

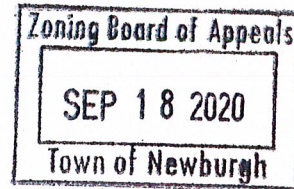


TOWN OF NEWBURGH

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: _____

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

I (WE) FRANK + ROSEMARIE LISI PRESENTLY

RESIDING AT NUMBER 10 JUNE ROAD

TELEPHONE NUMBER (845) 564-3737 or 845-857-8735

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

- X USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

94-1-2901 (TAX MAP DESIGNATION)

10 JUNE ROAD (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1

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:
8-6-20
- 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: _____

INCREASE NON CONFORMING SIDE YARD

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

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

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

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

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

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

PROPOSED SIDE ADDITION WILL
BLEND IN WITH EXISTING HOUSE

- 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:

HAVE HANDICAPPED DAUGHTER NEED
ADDITION TO GO ON SAME LEVEL

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

WILL BE A SMALL 14' X 14' ADDITION

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

WILL STILL HAVE A 13.8' SIDE
YARD SET-BACK

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

ADDITION NOT YET BUILT

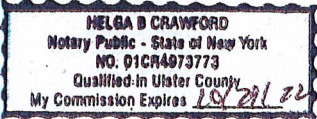
7. ADDITIONAL REASONS (IF PERTINENT):

Paul J. ...
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4th DAY OF September 2020

Helga B Crawford
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 action 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 AGENDA ITEM OF THE MEETING.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

FRANK LISI, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 10 JUNE ROAD
IN THE COUNTY OF ORANGE AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF _____
10 JUNE RD Newburgh NY
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED SELF (OWNER)
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: Sept 4, 2020

Frank Lisi

OWNER'S SIGNATURE

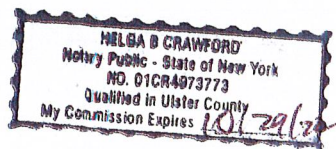
[Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK; COUNTY OF ORANGE:

SWORN TO THIS 4th DAY OF September 2020

[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>PROPOSED 14X14 SIDE ADDITION HISI ADDITION</i>			
Project Location (describe, and attach a location map): <i>10 JUNE RD NEWBURGH NY</i>			
Brief Description of Proposed Action: <i>PROPOSE 14X14 SIDE BEDROOM ADDITION WILL BE ON WEST SIDE OF HOUSE, EXISTING DR WILL BE CONVERTED TO A FULL BATHROOM AND CLOSET, HALL</i>			
Name of Applicant or Sponsor: <i>FRANK HISI</i>		Telephone: <i>845-564-3737</i>	
		E-Mail: <i>68g7ofL@MSN.COM</i>	
Address: <i>10 JUNE ROAD</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?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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			

<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>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>FRANK LIST</u></p>	<p>Date: <u>9-4-20</u></p>	
<p>Signature: <u>[Signature]</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:	<input type="checkbox"/>	<input type="checkbox"/>
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)



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

2855-20

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/06/2020

Application No. 20-0678

To: Frank Lisi
10 June Road
Newburgh, NY 12550

SBL: 94-1-29.1
ADDRESS: 10 June Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 07/27/2020 for permit to construct a 14' x 14' side yard addition on the premises located at 10 June Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-19-C-1: Shall not increase the degree of non-conformity. (front yard)
- 2) Bulk table schedule 3: Requires a 30' minimum side yard setback.
- 3) ~~Bulk table schedule 3: Requires an 80' combined side yard setback~~

have the 80


Joseph Mattina

Side NOT
Front.

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: FRANK LISI **Building permit #** 20-0678

ADDRESS: 10 JUNE RD. NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 14' X 14' SIDE ADDITION

SBL: 94-1-29.1 **ZONE:** R-1 **ZBA Application #** 2855-20

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'	28.30	INCREASING THE DEGREE NON CONFORMITY		
ONE SIDE YARD	30'		13.8'	16.2'	53.99%
COMBINED SIDE YARD	80'		39.8'	40.4'	50.50%
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: THE DWELLING IS ONLY SETBACK 28.3 FROM ROAD. ADDITION WILL BE 42' WHERE 50' IS REQUIRED

- VARIANCE(S) REQUIRED:**
- 1 185-19-C-1: SHALL NOT INCREASE THE DEGREE OF NON-CONFORMITY (FRONT YARD)
 - 2 BULK TABLE SCHEDULE 3: REQUIRES ONE SIDE YARD SETBACK OF 30' MINIMUM
 - 3 ~~BULK TABLE SCHEDULE 3: REQUIRES A 80' COMBINED SIDE YARD SETBACK~~
 - 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 6-Aug-20

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
(This Page is Part of the Instrument)

SECTION 94 BLOCK 1 LOT 29

PRINT OR TYPE: BLACK INK ONLY

LENA T. HILTON

TO

FRANK J. LISI and
ROSEMARIE C. LISI

RECORD AND RETURN TO:
(Name and Address)

ANDREW P. BIVONA, ESQ.
P.O. Box 2636
Newburgh, New York 12550

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 051812 DATE 2-9-88 AFFIDAVIT FILED _____ 19 _____

INSTRUMENT TYPE: DEED MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

- BG20 Blooming Grove _____
- CH22 Chester _____
- CO24 Cornwall _____
- CR26 Crawford _____
- DP28 Deerpark _____
- GO30 Goshen _____
- GR32 Greenville _____
- HA34 Hamptonburgh _____
- HI36 Highland _____
- MK38 Minisink _____
- ME40 Monroe _____
- MY42 Montgomery _____
- MH44 Mount Hope _____
- NT46 Newburgh (T)
- NW48 New Windsor _____
- TU50 Tuxedo _____
- WL52 Wallkill _____
- WK54 Warwick _____
- WA56 Wawayanda _____
- WO58 Woodbury _____
- MN09 Middletown _____
- NC11 Newburgh _____
- PJ13 Port Jervis _____
- 9999 Hold _____

SERIAL NO. _____
Mortgage Amount \$ _____
Exempt Yes _____ No _____
3-6 Cooking Units Yes _____ No _____
Received Tax on above Mortgage
Basic \$ _____
MTA \$ _____
Spec. Add. \$ _____
TOTAL \$ _____

CHECK CASH _____ CHARGE _____
MORTGAGE TAX \$ _____
TRANSFER TAX \$ 220
RECORD. FEE \$ 14
REPORT FORMS \$ 5
CERT. COPIES \$ _____

MARION S. MURPHY
Orange County Clerk

by: _____

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on the 11th day of Feb 19 88 at 9:32
O'Clock A M. in Liber/Film 2886
Recd at page 61 and examined.

Marion S. Murphy
County Clerk

F. Lisi

RECEIVED
\$ 220
REAL ESTATE
FEB 11 1988
TRANSFER TAX
ORANGE COUNTY
ml

STATE OF NEW YORK, COUNTY OF Orange ss: On the 9th day of February 1988, before me personally came

Lena T. Hilton

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

David E. Tower
Notary Public

DAVID E. TOWER
Notary Public, State of New York
Residing in Newburgh, N. Y.
Commission Expires March 22, 19
1-31-90

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss: On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

LENA T. HILTON

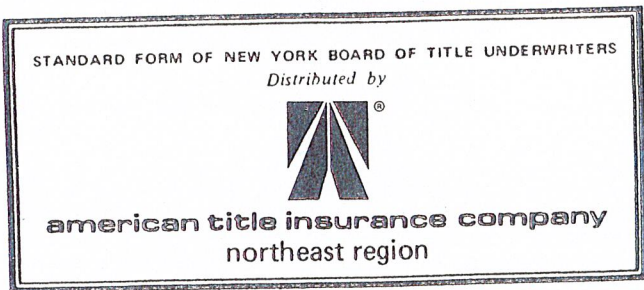
TO

FRANK J. LISI and ROSEMARIE C. LISI

SECTION
BLOCK
LOT
COUNTY OR TOWN

Recorded At Request of American Title Insurance Company

RETURN BY MAIL TO:



ANDREW P. BIVONA, ESQUIRE
10 SOUTH PLANK ROAD
POST OFFICE BOX 2636
NEWBURGH
NEW YORK 12550
Zip No.

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 incumbered 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:



10 June RD (front)



10 June 80 Front (Left)



SIDE

10 JUNE RD



10 June RD (Pelan)

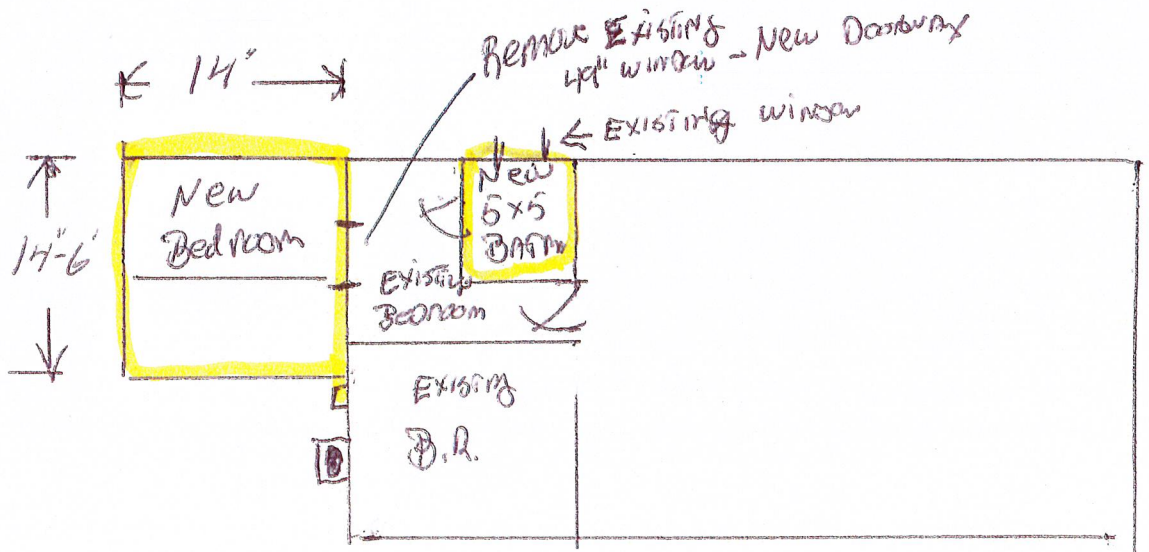
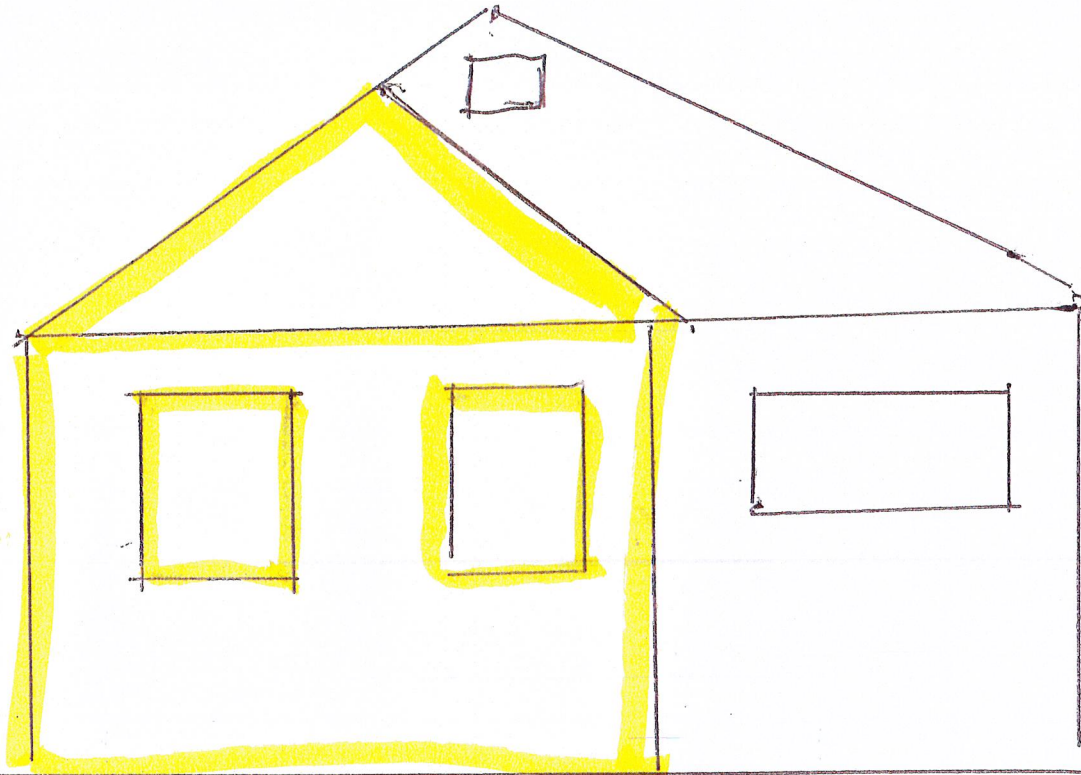
OUTSIDE WALL



10 June 20

Existing Bedroom

SIDE VIEW



PROPOSED ADDITION

10-TONE RD NEWBURGH NY

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, FRANK LISI, being duly sworn, depose and say that I did on or before

October 8, 2020, post and will thereafter maintain at

10 June Rd 94-1-29.1 R1 Zone in the Town of Newburgh, New York, at or near the front

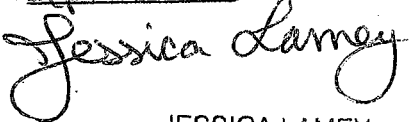
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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.



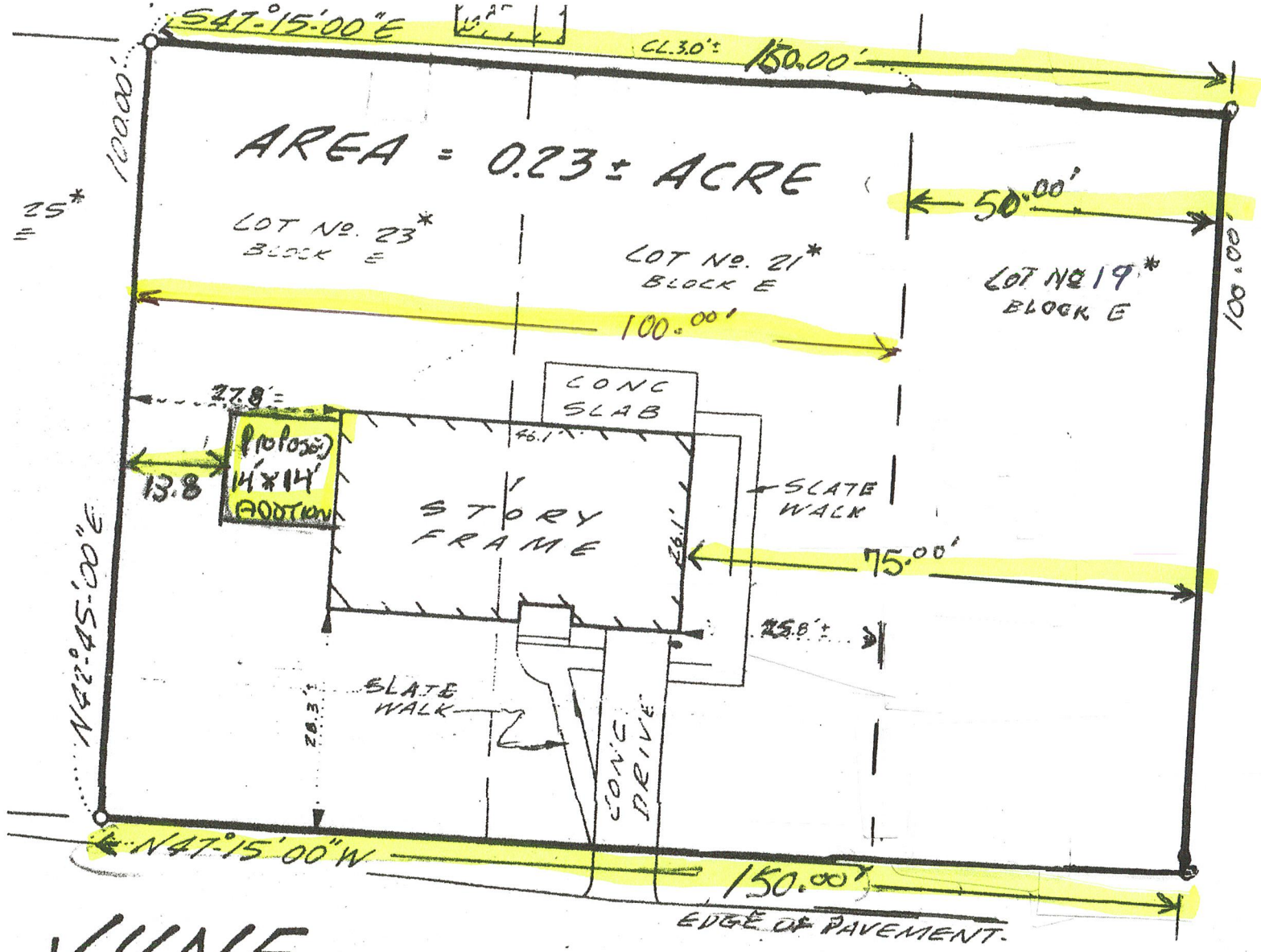
Sworn to before me this 18th

day of September, 2020.



JESSICA LAMEY
Notary Public - State of New York
No. 01-LA6282995
Qualified in Orange County
My Commission Exp. 5/28/2021





JUNE

ROAD

REFER TO A MAP ENTITLED
 'DE GARDENS SUBDIVISION,
 ER 1", FILED IN THE
 Y CLERK'S OFFICE AS

MAP OF SURVEY FOR

WIK J. & ROSEMARIE C. LISI

NEWBURGH
 20'

ORANGE COUNTY,
 FEBRUARY 2,

I CERTIFIED THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE
 STATUTORY CODE OF PRACTICE FOR LAND SURVEYS AND...