

# 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: 8/19/16

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

I (WE) Michael/Margaret MAHER PRESENTLY  
RESIDING AT NUMBER 50 COCOA LANE Newburgh NY  
TELEPHONE NUMBER 845 566-8315

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:

34-2-71.34 (TAX MAP DESIGNATION)  
50 COCOA LANE (STREET ADDRESS)  
R-2 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-B



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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: 8/12/16
- 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: Shed in front 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:

N/A

(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:

N/A

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

N/A



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

N/A

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:

This is a sacre parcel and not visible to the neighbors

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 constructed after original variance granted 9/2003. Planned shed was 10x20 constructed was 12x24

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

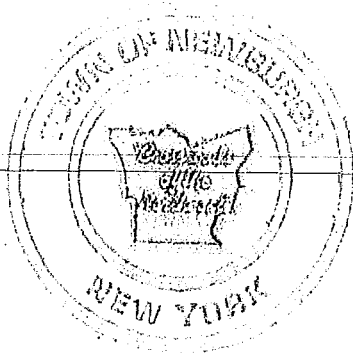
The shed is not readily visible as it sits over 130' off the road.

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

Large lot size and large front yard.

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

Variance previously granted and well within the 1000 SF Accessory structure allowance



# TOWN OF NEWBURGH

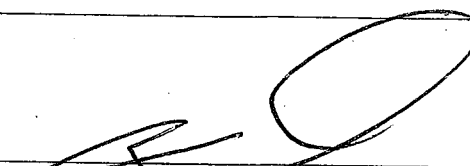
*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD  
(845) 566-4901

## 7. ADDITIONAL REASONS (IF PERTINENT):

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

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

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS <sup>SEVENTH</sup> ~~SEVENTH~~ DAY OF SEPTEMBER 2018

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

ANDREW J. ZARUTSKIE  
Notary Public, State of New York  
No. 01ZA4502524  
Qualified in Orange County  
Commission Expires Nov. 30, 2017

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)



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

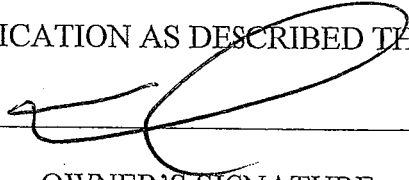
ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

## PROXY

Michael MAHER, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 50 Cocoa Lane, Newburgh  
IN THE COUNTY OF Orange AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF 50 Cocoa  
Lane Newburgh NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Donald Greene  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/7/16

  
\_\_\_\_\_

OWNER'S SIGNATURE

  
\_\_\_\_\_

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS SEVENTH DAY OF SEPTEMBER 2016

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

ANDREW J. ZARUTSKIE  
Notary Public, State of New York  
No. 01ZA4502524  
Qualified in Orange County  
Commission Expires Nov. 30, 2017

Short Environmental Assessment Form  
Part 1 - Project Information

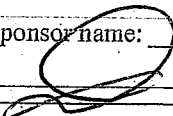
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Shed VARIANCE			
Project Location (describe, and attach a location map): 50 COCOA LANE Newburgh NY			
Brief Description of Proposed Action: VARIANCE for shed in front YARD			
Name of Applicant or Sponsor: Michael/Margaret Mather		Telephone: 845.566-8315	E-Mail: mikchie99@aol.com
Address: 50 COCOA LANE			
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:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5 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)?	NO	YES
If Yes, explain purpose and size:	<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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<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>Michael Moller</u>	Date: <u>8/19/16</u>	
Signature: 		



Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form  
Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

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

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

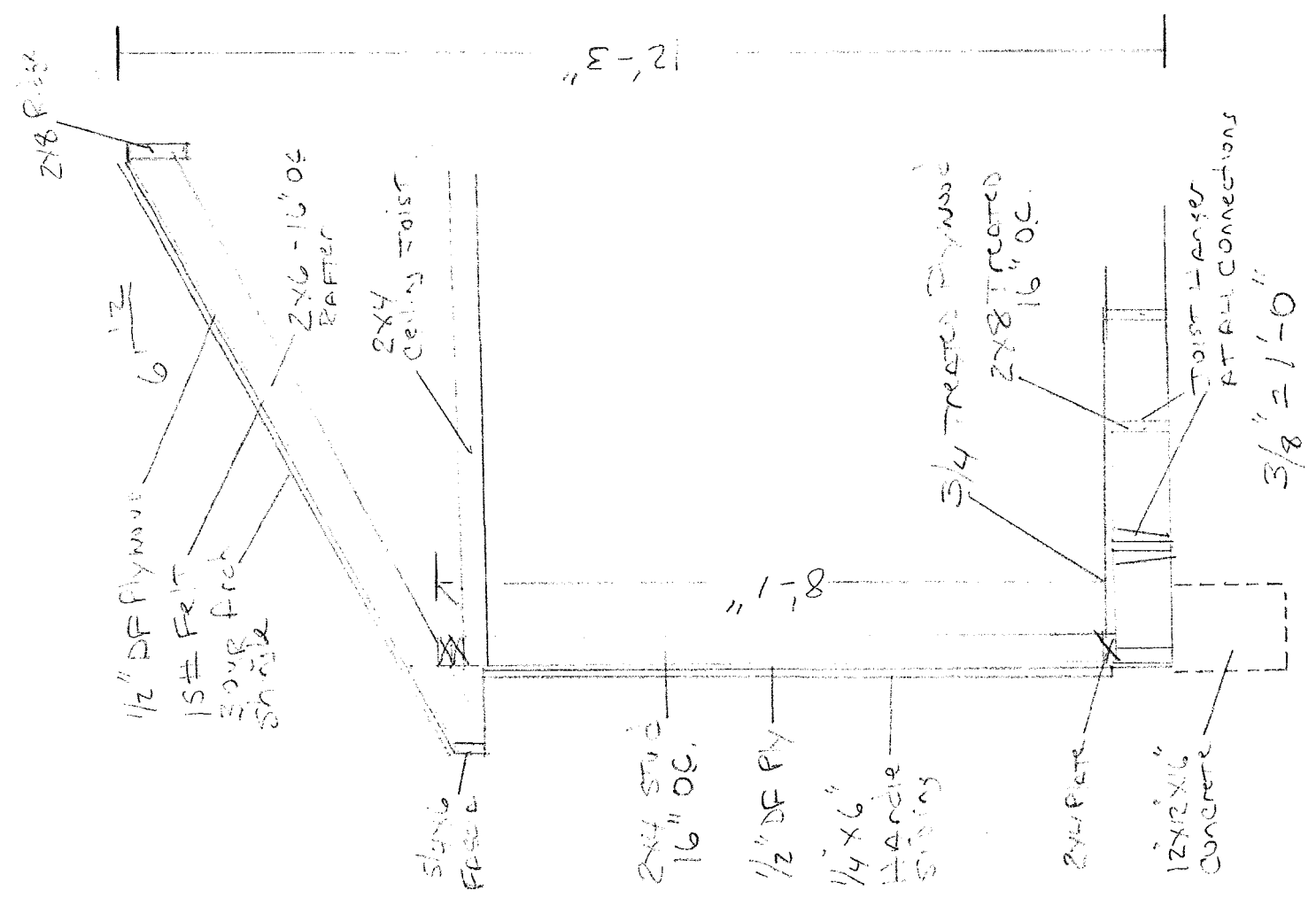
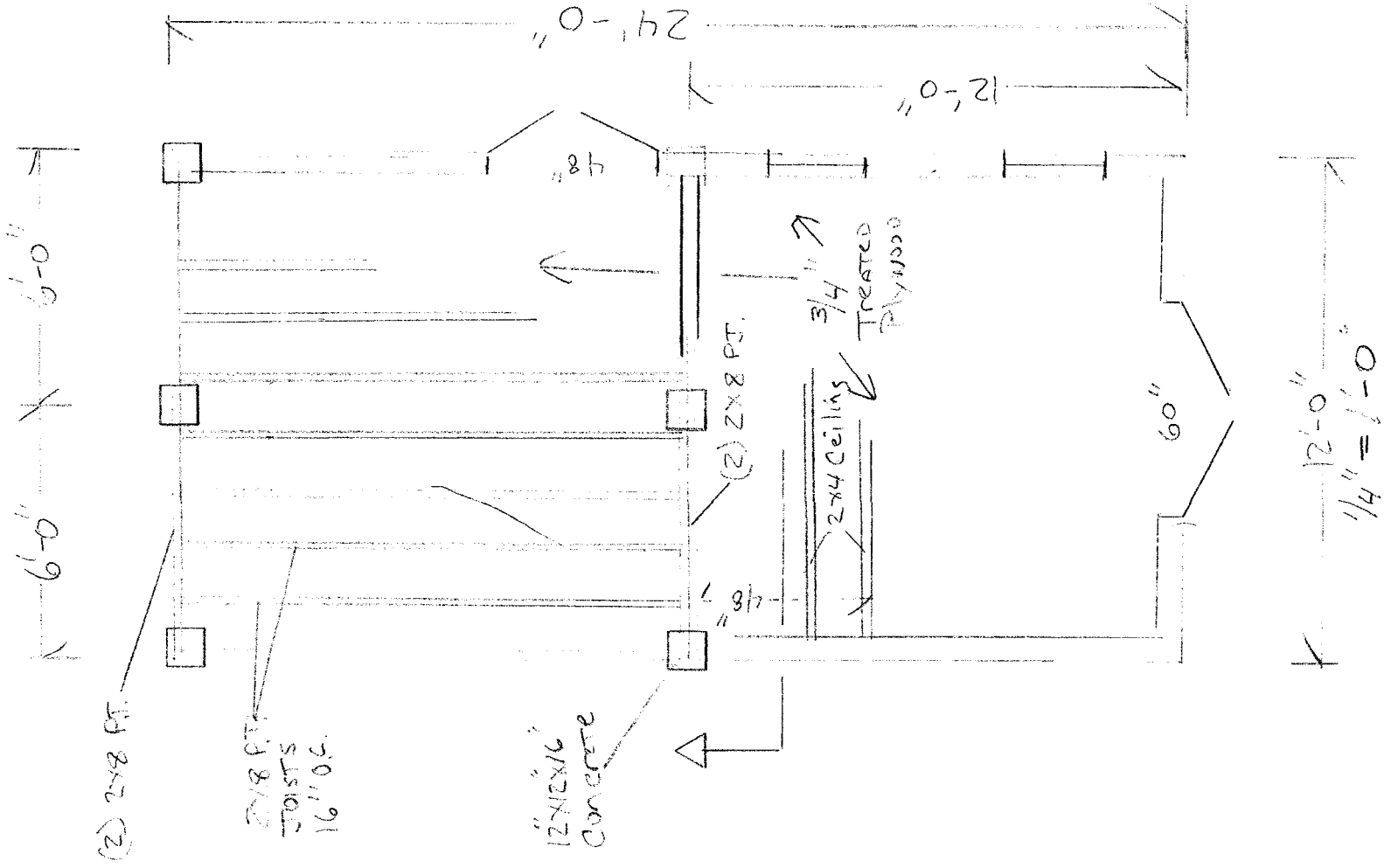
\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)



ORANGE COUNTY 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

Sound Associates  
  
TO  
Michael P. Maher and Margaret E. Maher

SECTION 34 BLOCK 2 LOT 71.34

RECORD AND RETURN TO:  
(name and address)

David Kintzer, Esq.  
265 Route 17K  
Newburgh NY 12550

*Law original  
9/7/16 Bf*

THIS IS PAGE ONE OF THE RECORDING

K201455

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)
- CITIES**
- 0900 MIDDLETOWN
  - 1100 NEWBURGH
  - 1300 PORT JERVIS
  - 9999 HOLD

NO. PAGES 4 CROSS REF. \_\_\_\_\_  
CERT. COPY  ADD'L X-REF. \_\_\_\_\_  
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_

PAYMENT TYPE: CHECK   
CASH   
CHARGE   
NO FEE

CONSIDERATION \$ 21000<sup>00</sup>  
TAX EXEMPT

MORTGAGE AMT. \$ \_\_\_\_\_  
DATE \_\_\_\_\_

- 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

*Donna L. Benson*  
DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM: *Karlin*

LIBER 5419 PAGE 99

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 December 07, 2000 AND THE SAME IS A CORRECT  
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE  
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

*Ann G. Rabbitt* Dec 23, 2015

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,  
ORANGE COUNTY

LIBER 5419 PAGE 99

ORANGE COUNTY CLERKS OFFICE 67356 MRL  
RECORDED/FILED 12/07/2000 12:31:23 PM  
FEES 47.00 EDUCATION FUND 5.00  
SERIAL NUMBER: 004476  
DEED CNTL NO 66339 RE TAX 84.00



T 691 - Standard N.Y. B.T.D. Form 8002: Bargain & sale deed, with covenant against grantor's acts - Ind. or Corp.: single sheet, 11-98

K2-01455  
DISTRIBUTED BY BlumbergExcelstor, Inc., NYC 10013

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

THIS INDENTURE, made on December 5, 2000  
BETWEEN SOUND ASSOCIATES, a New York partnership, having an address  
of PO Box 7149, Newburgh NY 12550

party of the first part, and <sup>P.</sup> MICHAEL MAHER and <sup>E.</sup> MARGARET MAHER,  
residing at 7 Helene Terrace, Newburgh NY 12550  
*husband & wife as tenants by the entirety*

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,

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, State of New York

AS PER DESCRIPTION ON SCHEDULE A ATTACHED HERETO AND MADE PART HEREOF.

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:

SOUND ASSOCIATES, a New York partnership

By: *[Signature]*  
Christopher D. Gocco, Partner  
*[Signature]*  
Ralph J. Ambrosio, Partner

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Orange ss.:  
On November 8, 2000 before me, the undersigned,  
personally appeared Ralph J. Ambrosio

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(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

*Patricia A. Jobson*  
(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

State of Conn. County of NEW HAVEN ss.:  
On Nov 17th 2000 before me, the undersigned,  
personally appeared Christopher D. Cocco

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(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

*Christopher D. Cocco*  
(signature and office of individual taking acknowledgment)

**Bargain and Sale Deed**  
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. \_\_\_\_\_

TO

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of \_\_\_\_\_ ss.:  
County of \_\_\_\_\_

On \_\_\_\_\_ before me, the undersigned,  
personally appeared \_\_\_\_\_

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof)

**PATRICIA A. JOBSON**  
Notary Public, State of New York  
No. 01JO4685988  
Qualified in Orange County  
Commission Expires November 30, 2001

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(  if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken. And that said subscribing witness(es) made such appearance before the undersigned in

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

SECTION  
BLOCK  
LOT  
COUNTY OR TOWN

RETURN BY MAIL TO:

Zip No. \_\_\_\_\_

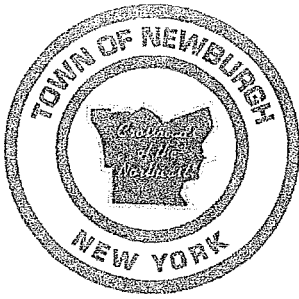
Reserve this space for use of Recording Office.

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, being designated as Lot No. 4 on a certain map entitled, "Subdivision Plan Lands of Sound Associates, Cocoa Lane, Town of Newburgh, Orange Co., New York", dated 7/19/93 and recorded 10/22/93 in the Office of the Orange County Clerk as Filed Map No. 8146.

SUBJECT TO restrictions, easements, covenants, conditions of record, if any.

ALSO SUBJECT TO terms and conditions in Private Road Maintenance Declaration filed in the Orange County Clerk's Office.



**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

**2599-16**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 08/12/2016**

**Application No. 16-0729**

**To: Michael Maher  
50 Cocoa Ln  
Newburgh, NY 12550**

**SBL: 34-2-71.34  
ADDRESS: 50 Cocoa Ln**

**ZONE: R2**

PLEASE TAKE NOTICE that your application dated 08/11/2016 for permit to keep a prior built 12' x 24' accessory building in the front yard on the premises located at 50 Cocoa Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-B: No such building shall project closer to the fronting street than the front of the main dwelling.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT**

**YES**

NAME: Michael Maher

ADDRESS: 50 Cocoa Lane Newburgh NY 12550

**PROJECT INFORMATION:**

**AREA VARIANCE**

USE VARIANCE

TYPE OF STRUCTURE: 12' x 24' Accessory building

SBL: 34-2-71.34      ZONE: R-2

TOWN WATER:    YES / **NO**

TOWN SEWER:    YES / **NO**

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1      YES / NO  
 2 OR MORE FRONT YARDS FOR THIS PROPERTY      YES / NO  
 CORNER LOT - 185-17-A      **YES** / NO

**ACCESSORY STRUCTURE:**

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4      YES / NO  
 FRONT YARD -      **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: **Prior built 12' x 24' Accessory building. Permit 18344-03 was ZBA approved on 9-25-2003. closed in violation did not build what was approved.**

**VARIANCE(S) REQUIRED:**

- 1 185-15-B No such building shall project closer to the fronting street than the front of the main dwelling.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina

DATE: 12-Aug-16



# MATTER 50 COCOA LANE (34-2-71.34)

SECTION 17

