

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: 9/17/2014

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

I (WE) CESAR LUJAN PRESENTLY

RESIDING AT NUMBER 761 RIVER RD.

TELEPHONE NUMBER (845) 926-0376

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:

SBL: 9-3-53.1 (TAX MAP DESIGNATION)

761 RIVER RD. (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1



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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: 9/12/2014
- 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: RAISING AND EXTENDING THE ROOF ON THE SECOND FLOOR TO A PROPER HEIGHT

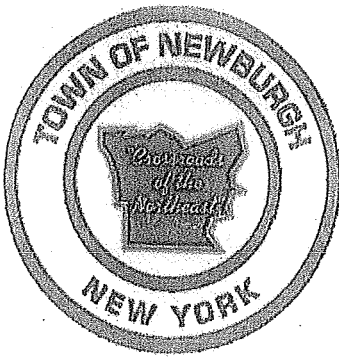
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:

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

*I' WILL BE SAFER, BETTER AND MORE CURV
APPEAL*

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:

THIS WILL BE MY HOME.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

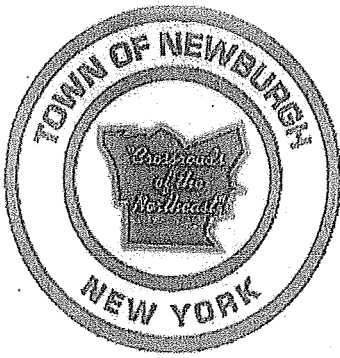
*ONLY WILL RAISE BY 3" THE HIG OF THE 2ND FLOOR
ROOF ARE ADD ONLY ABOUT 10' OVER THE CAR-FOOT*

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

IT WILL BE MUCH BETTER.

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

*YES, TO MAKE IT BETTER AND SAFER AND UP
TO CODE.*

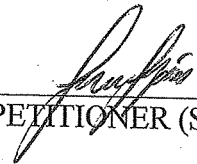


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7. ADDITIONAL REASONS (IF PERTINENT):



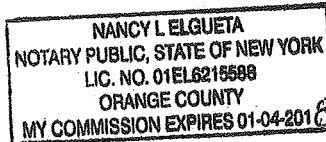
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 17th DAY OF September 20 14



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.

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

617.20
Appendix B
Short Environmental Assessment Form

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: ROOF ON SECOND FLOOR			
Project Location (describe, and attach a location map): SBL. 9-3-53.1 761 RIVER RD. ZONE R-1			
Brief Description of Proposed Action: RAISING AND EXTENDING THE SECOND FLOOR ROOF.			
Name of Applicant or Sponsor: CESAR LUJAN		Telephone: (845) 926-0376	
Address: 761 RIVER RD.		E-Mail:	
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 ✓
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:			NO YES ✓
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 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
			✓
b. Consistent with the adopted comprehensive plan?			✓
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			✓
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	
	✓		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	✓		
b. Are public transportation service(s) available at or near the site of the proposed action?			✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			✓
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	
			✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>WELL WATER</u>	NO	YES	
	✓		
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>SEPTIC TANK</u>	NO	YES	
	✓		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	✓		
b. Is the proposed action located in an archeological sensitive area?			✓
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?	NO	YES	
	✓		
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: _____			✓
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	
	✓		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	✓		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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: _____			<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES

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
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
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

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: CESAR LUJAN Date: 09/17/2014
 Signature: [Signature]

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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.

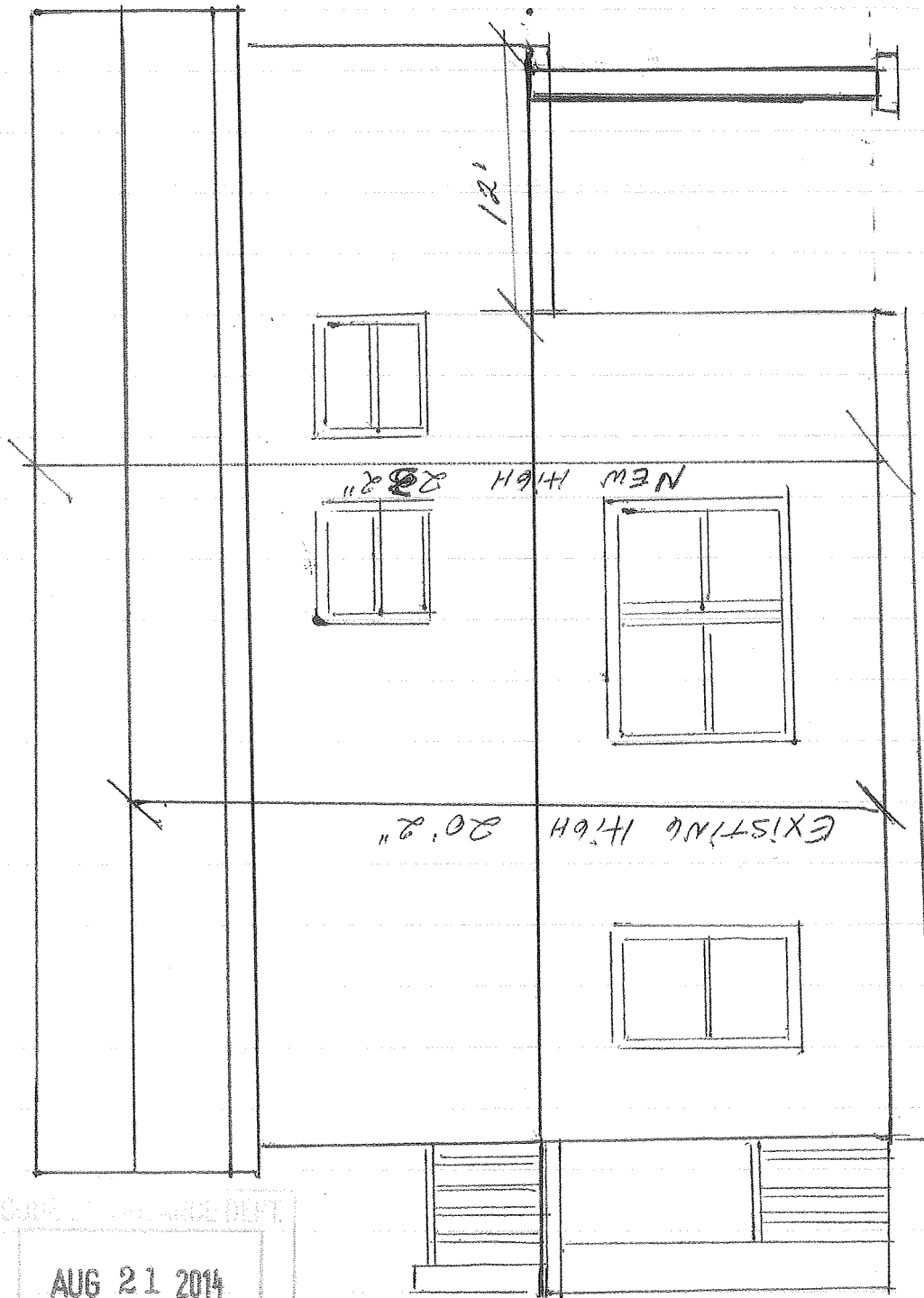
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> 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)

761 RIVER RD.

CESAR LUJAN

ELECTRICAL INNOVATIONS - SANDRO NAVO

LICENSED ELECTRICIAN



STATE OF CALIFORNIA DEPT.
AUG 21 2014
Sign *[Signature]*

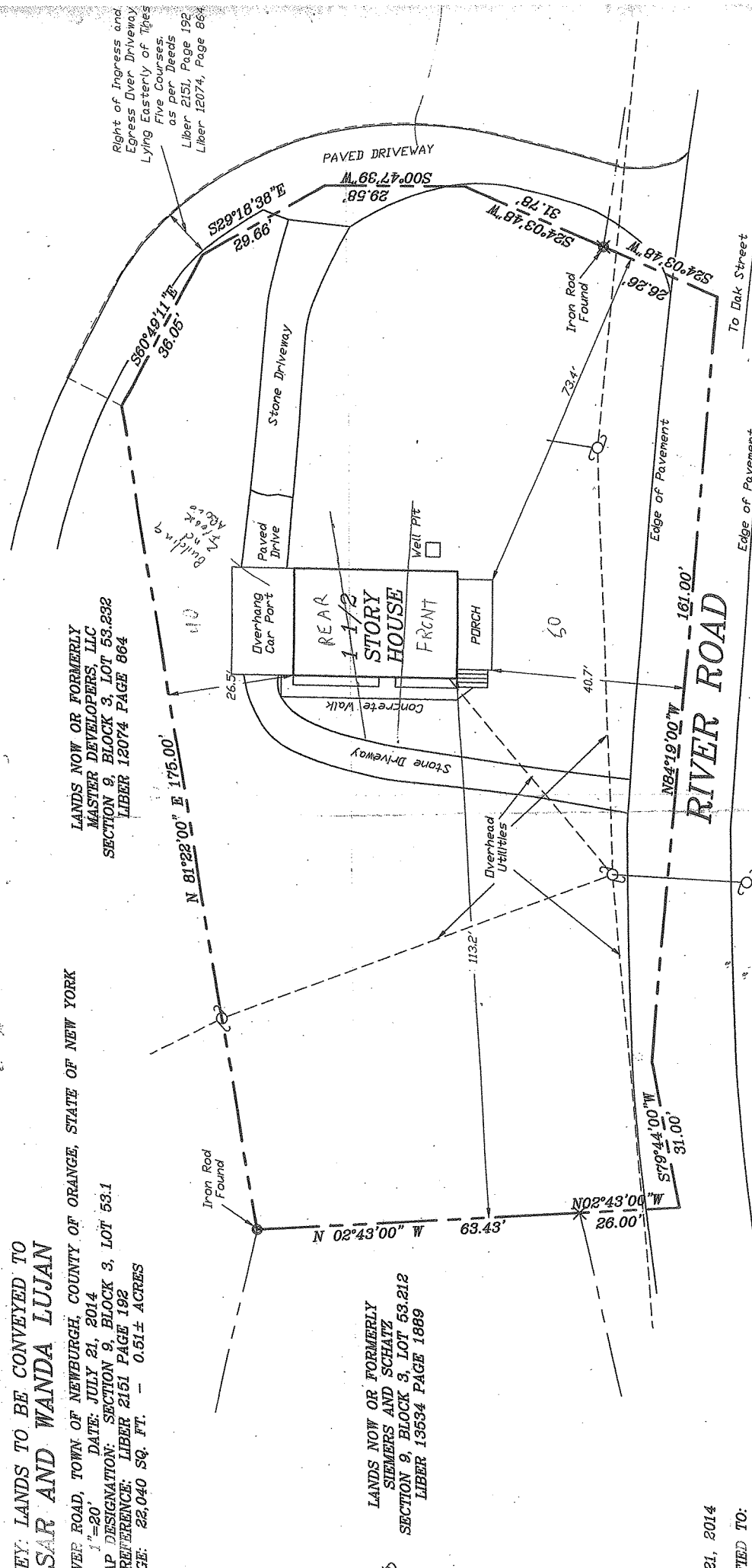
KEY: LANDS TO BE CONVEYED TO SAR AND WANDA LUJAN

THE ROAD, TOWN OF NEWBURGH, COUNTY OF ORANGE, STATE OF NEW YORK
 1"=20'
 DATE: JULY 21, 2014
 AP DESIGNATION: SECTION 9, BLOCK 3, LOT 53.1
 REFERENCE: LIBER 2151 PAGE 192
 GE: 22,040 SQ. FT. - 0.51± ACRES

LANDS NOW OR FORMERLY
 MASTER DEVELOPERS, LLC
 SECTION 9, BLOCK 3, LOT 53.232
 LIBER 12074 PAGE 864

LANDS NOW OR FORMERLY
 SIEMERS AND SCHATZ
 SECTION 9, BLOCK 3, LOT 53.212
 LIBER 13534 PAGE 1889

Right of Ingress and Egress Over Driveway Lying Easterly of Ties Five Courses as per Deeds Liber 2151, Page 192 Liber 12074, Page 864



9-3-53.1
 CODE COMPLIANCE DEPT.
 AUG 21 2014
 SIRT X

SURVEY NOTES

- CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS OR SUBSEQUENT OWNERS.
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYORS SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE N.Y. STATE EDUCATION LAW. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP WITH AN ORIGINAL OF THE LAND SURVEYORS SEAL OF HIS EMBESSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
- SUBJECT TO AND UP TO DATE ABSTRACT OF TITLE. SUBJECT TO

FILED TO:
 SAR AND WANDA LUJAN
 VIA COSMAN EYER & GANTHIA COSMAN-BLANKENSHIP
 ART TITLE INSURANCE COMPANY

A TRUE SURVEY COMPLETED IN THE
 AND WHAT IS SHOWN THEREIN IS THE
 KNOWLEDGE AND BELIEF CORRECT.

DANIEL P. YANOSH, L.L.S.
 26 COUTANT ROAD
 P.O. BOX 320
 CIRCLEVILLE, NEW YORK 10919
 PHONE #: (845) 361 - 4700
 FAX #: (845) 361 - 4722

DATE: JULY 21, 2014

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

Cynthia Cosman-Blankenship f/k/a
Cynthia Cosman

TO

Cesar Lujan and Wanda Lujan

SECTION 9 BLOCK 3 LOT 53.1



RECORD AND RETURN TO:
(name and address)

Joseph M. Saffioti, Esq.
Law Office of Saffioti & Anderson
5031 Route 9W
Newburgh, NY 12550

*Sold
original
9/17/14*

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 R MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

- ___ 2089 BLOOMING GROVE (TN)
- ___ 2001 WASHINGTONVILLE (VLG)
- ___ 2003 SO. BLOOMING GROVE (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)
- ___ 5809 WOODBURY (VLG)
- ___ CITIES
- ___ 0900 MIDDLETOWN
- ___ 1100 NEWBURGH
- ___ 1300 PORT JERVIS
- ___ 9999 HOLD

NO PAGES 3 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK _____
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 94,500
TAX EXEMPT _____
Taxable
MORTGAGE AMT. \$ _____

MORTGAGE TAX TYPE:

- ___ (A) COMMERCIAL/FULL
- ___ (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

Ann G. Rabbitt
ANN G. RABBITT
ORANGE COUNTY CLERK

Received From Greenacre

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 08-01-14 AND THE SAME IS A TRUE AND CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF I HAVE COME
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

08-15-14 *Ann G. Rabbitt*
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY, NY

RECORDED/FILED
08/01/2014/ 14:14:14
ANN G. RABBITT
County Clerk
ORANGE COUNTY, NY
FILE#20140065229
DEED R / BK 13778PG 1241
RECORDING FEES 185.00
TTX# 000019 T TAX 378.00
Receipt#1794685 1am



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

THIS INDENTURE, made this 10th day of July, Two Thousand Fourteen

BETWEEN

CYNTHIA COSMAN-BLANKENSHIP formerly known as CYNTHIA COSMAN
residing at 98 N. Main Street, Canton, North Carolina, 28716,

party of the first part, and

CESAR LUJAN and WANDA LUJAN, Husband and Wife,
residing at 1104 Purisima Court, North Carolina, 27587,

party of the second part,

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

SEE ATTACHED SCHEDULE A

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Cynthia Cosman Blankenship
CYNTHIA COSMAN-BLANKENSHIP
Formerly Known As Cynthia Cosman

STATE OF NORTH CAROLINA)
) SS:
COUNTY OF Haywood)

On the 10 day of July, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared CYNTHIA COSMAN-BLANKENSHIP, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Phyllis P. Burchfield
Notary Public
*My Commission Expires
December 19, 2017*

R & R to: *Joseph M. Saffotti, Esq.*
5031 Route 9W
Newburgh, NY 12550

12-19-17

SCHEDULE A

ALL that certain plot, piece or parcel of land situate lying and being in the Town of Newburgh, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point set in the assumed center line of River Road 28.10 feet westerly from the southwest corner of lands now or formerly of James Brackett on a bearing of North 84 degrees 19' West, said point of beginning marking the southeasterly corner of the parcel hereby conveyed;

RUNNING THENCE along the said assumed center line of River Road, North 84 degrees 19' West, 161.0 feet to a point;

THENCE continuing along said center line of said River Road, South 79 degrees 44' West, 31.0 feet to a point;

THENCE leaving the center line of said road and running thence through lands of Leonard, North 02 degrees 43' West, 26.0 feet to a pin set;

THENCE continuing along the same course of North 02 degrees 43' West, 63.43 feet to a pin set, marking the northwest corner of the parcel hereby conveyed;

THENCE North 81 degrees 22' East, 175.0 feet to a pin set on or near the westerly side of an existing driveway;

THENCE continuing along the said westerly side of said existing driveway the following five courses and distances: (1) South 60 degrees 49' 11" East 36.05 feet, (2) South 29 degrees 18' 38" East 29.66 feet, (3) South 00 degrees 47' 39" West 29.58 feet; (4) South 24 degrees 03' 48" West 31.78 feet to a pin set; and (5) South 24 degrees 03' 48" West, 26.26 feet to the point or place of BEGINNING.

BEING and intended to be the same premises conveyed to Cynthia Cosman who acquired title from Margaret Cosman, as Testamentary Trustee of Trust for the Benefit of Cynthia Cosman under the Last Will and Testament of Helen M. Leonard, by Deed dated November 29, 1979 and recorded in the Orange County Clerk's Office on December 5, 1979 in Liver 2151 Page 192.

Liber



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

2458-14

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/12/2014

Application No. 14-0573

To: Cesar Lujan
761 River Rd
Newburgh, NY 12550

SBL: 9-3-53.1
ADDRESS: 761 River Rd

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 08/13/2014 for permit to raising and extend the roof and 2nd floor on an existing dwelling. on the premises located at 761 River Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-19-C-1 Shall not increase the degree of non conformity. (front yard setback)
- 2) 185-19-C-1 Shall not increase the degree of non conformity. (rear yard setback)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Cesar Lujan

ADDRESS: 761 River Rd Newburgh NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: raising and extended second floor

SBL: 9-3-53.1 **ZONE:** R-1

TOWN WATER: **NO** **TOWN SEWER:** **NO**

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'	40.7'	Increasing degree of non conformity		
REAR YARD	40'	13'	Increasing degree of non conformity		
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES x 2
 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: Existing non conforming dwelling, raising roof and extending floor area on the second level.

VARIANCE(S) REQUIRED:

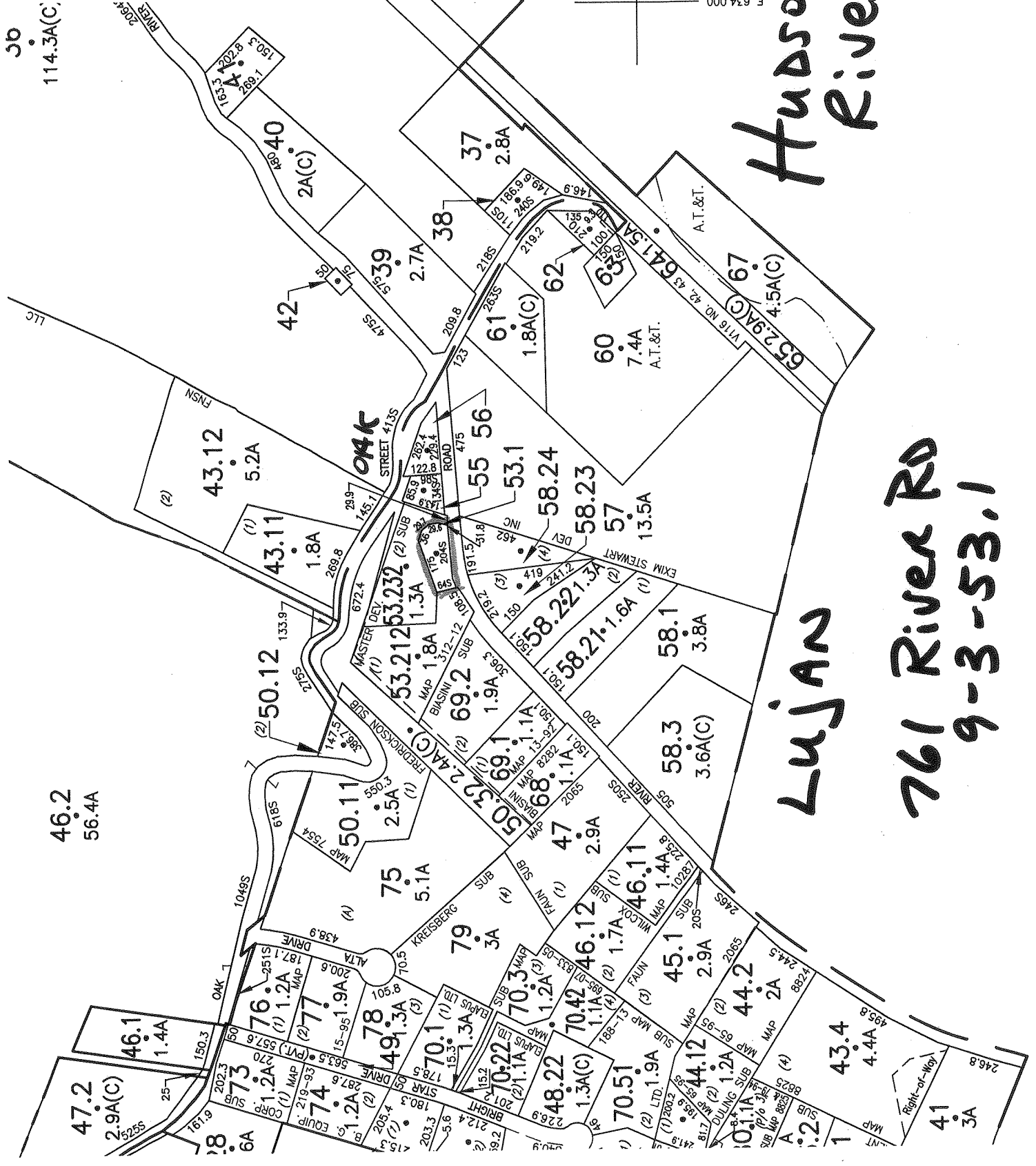
- 1 185-19-C-1 Shall not increase the degree of non conformity. (front yard)
- 2 185-19-C-1 Shall not increase the degree of non conformity. (rear yard)
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 12-Sep-14

36
114.3A(C);

E 634.000

Hudson River



Lujan Rd

761 River Rd 9-3-53.1

46.2
56.4A

CEATUAL