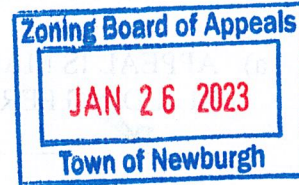




TOWN OF NEWBURGH

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: 11/21/23

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

I (WE) DEBORAH HAWLON & GREG KOPF PRESENTLY

RESIDING AT NUMBER 5 Wellington Court

TELEPHONE NUMBER 845-406-0427

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:

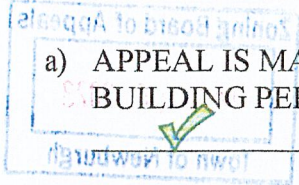
4-2-50.52 (TAX MAP DESIGNATION)

5 Wellington Court, Wallkill, NY 12589 (STREET ADDRESS)

AR (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

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: AREA VARIANCE FOR CONSTRUCTION OF AN EXTERIOR DECK FOR POOL ACCESS.

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:

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

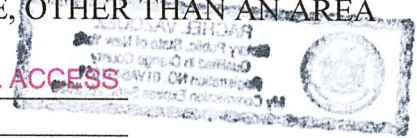
6. IF AN AREA VARIANCE IS REQUESTED:

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

THE PROPOSED CONSTRUCTION IS NOT VISIBLE FROM THE STREET OR ADJACENT PROPERTIES.

- 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:

ANY OTHER AREA THAT WILL PROVIDE THE DESIRED POOL ACCESS WILL ENCROACH FURTHER ON THE SITE SETBACKS.



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

ONLY 30% OF PROPOSED AREA REQUIRES A VARIANCE; FURTHER, THE PROPERTY RESIDES ON BOTH RR AND AR ZONING DISTRICTS. IF AR ZONING REQUIREMENTS ARE USED, NO VARIANCE IS REQUIRED.

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

THE PROPOSED CONSTRUCTION IS NOT VISIBLE FROM THE STREET OR ADJACNET PROPERTIES.

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

THE POOL WAS ORIGINALLY CONSTRUCTED WITH THE INTENT OF ADDING AN ADJACENT DECK IN THE FUTURE.

7. ADDITIONAL REASONS (IF PERTINENT):

Donald Hauer
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 20 DAY OF November 2023



[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)

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Deborah Hanlon, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 5 Wellington Court

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 5 Wellington Court

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Grey Kopf

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____ Deborah Hanlon

OWNER'S SIGNATURE

[Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 20 DAY OF November 2023



[Signature]
NOTARY PUBLIC

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Deborah Hanlon, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 5 wellington Court
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 5 wellington Court

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

DATED: _____ Deborah Hanlon

OWNER'S SIGNATURE

[Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 20 DAY OF November 2023



[Signature]
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: KOPF RESIDENCE POOL DECK			
Project Location (describe, and attach a location map): 5 WELLINGTON COURT, WALKILL NY 12589			
Brief Description of Proposed Action: CONSTRUCTION OF AN ELEVATED POOL DECK.			
Name of Applicant or Sponsor: GREG KOPF		Telephone:	
		E-Mail:	
Address: 5 WELLINGTON COURT			
City/PO: WALKILL		State: NY	Zip Code: 12589
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 checked="" 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 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 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? <i>NA.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? <i>WA.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<i>NA</i>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<i>NA.</i>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<i>NA.</i>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" 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 type="checkbox"/> NO <input type="checkbox"/> YES	NO	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"/> NO	<input type="checkbox"/> YES	



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>Debacke JK</u>		Date: <u>1/26/24</u>
Signature: _____		



ORANGE COUNTY – STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14107 / 1484
 INSTRUMENT #: 20160060216

Receipt#: 2194135
 Clerk: CH
 Rec Date: 09/13/2016 11:24:20 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: GREENACRE ABSTRACT LLC

Party1: HEWLETT NICHOLAS
 Party2: HANLON DEBORAH
 Town: NEWBURGH (TN)
 4-2-50.52

Recording:
 Recording Fee 40.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00
 RP5217 Residential/Agricu 116.00
 RP5217 - County 9.00

Sub Total: 190.00

Transfer Tax
 Transfer Tax - State 1540.00

Sub Total: 1540.00

Total: 1730.00

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

***** Transfer Tax *****
 Transfer Tax #: 1408
 Transfer Tax
 Consideration: 385000.00

Transfer Tax - State 1540.00

Total: 1540.00

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

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 9/13/2016 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 09/25/2023.

Kelly A. Eskew
 County Clerk & Clerk of the Supreme County Courts
 Orange County

Ann G. Rabbitt
 Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

LYNN PISCOPO ESQ
 259 ROUTE 17K
 NEWBURGH, NY 12550

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 26th day of August, in the year 2016

BETWEEN NICHOLAS HEWLETT and KIM HEWLETT, 5 Wellington Court, Walkill, NY

party of the first part, and DEBORAH HANLON, JOHN HANLON and NANCY HANLON, 29 Banbury, #12, Newburgh, NY, *95 Tenants in Common*
party of the second part,

WITNESSETH, that the party of the first part, in consideration of

Ten dollars

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
SEE SCHEDULE "A" ATTACHED

BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO NICHOLAS HEWLETT AND KIM HEWLETT, HUSBAND AND WIFE, WHO ACQUIRED TITLE FROM MAR CONSTRUCTION, INC., BY DEED DATED SEPTEMBER 30, 2005 AND RECORDED IN THE ORANGE COUNTY CLERK'S OFFICE ON DECEMBER 07, 2005, IN LIBER 12013 PAGE 1812.

S/B/C: 4-2-50.52

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; 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:

Nicholas Hewlett

NICHOLAS HEWLETT

Kim Hewlett

KIM HEWLETT

Schedule A Description

Title Number GA-163663-O

Page 1

ALL that certain plot, piece or parcel of land situate lying and being in the Town of Newburgh, County of Orange and State of New York, being known and designated as Lot No. 6 on a certain filed map entitled "Resubdivision for Lot No. 5 Pressler Woods," and filed in the Office of the Clerk of the County of Orange on May 15, 2003 as Filed Map No. 428-03, bounded and described as follows:

BEGINNING at the northwest corner of Lot No. 6 in the centerline of a 25 foot right of way to Perskaas and Stiansen on the division line between Lot No. 6 and Lot No. 5 as shown on the aforementioned filed map;

RUNNING THENCE along said division line between Lot No. 6 and Lot No. 5, North 81 degrees 35 minutes 00 seconds East, 259.61 feet;

THENCE continuing along said division line, and along the division line between Lot No. 6 and Lot No. 5 on said filed map, North 59 degrees 04 minutes 30 seconds East, through a private right of way known as Wellington Court, 244.12 feet;

THENCE continuing along the same, South 80 degrees 55 minutes 30 seconds East, 11.12 feet to a point;

RUNNING THENCE along the division line between Lot No. 6 on the aforementioned filed map and Lot No. 2 on Filed Map No. 64-00, South 13 degrees 41 minutes 30 seconds West, 201.12 feet;

Thence continuing along the division line between Lot No. 6 on Filed Map No. 428-03 and Lot No. 1 on Filed Map No. 64-00, South 16 degrees 20 minutes 00 seconds West, 174.40 feet to lands now or formerly of Worthley;

RUNNING THENCE along said lands of Worthley, and then along lands now or formerly of Kilpatrick, the following two courses and distances:

North 85 degrees 08 minutes 00 seconds West, 91.78 feet;

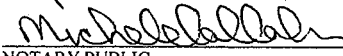
North 83 degrees 49 minutes 00 seconds West, 334.50 feet to lands now or formerly of Perkaas & Stiansen;

RUNNING THENCE along said lands, North 15 degrees 26 minutes 40 seconds East, 163.14 feet to the point or place of BEGINNING.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of ORANGE, ss:

On the 26TH day of AUGUST in the year 2016, before me, the undersigned, personally appeared NICHOLAS HEWLETT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



NOTARY PUBLIC

MICHELE M. CALLAHAN
Notary Public, State Of New York
No. 01CA6083976
Qualified in Orange County
Commission Expires November 25, 2018

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

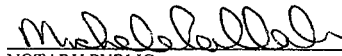
On the _____ day of _____ in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____ (if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s) _____ to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said _____ execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

NOTARY PUBLIC

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of ORANGE, ss:

On the 26TH day of AUGUST in the year 2016, before me, the undersigned, personally appeared KIM HEWLETT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



NOTARY PUBLIC

MICHELE M. CALLAHAN
Notary Public, State Of New York
No. 01CA6083976
Qualified in Orange County
Commission Expires November 25, 2018

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of _____, County of _____, ss:


On the _____ day of _____ in the year _____, before me, the undersigned personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the _____ (add the city or political subdivision and the state or country or other place the acknowledgment was taken).

NOTARY PUBLIC

**Bargain & Sale Deed
With Covenants**

HEWLETT
TO
HANLON

Title No. GA-163663-O

DISTRIBUTED BY

JUDICIAL TITLE
T: 800-281-TITLE F: 800-FAX-9396

COUNTY: Orange

TOWN/CITY: ~~Watkins~~ Newburgh

PROPERTY ADDRESS: 5 Wellington Court

SECTION: 4

BLOCK: 2

LOT: 50.52

RETURN BY MAIL TO:

Lynn Picopo, Esq.
259 Route 17K
Newburgh, NY 12550



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

3073-23

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/29/2023

Application No. 23-0603

To: Deborah Hanlon
5 Wellington Court
Walkill, NY 12589

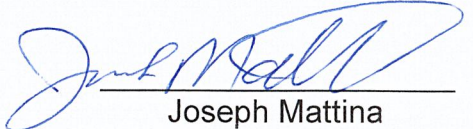
SBL: 4-2-50.52
ADDRESS: 5 Wellington Ct

ZONE: RR

PLEASE TAKE NOTICE that your application dated 05/26/2023 for permit to build a pool deck with no separation between the house deck and above ground pool on the premises located at 5 Wellington Ct is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 1: Requires a 100' minimum rear yard setback. (see definition yard minimum required rear)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: DEBORAH Hanlon **Application #** 23-0603

ADDRESS: 5 Wellington Ct Walkill NY 12589

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: pool deck

SBL: 4-2-50.52 **ZONE:** RR **ZBA Application #** 3078-23

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'		65'	35'	35.00%
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

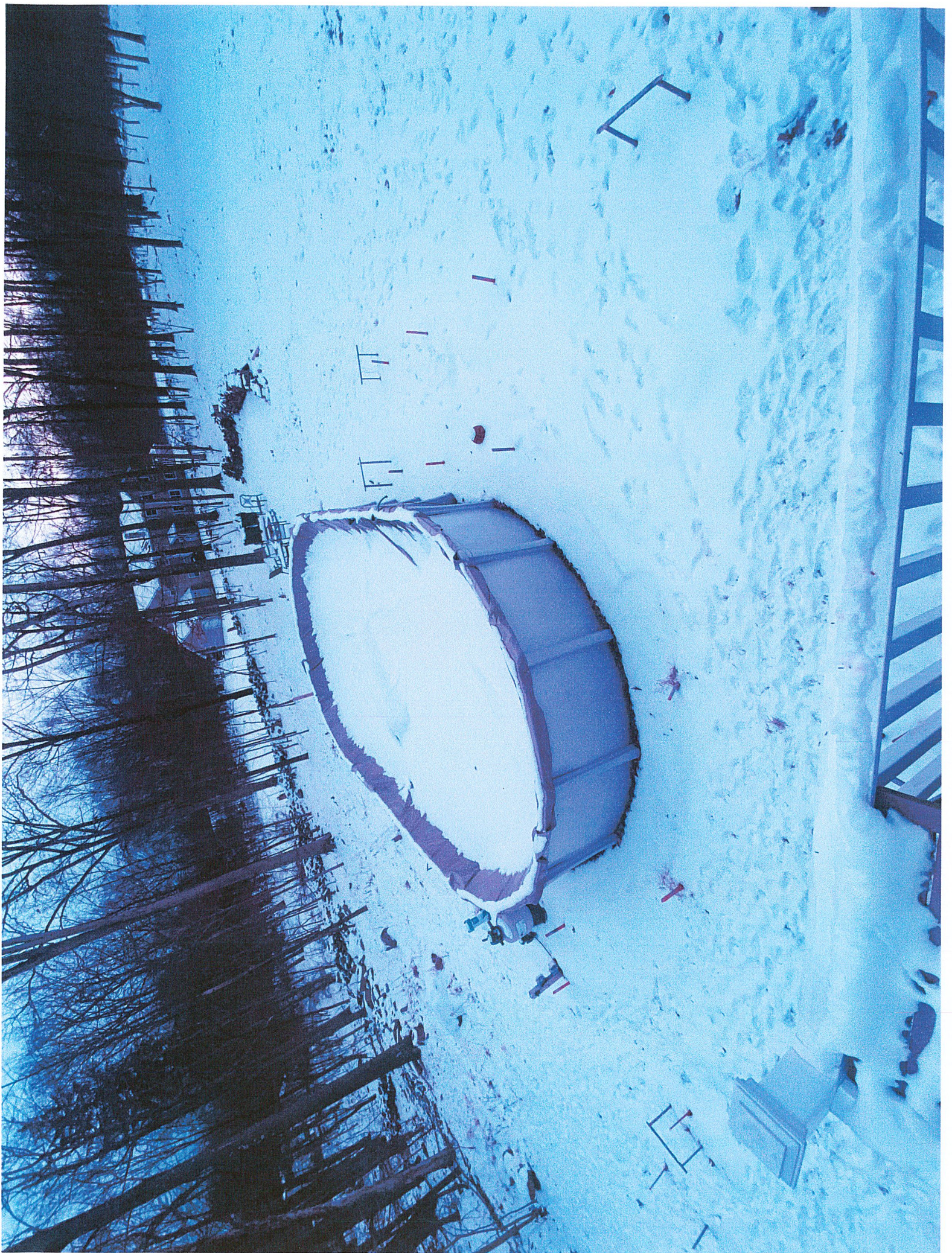
NOTES: **YARD, MINIMUM REQUIRED REAR**

An unoccupied ground area fully open to the sky extending the full width of the lot between the building and the rear line of the lot and a line drawn parallel thereto at the distance specified in Article IV, Schedules of District Regulations, of this chapter.

REVIEWED BY: Joseph Mattina

DATE: 29-Aug-23





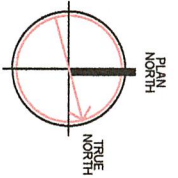
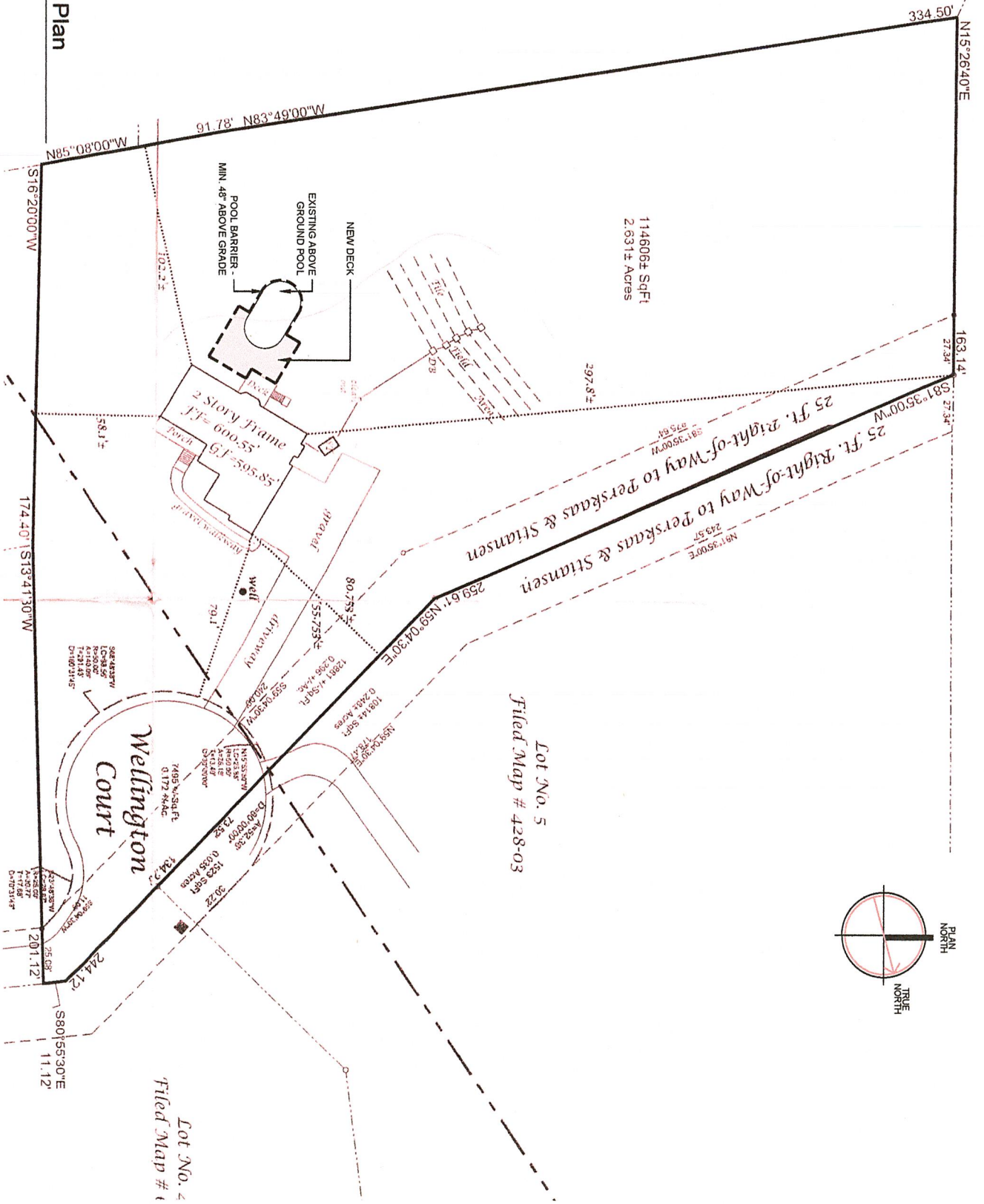






Survey/Plot Plan

SCALE: 1:500



Lot No. 5
Filed Map # 428-03

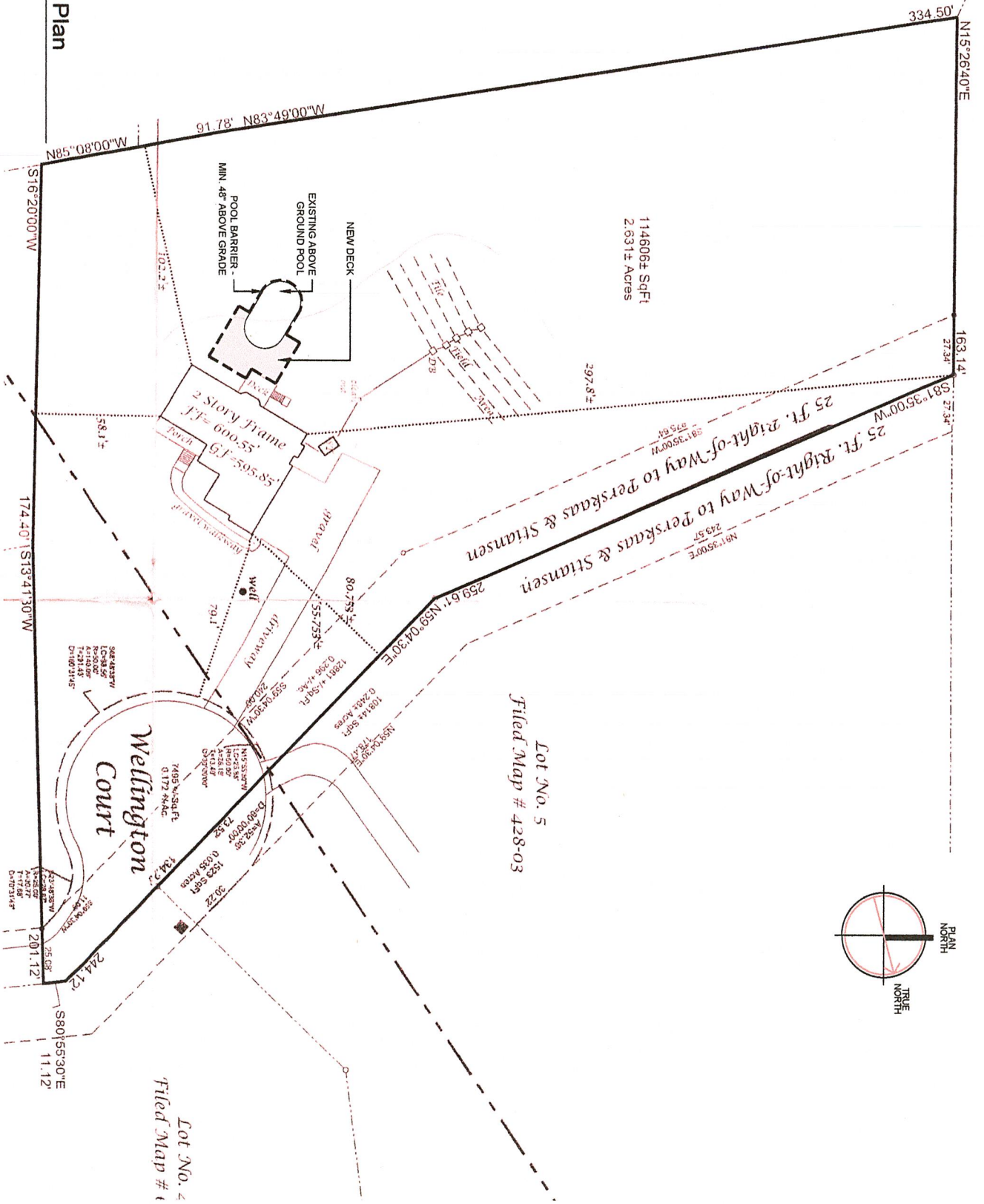
Lot No. 4
Filed Map # 428-03

Wellington Court

114606± Sq Ft
2.631± Acres

NEW DECK
EXISTING ABOVE GROUND POOL
POOL BARRIER - MIN. 48" ABOVE GRADE

2 Story Frame
F.F. = 600.55'
G.F. = 595.85'



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

STATE OF NEW YORK: COUNTY OF ORANGE:

I DEBORAH HAWLON, being duly sworn, depose and say that I did on or before
February 8, 2024, post and will thereafter maintain at
5 Wellington Ct 4-2-50.52 RR 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.

Deborah Hawlon

Sworn to before me this 7

day of February, 2024.

Dawnmarie Busweiler





