

TOWN OF NEWBURGH

Crossroads of the Northeast

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

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 11/19/2019

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

I (WE) Jennifer Fallon (Mack) PRESENTLY
RESIDING AT NUMBER 7 Smith Ave Walden NY 12586
TELEPHONE NUMBER 845-476-6827

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

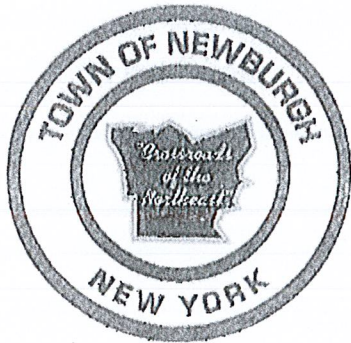
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

32-7-4 (TAX MAP DESIGNATION)
7 Smith Ave Walden NY 12586 (STREET ADDRESS)
R-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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Town of Newburgh Municipal Code
185-19-C-1 = shall not increase the degree of non-conformity
185-19-C-1 = shall not increase the degree of non-conformity
(front yard)
(side yard)



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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: 10/31/19
original application (7/22/19)
- 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: Area Variance

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:



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

The home was purchased in 2008 in the exact state as it is now. No building permits issued or certificate of occupancies issued. Prior to my purchase the home pictures show it as is, and documents obtained in 2001

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:

(picture) show no difference to outward appearance with regard to setbacks.

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:

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

An open deck existed - prior to the former owner enclosing no changes to setbacks appear to have occurred. (2001 picture from MLS Attached).

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

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

All indicated work to property was prior to my purchase in 2008. No violations appeared in any title search when purchased.



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Currently have contract to sell home. Must have necessary permits / certificate of occupancy for this enclosed porch to finalize sale. This issue is creating an issue and possible void to sale/loss of sale.

Jennifer Dallme (Mack)
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 21 DAY OF Nov 2019

Gina Hayden
NOTARY PUBLIC

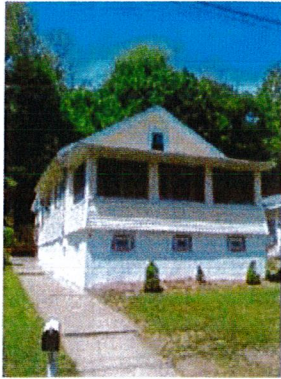


NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals 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 10 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)



2001
Listing
Picture
from
current listing
agent
Cindy Schoenleber
(on file from
MLS)



2 / 8 Exterior Front

MLS#: **445400** *Sold* List Price: **\$199,900**
 Sold Price: **\$190,000**

Addr: **7 Smith Avenue**
 PO: **Walden** Orange County
 City/Town: **Newburgh Town** Zip: **12586**
 Village: **None** Hamlet/Loc.:
 Street Type: **Public** Avail 4/Lease: **No**

P Type: **Single Family** Type:
 Sub/Devel: 55+ Comm: **No**
 Beds: **1** SqFt: **666** Acre(s): **0.3400**
 Baths: **1 (1 0)** Rooms: **5** Levels:
 Style: **Cottage** Model:
 Wtr Access: **Yes** PUD: Builders Lot #:

Sch Dist: **Valley Central** Elem: **East Coldenham**
 Jr High: **Valley Central Middle School** High: **Valley Central High S**

<u>Level</u>	<u>Description</u>		
1	Living Room, Master Bedroom, Bathroom, Bedroom, Dining Room, Kitchen		
Basement:	Full	Attic:	Scuttle
Addl Fees:	No	Yr Bilt:	1920/Actual
Addl Fee Des:		Cnstrctn:	Frame
		Fireplaces:	
		Yr Reno:	2006
Tax ID#:	<u>334600.032.000-0007-004.000/0000</u>	Tax:	\$1,591
Taxes Include:		Assmt:	\$24,500
Avail Financing:		HOA\$ Inc:	
		Tax Year:	2008
		Monthly HOA:	

Amenities: **Deck, Lake Access, Privacy, Water View**
 Includes: **Dishwasher, Dryer, Oven/Range, Refrigerator, Washer**
 Excludes:
 Parking: **None**
 Heat Zones/Type: **1/Forced Air** Elec Co:
 A/C: **Wall Units** Fuel: **Oil Above Ground**
 Hot Water: Water: **Drilled Well**
 Garbage: Sewer: **Septic**
 Lot Description: **Corner Lot, Level** Siding: **Vinyl**

Public Remarks

Perfect STARTER HOME and an even more FANTASTIC CONDO alternative! Charming 1/2 Bed country ranch with large corner lot across street from recreation-friendly Orange Lake! Forget about the community pool - how about community Lake! Easy-living and relaxing times await the new owner of this updt'd and move-in condition home! Yng windows, siding, roof! Updt'd Bath! Pergo Flrs! Close to all - yet private and serene!

Agent Only Remarks

Easy to Show - Call Appt #1 and confirm; EBOX to be installed shortly. Short notice req'd due to dog in house! ALL offers in writing w/Pre-Approval!

Show Instr:

Access for Show: **Broker**

Directions: **Rte 52 or Rte 300 To Rock Cut Road To South St Left Turn on Smith House on Left Look for Sign**

Appt Ph:	845-304-3187	Appt Ph 2:		DOM:	35
Owner:	WITHHELD	REO:		Org Price:	\$199,900
LA:	(20277) Patrick J Lynch	LA Ph:	845-304-3187	Mod/Excl:	
LA Email:		LO Ph:	845-624-6500	List Dt:	05/13/2008
LO:	(RMXPRF) RE/MAX Professional REALTORS	CLA Ph:		Expire Dt:	
CLA:		CLO Ph:		Agr Type:	ERS
CLA Email:		BRA:	0.000%	Neg Thru:	
CLO:				\$/SqFt:	\$300.15
SA:	0.000% BA: 2.000%			TOM Dt:	
				OM Date:	

SA:	(37141) Charity Solanky	Sell Price:	\$190,000	Sell Dt:	07/21/2008
SO:	(LIZA01) White Gate Realty	List Price:	\$199,900	Contract Dt:	06/24/2008
CSA:		SP%LP/OL:	95% / 95%	Sell Cns:	\$0
CSO:		Financing:	Fixed	\$/SqFt Sold:	\$285.29

Click on the arrow to view History

Prepared By: Cindy M. Schoenleber

Date Printed: 11/19/2019

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Jennifer Fallon Building Application # 19-0769

ADDRESS: 7 Smith Ave Walden NY 12586

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: Enclosed non-conforming front porch

SBL: 32-7-4 ZONE: R-1 ZBA Application # 2805-19

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'	23'	Increasing the degree of non-conformity		
REAR YARD					
SIDE YARD	30'	0'	Increasing the degree of 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:

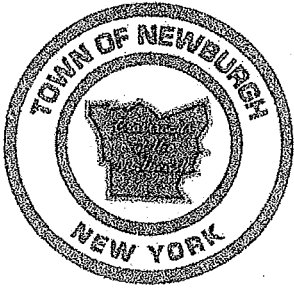
GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES: Existing non-conforming open front porch was enclosed prior to obtaining permits or approvals

VARIANCE(S) REQUIRED:

- 1 185-19-C-1 / Shall not increase the degree of non-conformity. (Front yard setback)
- 2 185-19-C-1 / Shall not increase the degree of non-conformity. (Side yard setback)
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 31-Oct-19



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2805-19

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 10/31/2019

Application No. 19-0769

To: Jennifer Fallone
7 Smith Ave
Walden, NY 12586

SBL: 32-7-4
ADDRESS: 7 Smith Ave

ZONE: R1

PLEASE TAKE NOTICE that your application dated 07/22/2019 for permit to keep an enclosed porch that was built without a permit on the premises located at 7 Smith Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-19-C-1: Shall not increase the degree of non-conformity. (Front yard)
- 2) 185-19-C-1: Shall not increase the degree of non-conformity. (Side yard)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

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

GARRETT F. GOODWIN

TO

JENNIFER E. FALLONE

SECTION 32 BLOCK 7 LOT 4



RECORD AND RETURN TO:
(name and address)

CLOVE VALLEY ABSTRACT, LTD.
206 Waterbury Hill Road
LaGrangeville, New York 12540
845-223-6514
Fax 845-223-3179

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED R MORTGAGE ✓ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
- 3003 FLORIDA (VLG)
- 3005 CHESTER (VLG)
- 3200 GREENVILLE (TN)
- 3489 HAMPTONBURGH (TN)
- 3401 MAYBROOK (VLG)
- 3689 HIGHLANDS (TN)
- 3601 HIGHLAND FALLS (VLG)
- 3889 MINISINK (TN)
- 3801 UNIONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)

- 4289 MONTGOMERY (TN)
- 4201 MAYBROOK (VLG)
- 4203 MONTGOMERY (VLG)
- 4205 WALDEN (VLG)
- 4489 MOUNT HOPE (TN)
- 4401 OTISVILLE (VLG)
- 4600 NEWBURGH (TN)
- 4800 NEW WINDSOR (TN)
- 5089 TUXEDO (TN)
- 5001 TUXEDO PARK (VLG)
- 5200 WALLKILL (TN)
- 5489 WARWICK (TN)
- 5401 FLORIDA (VLG)
- 5403 GREENWOOD LAKE (VLG)
- 5405 WARWICK (VLG)
- 5600 WAWAYANDA (TN)
- 5889 WOODBURY (TN)
- 5801 HARRIMAN (VLG)

CITIES

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

NO PAGES 4 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK ✓
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 190,000.
TAX EXEMPT _____

Taxable
MORTGAGE AMT. \$ _____

MORTGAGE TAX TYPE:

- _____ (A) COMMERCIAL/FULL
- _____ (B) 1 OR 2 FAMILY
- _____ (C) UNDER \$10,000
- _____ (E) EXEMPT
- _____ (F) 3 TO 6 UNITS
- _____ (I) NAT.PERSON/CR. UNION
- _____ (J) NAT.PER-CR.UN/1 OR 2
- _____ (K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: Clove Valley Abs.

RECORDED/FILED
07/29/2008/ 11:27:43
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20080076472
DEED R / BK 12705 PG 1721
RECORDING FEES 117.00
TTX# 008627 T TAX 760.00
Receipt#914561 alicev

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
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 7/29/08 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS
ORANGE COUNTY 11/11/19



Bargain & sale deed, with covenant against grantor's acts -Ind. or Corp.

THIS INDENTURE, made the 21st day of July, two thousand eight
BETWEEN

GARRETT F. GOODWIN, residing at 7 Smith Avenue, Walden, New York 12586
party of the first part, and

JENNIFER FALLONE, residing at 5 Wildwood Drive, Apt. 6C, Wappinger Falls, New
York 12590
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 piece or parcel of land, with buildings and improvements thereon
erected, situate, lying and being in the TOWN OF NEWBURGH, County of Orange and
State of New York and more particularly described as Lots three hundred ninety seven
(397), three hundred ninety eight (398), three hundred ninety nine (399), four hundred
(400), four hundred one (401), on a certain filed map entitled "Section # 1, Map of
Orange Lake Estates, located in the Town of Newburgh, Orange County, New York,
Butler Fornard Realty Corp. Owners and developers., Blake and Woodhull, licensed
Engineers and Surveyors of Newburgh, New York, March 20th, 1928 and filed April 10,
1928 in the Orange County Clerk's Office in Plan File of Maps, Packet 15, Folder 45, and
particularly described as follows:

BEGINNING at the northwest corner of South Street and Smith Avenue; and running
thence northerly along the west line of Smith Avenue, 148.4 feet; thence running Westerly
and at a right angle to Smith Avenue, 100 feet, thence running Southerly and parallel to the
first described course 142.17 feet to the northerly line of Smith Street; thence easterly
along the northerly line of South Street 100 feet to the point and place of beginning.

SUBJECT TO Right of Way for use of road ways to Orange Lake for the owners and
others found in Liber 2009 cp 1052 and other deeds

Being and intended to be the same premises conveyed in a certain deed dated July 10,
2001 by Francis Martin a/k/a Francis Musso and Angela Musso to Garrett F. Goodwin
and recorded in the office of the Orange County Clerk in Liber 5572 of deeds at page 075
on July 12, 2001.

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,

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

GARRETT F. GOODWIN

to

JENNIFER FALLONE

SECTION 32
BLOCK 7
LOT 4
Town of Newburgh
County of Orange

RETURN BY MAIL TO:
Mark E. Wright, Esq.
PO Box 422
Fishkill, NY 12524







Keller Williams
Realty
815-244-1177
FOR SALE

7









KELLER WILLIAMS
Realty
CLINTY
813-976-0373
FOR SALE

7

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			
Area Variance			
Name of Action or Project: Enclosed non-conforming front porch			
Project Location (describe, and attach a location map): 7 Smith Avenue Walden NY 12586			
Brief Description of Proposed Action: Issue variance to allow the existing enclosed porch to have necessary building permits + certificate of occupancy issued to allow sale of property. Room was constructed prior to 2008 purchase and no violation of the building code was brought to my attention during my purchase.			
Name of Applicant or Sponsor: Jennifer Fallon (Mack)		Telephone: 845-476-6827	
		E-Mail: jennmack6@gmail.com	
Address: 7 Smith Avenue			
City/PO: Walden		State: NY	Zip Code: 12586
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 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 type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.34	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?		.34	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			

= Built on existing foundation of 100yr old home.

5. Is the proposed action, a. A permitted use under the zoning regulations?	<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 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"/>	<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"/>	<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"/>	<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"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>well water for home - enclosed porch does not have water supply in it.</u>		NO	YES
	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input 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? 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: _____		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input 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 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"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO	YES
	<input checked="" type="checkbox"/>	<input 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 checked="" 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: _____		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<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>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Jennifer Fallone (Mack)</u> Date: <u>11/19/19</u></p> <p>Signature: <u>Jennifer Fallone (Mack)</u></p>		



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

Jennifer Fallon (mack), DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 6 MacIntosh Lane Wappingers Falls NY

IN THE COUNTY OF Dutchess AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 7 Smith Avenue

Walden NY 12586

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED William O'Keefe
(Attorney)
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11/20/19

Jennifer Fallon (mack)

OWNER'S SIGNATURE

[Handwritten Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 21 DAY OF Nov. 2019

[Handwritten Signature]
NOTARY PUBLIC



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
10451 566-4901

October 31, 2019

Jennifer Pallone
7 Smith Ave
Walton, NY 12586

Re: 7 Smith Ave, Newburgh
32-7.4 RI Zone

To Ms. Pallone:

Enclosed please find Notice of Disapproval of Building Permit Application together with Application and Instructions for the Zoning Board of Appeals.

To keep an enclosed porch built without a permit on your property in the Town of Newburgh you must obtain a variance from the Zoning Board of Appeals.

The next scheduled available meeting of the Zoning Board of Appeals is Tuesday November 26, 2019. If this Agenda is full, the next meeting will be Thursday December 26, 2019. If you plan on applying to the Zoning Board of Appeals for variances, the application and all materials requested must be submitted to this office no later than 10 business days prior to the hearing date. Also all mailings must be completed at least 10 business days prior to that date.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,


Siobhan Jablesnik, Secretary
Zoning Board of Appeals

NYSGML Section 219 requires the Zoning Board of Appeals 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.

*** RECEIPT ***

Date: 11/14/19

Receipt#: 80599

Quantity	Transactions	Reference	Subtotal
1	Public Hearing		\$50.00
1	Zba Applic. & Advertising		\$250.00
Total Paid:			\$300.00

Notes: 7 Smith Avenue7 Smith Avenue

Payment Type	Amount	Paid By
CK #2082	\$300.00	Fallone, Jennifer

JOSEPH P. PEDI, TOWN CLERK
TOWN OF NEWBURGH
1496 ROUTE 300
NEWBURGH, N.Y. 12550

Name: Fallon, Jennifer
7 Smith Avenue
Walden, NY 12586

Clerk ID: COUNTER

Internal ID:



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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Jennifer Fallone (Mack), being duly sworn, depose and say that I did on or before

December 12, 2019, post and will thereafter maintain at

7 Smith Ave 32-7-4 R-1 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.

Jennifer Fallone (Mack)

Sworn to before me this 29th

day of November, 2019.

Devin Aske

Notary Public


DEVINN ASKEW
Notary Public - State of New York
No. 01AS6391037
Qualified in Orange County
My Commission Expires April 29, 2023

[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this affidavit.]







 **STATE OF MARYLAND**
 DEPARTMENT OF THE ENVIRONMENT
 DIVISION OF AIR AND SOIL CONTROL
 1000 EAST BALTIMORE AVENUE
 BALTIMORE, MARYLAND 21201

NOTICE OF VIOLATION

On this day, the undersigned, a duly authorized representative of the State of Maryland, Department of the Environment, Division of Air and Soil Control, has inspected the premises of the above-named person and has observed a violation of the provisions of the Clean Air Act, 42 U.S.C. 182, and the Maryland Air and Soil Control Regulations, 26.01.01, 26.01.02, 26.01.03, 26.01.04, 26.01.05, 26.01.06, 26.01.07, 26.01.08, 26.01.09, 26.01.10, 26.01.11, 26.01.12, 26.01.13, 26.01.14, 26.01.15, 26.01.16, 26.01.17, 26.01.18, 26.01.19, 26.01.20, 26.01.21, 26.01.22, 26.01.23, 26.01.24, 26.01.25, 26.01.26, 26.01.27, 26.01.28, 26.01.29, 26.01.30, 26.01.31, 26.01.32, 26.01.33, 26.01.34, 26.01.35, 26.01.36, 26.01.37, 26.01.38, 26.01.39, 26.01.40, 26.01.41, 26.01.42, 26.01.43, 26.01.44, 26.01.45, 26.01.46, 26.01.47, 26.01.48, 26.01.49, 26.01.50, 26.01.51, 26.01.52, 26.01.53, 26.01.54, 26.01.55, 26.01.56, 26.01.57, 26.01.58, 26.01.59, 26.01.60, 26.01.61, 26.01.62, 26.01.63, 26.01.64, 26.01.65, 26.01.66, 26.01.67, 26.01.68, 26.01.69, 26.01.70, 26.01.71, 26.01.72, 26.01.73, 26.01.74, 26.01.75, 26.01.76, 26.01.77, 26.01.78, 26.01.79, 26.01.80, 26.01.81, 26.01.82, 26.01.83, 26.01.84, 26.01.85, 26.01.86, 26.01.87, 26.01.88, 26.01.89, 26.01.90, 26.01.91, 26.01.92, 26.01.93, 26.01.94, 26.01.95, 26.01.96, 26.01.97, 26.01.98, 26.01.99, 26.02.00.

The violation observed is as follows: [Illegible text]

It is hereby notified that the above-named person is required to take the necessary steps to correct the violation within the time specified in this notice. If the violation is not corrected within the specified time, the State of Maryland may take such action as it deems appropriate to enforce the provisions of the Clean Air Act and the Maryland Air and Soil Control Regulations.

Witness my hand and the seal of the State of Maryland, Department of the Environment, Division of Air and Soil Control, this [Illegible] day of [Illegible] 20[Illegible].

[Illegible Signature]