

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: 8-7-2018

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

I (WE) Michael & Sheila Fricker PRESENTLY
RESIDING AT NUMBER 42 Westwood DR Newburgh N.Y. 12550
TELEPHONE NUMBER 845 527-2773

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

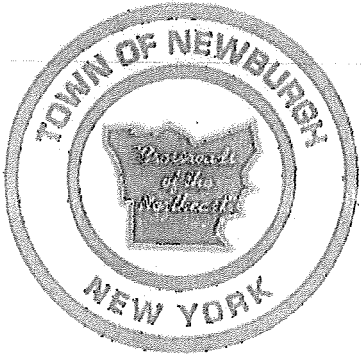
- _____ A USE VARIANCE
- Deck x AN AREA VARIANCE
- _____ INTERPRETATION OF THE ORDINANCE
- _____ SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

SBL: 91-1-3 (TAX MAP DESIGNATION)
42 Westwood Drive (STREET ADDRESS)
R1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1



TOWN OF NEWBURGH

Crossroads of the Northeast

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

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: _____
- 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: 10 x 22 wood Deck

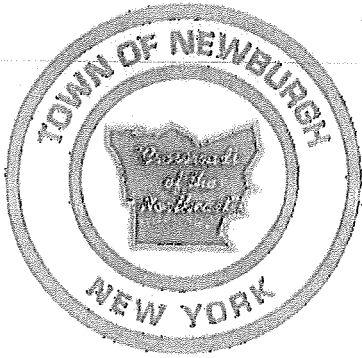
5. IF A USE VARIANCE IS REQUESTED, STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:



TOWN OF NEWBURGH

Crossroads of the Northeast

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

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:

*IT IS ONLY A 12 FOOT
EXTENSION TO THE REMOVAL OF THE EXISTING 10X10
PORCH MAKING THE NEW PORCH 10X22 A EXTRA 12 FEET.*

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:

*IT IS A IMPROVEMENT TO THE EXISTING
PORCH.*

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

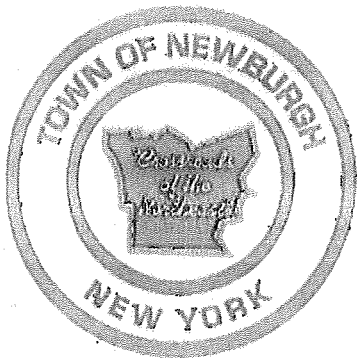
*IT DOES NOT INTERFERE WITH ANYTHING
LARGER THEN WHAT IS THERE NOW.*

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

*There are no obstructions
in that area.*

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

*IT IS SELF-CREATED BECAUSE WE WANTED
A BIGGER DECK*



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

7. ADDITIONAL REASONS (IF PERTINENT):

x Michel J. Fisher
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 13th DAY OF August 2018

NOTARY PUBLIC

Sofia DiMaio
Notary Public, State of New York
Registration #01DI6335290
Qualified In Westchester County
Commission Expires Jan. 4, 2020

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)



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

_____, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT _____

IN THE COUNTY OF _____ AND STATE OF _____

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED _____

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20_____

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Front Deck 10x22</i>			
Project Location (describe, and attach a location map): <i>42 Westwood Drive Newburgh N.Y. 12550</i>			
Brief Description of Proposed Action: <i>10x22 wood Deck</i>			
Name of Applicant or Sponsor: <i>Michael & Sheila Fricker</i>		Telephone: <i>845.522-2773</i>	
Address: <i>42 Westwood Drive</i>		E-Mail:	
City/PO: <i>Newburgh</i>		State: <i>N.Y.</i>	Zip Code: <i>12550</i>
1. Does the proposed action <u>only</u> 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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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?	NO	YES	N/A
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<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 checked="" 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>NO WATER FOR DECK I HAVE CITY WATER</u>	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? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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? 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 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	

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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Michael J. Fricker</u>	Date: <u>8-7-2018</u>	
Signature: <u><i>Michael J. Fricker</i></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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" 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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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)

orig. seen. SS.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
(This Page is Part of the Instrument)

PRINT OR TYPE: BLACK INK ONLY

SECTION 91 BLOCK 1 LOT 3

RICHARD A. SAGER & GERTRUD SAGER
a/k/a GERTRUDE SAGER

TO

MICHAEL J. FRICKER & SHEILA M. FRICKER

RECORD AND RETURN TO:
(Name and Address)

KEVIN BRENNAN, ESQ.
BRENNAN & BRENNAN, ESQS.
284 Main Street
Cornwall, NY 12518

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 57959 DATE 8-20-91 AFFIDAVIT FILED _____ 19 _____

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

- BG20 Blooming Grove _____
- CH22 Chester _____
- CO24 Cornwall _____
- CR26 Crawford _____
- DP28 Deerpark _____
- GO30 Goshen _____
- GR32 Greenville _____
- HA34 Hamptonburgh _____
- HI36 Highland _____
- MK38 Minisink _____
- ME40 Monroe _____
- MY42 Montgomery _____
- MH44 Mount Hope _____
- NT46 Newburgh (T)
- NW48 New Windsor _____
- TU50 Tuxedo _____
- WL52 Walkill _____
- WK54 Warwick _____
- WA56 Wawayanda _____
- WO58 Woodbury _____
- MN09 Middletown _____
- NC11 Newburgh _____
- PJ13 Port Jervis _____
- 9999 Hold _____

SERIAL NO. _____
 Mortgage Amount \$ _____
 Exempt Yes _____ No _____
 3-6 Cooking Units Yes _____ No _____
 Received Tax on above Mortgage
 Basic \$ _____
 MTA \$ _____
 Spec. Add. \$ _____
 TOTAL \$ _____

CHECK CASH _____ CHARGE _____
 MORTGAGE TAX \$ _____
 TRANSFER TAX \$ 440-
 RECORD. FEE \$ 5-
 REPORT FORMS \$ 11-
 CERT. COPIES \$ _____

MARION S. MURPHY
Orange County Clerk

by: SS

Goshen Searchers

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on the 20th day of August 19 91 at 11:09
O'Clock AM M. in Liber/Film 3486
Deed at page 1 and examined.

Marion S. Murphy
County Clerk

RECEIVED
 \$ 440-
 REAL ESTATE
 AUG 26 1991
 TRANSFER TAX
 ORANGE COUNTY

LIBER 3486 PAGE 1

GOSHEN SEARCHERS INC.
 20 SCOTCHTOWN AVENUE GOSHEN, NEW YORK 10924
 POLICY WRITING AGENT FOR
 TITLE USA INSURANCE CORPORATION OF NEW YORK
 OFFICE: 914-294-5110 COUNTY BUILDING: 914-294-6913
 NEWBURGH
 ORG 0820791-91-09-07 36472 41.00
 ***** EDUCATION FUND: 5.00 *****
 DEED CONTROL NO: 57959 440.00
 ***** SERIAL NUMBER: 000579 *****

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 8/20/91 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 81018

606102

Bargain and Sale Deed with Covenant against Grantor's Acts
Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT

THIS INDENTURE, made the 20th day of August, 1991.

BETWEEN RICHARD A. SAGER & GERTRUD SAGER a/k/a GERTRUDE SAGER,
residing at 42 Westwood Drive, Town of Newburgh, Orange County,
New York

party of the first part, and MICHAEL J. FRICKER & SHEILA M.
FRICKER, husband and wife, residing at 105 Main Street, Cold
Spring, Putnam County, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of
Ten Dollars and other 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, known as 42 Westwood Drive,
situate, lying and being in the Town of Newburgh, Orange County,
New York, being more particularly bounded and described as
follows:-

BEGINNING at an iron pipe marking the westerly line of Westwood
Drive (formerly known as Circle Drive West), said pipe also
marking the most southerly corner of lands now or formerly Hefny,
as described in deed liber 2819 at page 116, and running thence;

- (1) S 21-40-00 W 96.00 feet, along the said line of Westwood
Drive, to an iron pipe, thence;
- (2) N 68-20-00 W 120.00 feet, along lands now or formerly
Musante, as described in deed liber 2794 at page 261, to an iron
pipe, thence;
- (3) N 21-40-00 E 96.00 feet to an iron pipe, thence;
- (4) S 68-20-00 E 120.00 feet, along the aforesaid line of
lands now or formerly Hefny, to the point or place of beginning.

BEING and intended to be the same premises conveyed by Harvey B.
Schoonmaker to Michael A. Sager and Gertrud Sager by Deed dated
August 6, 1960 and recorded in the Orange County Clerk's Office
on August 9th, 1960 in Liber 1561 of Deeds at page 406.

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 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 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:

Richard A. Sager
RICHARD A. SAGER
Gertrud Sager
GERTRUD SAGER
a/k/a GERTRUDE SAGER

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On the 20th day of August, 1991, before me personally came RICHARD A. SAGER & GERTRUD SAGER a/k/a GERTRUDE SAGER to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to executing the same.

Alan J. Axelrod
Notary Public

ALAN J. AXELROD
Notary Public, State of New York
Qualified in Orange County
Commission Expires 11/30/91

BARGAIN & SALE DEED

RICHARD A. SAGER &
GERTRUD SAGER a/k/a
GERTRUDE SAGER

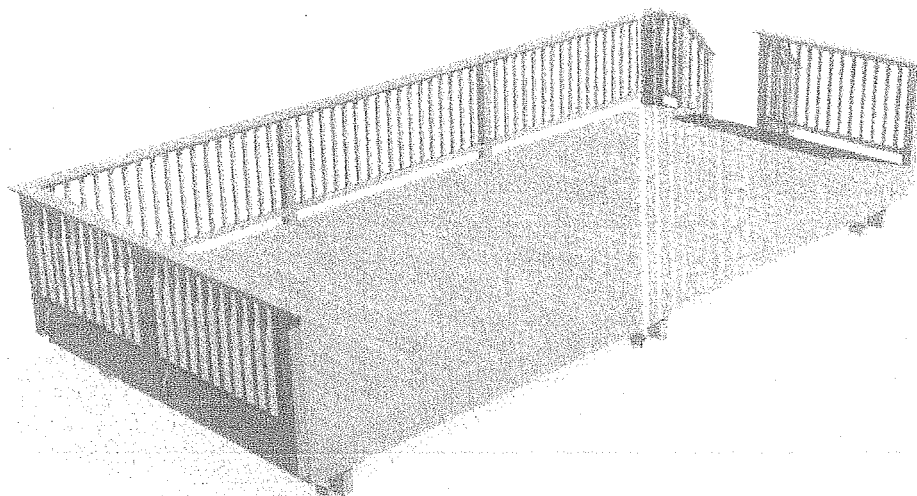
Section 91
Block 1
Lot 3

-TO-

MICHAEL J. FRICKER &
SHEILA M. FRICKER



10x22



MIKE

With your deck design in hand, talk to a Lowe's project specialist to start your build. You can reach us in store, online or over the phone.

In Store

Take this document or your project ID number to the customer service desk and talk to a project specialist.

Online

Go to [Lowes.com/deckinstall](https://www.lowes.com/deckinstall) and schedule an in-home consultation.

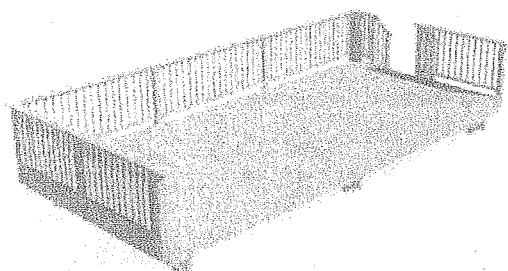
Phone

Call 1-800-GO-LOWES and schedule an in-home consultation.

YOUR DECK DESIGN PROJECT ID: 925400447

This number lets you or your project specialist retrieve your deck design.

PLAN OVERVIEW



Decking Type: Wood
Decking Size: 5/4 x 6
Decking Color: Treated

Railing Material: Wood
Railing Style: Standard
Railing Color: Treated

Joist Spacing: 16
Joist Wood Type: Pressure Treated
Joist Size: 2 x 10

Beam Size: 2 x 10
Post Wood Type: Pressure Treated
Post Size: 6 x 6

Estimated materials cost with your
custom selections:

\$2,072

Overview

Number of Levels: 1
Total Square Feet: 219
Footer Depth: 42"
Live Load: 40psf
Dead Load: 10psf

A detailed list can be found starting on page 5.

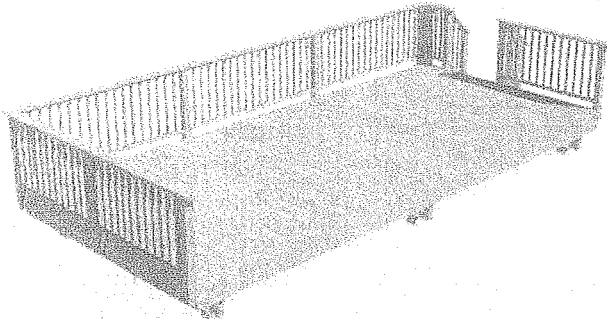
Does not include state and local taxes.

Note: Estimates are based on representative costs of materials in your geographic area. Actual, current material costs may vary.

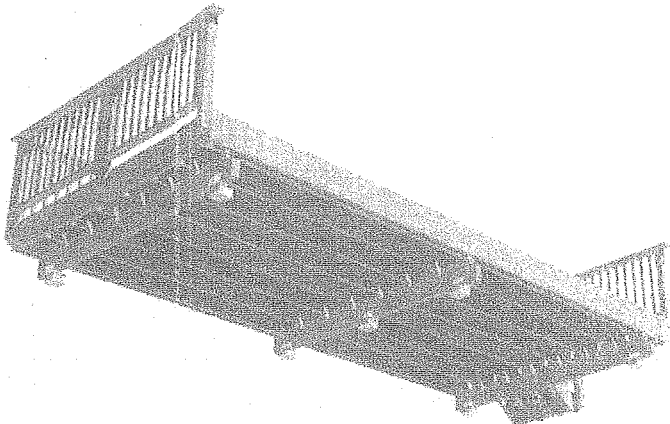
Pricing accurate as of Apr-25-2018



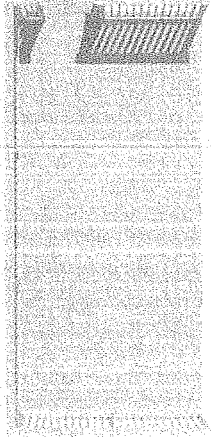
DECK LAYOUT



Birds Eye View

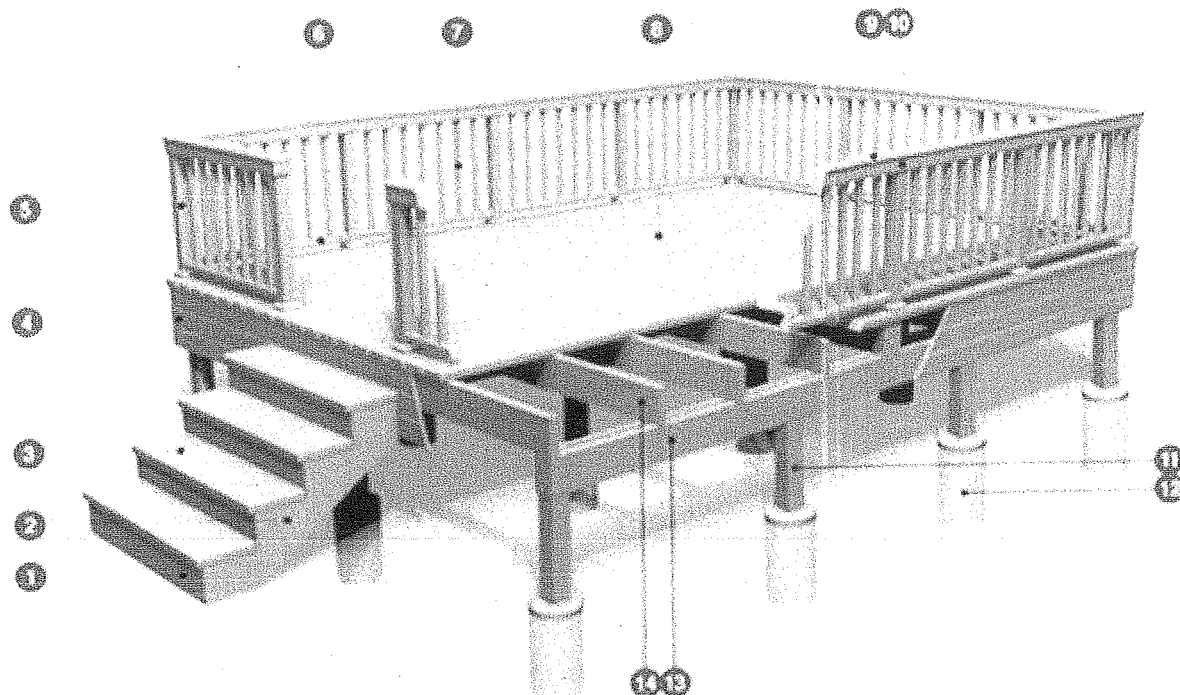


Bottom View



Top View with Planks

MAJOR DECK COMPONENTS



- 1 **Riser** A board attached to the vertical cut surface of a stair stringer.
- 2 **Stringer** The diagonal board used to support treads and risers on a stairway.
- 3 **Tread** The horizontal surface of a stair.
- 4 **Fascia** Vertical boards that face outwards from the edges of the deck, attached to the rim joists.
- 5 **Rail Post** The vertical post connected to the deck framing that supports the railing.
- 6 **Bottom Rail** The lower horizontal piece that connects rail posts and supports balusters.
- 7 **Baluster** The vertical pieces of a railing spaced at regular intervals between posts.
- 8 **Decking** The boards used to make the walking surface of the deck.
- 9 **Rail Cap** The top horizontal trim on railing.
- 10 **Top Rail** The upper horizontal piece that connects rail posts and supports balusters.
- 12 **Post Footer** Concrete filled hole that the post is attached to.
- 13 **Beam** A horizontal framing piece, which rests on posts and supports joists.
- 14 **Joist** A horizontal frame piece that supports the decking and spreads the weight over the beams.



LUMBER MATERIALS

	Quantity	Description	Item #
Usage	1	Top Choice (Common: 5/4-in x 6-in x 8-ft; Actual: 1-in x 5.5-in x 8-ft) Radius Edge Pressure Treated Southern Yellow Pine Deck Board	468972
	1	Top Choice (Common: 5/4-in x 6-in x 10-ft; Actual: 1-in x 5.5-in x 10-ft) Radius Edge Pressure Treated Southern Yellow Pine Deck Board	468973
	2	Top Choice (Common: 5/4-in x 6-in x 16-ft; Actual: 1-in x 5.5-in x 16-ft) Radius Edge Pressure Treated Southern Yellow Pine Deck Board	468991
RailPost	1	Severe Weather (Common: 4-in x 4-in x 6-Ft; Actual: 3.5-in x 3.5-in x 6-ft) Pressure Treated Lumber 44062	468950
RailPost	3	Severe Weather (Common: 4-in x 4-in x 16-Ft; Actual: 3.5-in x 3.5-in x 16-ft) Pressure Treated Lumber	468954
	1	Top Choice (Common: 2-in x 4-in x 12-Ft; Actual: 1.5-in x 3.5-in x 12-ft) Pressure Treated Lumber 2412P	468932
	2	Top Choice (Common: 2-in x 4-in x 16-Ft; Actual: 1.5-in x 3.5-in x 16-ft) Pressure Treated Lumber 2416P	468933
	91	Top Choice (Common: 2-in x 2-in x 42-in; Actual: 1.31-in x 1.31-in x 41.75-in) Pressure Treated Brown Pine Deck Baluster P42SE1T15EL	488985
	1	Top Choice (Common: 2-in x 4-in x 12-Ft; Actual: 1.5-in x 3.5-in x 12-ft) Pressure Treated Lumber 2412P	468932
	2	Top Choice (Common: 2-in x 4-in x 16-Ft; Actual: 1.5-in x 3.5-in x 16-ft) Pressure Treated Lumber 2416P	468933
Fascia	4	Top Choice (Common: 2-in x 12-in x 16-Ft; Actual: 1.5-in x 11.25-in x 16-ft) Pressure Treated Lumber 21216P	468949



Usage	Quantity	Description	Item #
	47	Top Choice (Common: 5/4-in x 6-in x 10-ft; Actual: 1-in x 5.5-in x 10-ft) Radius Edge Pressure Treated Southern Yellow Pine Deck Board	468973
Header	2	Top Choice (Common: 2-in x 10-in x 10-Ft; Actual: 1.5-in x 9.25-in x 10-ft) Pressure Treated Lumber	468943
Post	1	Severe Weather (Common: 6-in x 6-in x 8-Ft; Actual: 5.5-in x 5.5-in x 8-ft) Pressure Treated Lumber 66082	468960
Beam	2	Top Choice (Common: 2-in x 10-in x 10-Ft; Actual: 1.5-in x 9.25-in x 10-ft) Pressure Treated Lumber	468943
Outer Joist	4	Top Choice (Common: 2-in x 10-in x 12-Ft; Actual: 1.5-in x 9.25-in x 12-ft) Pressure Treated Lumber	468944
	1	Top Choice (Common: 2-in x 10-in x 10-Ft; Actual: 1.5-in x 9.25-in x 10-ft) Pressure Treated Lumber	468943
Internal Joist	14	Top Choice (Common: 2-in x 10-in x 12-Ft; Actual: 1.5-in x 9.25-in x 12-ft) Pressure Treated Lumber	468944
	1	Top Choice (Common: 2-in x 12-in x 8-Ft; Actual: 1.5-in x 11.25-in x 8-ft) Pressure Treated Lumber 21208P	468946
	1	Top Choice (Common: 5/4-in x 6-in x 12-ft; Actual: 1-in x 5.5-in x 12-ft) Radius Edge Pressure Treated Southern Yellow Pine Deck Board	468974
Stringer	1	Top Choice (Common: 2-in x 12-in x 12-Ft; Actual: 1.5-in x 11.25-in x 12-ft) Pressure Treated Lumber 21212P	468948
	1	Top Choice (Common: 2-in x 12-in x 8-Ft; Actual: 1.5-in x 11.25-in x 8-ft) Pressure Treated Lumber 21208P	468946

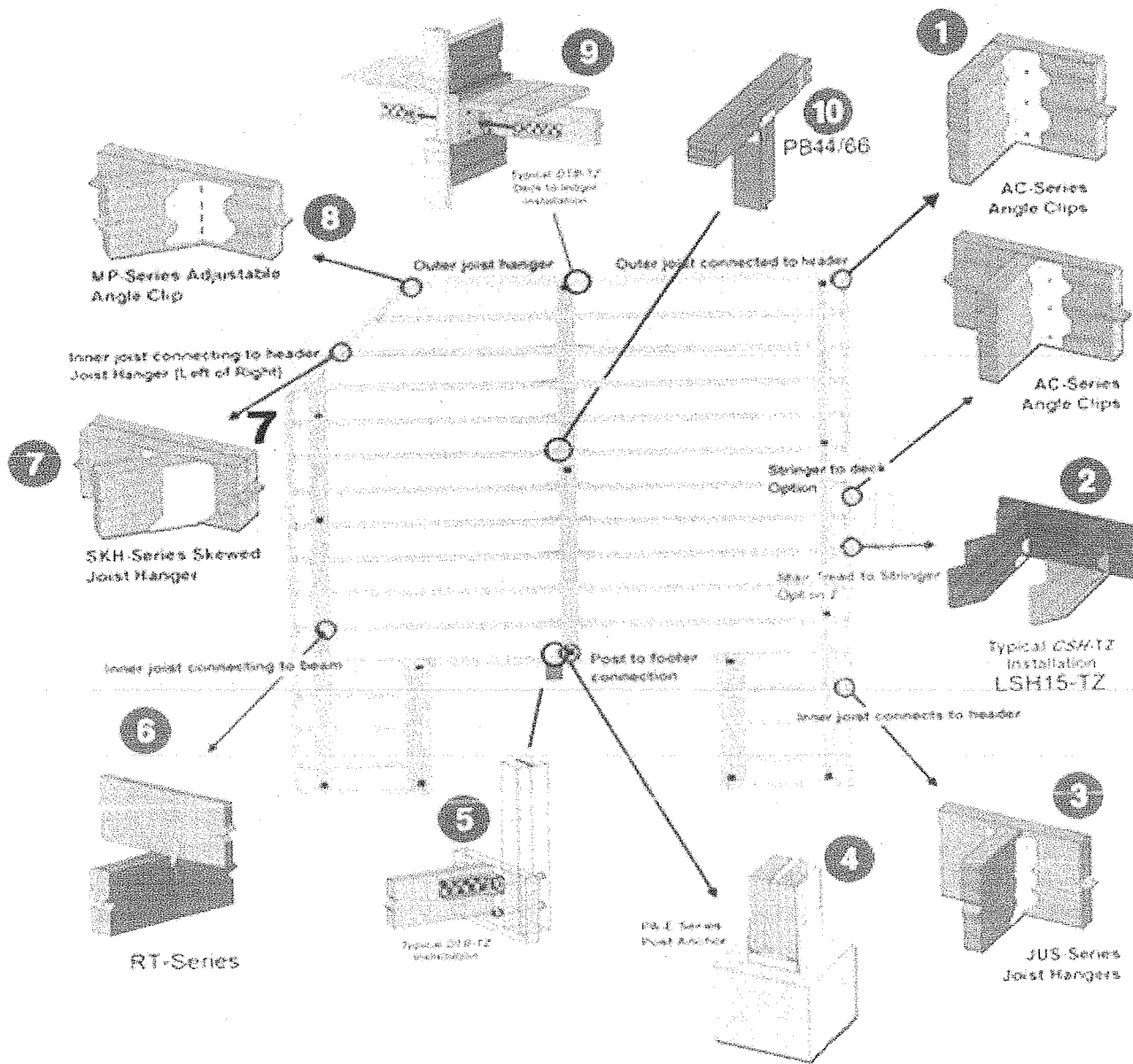
HARDWARE MATERIALS

Usage	Quantity	Description	Item #
	13	USP DTB G185 Triple Zinc Post Connector DTB-TZ	76299
	26	The Hillman Group 1/2-in-13 Hot-Dipped Galvanized Round-Head Standard (SAE) Carriage Bolt, 8-in	67357
	4	USP 1-5/16-in x 2-3/8-in x 6-15/16-in Triple Zinc Angle Clip AC7-TZ	37164
	7	Sakrete (Common: 12-in; Actual: 11.625-in) 48-in Concrete Tube Form NA	6634
	2	USP 1-lb 11-Gauge 1.5-in Hot-Dipped Galvanized Smooth Joist Hanger Nails NA11-1MC	68408
	4	USP 5-in x 5-in x 1-7/16-in Triple Zinc Concealed Stringer Hanger CSH-TZ	409136
	2	1-lb Box 9-Gauge 3.5-in Hot-Dipped Galvanized Wood Deck Nails 16HGRSPD1	69216
	1	Grip-Rite 10-lb 8-Gauge 3.5-in Hot-Dipped Galvanized Wood Deck Nails 16HGSTPD10BK	916601
	1	1-lb 1/2-in Standard (SAE) Split Lock Washer	114201
	1	The Hillman Group 1/2-in-13 Galvanized Standard (SAE) Hex Nut	67342
	1	Project Pak 25-Count 1/2-in Hot-Dipped Galvanized Standard (SAE) Hex Nuts 492021	41239
	14	USP 2-in x 12-in Slant Nail Joist Hanger Triple Zinc JUS210-TZ	116209
	2	USP 1-lb 9-Gauge 3-in Hot-Dipped Galvanized Smooth Nails N10C-1	402032
	27	USP Rafter Tie RT7A-TZ	21993
	4	1-lb Box 11-Gauge 2.5-in Hot-Dipped Galvanized Wood Deck Nails 8HGRSPD1	69215
	7	USP Steel G185 Post Base (Common: 6-in; Actual: 5.5-in) PA66E-TZ	6472
	1	Sakrete Sand Mix 60-lb High Strength Concrete Mix 121602	156087



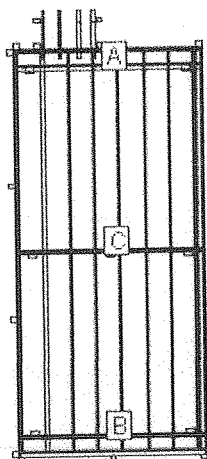
Usage	Quantity	Description	Item #
	29	Sakrete 80-lb High Strength Concrete Mix 354803999	132022
	14	USP Steel G185 Post Cap (Common: 6-in; Actual: 1.5-in) PB66-6TZ	163411
	2	Deck Plus 5-lb 2.5-in Countersinking-Head Stainless Steel Star-Drive Deck Screw 48465	323917
	1	USP 1-lb 9-Gauge 1.5-in Hot-Dipped Galvanized Smooth Joist Hanger Nails NA9D-1MC	184955

Structural Connector Hardware Guide





ANALYSIS LEVEL 1



Deck and Post Height:

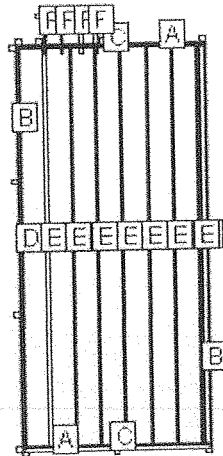
You selected a height of 24" from the top of the decking to the ground level. The top of the deck support posts will therefore be 4" above ground level.

Joists:

Set joists on top of beams, 16"; center to center.



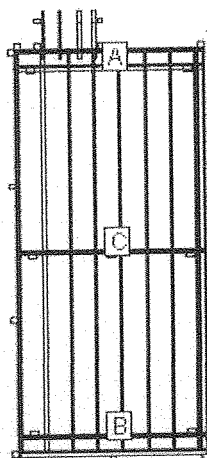
MATERIALS CUT LIST: LEVEL 1



Label	Name	Quantity	Length	Bevels
A	Fascia	2	9' 11 3/4"	45,45
B	Fascia	2	22'	45,45
C	Header	2	9' 8 3/4"	
D	Outer Joist	2	21' 6"	
E	Internal Joist	7	21' 6"	
F	Stringer	4	2' 6 1/4"	

Cut Angles: L=Left, R=Right, F=Front, S=Side

BEAM LAYOUT LEVEL 1



Label	Beam Length	Post Count	Post Spacing
A	9' 8 3/4"	2	8' 3 1/4"
B	9' 8 3/4"	2	8' 3 1/4"
C	9' 8 3/4"	3	4' 1 1/2"



Warning: You have prepared a preliminary design of a deck for residential purposes, including the preparation of a preliminary bill of materials and a preliminary materials pricing estimate. Materials pricing estimates do not include labor costs and are subject to change. This preliminary design is NOT intended for use as a final design and may not be sufficient for permit applications. Variations in building codes, specific architectural considerations, and/or site conditions may require changes to the preliminary design. You are responsible for the final structural, code compliance, material usage, and structural safety of this design. Be sure to check and verify the design with your architect, engineer and building inspector.

Lowe's does not assume any responsibility for design, engineering, or construction; for the use of installation of materials; or for compliance with any building code or standard of workmanship. You should consult with professionals (including an architect, engineer, licensed contractor, and/or building inspector or code official) concerning the suitability, safety, and legality of this preliminary design, rather than relying on this tool for those functions. Always refer to information on fastener packaging for use with pressure treated lumber.

Preferences: Certain assumptions have been made in order to provide an accurate material quote for your deck project. Because local codes and bylaw requirements may vary throughout the country (e.g., by municipality and state/province), it is imperative that you check with your architect, engineer, licensed contractor, and/or building inspector or code official for compliance with local requirements and building codes. The following building practice assumptions have been made in planning the materials for your project:

Footer Depth:	42"
Footer Type:	Post On Concrete
Joist Cantilever:	6 inches
Joist Spacing:	16" center to center
Spacing Between Deck Planking:	1/8"
Stair Stringers:	12 inches
Deck Live Load:	40 psf
Deck Dead Load:	10 psf
Stairs Live Load:	40 psf
Stairs Dead Load:	10 psf

Be sure to check and verify the design with your architect, engineer and building inspector.

Note: It is recommended that joist that meet on top of beams should be spliced with gussets. The gussets should be 2- by wood the same width at the joist and overlap by 6 inches on each side. These gussets should be held in place with 12 16d galvanized nails.

Handling Precautions for Pressure-Treated Wood

Disposal: Dispose of treated wood by ordinary trash collection. Treated wood should not be burned in open fires, stoves, fireplaces, or residential boilers because toxic chemicals may be produced as part of the smoke and ashes. Treated wood from commercial or industrial use (e.g. construction sites) must be disposed of in accordance with state and Federal regulations, which may include burning only in commercial or industrial incinerators or boilers. Always refer to information on fastener packaging for use with pressure treated lumber.

Operating Conditions: Avoid frequent or prolonged inhalation of sawdust from treated wood. When sawing, sanding and machining treated wood, wear a dust mask. Whenever possible, these operations should be performed outdoors to avoid indoor accumulations of airborne sawdust from treated wood. (Lowe's in-store saws are equipped with a vacuum to minimize airborne sawdust).

Protection: When power-sawing and machining, wear goggles to protect eyes from flying particles.

Clean Thoroughly: Wear gloves when working with the wood. After working with the wood, and before eating, drinking, toileting, and use of tobacco products, wash exposed areas thoroughly.

Wash Separately: Because preservatives or sawdust may accumulate on clothes, they should be laundered before reuse. Wash work clothes separately from other household clothing.

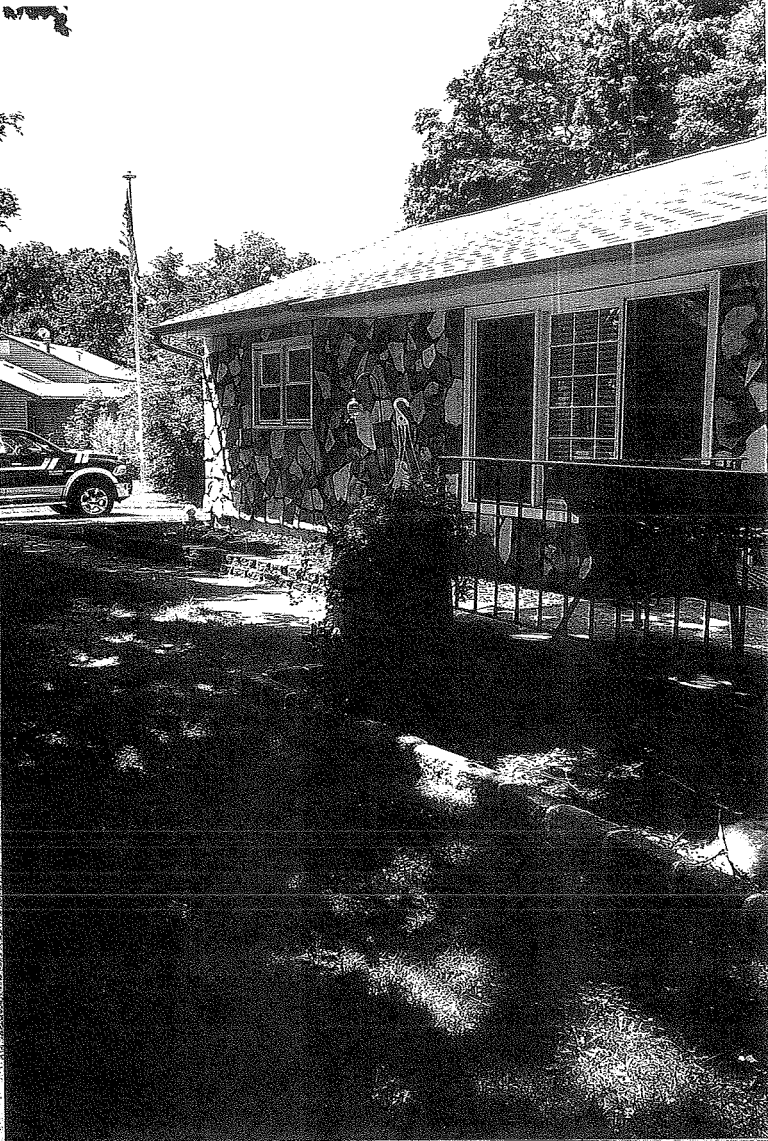
For Additional Information: www.epa.gov - www.healthybuilding.net - www.ccasafetyinfo.com
www.treatedwood.com - Call: (800)282-0600 or (800)356-AWPI

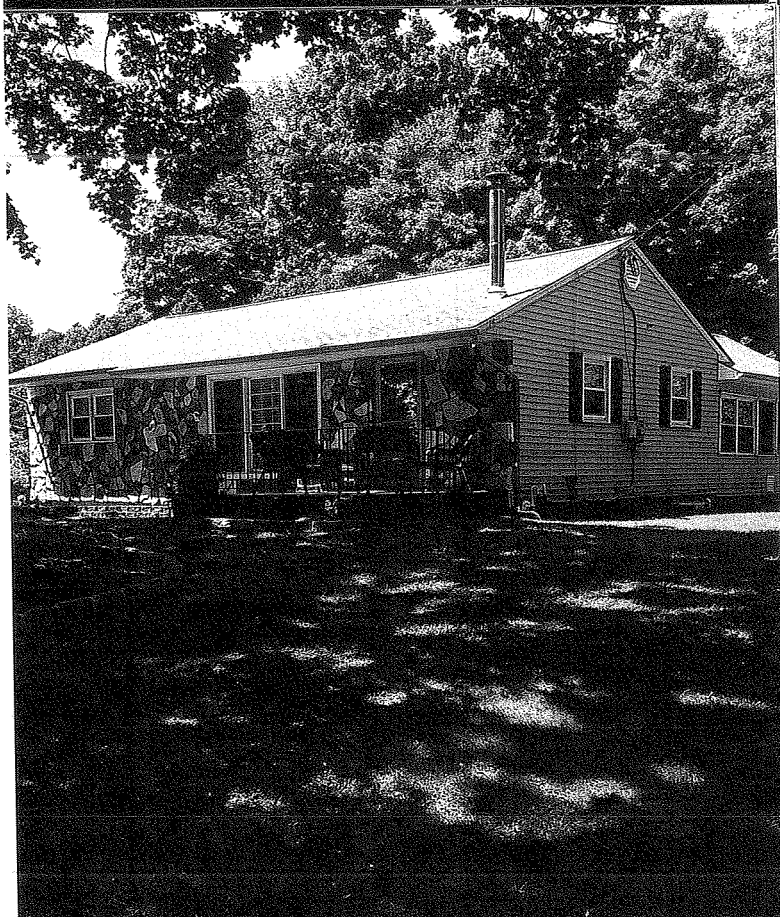
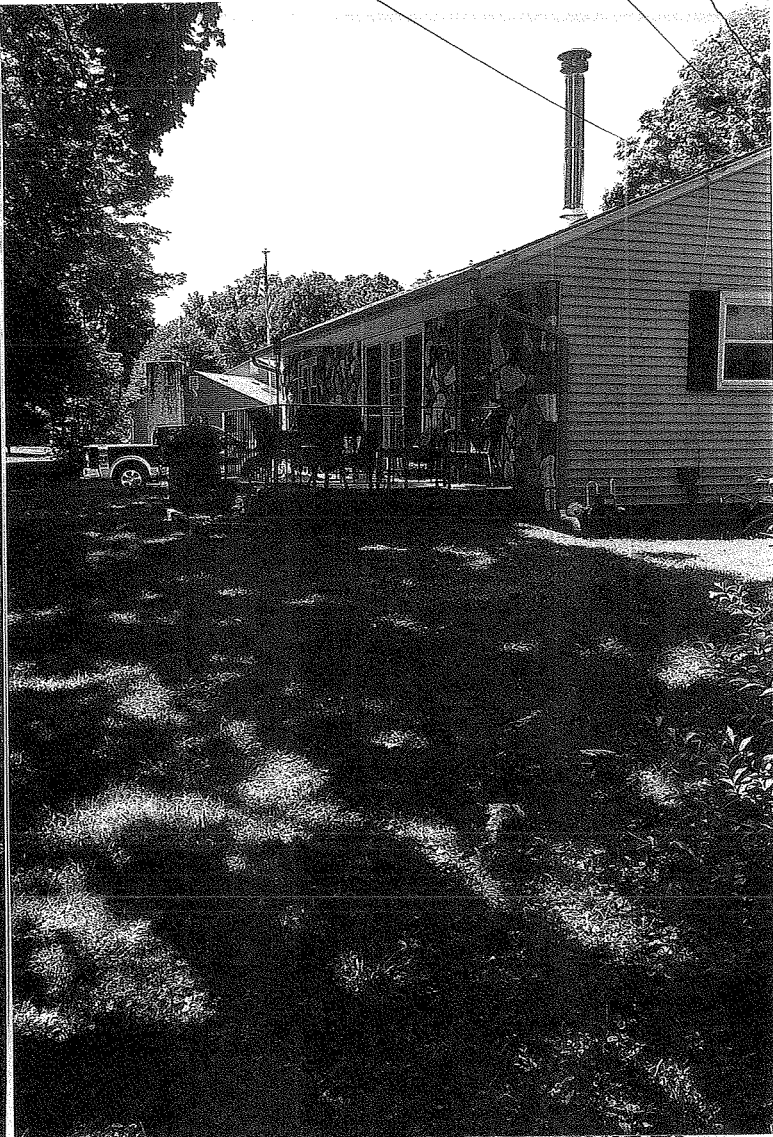
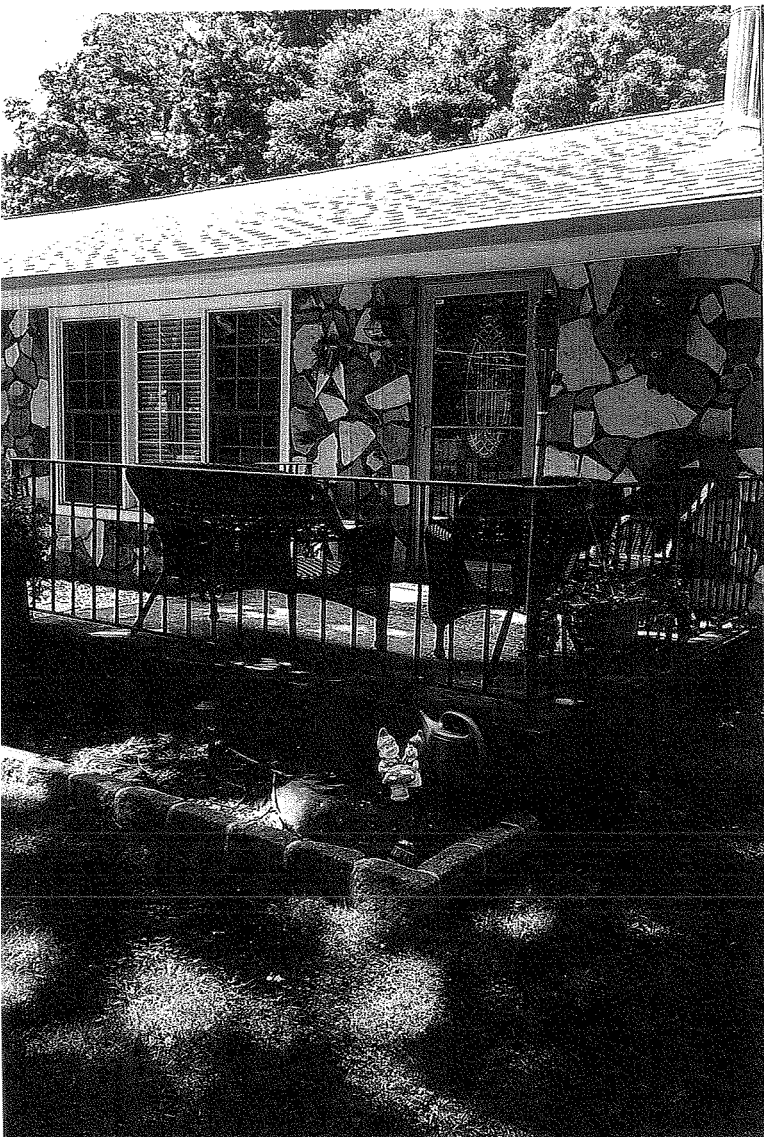
Created on Apr-25-2018

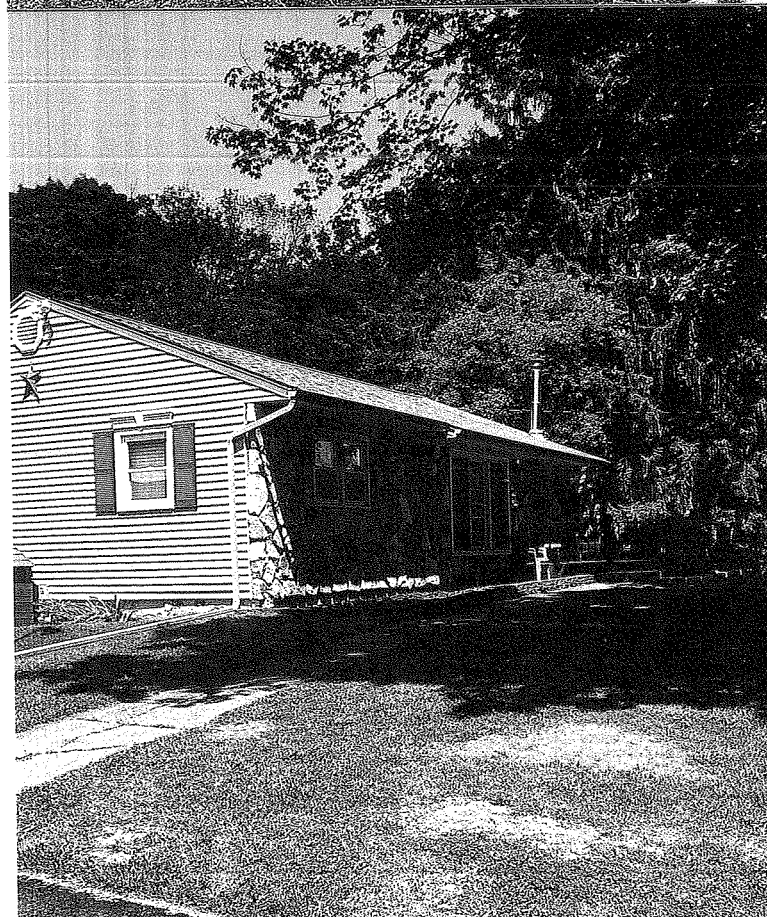
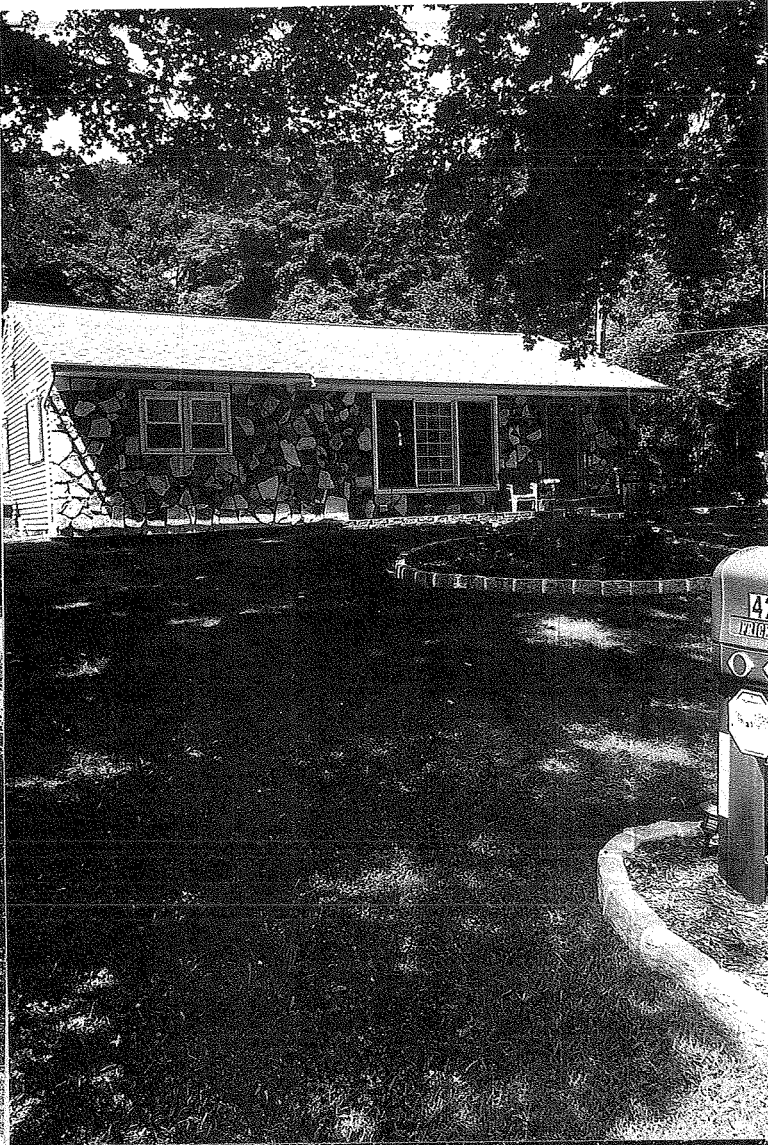
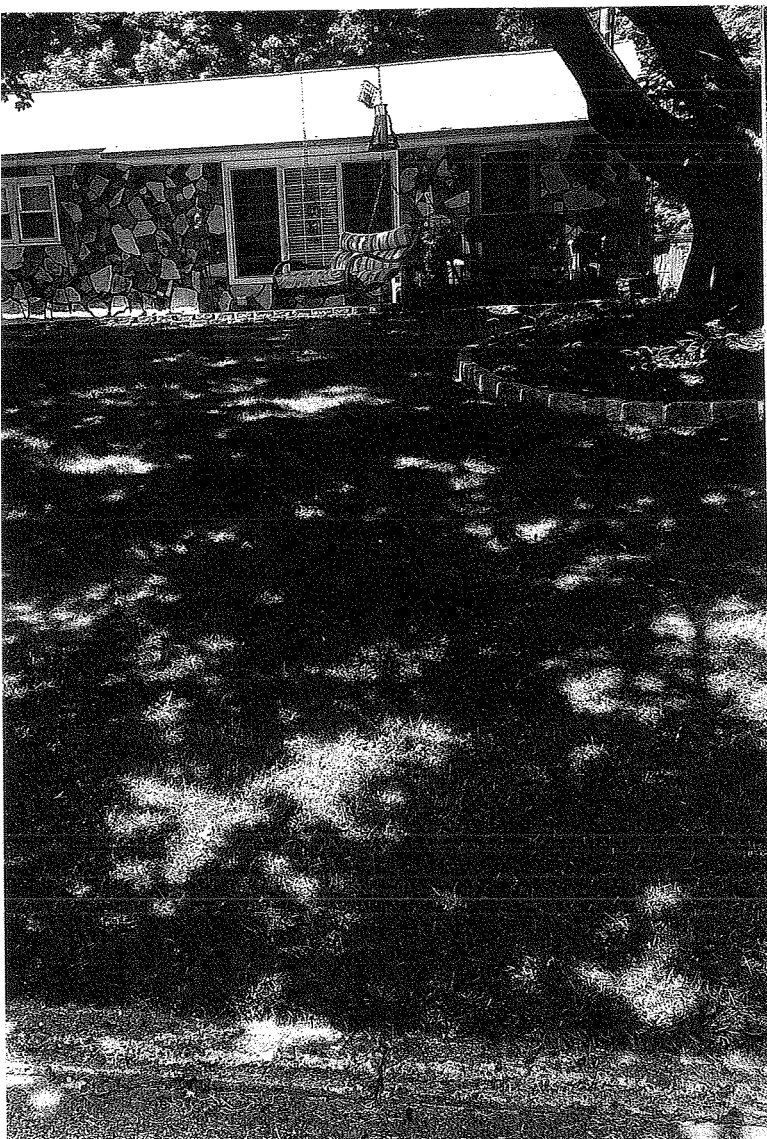
All rights reserved copyright ©2018 DIY Technologies

Project ID: 925400447

Product availability based on Store#: 1584









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

2702-18

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/02/2018

Application No. 18-0789

To: Michael Fricker
at Sheila
42 Westwood Dr
Newburgh, NY 12550

SBL: 91-1-3
ADDRESS: 42 Westwood Dr

ZONE: R1

PLEASE TAKE NOTICE that your application dated 07/11/2018 for permit to construct a new 10' x 22' front deck on the premises located at 42 Westwood Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Codes Sections:

- 1) Bulk table schedule 3 requires a 50' minimum front yard setback
- 2) Bulk table schedule 3 requires a combined side yard setback of 80'
- 3) 185-19-C-1: Shall not increase the degree of non-conformity (one side yard)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Michael Fricker & Sheila

Building Application # 18-0789

ADDRESS: 42 Westwood DR. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 10' x 22' front deck

SBL: 91-1-3

ZONE: R-1

ZBA Application # 2702-18

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'		28.8'	21.2'	42.40%
ONE SIDE YARD	30'	22.4'	Increasing the degree of non-conformity		
COMBINED SIDE YARD	80'		74'	6'	7.50%
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: Has an existing non-conforming front yard setback.

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 3 requires a 50' minimum front yard setback.
- 2 Bulk table schedule 3 requires a combined side yard setback of 80'
- 3 185-19-C-1: Shall not increase the degree of non-conformity. (one side yard)
- 4

REVIEWED BY: Joseph Mattina

DATE: 2-Aug-18

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

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Michael J Fricker, being duly sworn, depose and say that I did on or before
October 11, 2018, post and will thereafter maintain at

42 Westwood Dr 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 19th
day of September, 2018.

Michael J Fricker

Notary Public

Sofia DiMalo
Notary Public, State of New York
Registration #01D16335290
Qualified in Westchester County
Commission Expires Jan. 4, 2022

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

