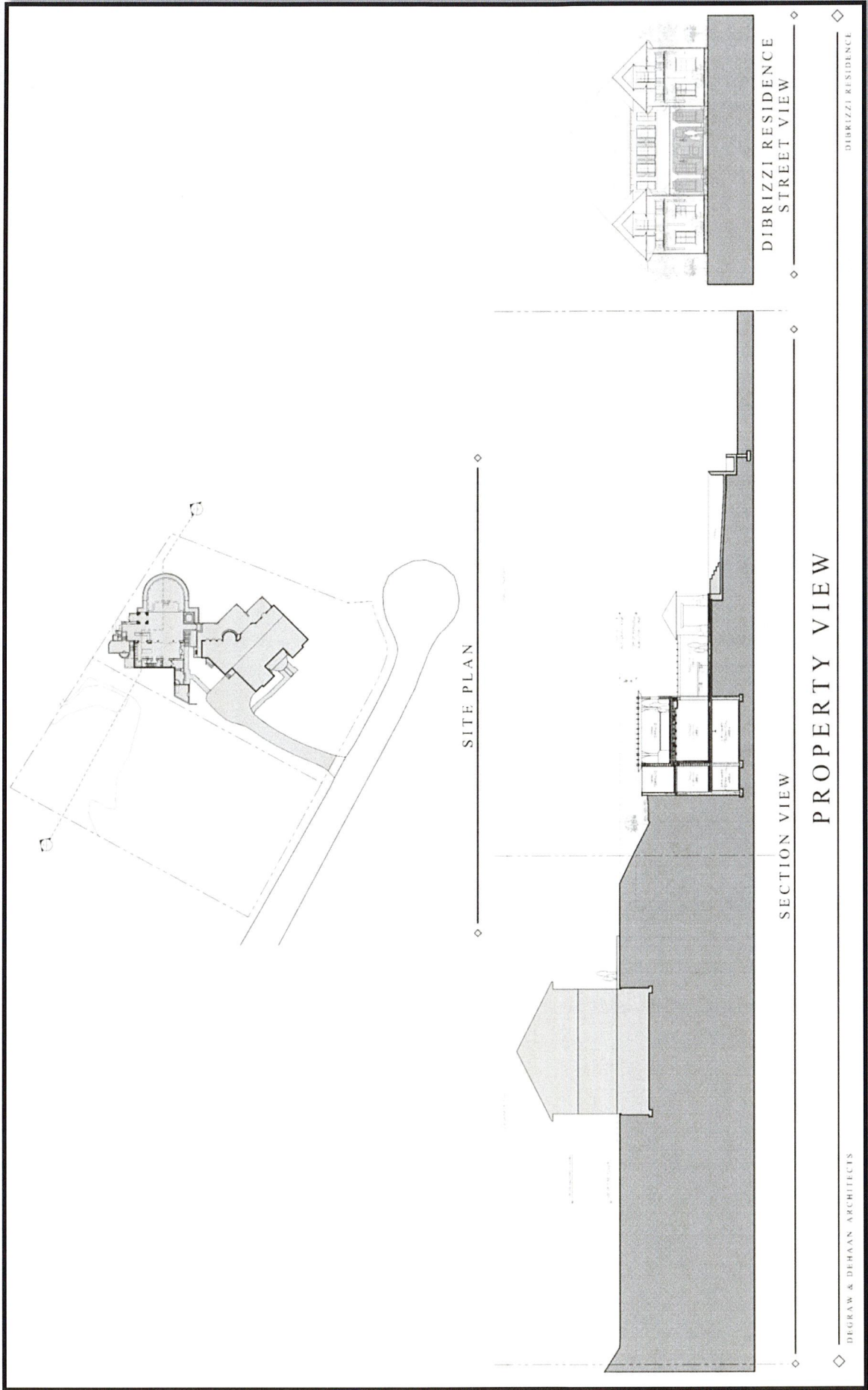
IMPORTANT
 1. A permit under which no work has been commenced within six (6) months after issuance, shall expire by limitation and a new Permit must be secured before work can begin.
 2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

Permit No. 20-1303

BUILDING HEIGHT

The vertical distance measured from the average elevation of the finished grade along the side of the structure fronting on the nearest street to the highest point of such structure.

Section/Plan View



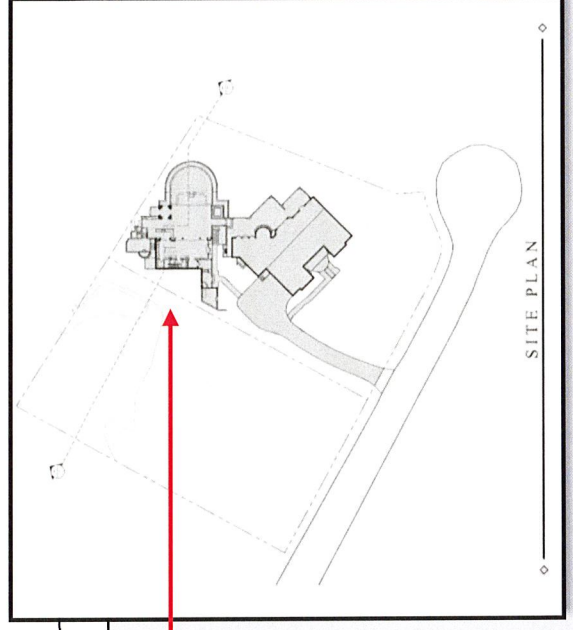
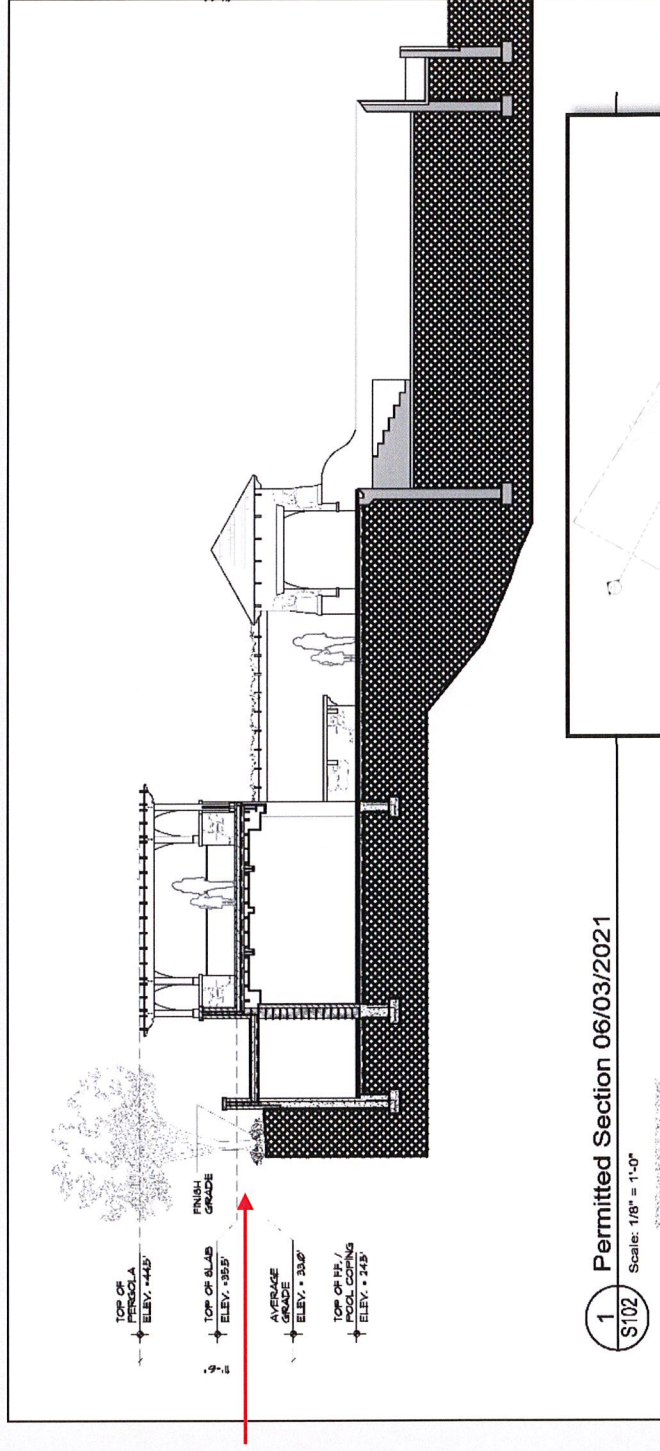
Height on Permitted Drawing

Permittee Drawings:

Applicant's Interpretation resulted in the Architect's using the yard to be utilized in calculating the height of the proposed structure was the yard bordering with the northerly parcel as that property line was the nearest to the street.

Therefore, using the northerly lot line for the basis of the height of the structure, and applying the above definition, the height of the structure was presented as

11' 6"

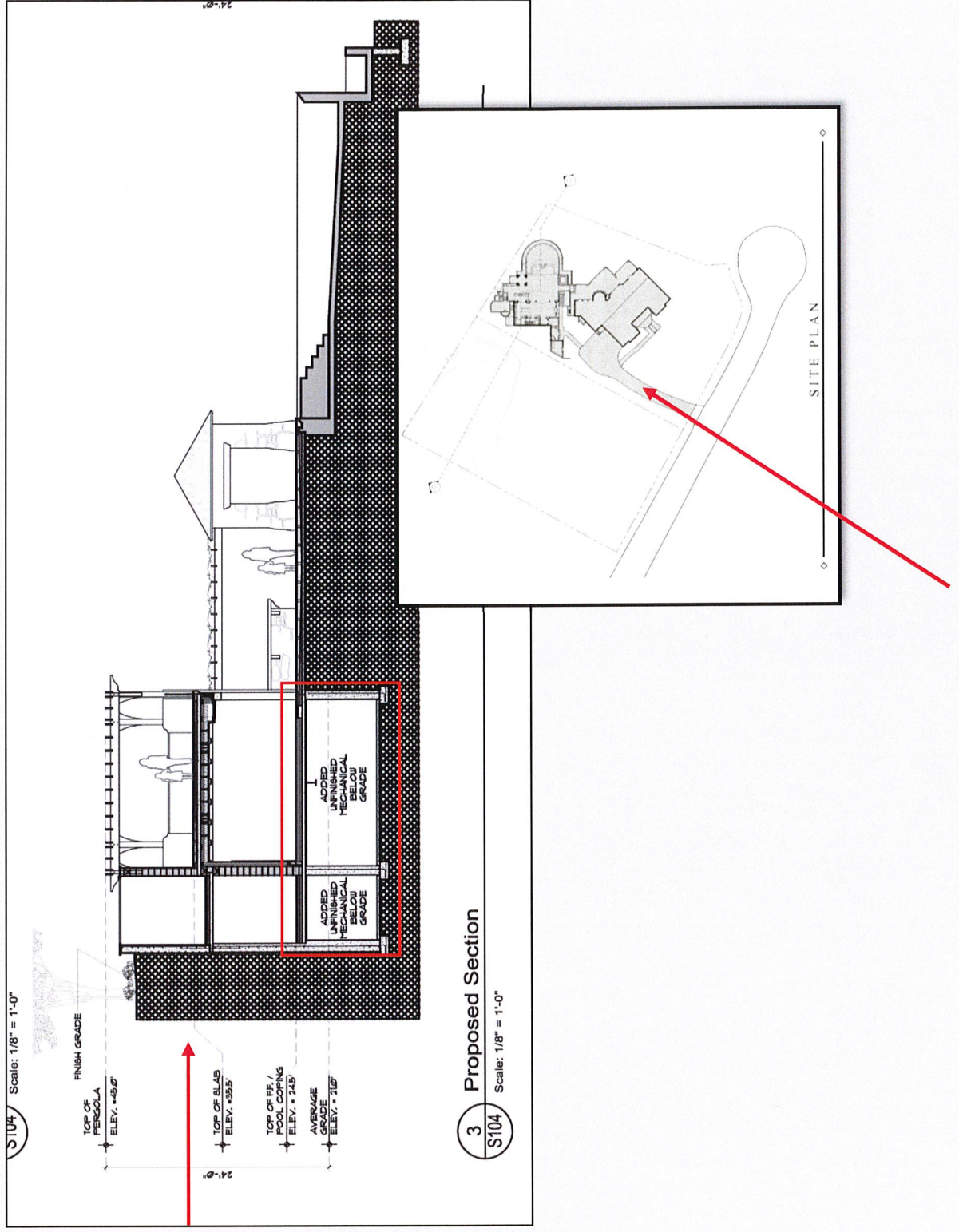


Height on Current Drawing

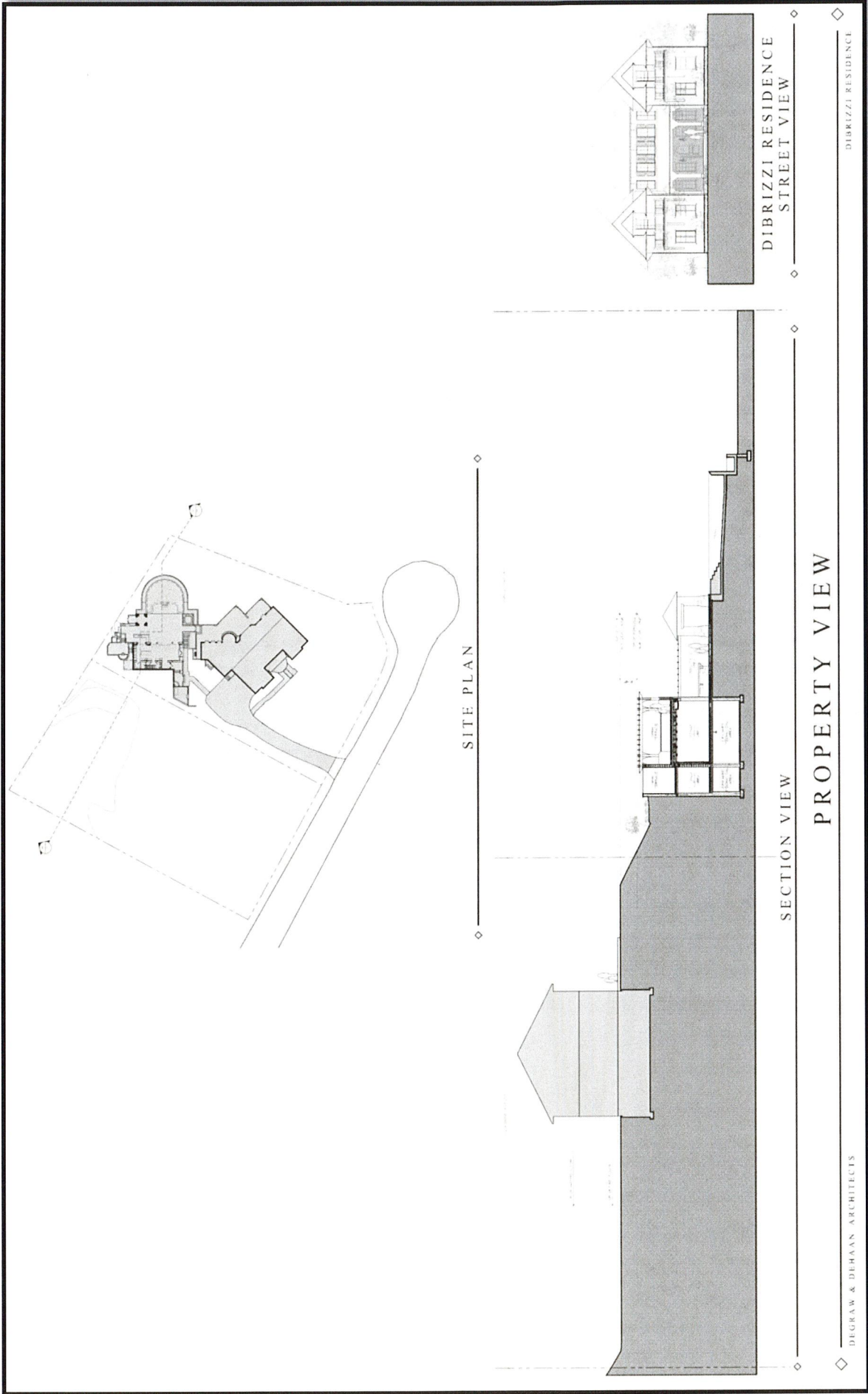
Based on information provided by the Town, the correct location to measure the height of the structure is from the street/lot frontage or at 13 Anchor Drive.

The only location where this structure is (limited) visible is from the driveway for 13 Anchor Drive.

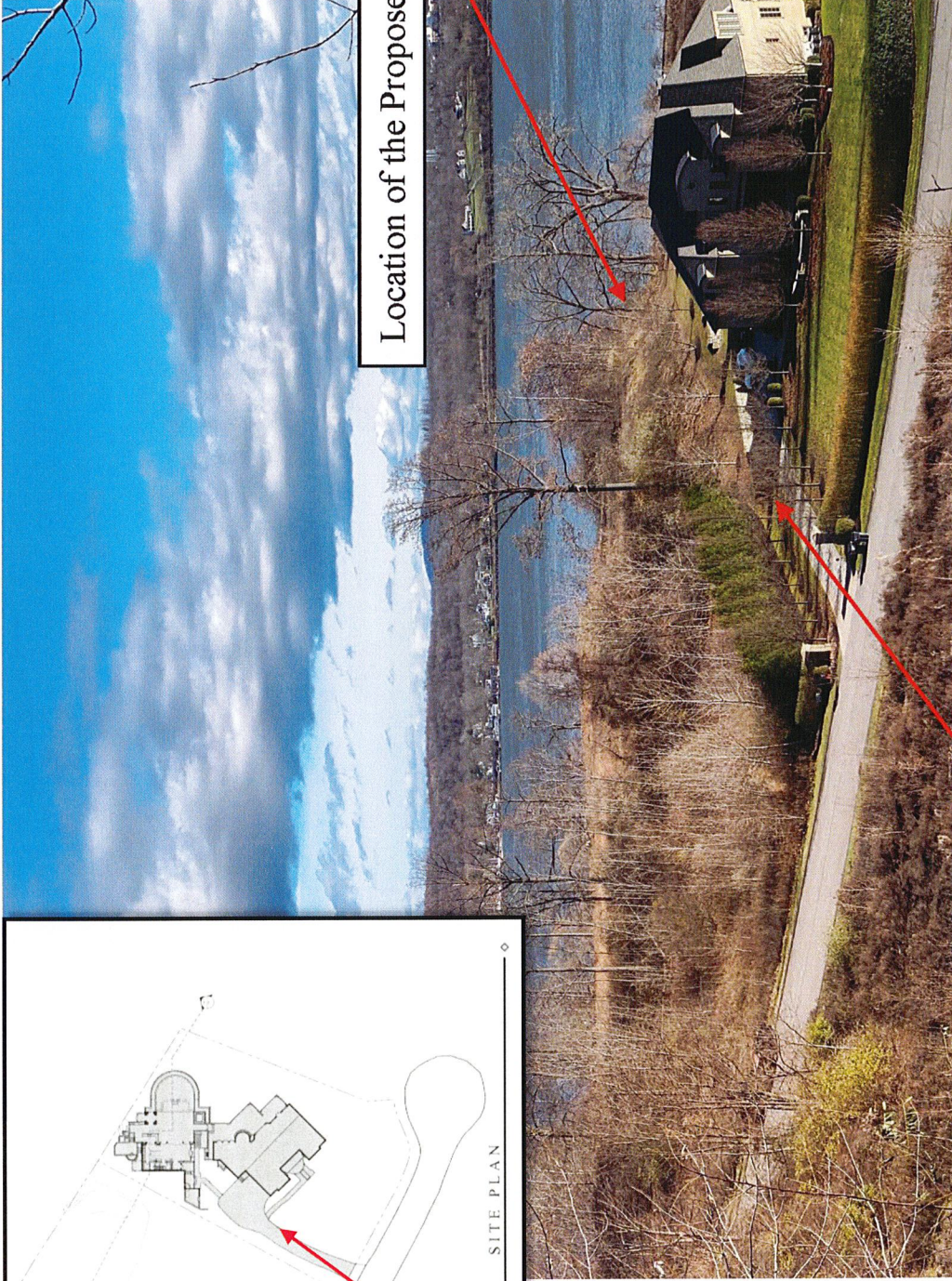
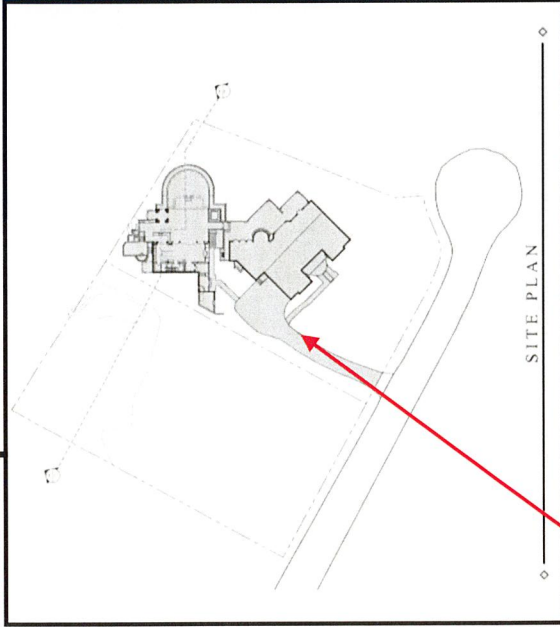
Thus from this location, the height of the structure is 24' feet



Section/Plan View



Views Looking East



Location of the Proposed Structure

Limited View of Proposed Structure

Adjoining Properties for Public Hearing Notices

334600 20-2-8
Richard W Roth
Toni M Roth
688 River Rd
Newburgh NY 125509998

334600 20-2-11
New York Central Lines LLC
800 Water St (C910)
Jacksonville FL 32202

334600 121-1-11
Paula Perricaro
Anthony Porpiglia
P.O. Box 245
Milton NY 12547

334600 121-1-12
Anchorage Holding, LLC
5031 Route 9W
Newburgh NY 12550

334600 121-1-4
Tracey Niemoko
David Niemoko
283 Spring St
Monroe NY 10950

334600 121-1-18
2 IND LLC
2 Harvey Way
Newburgh NY 12550

334600 121-1-17
John DeLuoro
Yvonne DeLuoro
9 Anchor Dr
Newburgh NY 12550

334600 121-1-7
Benedetto Papalco
Betta E Papalco
468 River Rd
Newburgh NY 12550

334600 20-2-7.3
Christy Adams
8101 Washington Ave
Township of Washington NJ 07676

334600 121-1-6
Mariner's Court Holdings LLC
142 Route 17K
Newburgh NY 12550

334600 121-1-16
Gina M. Mazzarelli
Lawrence N. Rothstein
New Windsor NY 12553

334600 121-1-15
Nicholas DiBriizzi
13 Anchor Dr
Newburgh NY 12550

334600 121-1-5
Marin Riaz Chaudhry
New Windsor NY 12550

334600 121-1-10.2
Alfred H Lupton
Margaret W Lupton
111 Panorama Dr
Palmyra VA 22963

334600 121-2-1
Town of Newburgh
1496 Route 300
Newburgh NY 12550

Town of Newburgh
Office of the Assessor
1496 Route 300
Newburgh, NY 12550

334600 20-2-7.4
Philip M Pliner
Sandra L Pliner
1 Windswept Ln
Newburgh NY 12550

334600 121-1-19
Rajendranath B Thackurdeen
5 Anchor Dr
Newburgh NY 12550

334600 121-1-14
Nicholas DiBriizzi
13 Anchor Dr
Newburgh NY 12550

334600 121-2-2
Town of Newburgh
1496 Route 300
Newburgh NY 12550

334600 121-1-8
Anchorage Lots, LLC
P.O. Box 3257
Newburgh NY 12550

334600 121-1-13
Riaz A Chaudhry
Dhanida R Chaudhry
12 Anchor Dr
Newburgh NY 12550

334600 121-1-9.2
Anchorage Lots, LLC
P.O. Box 3257
Newburgh NY 12550



TOWN OF NEWBURGH

Commissioners of the Town

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 Thursday the 24th day of February, 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 Nicholas DiBriizzi to continue building an accessory structure previously approved by the ZBA. The height of the new structure is 31', the previously approved was 13.6'.

PREMISES LOCATED at 13 Anchor Dr 121-1-15 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 10th day of February,

2022.

(Signature)
(APPLICANT)

*Any members of the public that plan on attending the meeting are required to wear a mask.

1-31-2022 (R)

SEC 121 BLK 1 LOT 15

Page 1

Sign Posting & Affidavit

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Nicholas DiBizzzi, being duly sworn, depose and say that I did on or before
February 10, 2022, post and will thereafter maintain at

13 Anchor Dr. 121-1-15 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.

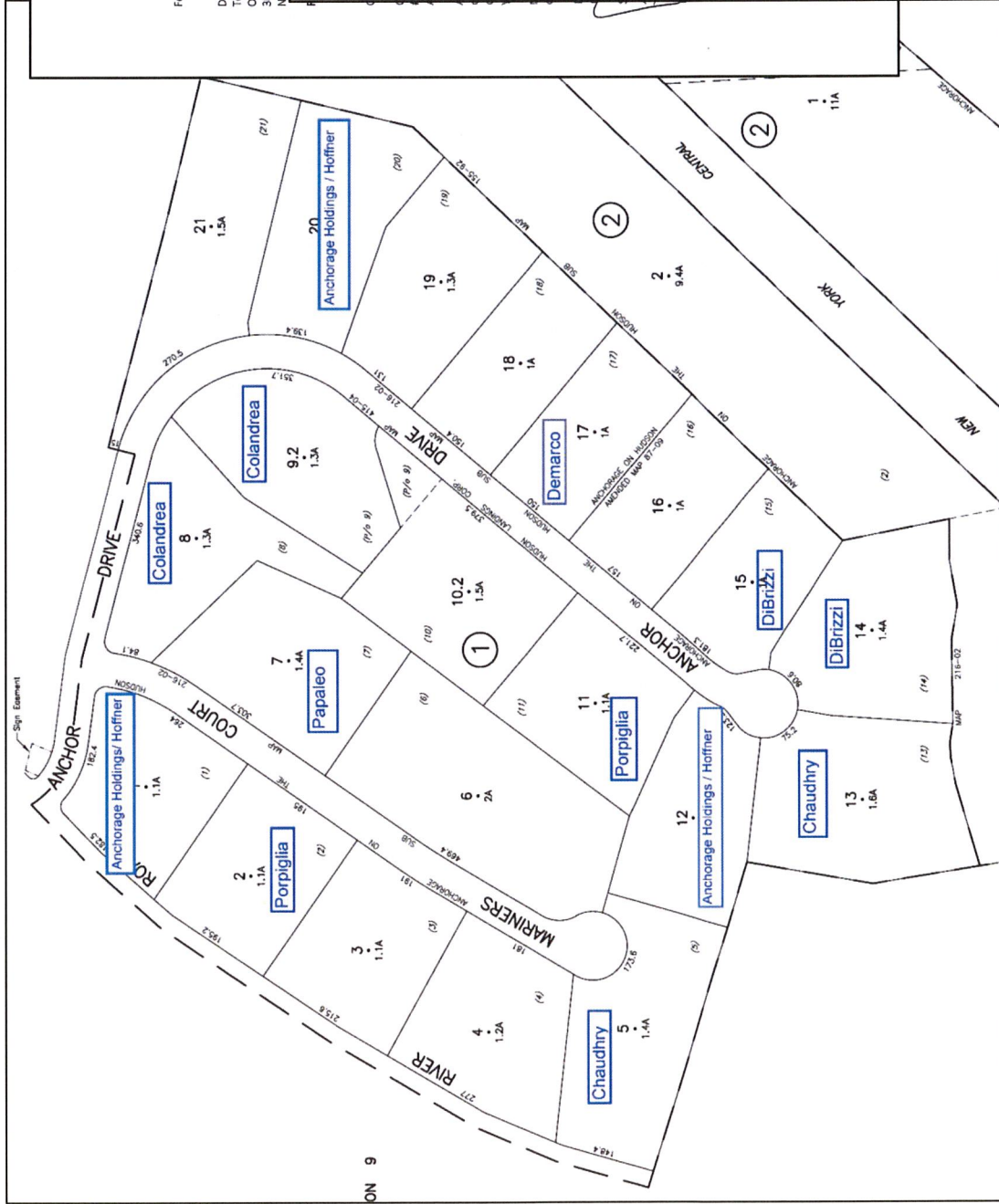
The applicant shall maintain and update notice(s) (with amended information if there is any change to
the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The
Notice must then be removed and property disposed of within ten (10) days of the close of the 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 10th
day of February, 2022.

AMY ARGYRAKIS
Notary Public, State of New York
No. 01A86103402
Qualified in Dutchess County
My Commission Expires Dec. 23, 2022



Community Support



Anchorage Holdings LLC
PO Box 2758
Newburgh, New York 12550

February 21, 2022

Darrin J. Scaltzo, Chairman
Town of Newburgh Zoning Board of Appeals
Old Town Hall
308 Gardnertown Rd.
Newburgh, NY 12550

February 13, 2022

Darrin J. Scaltzo, Chairman
Town of Newburgh Zoning Board of Appeals
Old Town Hall
308 Gardnertown Rd.
Newburgh, NY 12550

RE: 13 Anchor Drive
Tax Map 21-15
Area Variance Application

Chairman Scaltzo and Members of the ZBA:

We are the owner's of the parcel addressed as Lot 2 Mariners Court, Newburgh NY (See attached map). We are aware of the Area Variance Application before your Board for the property referenced above and owned by Nicolas DiBizzi.

We are the immediate neighbors of Mr. DiBizzi as we are directly across from his driveway access and therefore, have direct views of Mr. DiBizzi's property and the area of the proposed construction which is the subject of the Application before your Board.

Please be advised that we are very supportive of Mr. DiBizzi's application. Mr. DiBizzi has maintained his property in excellent condition and we are happy to see him making plans for the development of a pool and associated patio. We feel that the pool will not have a negative impact to our neighborhood but rather will be a wonderful contribution to our community.

We are unable to attend the ZBA public hearing and therefore request that you include this supportive correspondence in the record file.

Sincerely,
Nicolas DiBizzi
Nicolas DiBizzi
Mr. and Mrs. Anthony Porpiglia
Lot 2 Mariners Court, Newburgh NY

Question

