



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

OFFICE OF ZONING BOARD

## APPLICATION

TELEPHONE 845-566-4901  
FAX LINE 845-564-7802

DATED: 8/27/21

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

I (WE) Art Glynn PRESENTLY

RESIDING AT NUMBER 11 MAIN ST. NEW HAMBURG

TELEPHONE NUMBER 845-629-7320

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:

19-1-20 (TAX MAP DESIGNATION)

2 Stillwater Ln (STREET ADDRESS)

R2 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Bulk Table Schedule 2

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: 8/2/21
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: 8/2/21

4. DESCRIPTION OF VARIANCE SOUGHT: Front yard Setback

*X* 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:

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**(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:

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

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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 condition has existed on this oversized CORNER Lot for OVER 50 yrs.

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:

The EXISTING foundation & slab would have to be REMOVED CAUSING AN undue financial burden on the owner

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The lot is oversized CORNER Lot

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

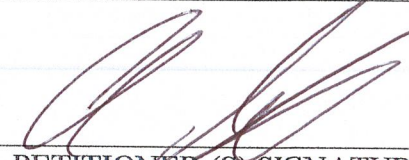
The condition HAS EXISTED for 50+ yrs

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

The EXISTING foundation WAS constructed in the EARLY 1970's

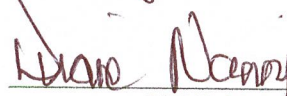
7. ADDITIONAL REASONS (IF PERTINENT):

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

X   
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30 DAY OF August 2021

  
\_\_\_\_\_  
NOTARY PUBLIC

DIANE NANNI  
Notary Public, State of New York  
No. 01NA6361002  
Qualified in Orange County  
Commission Expires July 03, 2025

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)

## 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.

<b>Part 1 - Project and Sponsor Information</b>			
JAND REALTY LLC			
Name of Action or Project: VARIANCE Request (AREA)			
Project Location (describe, and attach a location map): 2 Stillwater Ln			
Brief Description of Proposed Action: Front yard setback VARIANCE			
Name of Applicant or Sponsor: JAND REALTY LLC.		Telephone: 845-629-7320	
		E-Mail: Art Glynn hvc @ Gmail.com	
Address: 229 WALSH AVE. NEW WINDSOR N.Y. 12553			
City/PO:		State: N.Y.	Zip Code: 12557
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"/> 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: B.P.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.62 acres	
b. Total acreage to be physically disturbed?		2.25 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.62 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"/>	
	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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"/>	
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"/>	
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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<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
<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
<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
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>ARTURA GAYNE</u></p>	<p>Date: <u>8/30/21</u></p>	
<p>Signature: _____</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)

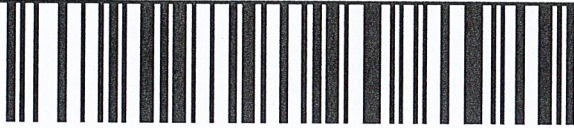


ORANGE COUNTY – STATE OF NEW YORK  
 ANN G. RABBITT, COUNTY CLERK  
 255 MAIN STREET  
 GOSHEN, NEW YORK 10924

20-1771

Orig. Recn.  
 8/30/21

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



BOOK/PAGE: 14889 / 1576  
 INSTRUMENT #: 20210005645

Receipt#: 2858152  
 Clerk: LC  
 Rec Date: 01/28/2021 09:37:13 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 5  
 Rec'd Frm: GreenAcre Abstract LLC

Party1: BENTON LEIGH C  
 Party2: JAND REALTY LLC  
 Town: NEWBURGH (TN)  
 19-1-20

Recording:

Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 205.00

Transfer Tax  
 Transfer Tax - State 160.00

Sub Total: 160.00

Total: 365.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 5617  
 Transfer Tax  
 Consideration: 40000.00

Transfer Tax - State 160.00

Total: 160.00

Payment Type: Check   
 Cash   
 Charge   
 No Fee

Comment: \_\_\_\_\_

Ann G. Rabbitt  
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)** effective as of December 30, 2020

*THIS INDENTURE*, made the 23<sup>rd</sup> day of NOVEMBER, 2020, between LEIGH C. BENTON, presently residing at 1 Vineyard Lane, Apt. 109, Newburgh, New York 12550, party of the first part, and JAND REALTY, LLC, a New York limited liability company, with offices located at 229 Walsh Avenue, New Windsor, New York 12553, party of the second part;

*\* Individually and Surviving Tenant by the entirety of Joan E. Benton*

**WITNESSETH**, that the party of the first part, in consideration of \$1.00 dollars, lawful money of the United States, 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;

See Schedule A attached and Gore Description

**BEING** the same premises described in a deed, dated May 14, 1965 from Ernest D. Manassero to Leigh C. Benton and Joan E. Benton, husband and wife, which said deed was recorded in the Office of the Clerk of the County of Orange on June 1, 1965 in Liber 1714 of Deeds at Page 355.

The aforesaid Joan E. Benton died June 7, 2019 a resident of the County of Orange, State of New York survived by the aforesaid Leigh C. Benton, the surviving tenant by the entirety.

**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 parties of the first part covenant that they have not done or suffered anything whereby the said premises have been encumbered in any way whatever.

**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

section 19 block 1 lot 80

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# Stewart Title Insurance Company

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## OWNER'S POLICY OF TITLE INSURANCE SCHEDULE A LEGAL DESCRIPTION

Title No.: GA-209360-O

Policy No.: Owner Policy: 347452208

Revised December 21, 2020

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, being bounded and described as follows:

BEGINNING at a 1/2 inch iron rod set in the westerly line of Still Water Lane, said point also being the easterly most corner of lands now or formerly Delisser (Liber 14507 Page 1661), said point being located North 28 degrees 37' 20" East, 270.00 feet from a found 1/2 inch iron rod, said point also being the southerly most corner of the herein described parcel;

RUNNING THENCE along said lands now or formerly Delisser (Liber 14507 Page 1661), North 61 degrees 22' 40" West, 148.85 feet to a 1/2 inch iron rod set;

THENCE along Valley Forge Road, an unimproved paper street, North 28 degrees 37' 20" East, 69.91 feet;

THENCE along a gap area between the deed of record and the road lines as shown on Filed Map No. 2357, as filed in the Orange County Clerk's Office on July 24, 1968, the following three (3) courses and distances:

- 1) Along a tangent curve to the right with a radius of 130.00 feet, an arc length of 103.72 feet and a chord of North 51 degrees 28' 45" East, 100.99 feet;
- 2) North 74 degrees 20' 10" East, 58.24 feet;
- 3) Along a tangent curve to the right with a radius of 40.00 feet, an arc length of 93.75 feet and a chord of South 38 degrees 31' 15" East, 73.72 feet to the point in the westerly line of Stillwater Lane;

THENCE along the westerly line of said Still Water Lane, South 28 degrees 37' 20" West, 175.00 feet or place of BEGINNING, as surveyed by Margaret M. Hillriegel, L.S.

For Information Only:

Said Premise being known as 2 Stillwater Lane, Newburgh, NY.

Section: 19 Block: 1 Lot: 20

**AND ALSO Being and intended to be the same property conveyed to Leigh C. Benton and Joan E. Benton, his wife, by deed from Orange County, dated October 28, 1980, recorded December 15, 1980 in the Orange County Clerk's Office in Liber 2181 Page 1000.**

## GORE 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, being bounded and described as follows:

BEGINNING at a point in the easterly line of Valley Forge Road (unimproved), said point also being the northwesterlymost corner lands being conveyed, and said point being located North 28 degrees 37' 20" East, 69.91 feet from a found ½ inch iron rod, 1 inch above grade at the westerly most corner of lands being conveyed;

RUNNING THENCE along Valley Forge Road, an unimproved paper street, North 28 degrees 37' 20" East, 41.18 feet to a found 5/8 inch iron rod;

THENCE along a curve to the right with a radius of 60.00 feet, an arc length of 48.40 feet and a chord of North 51 degrees 43' 57" East, 47.10 feet to a found 5/8 inch iron rod, buried 2 inch deep in the southerly line of Brandywine Crossing;

THENCE along the southerly line of said Brandywine Crossing, North 74 degrees 50' 34" East, 86.84 feet;

THENCE along a curve to the right with a radius of 40.00 feet, an arc length of 93.48 feet and a chord of South 38 degrees 16' 04" East, 73.68 feet to a point in the northwesterly line of Stillwater Lane;

THENCE along the northwesterly line of said Stillwater Lane, South 28 degrees 37' 20" West, 10.61 feet;

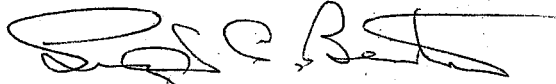
THENCE along a gap area between the deed of record and the road lines as shown on Filed Map No. 2357, as filed in the Orange County Clerk's Office on July 24, 1968, the following three (3) courses and distances:

- 1) Along a tangent curve to the left with a radius of 40.00 feet, an arc length of 93.75 feet and a chord of North 38 degrees 31' 15" West, 73.72 feet;
- 2) South 74 degrees 20' 10" West, 58.24 feet;
- 3) Along a tangent curve to the left with a radius of 130.00 feet, an arc length of 103.72 feet and a chord of South 51 degrees 28' 45" West, 100.99 feet to the or place of BEGINNING as surveyed by Margaret M. Hillriegel, L.S.

costs 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.

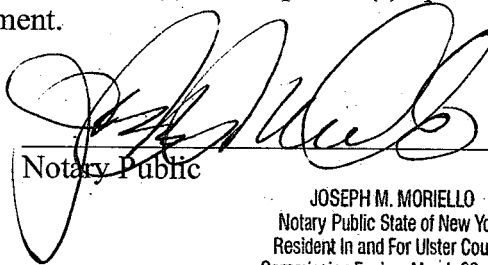
**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.



Leigh C. Benton, Individually and Surviving  
Tenant by the entirety of Joan E. Benton

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF ULSTER    )

On the 23<sup>rd</sup> day of NOVEMBER, 2020, before me, the undersigned, personally appeared Leigh C. Benton, 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, and that by his/her/their signature on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

JOSEPH M. MORIELLO  
Notary Public State of New York  
Resident In and For Ulster County  
Commission Expires March 30, 2022

**R & R TO:**

Richard D. Forbes, Esq.  
37<sup>th</sup> Fullerton Avenue  
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

# 2945.21

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 08/02/2021**

**Application No. 21-0837**

**To: Jand Realty LLC**  
**229 Walsh Avenue**  
**New Windsor , NY 12553**


**SBL: 19-1-20**  
**ADDRESS:2 Stillwater Ln**

**ZONE: R2**

PLEASE TAKE NOTICE that your application dated 07/27/2021 for permit to construct a new single family home on existing foundation, replacing a house destroyed by fire. on the premises located at 2 Stillwater Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 2: Requires a 40' front yard setback

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

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

**NAME:**      JAND REALTY LLC      **Application #**      21-0837

**ADDRESS:**      229 WALSH AVE NEW WINDSOR NY 12553

**PROJECT INFORMATION:**      **AREA VARIANCE**      USE VARIANCE

**TYPE OF STRUCTURE:**      2 STILLWATER LN / SINGLE FAMILY

**SBL:**      19-1-20      **ZONE:**      R-2      **ZBA Application #**      2945-21

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	40'		34.9'	5.1'	12.75%
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:**

**BULK TABLE SCHEDULE 4**

**REVIEWED BY:**      Joseph Mattina

**DATE:**      2-Aug-21











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

STATE OF NEW YORK: COUNTY OF ORANGE:

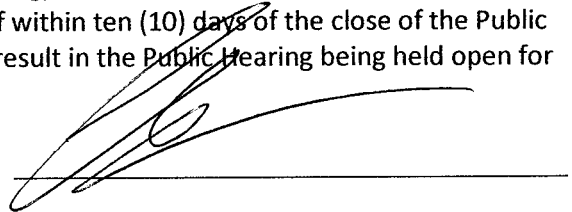
I Arthur Ryan, being duly sworn, depose and say that I did on or before

September 9, 2021, post and will thereafter maintain at

2 Stillwater Ln 19-1-20 R2 Zone in the Town of Newburgh, New York, at or near the front

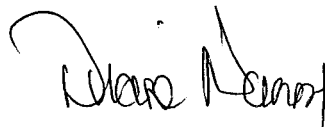
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 30

day of August, 2021.



DIANE NANNI  
Notary Public, State of New York  
No. 01NA6361002  
Qualified in Orange County  
Commission Expires July 03, 2025