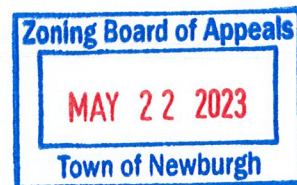




# TOWN OF NEWBURGH

*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: 5-10-23

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

I (WE) Audley Johnson PRESENTLY

RESIDING AT NUMBER 85 WINTERGREEN AVE

TELEPHONE NUMBER 914-562-3775

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

- 8' x 12' Accessory Building USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

U7-2-4 (TAX MAP DESIGNATION)

85 WINTERGREEN AVE (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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.-43-F

185-15-A-4



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: \_\_\_\_\_  
\_\_\_\_\_

~~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:

IT WAS ALREADY ON THE PROPERTY FOR MORE THAN A YEAR BEFORE I MORTGAGED AND OCCUPIED THE PROPERTY

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

THE PROPERTY WAS ACQUIRED THROUGH A MORTGAGE WITH THE EXISTING SHED WHICH WAS THERE LONG BEFORE I ACQUIRED THE MORTGAGE.



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 SHED WAS ON THE PROPERTY LONG BEFORE I ACQUIRED THE PROPERTY THROUGH A MORTGAGE

- 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 SHED WAS ON THE PROPERTY BEFORE I WAS GRANTED A MORTGAGE

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

THE SHED EXISTED BEFORE I WAS GRANTED A MORTGAGE

- 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 PROPERTY WAS MORTGAGED AND APPROVED WITH THE SHED BEING A PERMANENT STRUCTURE ON THE PROPERTY FOR OVER A YEAR BEFORE I ACQUIRED THE PROPERTY

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

THE PROPERTY WAS MORTGAGED TITLE SEARCH WAS DONE AND APPROVED WHILE THE SHED WAS A PERMANENT STRUCTURE ON THE PROPERTY FOR MORE THAN A YEAR BEFORE I ACQUIRED THE PROPERTY

7. ADDITIONAL REASONS (IF PERTINENT):

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Audley Johnson  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10 DAY OF May 2023

Dawn Marie Busweiler  
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:							
Project Location (describe, and attach a location map):							
Brief Description of Proposed Action:							
Name of Applicant or Sponsor: <i>Audley Johnson</i>		Telephone: <i>914-562-3775</i>					
Address: <i>85 WINTERGREEN AVE</i>		E-Mail: <i>audley.johnson@gmail.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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<i>190 x 60</i> acres					
b. Total acreage to be physically disturbed?		<i>3 x 12</i> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>NA</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?	<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 type="checkbox"/>	<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: _____	<input checked="" type="checkbox"/>	<input 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"/>	<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 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"/>	<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: <u>NA.</u>	<input type="checkbox"/>	<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: <u>There IS NO water connection TO THE street</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<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? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input 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: _____ <u>NA.</u>	<input checked="" type="checkbox"/>	<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   <input checked="" type="checkbox"/>	YES   <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   <input checked="" type="checkbox"/>	YES   <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   <input checked="" type="checkbox"/>	YES   <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>Audley Johnson</u>		Date: <u>5-10-23</u>
Signature: <u>[Signature]</u>		



X

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"/>



X

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  
 KELLY A. ESKEW, 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: 15158 / 1153  
 INSTRUMENT #: 20220011888

Receipt#: 2997324  
 Clerk: PM  
 Rec Date: 02/16/2022 09:54:46 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 4  
 Rec'd Frm: RECORD AND RETURN TITLE  
 AGENCY, INC.

Party1: DECKER TIMOTHY M  
 Party2: JOHNSON AUDLEY  
 Town: NEWBURGH (TN)  
 67-2-4

Recording:  
 Recording Fee 40.00  
 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: 200.00

Transfer Tax  
 Transfer Tax - State 1298.00

Sub Total: 1298.00

Total: 1498.00  
 \*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 6467  
 Transfer Tax  
 Consideration: 324500.00  
 Transfer Tax - State 1298.00  
 Total: 1298.00

Payment Type: Check \_\_\_  
 Cash \_\_\_  
 Charge \_\_\_  
 No Fee \_\_\_

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

*Kelly A. Eskew*

Kelly A. Eskew  
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY EPARTNERS



*Record and Return Title Agency, Inc.*  
*First American Title Insurance Company*

Title Number: RR-O-44994-21

**SCHEDULE A 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 and being more particularly described as follows:

BEGINNING at a point in the northerly line of Wintergreen Avenue, said point being in the division line between Lot No. 7, and the herein described Lot No. 6, as shown on a certain map entitled "Winona Lake Development Co.", Section "E", as filed in the Orange County Clerk's Office on June 6, 1929 as Filed Map No. 969; and

RUNNING THENCE;

1) North 49 degrees 50 minutes 00 seconds West 60.00 feet, along the said line of Wintergreen Avenue, to a point;

THENCE;

2) North 40 degrees 10 minutes 00 seconds East 190.00 feet, along Lot No. 4 to a point;


THENCE

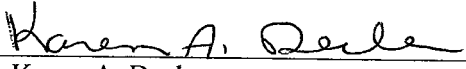
3) South 49 degrees 50 minutes 00 seconds East 60.00 feet along the southerly line of New York State Route No. 52, known as South Plank Road, to a point;

THENCE;

4) South 40 degrees 10 minutes 00 seconds West 190.00 feet, along the aforesaid Lot No. 7, to the point or place of BEGINNING.

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

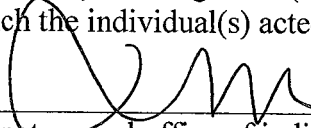
  
By: Timothy M. Decker

  
By: Karen A. Decker

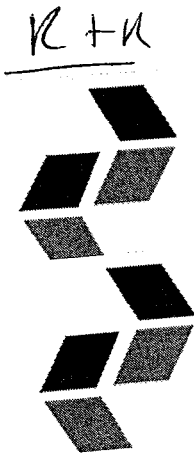
**Acknowledgment by a Person Within New York State (RPL § 309-a)**

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF ORANGE         )

On the 24th day of January in the year 2022, before me, the undersigned, personally appeared **Timothy M. Decker and Karen A. Decker**, 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 they executed the same in their capacity(ies), and that by 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)

MICHELLE ANDERSON  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02AN4972943  
Qualified in Orange County  
Commission Expires October 9, 2022



Record and Return Title Agency, Inc.  
7 Dempsey Place  
Eastchester, NY 10709

Record and Return Title Agency, Inc.  
7 Dempsey Place  
Eastchester, NY 10709

RECORDED AT THE REQUEST OF  
RECORD & RETURN TITLE AGENCY  
TITLE# RR-0-44994-21  
THRU:  AMT  FA  ORT  
 STIC  STG

Section: 67, Block: 2, Lot: 4





## 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

# 3042-23.

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 05/02/2023**

**Application No. 23-0437**

**To: Audley Johnson**  
**85 Wintergreen Avenue**  
**Newburgh, NY 12550**

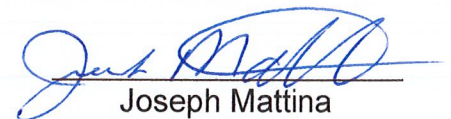
**SBL: 67-2-4**  
**ADDRESS: 85 Wintergreen Ave**

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 05/01/2023 for permit to keep a 8' x 12' accessory building on the premises located at 85 Wintergreen Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- (1) 185-43-F: No garden house, tool shed shall be located in a front yard.
- (2) 185-15-A-4: An accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT**

**YES** / NO

NAME: AUDLEY JOHNSON

Application # 23-0437

ADDRESS: 85 WINTERGREEN AVE NEWBURGH NY 12550

**PROJECT INFORMATION:**

**AREA VARIANCE**

USE VARIANCE

TYPE OF STRUCTURE: 8' X 12' ACCESSORY BUILDING

SBL: 67-2-4

ZONE: R-3

ZBA Application # 3042-23

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

**N/A**

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
ACCESSORY SQUARE FT.	363.6 SF	456 SF		92.4 SF	25.40%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD	Previous owner failed to follow thru with the variance process				
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:**

**(2) FRONT YARDS / WINTERGREEN & SOUTH PLANK**

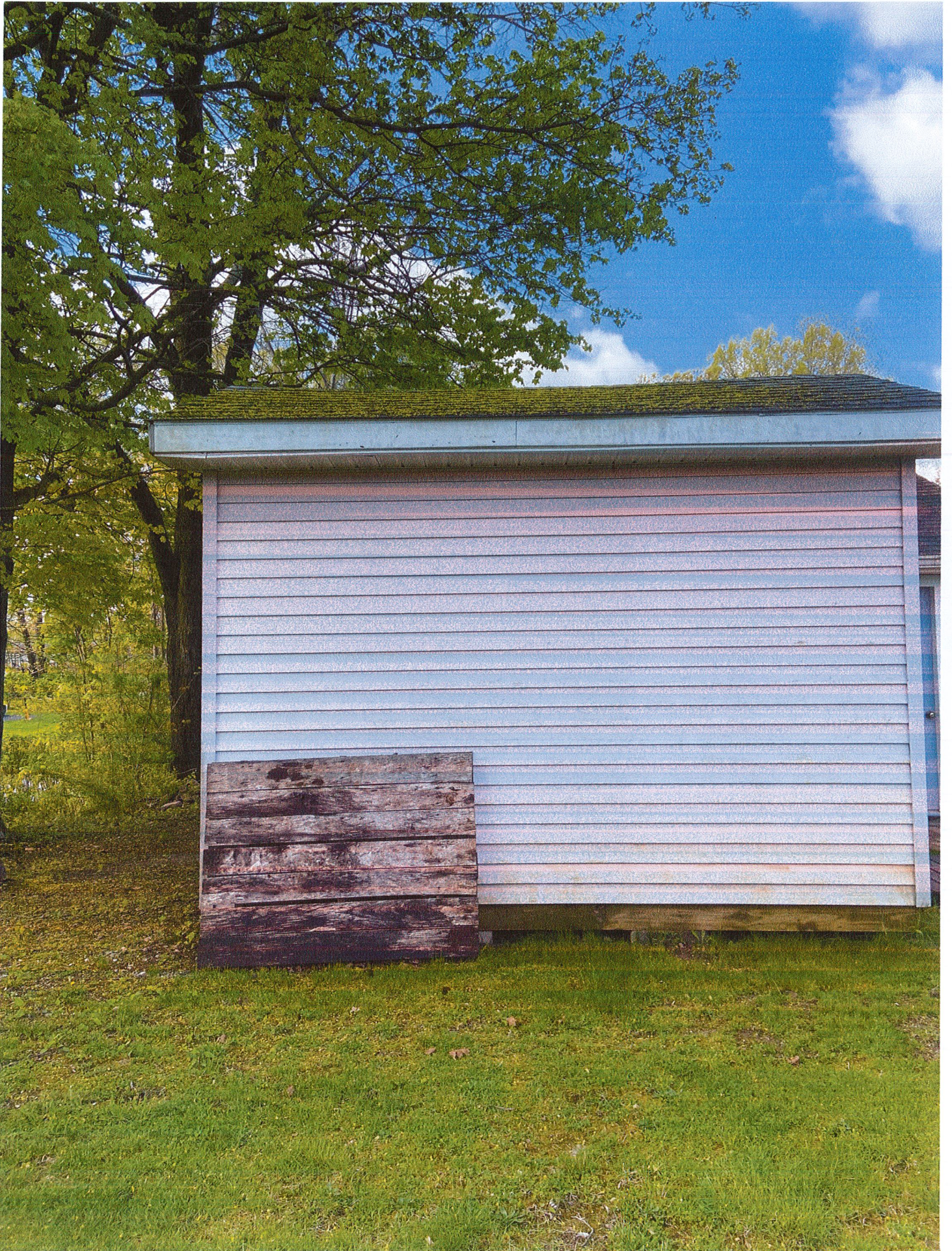
REVIEWED BY: Joseph Mattina

DATE: 1-Dec-20





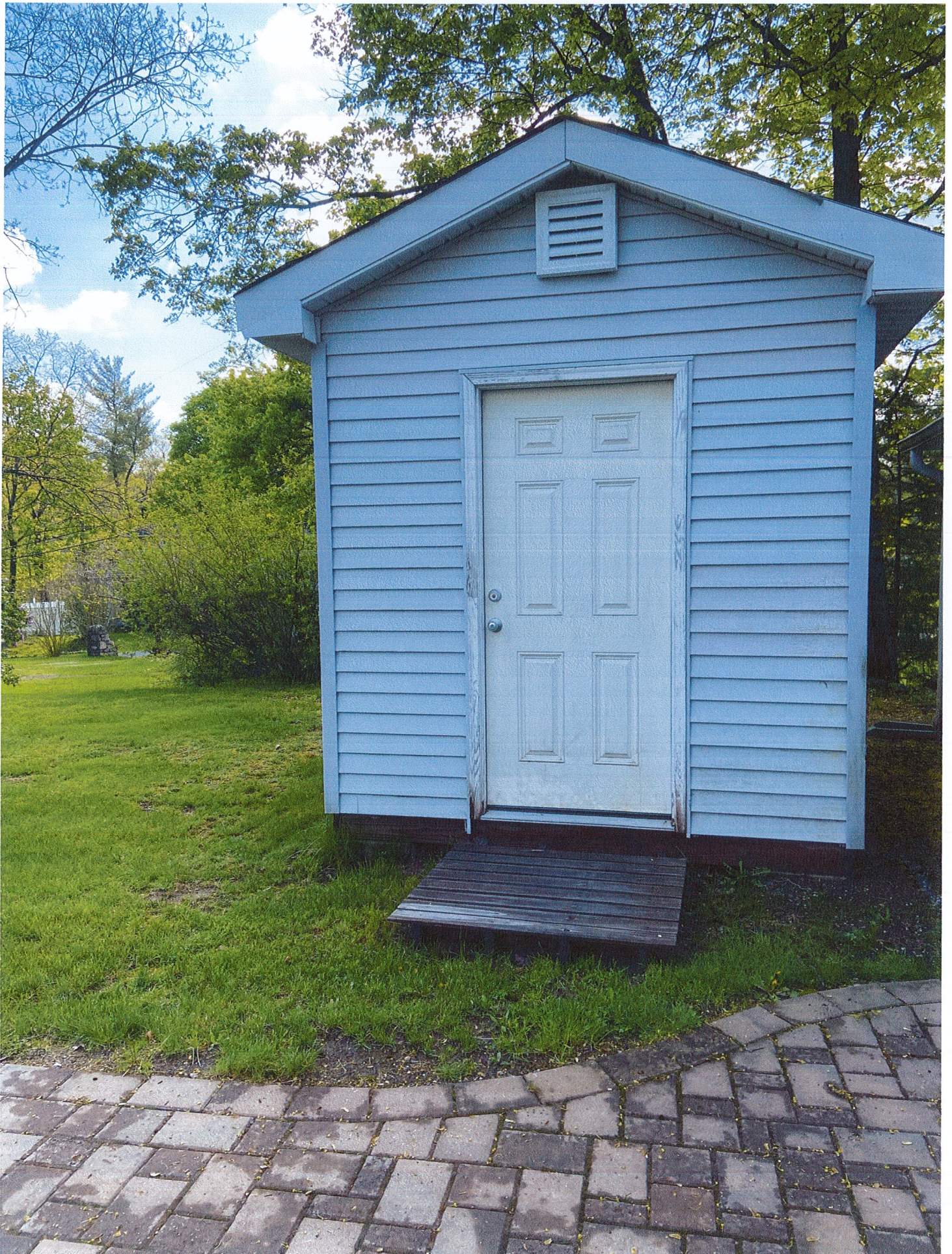




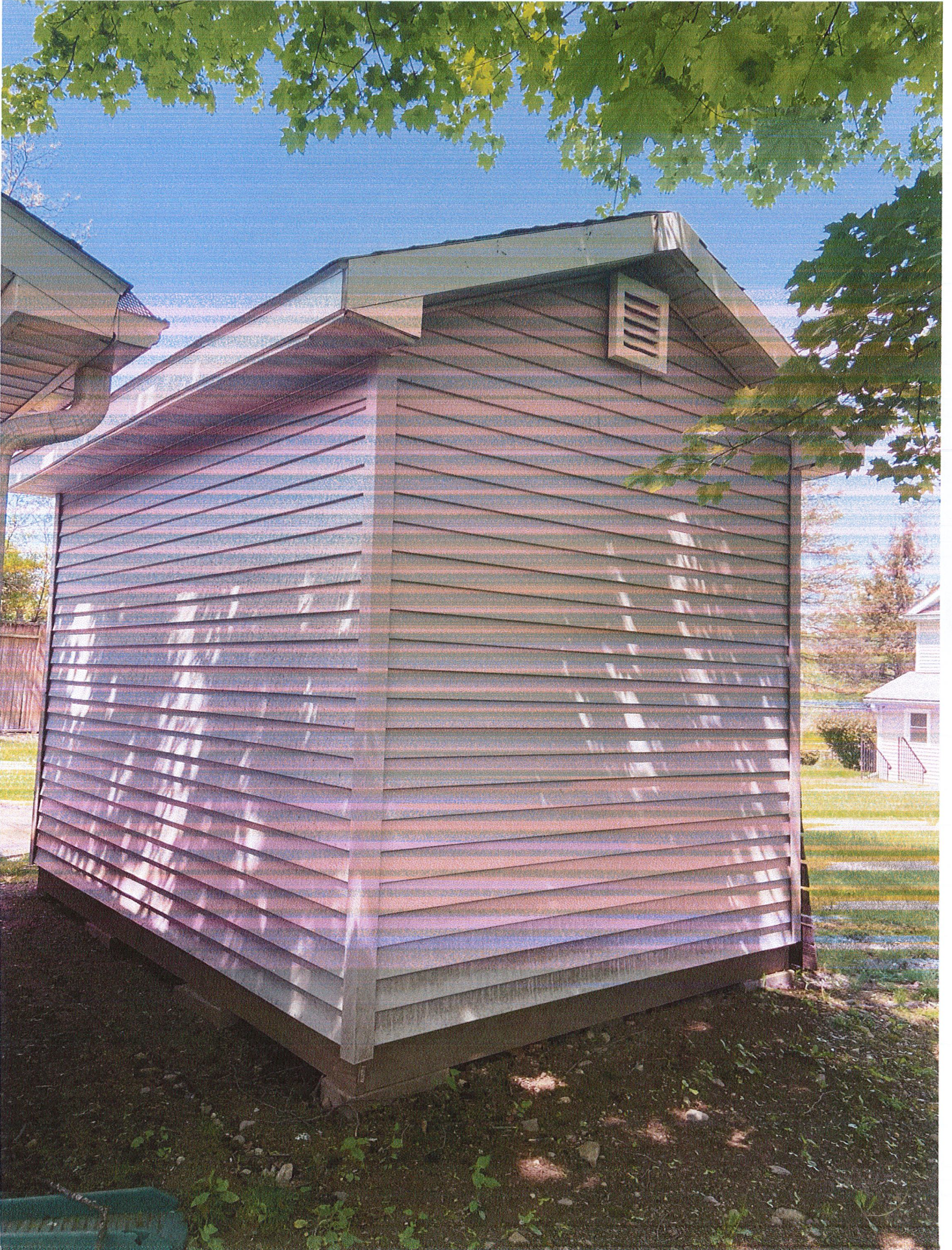












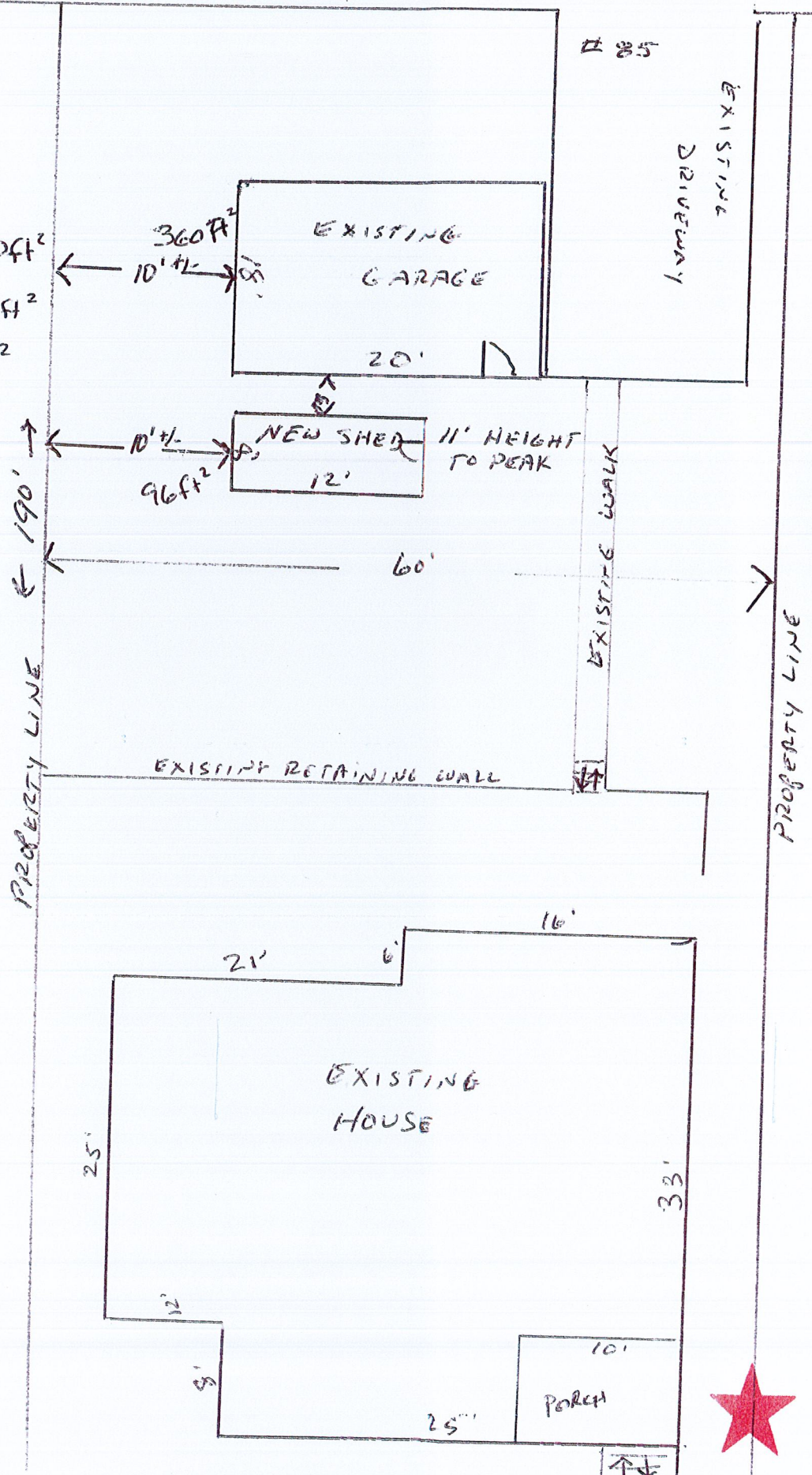


WINTERGREEN AVE

(NOT TO SCALE)

EXISTING GARAGE = 360ft<sup>2</sup>  
EXISTING HOUSE = 1221ft<sup>2</sup>  
NEW SHED = 96ft<sup>2</sup>

TOTAL SURFACE (sqft)  
- BUILDINGS = 1677  
- LOT (60x190) = 11,400



CODE COMPLIANCE DEPARTMENT

NOV 23 2020

Sign *[Signature]*





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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Ausley Johnson, being duly sworn, depose and say that I did on or before

June 8, 2023, post and will thereafter maintain at

85 Wintergreen Ave 67-2-4 R3 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.

Ausley Johnson

Sworn to before me this 31

day of May, 2023.

Dawnmarie Busweiler





