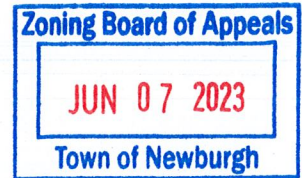




# TOWN OF NEWBURGH

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: June 7 / 2023

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

I (WE) JIN BRABEK OF KANJANAKIRI TUMRONG PRESENTLY  
RESIDING AT NUMBER 349 meadow AVE, NEWBURGH, N.Y. 12550  
TELEPHONE NUMBER 845 857 9989

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:

S/B/L 66-2-3 (TAX MAP DESIGNATION)  
349 meadow AVE (STREET ADDRESS)  
1B (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Section 185-10  
USE REQUIREMENTS 1B District schedule 8  
Permitted use/USE SUBJECT TO SITE PLAN REVIEW

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:

5/23/2023

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: To keep chicken 1B ZONE:

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:

I want the benefit of keeping chickens to have my own eggs. I eat a very natural diet no pesticides, no hormones. Raising my own chickens + eggs are healthier for me.  
**(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:

The chickens are already in a structure that is on the property since the house was built. The structure does not interfere with neighbors and the chickens are not noisy.

I do know other people in the town have been trying to get variances also.

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

The structure (shed) already on property is kept clean + neat in the rear of the property

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

I need to supplement my food by having eggs - so I can eat, it good for my health since 2019 when my business shut down. The Cost of Living I have not recovered because of Covid19 is going up Food prices for every me but as person at my age now a senior citizen, have been prohibitive. The chickens should all be... but more self-sustaining and fun for

~~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:

---

---

---

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:

---

---

---

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:

---

---

---

7. ADDITIONAL REASONS (IF PERTINENT):

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

*Ju [Signature]*  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7 DAY OF June 20 23

*[Signature]*  
\_\_\_\_\_  
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)

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

## 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: <span style="font-size: 1.2em;">JIN GRABEK USE VARIANCE</span>		
Project Location (describe, and attach a location map): <span style="font-size: 1.2em;">349 meadow AVE NEWBURGH, N.Y. 12550</span>		
Brief Description of Proposed Action: <span style="font-size: 1.2em;">USE VARIANCE for to keep the chicken.</span>		
Name of Applicant or Sponsor: <span style="font-size: 1.2em;">JIN GRABEK</span>	Telephone: <span style="font-size: 1.2em;">845 857 9989</span>	E-Mail:
Address: <span style="font-size: 1.2em;">349 meadow AVE NEWBURGH, N.Y. 12550</span>		
City/PO:	State:	Zip Code:
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 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 type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<span style="font-size: 1.5em;">9 F X 4 F</span> _____ acres _____ acres _____ 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 checked="" type="checkbox"/> Commercial <input 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?	<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?	<input checked="" 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" 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: <i>NA</i>	<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: <i>NA</i>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <i>NA</i>	<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?	<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?	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<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 type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input 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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>JN MK</u>	Date: <u>18 June 7 2023</u>	
Signature: _____		

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 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



Bonnie G. Tezzi and Judith Brotten-Davis TO Jin Grabek

SECTION 66 BLOCK 2 LOT 3

RECORD AND RETURN TO: (name and address)

Legend Abstract Corp. 11 Third Street New City, NY 10956

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 MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN)
2001 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG)
2003 SO. BLOOMING GROVE (VLG) 4203 MONTGOMERY (VLG)
2289 CHESTER (TN) 4205 WALDEN (VLG)
2201 CHESTER (VLG) 4489 MOUNT HOPE (TN)
2489 CORNWALL (TN) 4401 OTISVILLE (VLG)
2401 CORNWALL (VLG) 4600 NEWBURGH (TN)
2600 CRAWFORD (TN) 4800 NEW WINDSOR (TN)
2800 DEERPARK (TN) 5089 TUXEDO (TN)
3089 GOSHEN (TN) 5001 TUXEDO PARK (VLG)
3001 GOSHEN (VLG) 5200 WALLKILL (TN)
3003 FLORIDA (VLG) 5489 WARWICK (TN)
3005 CHESTER (VLG) 5401 FLORIDA (VLG)
3200 GREENVILLE (TN) 5403 GREENWOOD LAKE (VLG)
3489 HAMPTONBURGH (TN) 5405 WARWICK (VLG)
3401 MAYBROOK (VLG) 5600 WAWAYANDA (TN)
3689 HIGHLANDS (TN) 5889 WOODBURY (TN)
3601 HIGHLAND FALLS (VLG) 5801 HARRIMAN (VLG)
3889 MINISINK (TN) 5809 WOODBURY (VLG)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG) 0900 MIDDLETOWN
4003 HARRIMAN (VLG) 1100 NEWBURGH
4005 KIRYAS JOEL (VLG) 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
Taxable TAX EXEMPT
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

ANN G. RABBITT ORANGE COUNTY CLERK

Received From Legend Abstract

RECORDED/FILED 04/18/2014/ 14:46:36 ANN G. RABBITT County Clerk ORANGE COUNTY, NY FILE#20140033176 DEED R / BK 13740PG 0731 RECORDING FEES 190.00 TTX# 005576 T TAX 760.00 Receipt#1748398 lindar

STATE OF NEW YORK (COUNTY OF ORANGE) SS: I, KELLY A. ESKEW, 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 4-18-2014 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL Kelly A. Eskew 5-30-2013 COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY



BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS  
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 5<sup>th</sup> day of March, 2014

BETWEEN **BONNIE G. TEZZI**, residing at 37 W. Woods, Yarmouth Port, MA 02675 and  
**JUDITH BROTTEN-DAVIS**, residing at 5 Creek Circle, Rhinebeck, NY 12572

party of the first part,

-and-

**JIN GRABEK**, residing at 102 Old S. Plank Road, Newburgh, NY 12550

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 erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, more particularly bound and described as follows:

**SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF**

BEING AND INTENDED to be the same premises conveyed to the Party of the First Part by deed dated May 28, 2006 and recorded June 6, 2006 in the Orange County Clerk's Office in Book 12170 Page 1613.

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:

Bonnie G. Tezzi  
BONNIE G. TEZZI

Judith Botten-Davis  
JUDITH BROTTEN-DAVIS

**Legend Abstract Corp.**  
**LA-14-22110**

**SCHEDULE A**

**LEGAL DESCRIPTION**

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, bounded and described as follows:

**BEGINNING** at an iron pipe in the southerly line of the Meadow Hill Road at the northwest corner of land of Morgan and running;

**THENCE** South 5 degrees 50 minutes West along the westerly line of lands of Morgan 180 feet to an iron pipe;

**THENCE** westerly along the northerly line of land of Watford 90 feet to an iron pipe;

**THENCE** North 5 degrees 50 minutes East 180 feet to an iron pipe in the southerly side of Meadow Hill Road; and

**THENCE** easterly along the southerly line of Meadow Hill Road 90 feet to the point or place of **BEGINNING**.

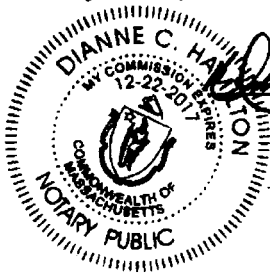
STATE OF MASSACHUSETTS, COUNTY OF Barnstable:

On the 5<sup>th</sup> day of March, 2014, before me the undersigned, personally appeared

**Bonnie G. Tezzi**

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 same in his/her/their own capacity and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) acted, executed this instrument, and that such individual made such appearance before the undersigned in the

Yarmouth Port MA 02675  
(insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).



Dianne C. Hamilton  
Notary Public

**BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S ACTS**

Bonnie G. Tezzi and Judith Brotten-Davis

to

Jin Grabek

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

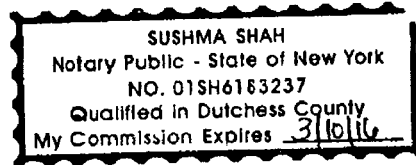
On the 7 day of March, 2014, before me the undersigned, personally appeared

**Judith Brotten-Davis**

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 same in his/her/their own capacity and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) acted, executed this instrument.

J. Shah

Notary Public



Section: 66  
Block: 2  
Lot: 3  
County: Orange  
Town: Newburgh  
Address: 349 Meadow Avenue  
Newburgh, NY 12550

**Record and Return To:**

R. Spencer Lauterbach, Esq.  
151 N. Main Street, 4th Floor  
New City, NY 10956

L:\BENTezzi, Bonnie and Brotten-Davis, Judith\_sale\Deed.wpd



## 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

# 3047-23

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 05/23/2023**

**Application No. 23-0572**

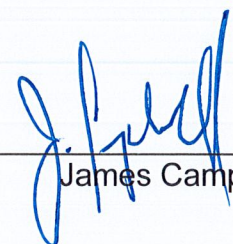
**To: Jin Grabek**  
**349 Meadow Ave**  
**Newburgh, NY 12550**

**SBL: 66-2-3**  
**ADDRESS: 349 Meadow Ave**

**ZONE: IB**

PLEASE TAKE NOTICE that your application dated 05/23/2023 for permit to keep chickens in an IB zoning district on the premises located at 349 Meadow Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:  
185-7-F Unspecified uses. Any use not specifically permitted shall be deemed to be prohibited.

  
James Campbell

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT**

**YES / NO**

NAME: Jin Grabek

ADDRESS: 349 Meadow Avenue

# 3047-23

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: Use Variance to Keep Chickens

SBL: 66-2-3 ZONE: IB

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

*well water*

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
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:**

**VARIANCE(S) REQUIRED:**

- 1 185-7-F Unspecified uses. Any use not specifically permitted shall be deemed to be prohibited.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

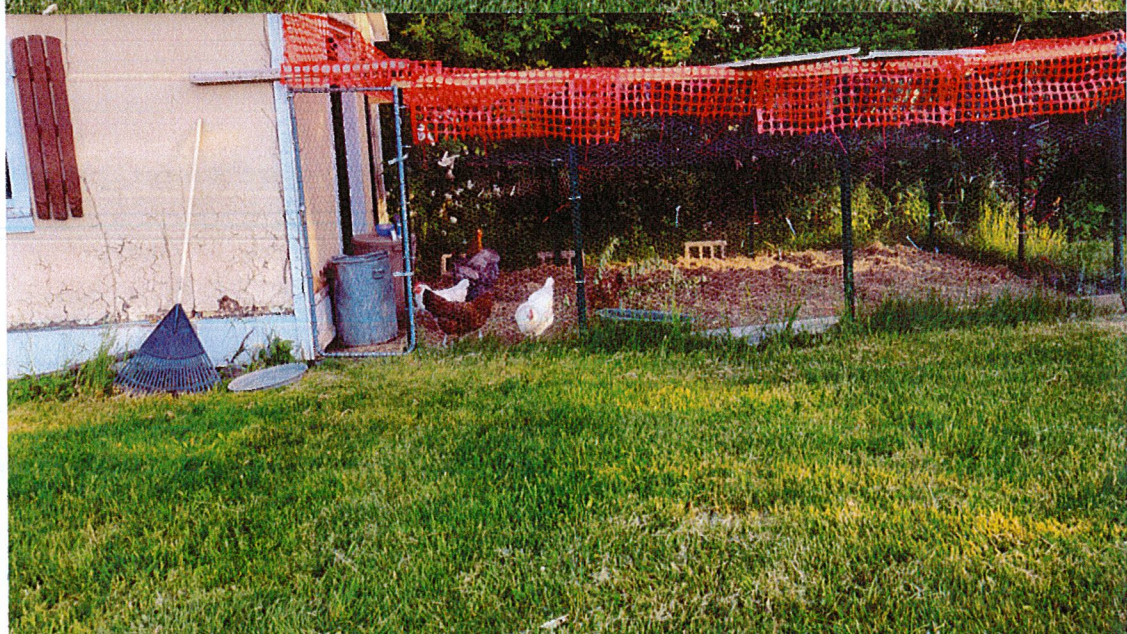
REVIEWED BY: James Campbell

DATE: 23-May-23





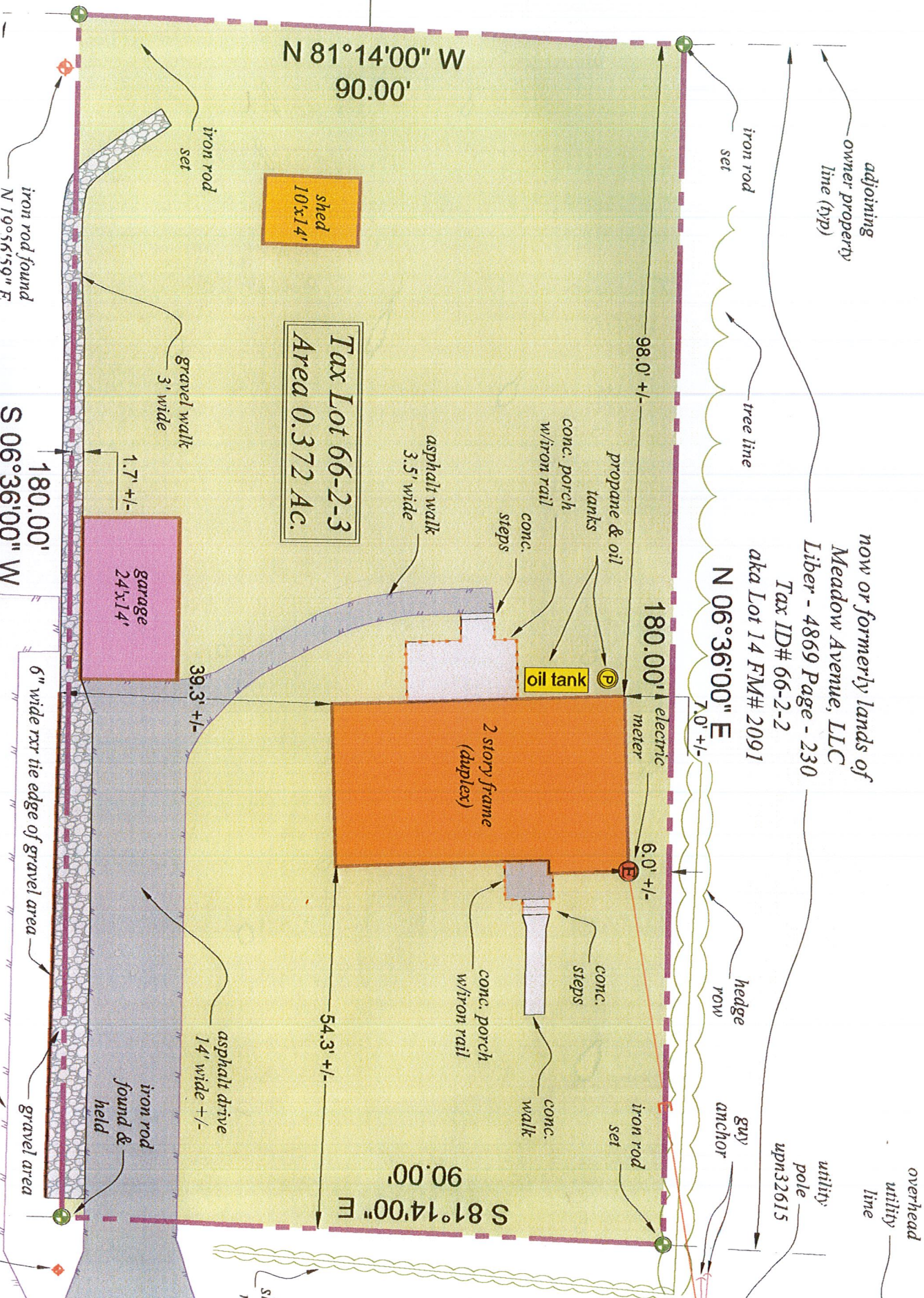






Wesneski  
Liber - 2611 Page - 127  
Tax ID# 66-2-24  
aka Lot 12 F.M.# 2091

Vargas  
Liber - 2578 Page - 73  
Tax ID# 66-2-25  
aka Lot 13 F.M.# 2091



Tax Lot 66-2-3  
Area 0.372 Ac.

shed  
10x14'

garage  
24x14'

2 story frame  
(duplex)

oil tank

propane & oil  
tanks

conc. porch  
w/iron rail

conc.  
steps

asphalt walk  
3.5' wide

gravel walk  
3' wide

1.7' +/-

39.3' +/-

asphalt drive  
14' wide +/-

S 81°14'00" E  
90.00'

54.3' +/-

180.00'

98.0' +/-

N 81°14'00" W  
90.00'

now or formerly lands of  
Meadow Avenue, LLC  
Liber - 4869 Page - 230  
Tax ID# 66-2-2  
aka Lot 14 FM# 2091

adjoining  
owner property  
line (typ)

overhead  
utility  
line

utility  
pole  
upn32615

hedge  
row

guy  
anchor

iron rod  
set

tree line

7.0' +/-

electric  
meter

6.0' +/-

conc. porch  
w/iron rail

conc.  
steps

conc. porch  
w/iron rail

conc.  
steps

conc.  
walk

iron rod  
set

iron rod found  
N 19°56'59" E

6" wide r/r the edge of gravel area

iron rod found &  
held

gravel area

S 06°36'00" W  
180.00'

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I JIN GRABEK, being duly sworn, depose and say that I did on or before

July 13, 2023, post and will thereafter maintain at

349 Meadow Ave 66-2-3 1B 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.

*Jin Grabek*

Sworn to before me this 7<sup>th</sup>

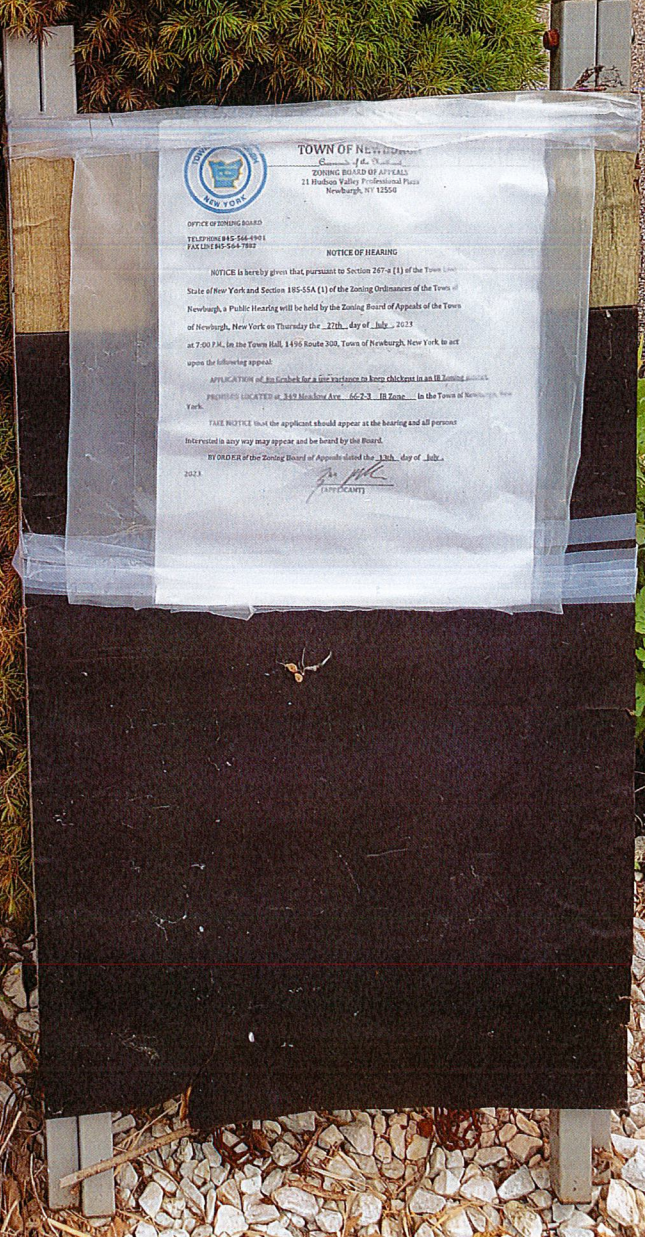
day of June, 2023.

*[Signature]*





349



TOWN OF NEWBURGH  
Office of the Town Clerk  
ZONING BOARD ON APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

OFFICE OF ZONING BOARD  
TELEPHONE: 845-564-4901  
FACSIMILE: 845-564-7927

**NOTICE OF HEARING**

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law of the 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 July, 2023 at 7:00 P.M. in the Town Hall, 1496 Route 200, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Joe Scibek for a one variance to keep chickens in an RE Zoning District PREMISES LOCATED at 385 Meadway Ave - 662-3 - RB Zone in the Town of Newburgh, New York.

THE 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 23rd, day of July, 2023.

*[Signature]*  
(TOWN CLERK)



BARB UNISEX PA  
OPEN