



LOT 2

**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: 11/29/2022

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

I (WE) Lakeside RD LLc / Steven D. Moreau PRESENTLY  
RESIDING AT NUMBER 116 Bethlehem Rd  
New Windsor NY 12553  
TELEPHONE NUMBER 845-218-5000

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

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

1. LOCATION OF THE PROPERTY:

33-1-15 (lot 2) (TAX MAP DESIGNATION)  
381 Lakeside Road (STREET ADDRESS)  
R1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).  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 attachment 7, schedule 3  
\_\_\_\_\_  
\_\_\_\_\_

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:

\_\_\_\_\_

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

11/28/22

4. DESCRIPTION OF VARIANCE SOUGHT: minimum lot area: 40,000sf required/22,654sf proposed

lot width: 150'required/114' provided

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:

The generic neighborhood has many parcels with buildings that currently do not meet the minum area requirements, and the proposed improvements are consistent with the character of the existing 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:

There are no other solutions that are possible per the current zoning and the constraints of the parcel geometry.

---

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

The requested variances for lot width, setback distances, and impervious coverage are already non-conforming for the existing parcel, and are consistent with that of the other parcels and with the character of the existing neighborhood.

---

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

All of the proposed improvements are consistent with the character of the existing neighborhood, and the proposed improvements will not impact the current environment. in a negative fashion.

---

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

The non-conformance of the existing parcel and other parcels in the neighborhood are beyond their control.

---

7. ADDITIONAL REASONS (IF PERTINENT):

One of the current owners requires living arrangements for herself and elderly mother, and due to the generic high cost of homes in this economic environment this the only feasible solution available to them.

---

TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS

PROXY

Steven Moreau, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 116 Bethlehem Rd

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF

381 Lakeside Rd, New ~~Windsor~~ <sup>Burgh</sup> (sm) NY 12550

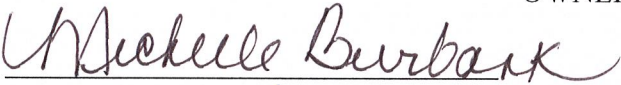
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED ACES / Jonathan N Millen LLs

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11/29/2022 

OWNER'S SIGNATURE



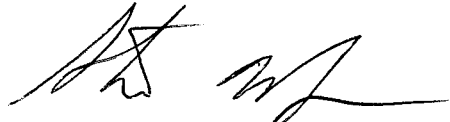
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 29<sup>th</sup> DAY OF November 20 22

  
NOTARY PUBLIC

SUSAN C. SCHEIBLE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 015C6274509  
Qualified in Orange County  
My Commission Expires January 07, 2025



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2<sup>nd</sup> DAY OF December 20 22



NOTARY PUBLIC

MICAH C. SCHERIE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01506274007  
Qualified in Orange County  
My Commission Expires January 07, 2025

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

**(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).**

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



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New Windsor NY 12553

TELEPHONE NUMBER 845-218-5000

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- AREA VARIANCE (S)
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1. LOCATION OF THE PROPERTY:

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185 attachment 7, schedule 3

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11/28/22

\_\_\_\_\_

4. DESCRIPTION OF VARIANCE SOUGHT: minimum lot area: 40,000sf required/32,298sf proposed  
1 side yard: 30' required/18'proposed, both side yards: 80' required/53' proposed, lot width: 150'required/135' provided  
impervoius surface: 20%max required/31%max proposed

\_\_\_\_\_

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

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

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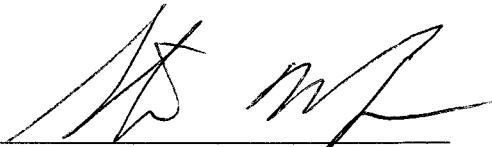
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7. ADDITIONAL REASONS (IF PERTINENT):

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---



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

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2<sup>nd</sup> DAY OF December 2022

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

SUEAN C. SCHEIBLE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01806274509  
Qualified In Orange County  
My Commission Expires January 07, 2025

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IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

381 Lakeside Rd, Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED ACES / Jonathan N Millen LLS

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11/29/2022 [Signature]

OWNER'S SIGNATURE

Michelle Burbank

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 29<sup>th</sup> DAY OF November 20 22

[Signature]  
NOTARY PUBLIC

SUSAN C. SCHEIBLE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SC6274509  
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## *Short Environmental Assessment Form*

### *Part 1 - Project Information*

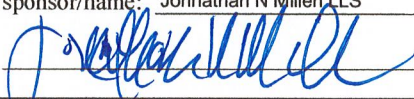
**Instructions for Completing**

**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.

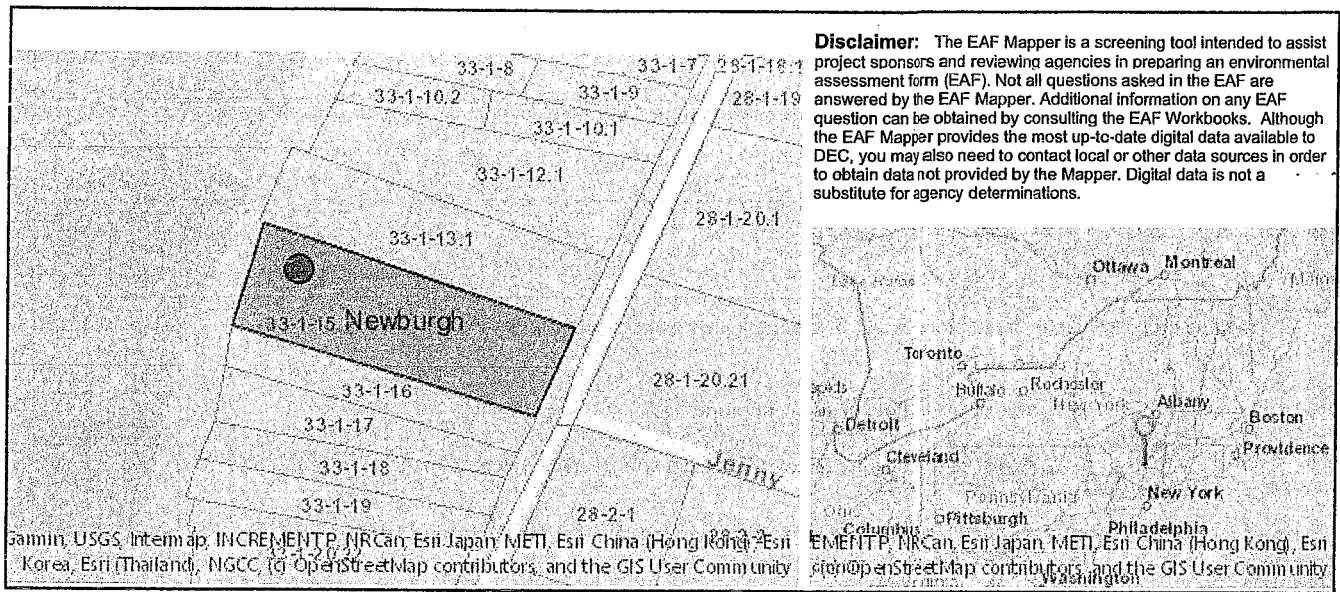
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Proposed Two Lot Subdivision of the lands of Steven D. Moreau			
Project Location (describe, and attach a location map): 381 Lakeside RD Newburgh, NY 12550			
Brief Description of Proposed Action: Proposed two lot subdivision with one existing house and one proposed. Both lots shall be serviced by town water and sewer.			
Name of Applicant or Sponsor: Lakeside RD LLC / Steven D Moreau		Telephone: 845-218-5000 E-Mail: moreau.steven@gmail.com	
Address: 116 Bethlehem RD			
City/PO: New Windsor		State: NY	Zip Code: 12553
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 <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Newburgh ZBA			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.25 acres	
b. Total acreage to be physically disturbed?		0.20 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.25 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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			

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input type="checkbox"/>	<input type="checkbox"/>	
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 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Johnathan N Millen LLS</u> Date: <u>12/02/22</u>		
Signature: <u></u> Title: <u>Surveyor</u>		

# EAF Mapper Summary Report

Tuesday, July 26, 2022 12:58 PM



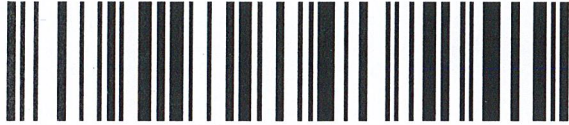
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No



ORANGE COUNTY – STATE OF NEW YORK  
KELLY A. ESKEW, COUNTY CLERK  
255 MAIN STREET  
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 15153 / 728  
INSTRUMENT #: 20220010254

Receipt#: 2994902  
Clerk: PM  
Rec Date: 02/09/2022 09:21:00 AM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 5  
Rec'd Frm: ATLANTIC AMERICAN TITLE & ESCROW AGENCY

Party1: MAZZARELLI GINA M  
Party2: MOREAU STEVEN D  
Town: NEWBURGH (TN)  
33-1-15

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

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

Kelly A. Eskew  
Orange County Clerk

Recording:

Recording Fee 45.00  
Cultural Ed 14.25  
Records Management - Coun 1.00  
Records Management - Stat 4.75  
TP584 5.00  
Notice of Transfer of Sal 10.00  
RP5217 Residential/Agricu 116.00  
RP5217 - County 9.00

Sub Total: 205.00

Transfer Tax  
Transfer Tax - State 2720.00

Sub Total: 2720.00

Total: 2925.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 6196  
Transfer Tax  
Consideration: 680000.00

Transfer Tax - State 2720.00

Total: 2720.00

STATE OF NEW YORK (COUNTY OF ORANGE) SS:  
I, KELLY A. ESKEW, 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 2-9-22 AND THE SAME IS A CORRECT  
TRANSCRIPT THEREOF IN WITNESS WHEREOF, I HAVE  
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL

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

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

**THIS INDENTURE**, made the 11<sup>th</sup> day of January, 2022,

**BETWEEN** Gina M. Mazzarelli a/k/a Gina M. Mazarelli of 739 Hewitt Lane, New Windsor, New York 12553, Mark A. Mazzarelli of 11 Deer Run Road, Newburgh, New York 12550 and Lisa M. Wendel of 4 Hoppenstedt Road, Wallkill, New York 12589,

party of the first part, and

Steven D. Moreau of 116 Bethlehem Road, New Windsor, New York 12553,

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, 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, more particularly described in

**SCHEDULE A ATTACHED HERETO**  
**Premises: 381 Lakeside Road, Newburgh, NY 12550**

**BEING** the same premises conveyed in a certain Deed from Eugene A. Mazzarelli and Nicolina M. Mazzarelli dated November 16, 2007 and recorded January 2, 2008 in the Orange County Clerk's Office in Liber 12589 at Page 1218. Said Nicolina M. Mazzarelli having died a resident of Orange County, New York on April 26, 2009. Said Eugene A. Mazzarelli having died a resident of Orange County, New York on August 26, 2021.

**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.

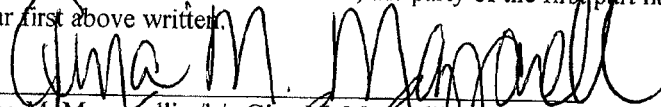
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost 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.

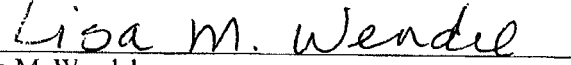
Section: 33, Block: 1, Lot: 15



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

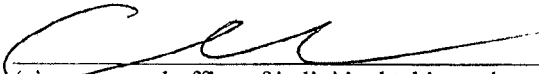
  
Gina M. Mazzarelli a/k/a Gina M. Mazarelli

  
Mark A. Mazzarelli

  
Lisa M. Wendel

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

On the 11<sup>th</sup> day of January in the year 2022, before me, the undersigned, personally appeared **Gina M. Mazzarelli a/k/a Gina M. Mazarelli, Mark A. Mazzarelli and Lisa M. Wendel**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that they executed the same in their capacity(ies), and that by their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
(signature and office of individual taking acknowledgment)

**CHRISTOPHER ANTHONY BANGS**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA6169342  
Qualified in Rockland County  
My Commission Expires: 06/25/2023

**DEED**

Title No. AANY-08509-21

**Section 33**

Gina M. Mazzarelli a/k/a Gina M. Mazarelli, Mark A. Mazzarelli, and Lisa M. Wendel

**Block 1**

**Lot 15**

**County or Town** Orange County, Town of Newburgh

**Street Address** 381 Lakeside Road  
Newburgh, New York 12550

**To**

Steven D. Moreau

**Return By Mail To:**

Veronica McMillan, Esq.  
Arciero McMillan & Burgess, P.C.  
299 Windsor Highway  
New Windsor, New York 12553

Section: 33, Block: 1, Lot: 15

## EXHIBIT "A" LEGAL DESCRIPTION

File No.: AANY-08509-21

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 on the northwesterly side of Lakeside Road where the same is intersected by the dividing line between the premises herein and land now or formerly of Randolph;

RUNNING thence along said dividing line North  $61^{\circ} 17' 20''$  West 410.09 feet to the southeasterly side of Orange Lake; thence along the southeasterly side of Orange Lake North  $29^{\circ} 36' 10''$  East 134.86 feet to land now or formerly of Schmitt; thence along said last mentioned land South  $60^{\circ} 03' 40''$  East 425.83 feet to the northwesterly side of Lakeside Road; thence along the northwesterly side of Lakeside Road South  $36^{\circ} 44' 30''$  West 127 feet to the point or place of beginning.

FOR INFORMATION ONLY:

Being known as 381 Lakeside Road, Newburgh, NY  
Section 33, Block 1, Lot 15

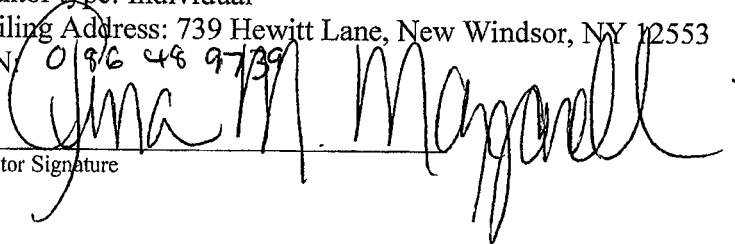
ATTACHMENT

Grantor/Transferor: Gina M. Mazzarelli a/k/a Gina. M. Mazarelli

Grantor type: Individual

Mailing Address: 739 Hewitt Lane, New Windsor, NY 12553

SSN: 086 48 9739

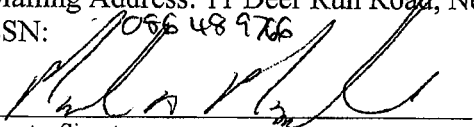
  
Grantor Signature

Grantor/Transferor: Mark A. Mazzarelli

Grantor type: Individual

Mailing Address: 11 Deer Run Road, Newburgh, NY 12550

SSN: 086 48 9766

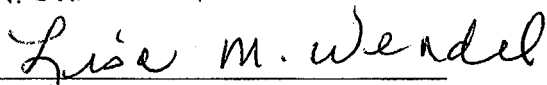
  
Grantor Signature

Grantor/Transferor: Lisa M. Wendel

Grantor type: Individual

Mailing Address: 4 Hoppenstedt Road, Wallkill, NY 12589

SSN: 086 48 9689

  
Grantor Signature

James R. Loeb  
Richard J. Drake, *retired*  
Glen L. Heller\*  
Marianna R. Kennedy  
Gary J. Gogerty  
Stephen J. Gaba  
Adam L. Rodd  
Dominic Cordisco  
Ralph L. Puglielle, Jr.  
Nicholas A. Pascale

Alana R. Bartley  
Aaron C. Fitch  
Judith A. Waye  
Michael Martens

Jennifer L. Schneider  
Managing Attorney

\*L.L.M. in Taxation

November 28, 2022

**BY EMAIL ONLY**

Darrin J. Scalzo, Chairman  
Zoning Board of Appeals  
Town of Newburgh Town Hall  
1496 Route 300  
Newburgh, New York 12550

Re: Moreau two-lot subdivision // ZBA referral  
Planning Board Project No. 2022-26

Dear Chairman Scalzo and Zoning Board Members:

At the Planning Board's November 17, 2022 meeting, the Planning Board resolved to refer this application to the Zoning Board of Appeals for its consideration of the following area variances that are required for this two lot subdivision of lands located on Lakeside Road. The project proposes a two-lot subdivision of a 1.25 +/- acre parcel of property which fronts on Lakeside Road and Orange Lake. The parcel contains an existing single-family home with a proposal to create an additional lot for an additional single-family home. The project requires referral to the Zoning Board of Appeals as both resulting lots will be insufficient. The property is located in the Town's R2 zoning district. The following variances are required:

Lot 1: Minimum lot area - 40,000 square feet required, where 32,298 +/- square foot is provided. One side yard - 30 foot required where 18 feet is provided. Both side yards - 80 feet required where 53 feet is provided. Minimum lot width - 150 feet required, where 135 feet is provided. Impervious surface - 20% maximum allowed, proposed 31%.

Lot 2: Minimum lot area - 40,000 square feet required, 22,654 square feet is provided. Minimum lot width - 150 feet required, where 114 feet is provided.

The Planning Board has not declared its intent to serve as lead agency so that the Zoning Board of Appeals may consider and process this application without the need to wait for the Planning Board to conclude its SEQRA review.

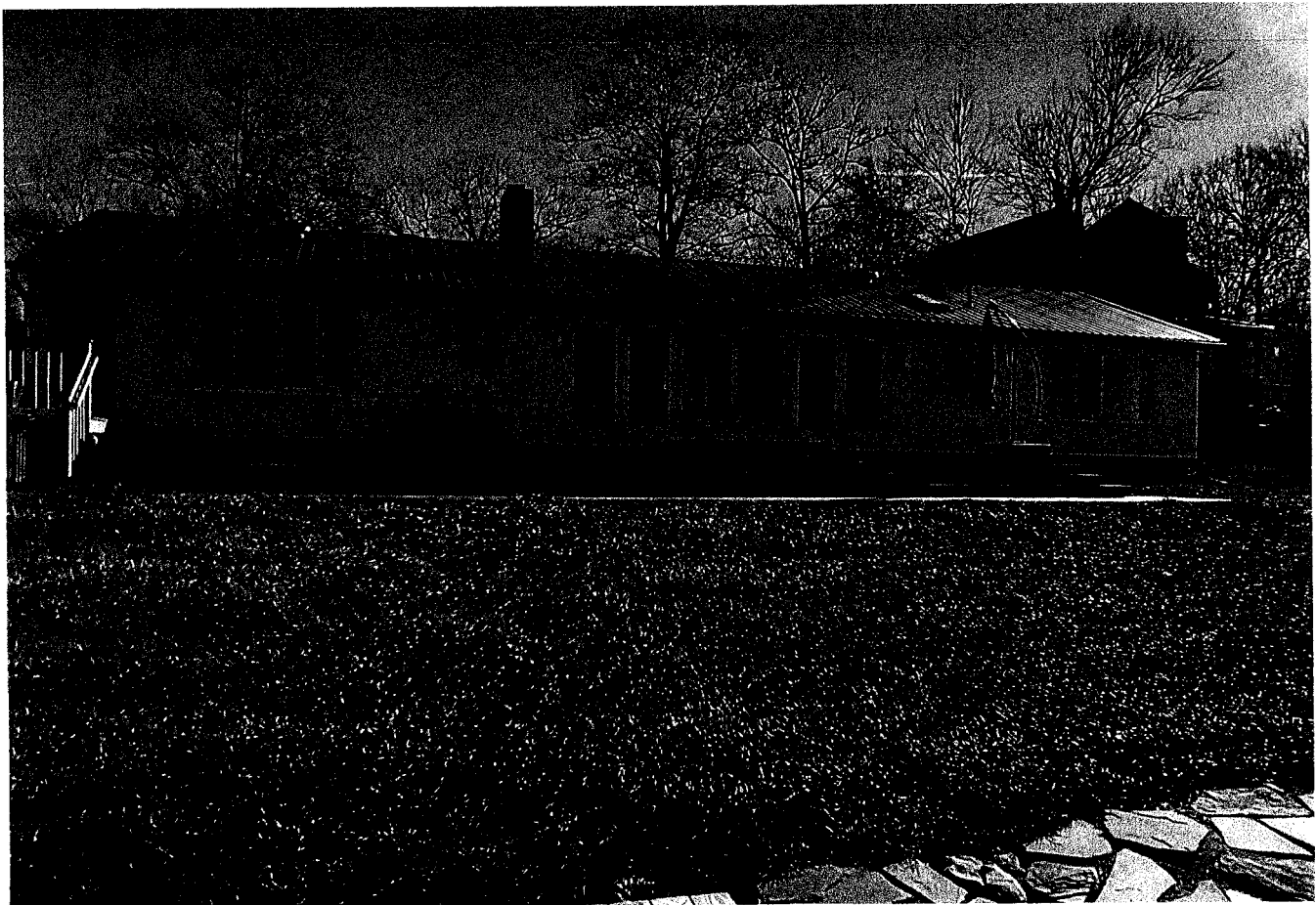
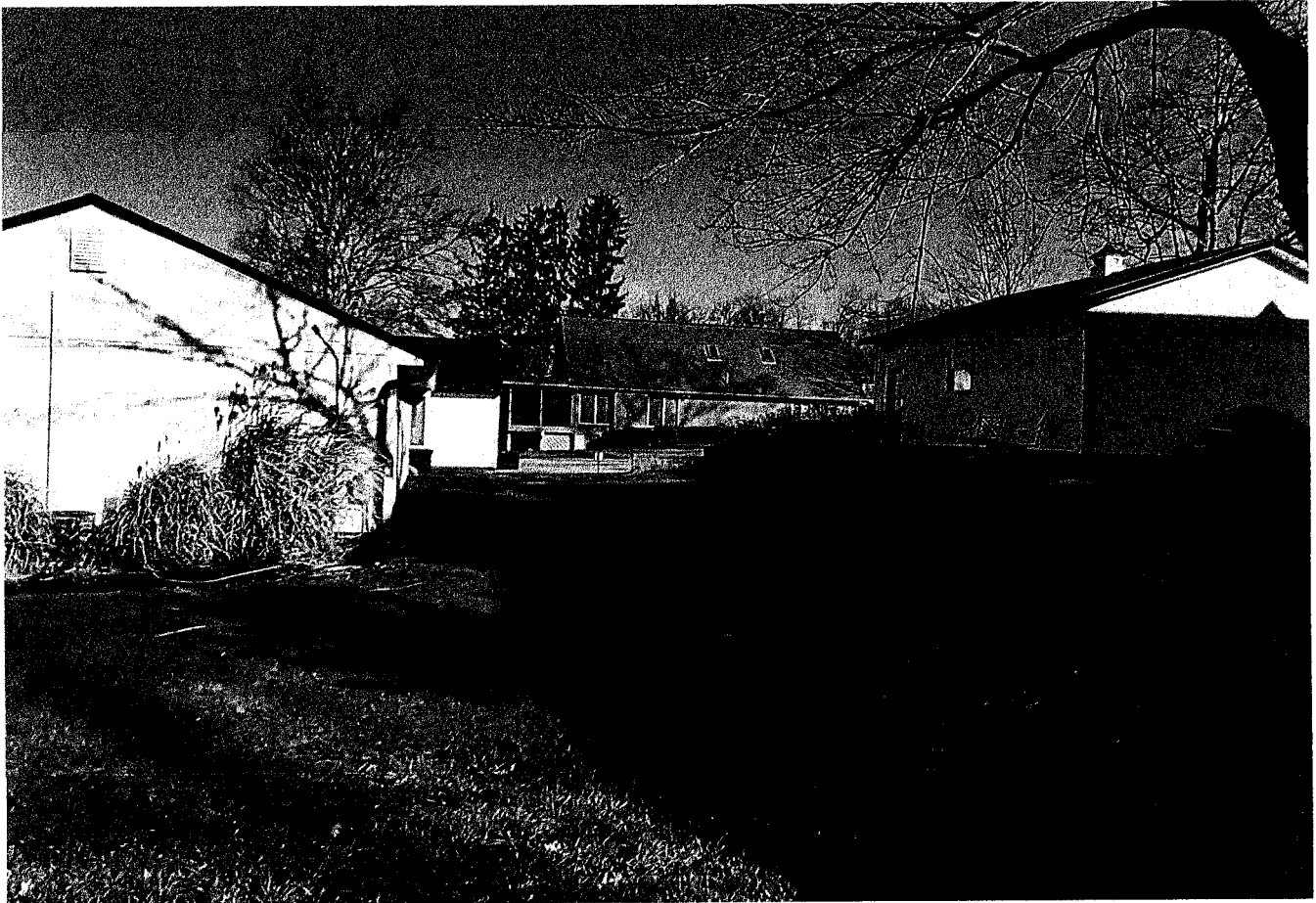
Thank you for your consideration of this matter.

Very Truly Yours,

  
Dominic Cordisco

cc:

David A. Donovan, Esq., Attorney for the ZBA  
Town of Newburgh Planning Board  
Patrick J. Hines, Planning Board Consulting Engineer





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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Raymond B McKeiver, being duly sworn, depose and say that I did on or before

December 8, 2022, post and will thereafter maintain at

381 Lakeside Rd 33-1-15 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.

Raymond B McKeiver

Sworn to before me this 6

day of December 2022.

Dawnmarie Busweiler



