

2668-18

New Single Family Dwelling

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: 2-18-18

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

I (WE) MARGUERITE A LEASE PRESENTLY
RESIDING AT NUMBER 367 LAKESIDE RD, NEWBURGH NY 12550
TELEPHONE NUMBER 845-564-4404

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:

S/B/L 33-1-20.21 (TAX MAP DESIGNATION)

LAKESIDE RD (STREET ADDRESS)

R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

SECTION 185-11 UTILIZATION OF BULK
TABLE R1-DISTRICT - SCHEDULE 3
MINIMUM LOT AREA
MINIMUM LOT WIDTH
BOTH SIDE YARDS SETBACK



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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: 02/02/2018
- 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 TO CONSTRUCT SINGLE FAMILY DWELLING WHERE:
MINIMUM LOT AREA - 40,000 IS REQUIRED - 37830 SQ. FT IS EXISTING
MINIMUM LOT WIDTH - 150 FT IS REQUIRED - 125 FT IS EXISTING
COMBINED SIDE YARD SETBACKS - 80 FT REQUIRED - 75 FT IS PROPOSED

NA

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:



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

6. IF AN AREA VARIANCE IS REQUESTED: *SEE ATTACHED ADDENDUM*

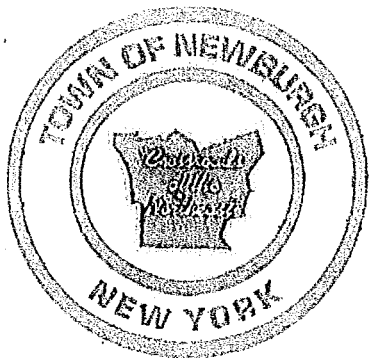
a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

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:



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Marguerite Alease

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF Dec 20/17

John Lease III

NOTARY PUBLIC

JOHN LEASE III
Notary Public, State of New York
Qualified in Orange County
No. 4893815
Commission Expires May 26, 20 19.

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)

Addendum

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:**

Most of the neighboring parcels on the west side of Lakeside Road do not conform to the minimum lot area or width requirements. The subject parcel is larger in width and area than a majority of the neighboring parcels. Of the 18 parcels located on the west side of Lakeside Road within 1380 +/- feet north of the site, two meet the required minimum lot width and five meet the required minimum lot area. There are 39 parcels located on the west side of Lakeside Road from the site south to Gardnertown Road (approx. 2600 feet). Of these, two meet the required minimum lot width and two meet the required minimum lot area.

The proposed dwelling will adhere to the minimum 30 foot side yard setback at both side yards (38'+/- and 37' +/- are proposed). It will not conform to the required combined side yard setback of 80 feet by a deficiency of only 5 feet.

The lot will be utilized in the same manner as the neighboring parcels and will not produce an undesirable change in the character of the neighborhood.

- 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 adjacent parcels are pre-existing nonconforming lots and have no land available that could be obtained to eliminate the need for the required variances without creating new nonconformities.

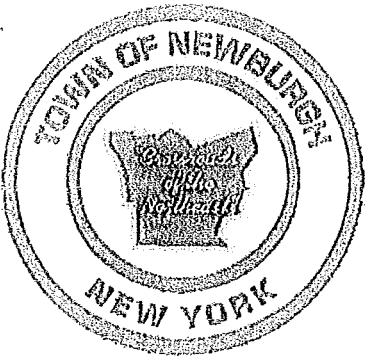
- c. **THE REQUESTED AREA VARIANCES ARE NOT SUBSTANTIAL BECAUSE:**

As demonstrated on the attached Code Compliance Department's "Notice of Disapproval, the variances are not numerically substantial. Also as previously stated, the parcel is larger than the majority of the neighboring parcels.

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

The proposed dwelling will be setback approximately 190 feet from Lakeside Road and be screened from Lakeside Road by approximately 120 feet of wooded land. Therefore, it will not visually affect the neighborhood. The dwelling will connect to existing municipal water and sewer lines. Therefore, the size of the parcel or the effects of water and sewage will not be a factor. The parcel is proposed to be used in the same manner as the surrounding parcels and will not adversely affect the neighborhood.

- e. **THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:** The applicant purchased the parcel in 1990 with the intention that her daughter would eventually build on it. At that time the parcel was in an R-3 zone and the lot and dwelling would have conformed to all zoning bulk requirements. In 2005 the Town of Newburgh rezoned the parcel from an R-3 zone to an R-1 zone; thereby creating the need for the requested variances.



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PROXY

MARGUERITE A LEASE, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 367 LAKESIDE RD, NEWBURGH

IN THE COUNTY OF ORANGE AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF TAX PARCEL

SECTION 33 BLOCK 1 LOT 20.21

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED VINCENT J. DOLE ASSOCIATES

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 12/7/17

Marguerite Lease

OWNER'S SIGNATURE

KW DeCosta-Diorio

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7 DAY OF Dec. 2017

John Lease III
NOTARY PUBLIC

JOHN LEASE III
Notary Public, State of New York
Qualified in Orange County
No. 4893815
Commission Expires May 26, 2019

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: LANDS OF MARGUERITE A. LEASE			
Project Location (describe, and attach a location map): LAKESIDE ROAD, TOWN OF NEWBURGH ORANGE CO.			
Brief Description of Proposed Action: CONSTRUCTION OF A SINGLE FAMILY DWELLING REQUIRING AN AREA VARIANCE FROM THE TOWN OF NEWBURGH ZONING BOARD OF APPEALS.			
Name of Applicant or Sponsor: MARGUERITE A LEASE		Telephone: 845-564-4404	
		E-Mail: MARGIELEASE@AOL.COM	
Address: 367 LAKESIDE RD			
City/PO: NEWBURGH		State: NY	Zip Code: 12550
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 YES <input checked="" type="checkbox"/> <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: TOWN OF NEWBURGH BUILDING PERMIT			NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.87± acres	
b. Total acreage to be physically disturbed?		0.87± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.87± 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			

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: DARREN G. DOLE
VIOLENT J DOLE ASSOC Date: 2-18-18
 Signature: [Handwritten Signature]

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

Marguerite A. Lease

TO

Marguerite A. Lease, as Trustee of the
Marguerite A. Lease Living Trust

SECTION 33 BLOCK 1 LOT 20.21



RECORD AND RETURN TO:
(name and address)

Glen Heller, Esq.
Drake, Sommers, Loeb, Tarshis, Catania &
Liberth, PLLC
One Corwin Court
Newburgh, New York 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

PROPERTY LOCATION

- ___ 2089 BLOOMING GROVE (TN)
- ___ 2001 WASHINGTONVILLE (VLG)
- ___ 2289 CHESTER (TN)
- ___ 2201 CHESTER (VLG)
- ___ 2489 CORNWALL (TN)
- ___ 2401 CORNWALL (VLG)
- ___ 2600 CRAWFORD (TN)
- ___ 2800 DEERPARK (TN)
- ___ 3089 GOSHEN (TN)
- ___ 3001 GOSHEN (VLG)
- ___ 3003 FLORIDA (VLG)
- ___ 3005 CHESTER (VLG)
- ___ 3200 GREENVILLE (TN)
- ___ 3489 HAMPTONBURGH (TN)
- ___ 3401 MAYBROOK (VLG)
- ___ 3689 HIGHLANDS (TN)
- ___ 3601 HIGHLAND FALLS (VLG)
- ___ 3889 MINISINK (TN)
- ___ 3801 UNIONVILLE (VLG)
- ___ 4089 MONROE (TN)
- ___ 4001 MONROE (VLG)
- ___ 4003 HARRIMAN (VLG)
- ___ 4005 KIRYAS JOEL (VLG)

- ___ 4289 MONTGOMERY (TN)
- ___ 4201 MAYBROOK (VLG)
- ___ 4203 MONTGOMERY (VLG)
- ___ 4205 WALDEN (VLG)
- ___ 4489 MOUNT HOPE (TN)
- ___ 4401 OTISVILLE (VLG)
- ___ 4600 NEWBURGH (TN)
- ___ 4800 NEW WINDSOR (TN)
- ___ 5089 TUXEDO (TN)
- ___ 5001 TUXEDO PARK (VLG)
- ___ 5200 WALLKILL (TN)
- ___ 5489 WARWICK (TN)
- ___ 5401 FLORIDA (VLG)
- ___ 5403 GREENWOOD LAKE (VLG)
- ___ 5405 WARWICK (VLG)
- ___ 5600 WAWAYANDA (TN)
- ___ 5889 WOODBURY (TN)
- ___ 5801 HARRIMAN (VLG)

NO PAGES 5 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable CONSIDERATION \$ _____
TAX EXEMPT _____
Taxable MORTGAGE AMT. \$ _____

- MORTGAGE TAX TYPE:
- ___ (A) COMMERCIAL/FULL 1%
 - ___ (B) 1 OR 2 FAMILY
 - ___ (C) UNDER \$10,000
 - ___ (E) EXEMPT
 - ___ (F) 3 TO 6 UNITS
 - ___ (I) NAT.PERSON/CR. UNION
 - ___ (J) NAT.PER-CR.UN/1 OR 2
 - ___ (K) CONDO

CITIES

- ___ 0900 MIDDLETOWN
- ___ 1100 NEWBURGH
- ___ 1300 PORT JERVIS
- ___ 9999 HOLD

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: Drake

RECORDED/FILED
03/20/2006 / 14:57:59
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060031454
DEED C / BK 12108 PG 0676
RECORDING FEES 210.00
TTX# 007824 T TAX 0.00
Receipt#552552 juls

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 3/20/06 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF IN WHOLE OR IN PART. I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
11/20/17 *Ann G. Rabbitt*
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

Must Print on 8 1/2 * 14 (Legal-size) Paper or not valid and will not be accepted.



#00618-47920/351418/SBL - 33.1.20.21

BARGAIN & SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the ^{15th} ~~12th~~ day of ^{February} ~~October~~, Two Thousand ^{Six} ~~Five~~
BETWEEN

MARGUERITE A. LEASE, residing at 367 Lakeside Road, Newburgh, New York 12550,

party of the first part, and

MARGUERITE A. LEASE, as Trustee of the Marguerite A. Lease Living Trust u/d/t dated June 29, 2004, having an address of 367 Lakeside Road, Newburgh, New York 12550,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of love and affection and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, and State of New York, being further bounded and described in Schedule A attached hereto.

Being and intended to be the same premises conveyed in a certain deed from JEFFREY M. LEASE AND JOHN LEASE to MARGUERITE A. LEASE dated the 10th day of June 1990 and recorded in the office of the Orange County Clerk on July 10th, 1990 in Liber 3316 of deeds at Page 308.

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

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

MARGUERITE A. LEASE,

to

**MARGUERITE A. LEASE, as Trustee of the Marguerite A.
Lease Living Trust u/d/t dated June 29, 2004**

**SECTION 33
BLOCK 1
LOT 20.21**

**COUNTY/TOWN/CITY
Orange/Newburgh**

RECORD and RETURN TO:

**GLEN L. HELLER, ESQ.
Drake Sommers Loeb Tarshis Catania
& Liberth, PLLC
One Corwin Court
P.O. Box 1479
Newburgh, New York 12550**

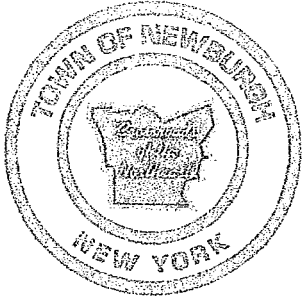
SCHEDULE "A"

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

BEGINNING at a point in the northwesterly line of the town road known as Lakeside Road leading from State Route No. 52 past Orange Lake to State Route No. 300, said point being the northeasterly corner of lands of Olson and running thence along the northwesterly side of Lakeside Road North 19 degrees 57 minutes East for 38.98 feet to a point; thence still along the northwesterly line of Lakeside Road North 35 degrees 51 minutes East for 85.-8 feet to a point; thence leaving said Lakeside Road and running on a course of North 66 degrees 09 minutes West for 322.44 feet to the shore of Orange Lake; thence along the shore of said lake South 17 degrees 36 minutes West for 128.00 feet to an iron pin set in the ground at northwest corner of lands of Olson and thence along said lands of Olson South 67 degrees 17 minutes East 293.1 feet to the point or place of beginning.

SUBJECT to the covenant and restriction that the business of manufacturing, storing, distilling, brewing, preparing, sampling or sale of any strong, spiritous or intoxicating liquors or beverages of any kind or sort or name shall never be carried on or permitted upon said premises or any part thereof.

TOGETHER with any right, title and interest of the grantor of, in and to that portion of Lakeside Road which adjoins the premises above described and together with such right to the use of Orange Lake as the grantor may convey.



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

2668-18

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 02/02/2018

Application No. 17-0996

To: Marguerite Lease
367 Lakeside Rd
Newburgh, NY 12550

SBL: 33-1-20.21
ADDRESS: Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 10/10/2017 for permit to build a single family dwelling unit on the premises located at Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule 3 Requires 40,000 Sf minimum lot size
- 2) Bulk table schedule 3 Requires 150' minimum lot width
- 3) Bulk table schedule 3 Requires a combined side yard setback of 80'


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Definition of LOT

Land or a parcel of land not divided by streets occupied, unoccupied or to be occupied by a building and its accessory buildings or by a dwelling or group of dwellings and its accessory buildings, together with such open spaces as are required under the provisions of this chapter containing not less than the minimum area required by this chapter for a lot in a district in which such land is situated and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of law to be adequate as a condition to the issuance of a building permit for a building on such land.

§ 185-18 Exceptions to district regulations.

(A) Nonconforming lots of record.

(1) Existing lots. Nothing shall prohibit the use of a lot of less than the prescribed area or width when such lot is owned individually and separate from any adjoining tract at the time of enactment of this chapter, provided that all other provisions of this chapter are met.

(2) Subdivisions. (1) Two or more nonconforming subdivision lots, not in separate ownership, in a subdivision which was approved by the Planning Board prior to the effective date of this chapter shall have three years from the effective date of this chapter to obtain a building permit.

(C) (3) The minimum width of each required side yard for a residential use on an existing lot providing less than the required lot width shall be reduced by 15 feet for lots in the R-1, AR and RR Districts and reduced by five feet for lots in the R-2 and R-3 Districts.

SF
37830
Sub
DIVISION

SECTION

ORANGE LAKE

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15.1.7A
SCH515201

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3A (1)

SCH1100

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• 245S

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ORCHARD

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5A (3)

Lakeside Road

BLUE ROAD

SPRINGS

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PINNACLE

PROPERTIES

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