

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: 3/8/19

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

I (WE) William Holmes PRESENTLY

RESIDING AT NUMBER 38 Laurie Lane, Newburgh NY

TELEPHONE NUMBER 845-566-1195

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

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

1. LOCATION OF THE PROPERTY:

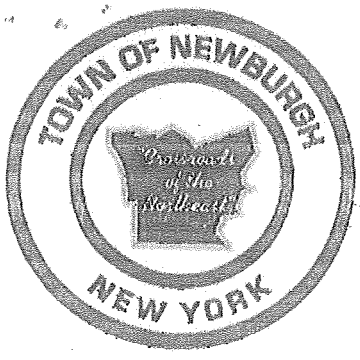
40/2/8 (TAX MAP DESIGNATION)

38 Laurie Lane (STREET ADDRESS)

R-3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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 Attachment 9 R-3-schedule 5 use & Bulk Requirements



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3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 6/11/19
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: Area Variance - front yard setback - Requirement 50' with no water or sewer service

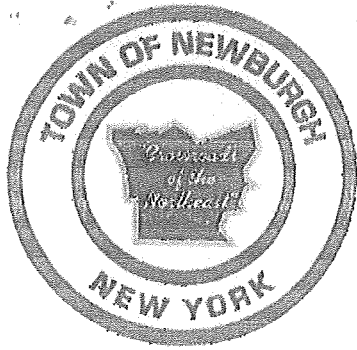
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT: N/A

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

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



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

6. IF AN AREA VARIANCE IS REQUESTED: *See attached*

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:

6a. The applicant would like to construct an addition to the right side of the existing residence. They are requesting a variance for the front yard setback. The existing structure is pre-existing non-conforming in that the home is 40.4' from the front property line (the requirement is 50'). The addition will be 37.9' from the front property line as the road and property curve. Since this is a corner lot because there is a "paper street" along the right edge of the property, the variance is needed there also. The addition will be 16' wide and be 45.8' from the property line along the (side) paper street. If this were a side yard, as it appears, it would not need a variance.

The addition will be in line with other homes along the street and blend in.

6b. The applicant needs to increase the size of the home because his adult daughter's husband died. She needed family assistance in caring for her children and financial help. She is continuing to work full time in the area to support herself and her children in the best way possible.

The addition will be for an enlarged living / kitchen space for the combined family and a private bedroom for the adult daughter on the lower level/basement of the home. Her children will use two of the existing bedrooms.

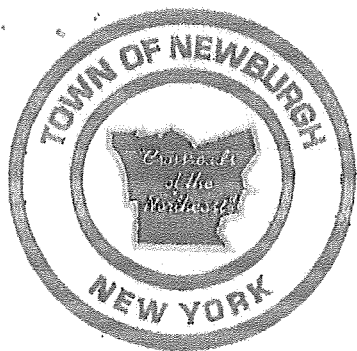
The addition can only be located along the right side to the house because of the layout of the home. The opposite (left side) connects to the bedrooms and garage, not to the living space. The rear of the home has an existing sunroom and pool which would not allow for the needed space they need

6c. The request is not substantial because the addition is in line with neighboring homes along the street and the encroachment to the front yard setback along the side paper street is less than 5'

6d. There is no adverse effect on physical or environmental conditions because the property is adequately sized to have the addition. There are no environmental site restrictions

6e. The hardship is not self-created. The owner is trying to do the right thing by taking in his daughter and grandchildren after the daughter was widowed.

The house is pre-existing non-conforming. To align the addition with the existing front of the house is not self-created.



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

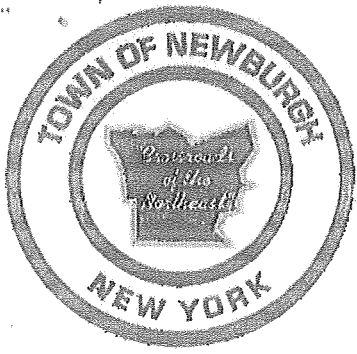
SWORN TO THIS 10 DAY OF June 20 19

NOTARY PUBLIC

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

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)



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PROXY

William Holmes, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 38 Laurie Lane
IN THE COUNTY OF Orange AND STATE OF _____
AND THAT HE/SHE IS THE OWNER IN FEE OF 38 Laurie Lane

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

DATED: JUN 10 2019 William Holmes

OWNER'S SIGNATURE

[Signature]
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10 DAY OF June 20 19

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

[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: <i>Addition to the Residence of William Holmes</i>			
Project Location (describe, and attach a location map): <i>38 Laurie Lane. S/B/L 40/2/8</i>			
Brief Description of Proposed Action: <i>29x16'-6" Addition with finished basement</i>			
Name of Applicant or Sponsor: <i>William Holmes</i>		Telephone: <i>845-566-1795</i>	
Address: <i>38 Laurie Lane</i>		E-Mail: <i>dadsbv@aol.com</i>	
City/PO: <i>Newburgh</i>		State: <i>NY</i>	Zip Code: <i>12550</i>
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 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:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>1.17</i> acres	
b. Total acreage to be physically disturbed?		<i>0.01</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1.17</i> 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?			
	<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?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	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 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?	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 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	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>William Holmes</u></p>	<p>Date: <u>3/8/19</u></p>	
<p>Signature: <u>William Holmes</u></p>		

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

WILLIAM L. HOLMES &
ANDREA M. HOLMES

TO

WILLIAM L. HOLMES

SECTION 40 BLOCK 2 LOT 8

RECORD AND RETURN TO:
(name and address)

JOHN POGGIOLI, ESQ.
178 GRAND STREET
NEWBURGH, NY 12550

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

<u>PROPERTY LOCATION</u>			NO. PAGES <u>4</u>	CROSS REF. _____
___ 2089 BLOOMING GROVE (TN)	___ 4289 MONTGOMERY (TN)		CERT. COPY _____	ADD'L X-REF. _____
___ 2001 WASHINGTONVILLE (VLG)	___ 4201 MAYBROOK (VLG)		MAP # _____	PGS. _____
___ 2289 CHESTER (TN)	___ 4203 MONTGOMERY (VLG)		PAYMENT TYPE: CHECK <input checked="" type="checkbox"/>	
___ 2201 CHESTER (VLG)	___ 4205 WALDEN (VLG)		CASH _____	
___ 2489 CORNWALL (TN)	___ 4489 MOUNT HOPE (TN)		CHARGE _____	
___ 2401 CORNWALL (VLG)	___ 4401 OTISVILLE (VLG)		NO FEE _____	
___ 2600 CRAWFORD (TN)	___ 4600 NEWBURGH (TN)		CONSIDERATION \$ <u>52,905.00</u>	
___ 2800 DEERPARK (TN)	___ 4800 NEW WINDSOR (TN)		TAX EXEMPT _____	
___ 3089 GOSHEN (TN)	___ 5089 TUXEDO (TN)		MORTGAGE AMT. \$ _____	
___ 3001 GOSHEN (VLG)	___ 5001 TUXEDO PARK (VLG)		DATE _____	
___ 3003 FLORIDA (VLG)	___ 5200 WALLKILL (TN)		MORTGAGE TAX TYPE:	
___ 3005 CHESTER (VLG)	___ 5489 WARWICK (TN)		___ (A) COMMERCIAL/FULL 1%	
___ 3200 GREENVILLE (TN)	___ 5401 FLORIDA (VLG)		___ (B) 1 OR 2 FAMILY	
___ 3489 HAMPTONBURGH (TN)	___ 5403 GREENWOOD LAKE (VLG)		___ (C) UNDER \$ 10,000	
___ 3401 MAYBROOK (VLG)	___ 5405 WARWICK (VLG)		___ (E) EXEMPT	
___ 3689 HIGHLANDS (TN)	___ 5600 WAWAYANDA (TN)		___ (F) 3 TO 6 UNITS	
___ 3601 HIGHLAND FALLS (VLG)	___ 5889 WOODBURY (TN)		___ (I) NAT.PERSON/CR. UNION	
___ 3889 MINISINK (TN)	___ 5801 HARRIMAN (VLG)		___ (J) NAT.PER-CR.UN/1 OR 2	
___ 3801 UNIONVILLE (VLG)			___ (K) CONDO	
___ 4089 MONROE (TN)	<u>CITIES</u>			
___ 4001 MONROE (VLG)	___ 0900 MIDDLETOWN			
___ 4003 HARRIMAN (VLG)	___ 1100 NEWBURGH			
___ 4005 KIRYAS JOEL (VLG)	___ 1300 PORT JERVIS			
	___ 9999 HOLD			

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

RECEIVED FROM: *Amman Property*

RECORDED/FILED
06/11/2004/ 15:25:29
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20040075187
DEED / BK 11527 PG 1697
RECORDING FEES 92.00
TTX# 012358 TRANS TAX 210.00
Receipt#281105 pete

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 4/11/04 AND THE SAME IS A CORRECT
TRUE AND FAITHFUL COPY WHEREOF, I HAVE
HEREBY SET MY HAND AND SEALED MY OFFICIAL SEAL
2/14/19
ANN G. RABBITT
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS
ORANGE COUNTY



AP04-0-2791



T 691—Standard N.Y. B.T.U. Form 8002: Bargain & sale deed, with covenant against grantor's acts—Ind. or Corp.: single sheet, 11-98

DISTRIBUTED BY Blumberg Excelsior, Inc., NYC 10013

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

THIS INDENTURE, made on April 27, 2004

BETWEEN

his wife, both
WILLIAM L. HOLMES and ANDREA M. HOLMES, residing at 38 Laurie Lane, Newburgh, New York 12550

party of the first part, and

WILLIAM L. HOLMES residing at 38 Laurie Lane, Newburgh, New York 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

SEE SCHEDULE "A" ANNEXED HERETO

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:

WILLIAM L. HOLMES

ANDREA M. HOLMES

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Orange ss.:

On April 27, 2004 before me, the undersigned, personally appeared William L. Holmes and Andrea M. Holmes 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.

(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

State of County of ss.:

On 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), 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, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed WITH COVENANT AGAINST GRANTOR'S ACTS TITLE No.

WILLIAM L. HOLMES and ANDREA M. HOLMES

TO

WILLIAM L. HOLMES

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of County of } ss.:

On before me, the undersigned, personally appeared

the subscribing witness(es) 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):

TIMOTHY M. WALKER NOTARY PUBLIC, State of New York No. 4885545 Qualified in Dutchess County Commission Expires Feb. 9, 2007

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

() if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

SECTION 40 BLOCK 2 LOT 8 COUNTY OR TOWN Orange

RECORD and RETURN BY MAIL TO:

JOHN POGGIOLI, ESQ. 178 GRAND STREET NEWBURGH, NY 12550 Zip No.

Reserve this space for use of Recording Office.

Schedule A Description

Title Number **AP04-O-2791**

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 more particularly bounded and described as follows:

BEGINNING at a point in the Northeasterly line of Laurie Lane, said point also being the Southerly most corner of lands now or formerly of Armbrister (Liber 3301, Page 107), and runs thence along said lands now or formerly of Armbrister, North 38° 16' 50" East 179.72 feet thence along lands now or formerly of Dencker, (Liber 2591, Page 342), the following three (3) courses and distances:

1. South 67° 53' 10" East 11.28 feet;
2. North 39° 32' 50" East 21.50 feet;
3. South 66° 01' 20" East 176.74 feet;

THENCE along lands now or formerly of Mazzeo, (Liber 2629, Page 226), the following two (2) courses and distances:

1. South 23° 59' 40" West 179.67 feet;
2. South 27° 05' 10" West 0.05 feet;

THENCE along Laurie Lane, the following four (4) courses and distances:

1. South 63° 17' 50" West 143.92 feet;
2. North 26° 42' 10" West 61.66 feet to a rod set;
3. On a curve to the left with a radius of 344.50 feet and a length of 40.67 feet to a rod set;
4. On a curve to the left with a radius of 344.50 feet and a length of 74.15 feet to the point or place of BEGINNING.



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

H 2758-19

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/11/2019

Application No. 19-0186

To: William Holmes
38 Laurie Lane
Newburgh, NY 12550

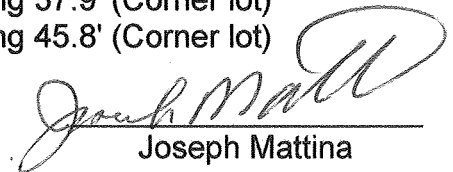
SBL: 40-2-8
ADDRESS: 38 Laurie Ln

ZONE: R3

PLEASE TAKE NOTICE that your application dated 03/08/2019 for permit to build a 16' x 29.25' addition on the premises located at 38 Laurie Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code :

- 1) Bulk table schedule 5: Requires a front yard setback of 50' / requesting 37.9' (Corner lot)
- 2) Bulk table schedule 5: Requires a front yard setback of 50' / requesting 45.8' (Corner lot)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: William Holmes **Building Application #** 19-0186

ADDRESS: 38 Laurie Lane Newburgh NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 16' x 29.25 two story addition

SBL: 40-2-8 **ZONE:** R-3 **ZBA Application #** _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
First FRONT YARD	50'		37.9'	12.1'	24.20%
SECOND FRONT YARD	50'		45.8'	4.2'	8.40%
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: Two front yards / Corner lot

VARIANCE(S) REQUIRED:

1 Bulk table schedule 5: Requires a 50' front yard setback

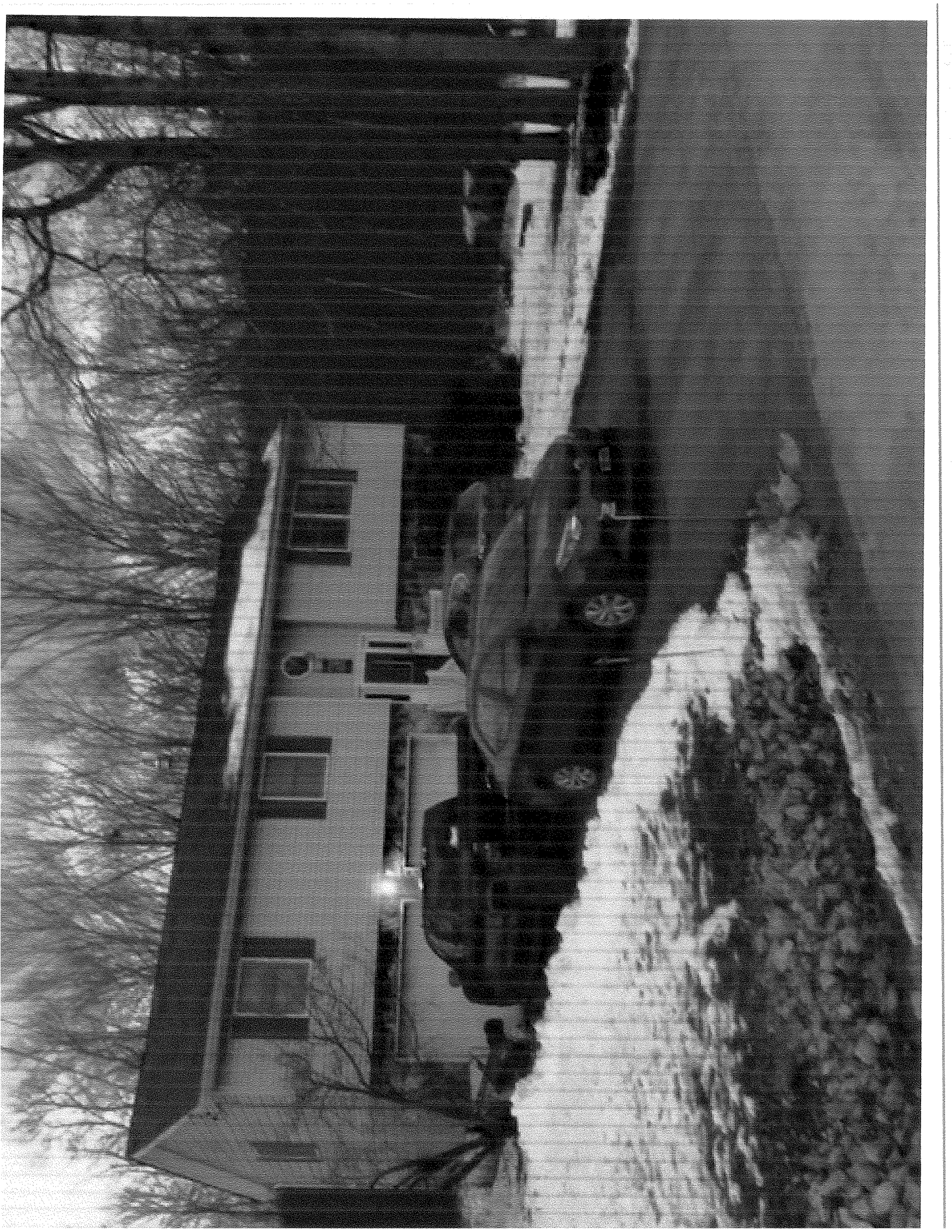
2 Bulk table schedule 5: Requires a 50' front yard setback

3 _____

4 _____

REVIEWED BY: Joseph Mattina

DATE: 11-Jun-19









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

STATE OF NEW YORK: COUNTY OF ORANGE:

I William L. Holmes, being duly sworn, depose and say that I did on or before

July 11, 2019, post and will thereafter maintain at

38 Laurie Ln 40-2-8 R-3 Zone in the Town of Newburgh, New York, at or near the front

property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.



Sworn to before me this 19

day of June, 2019.



Notary Public

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022



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



TOWN OF NEWBURGH

William H. Holman
100 Newburgh
Newburgh, New York 12550

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 207-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinance 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 25th day of July, 2018 at 7:00 P.M. in the Town Hall, 1196 Route 390, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of William Holman for an area variance to build a 10 x 20 x 22 addition with a front yard setback of 27.5' where 30' is required and a second front yard setback of 45.8' where 50' is required.

PREMISES LOCATED at 38 Larkin Ln., 462-S, R-1 Zone, in the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may also appear and be heard by the Board.

BY ORDER of the Zoning Board of Appeals dated the 11th day of July,

2018
William H. Holman
APPLICANT

