



Steven M. Neuhaus
County Executive

Orange County Department of Planning Submittal Form for Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l,m, & n

Referral ID#:
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:	Town of Newburgh
Local Referring Board:	Zoning Board of Appeals
Applicant:	DEAN Mellings
Project Name:	
Location of Project Site:	1671 Route 300

Tax Map #:	16-5-2
Tax Map #:	
Tax Map #:	
Local File No.:	2610-16
Size of Parcel*:	22,175 SF

*If more than one parcel, please include sum of all parcels.

Reason for County Review: on NYS Route 300

Current Zoning District (include any overlays): R-2

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

Site Plan Sq. feet proposed (non-residential only): _____

 Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Subdivision Number of lots proposed: _____

 Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Special Use Permit

Lot Line Change

Variance AREA USE (circle one) accessory apt. must meet District

Other lot area for single family dwelling

Is this an update to a previously submitted referral? YES / NO (circle one)

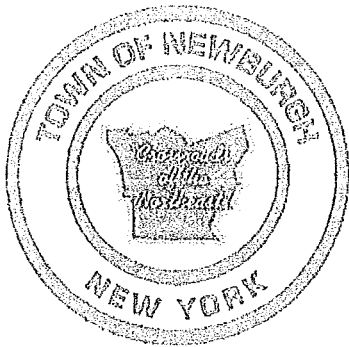
Local board comments or elaboration:

[Signature] 9/7/17 Chairperson
Signature of local official Date Zoning Board of Appeals

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com



TOWN OF NEWBURGH

Crossroads of the Northeast

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

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: 08/24/2017

4. DESCRIPTION OF VARIANCE SOUGHT: AREA VARIANCE FOR TOTAL LOT AREA. THE EXISTING PARCEL IS 22,175 SQUARE FEET AND THE R2 ZONING DISTRICT REQUIRE 40,000 SQUARE FEET FOR A SINGLE FAMILY RESIDENCE.

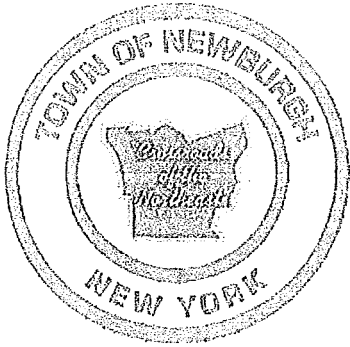
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:



TOWN OF NEWBURGH

Crossroads of the Northeast

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

7. ADDITIONAL REASONS (IF PERTINENT):

DEAN MULLINGS
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 5 DAY OF Sept 2017

JOSE OTERO
Notary Public State of New York
Registration No 5081174
Qualified in Orange County
Commission Expires June 30, 2019

[Signature]
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)

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.

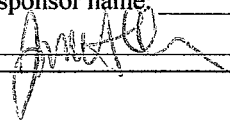
Part 1 - Project and Sponsor Information DEAN MULLINGS						
Name of Action or Project: PROPOSED ACCESSORY APARTMENT FOR DEAN MULLINGS						
Project Location (describe, and attach a location map): 1671 NEW YORK STATE ROUTE 300 (S/B/L: 16-5-2), TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK						
Brief Description of Proposed Action: CREATION OF AN ACCESSORY APRTMENT IN THE BASEMENT OF THE EXISTING RESIDENCE ON THE SUBJECT PARCEL. THE RESIDENCE WILL BE OWNER OCCUPIED AND CONSTRUCTION WILL CONFORM TO THE 2015 INTERNATIONAL RESIDENTIAL BUILDING CODE AND ALSO TO THE TOWN OF NEWBURGH ZONING REGULATIONS FOR ACCESSORY APRATMENTS. THE EXISTING RESIDENCE IS THREE BEDROOMS. ONE OF THE EXISTING BEDROOMS WILL BE CONVERTED TO A STUDY SO THAT THE BEDROOM IN THE BASEMENT ACCESSORY APARTMENT WILL NOT CHANGE THE TOTAL BEDROOM COUNT OF THE RESIDENCE.						
Name of Applicant or Sponsor: DEAN MULLINGS		Telephone: 845-728-1151				
		E-Mail:				
Address: 1671 NEW YORK STATE ROUTE 300						
City/PO: NEWBURGH	State: NEW YORK	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.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
3.a. Total acreage of the site of the proposed action?		0.51 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?		0.51 acres				
4. Check all land uses that occur on, adjoining and near the proposed action.						
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Parkland						

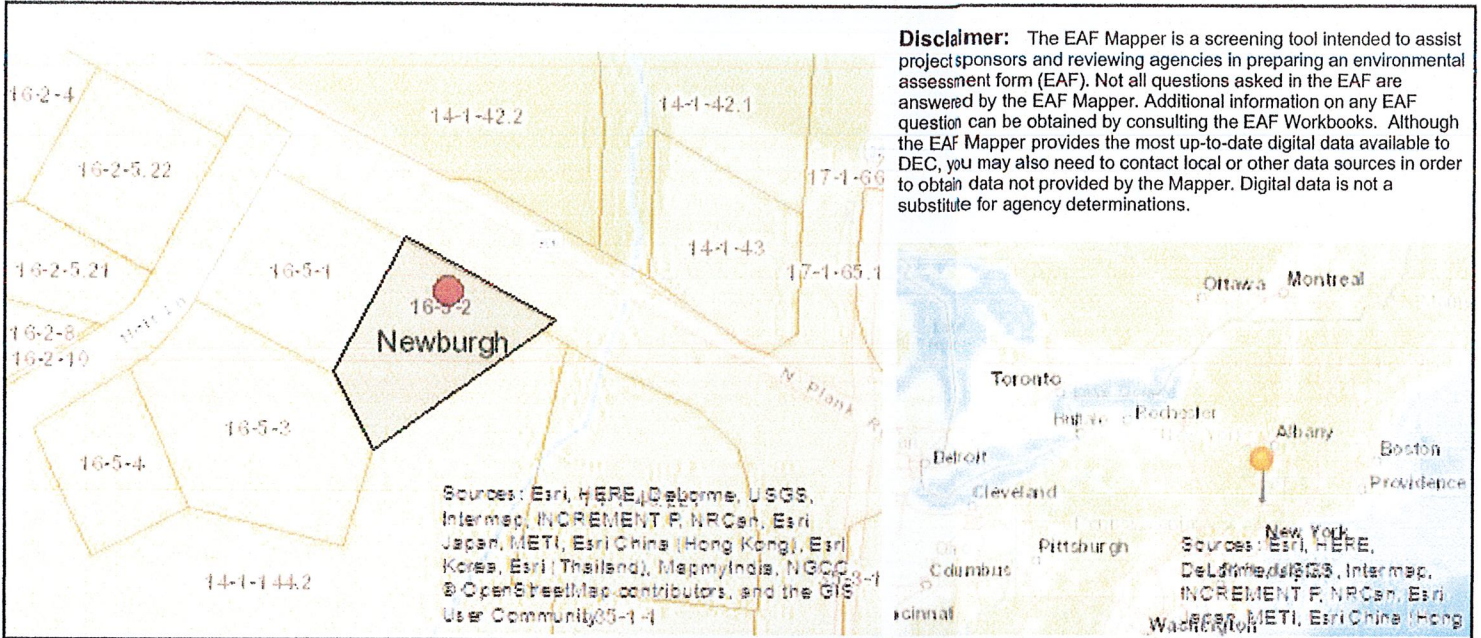
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

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

Applicant/sponsor name: JONATHAN CELLA, P.E.

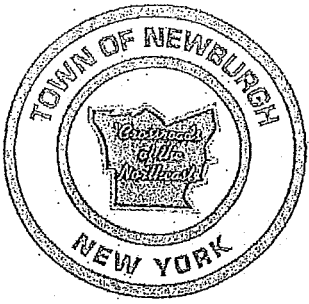
Date: 08/30/2019

Signature: 



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Chadwick Lake Reservoir, Reason:Development threat to public health, Agency:Newburgh, Town of, Date:5-21-87
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
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



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

2610-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 10/17/2016

Resent 8/24/17
8

Application No. 16-0446

To: Dean Mullings
1671 Route 300
Newburgh, NY 12550

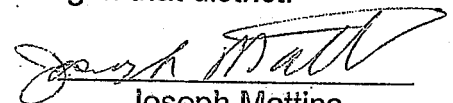
SBL: 16-5-2
ADDRESS: 1671 Route 300

ZONE: R2

PLEASE TAKE NOTICE that your application dated 05/26/2016 for permit to build a 670 sf accessory apartment in the basement on the premises located at 1671 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-38-C-2 The lot must meet the minimum area for a single family dwelling in that district.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2610-16

Town of Newburgh Code Compliance

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

NAME: DEAN Angela Mullings Application # 16-0446

ADDRESS: 1671 Rt. 300 Newburgh NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 670 SF Accessory apartment

SBL: 16-5-2 ZONE: R-2

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	40,000 SF	22,175 SF		17,825 SF	44.56% .
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 - 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 minimum lot area required for a single family dwelling unit in the R-2 district is 40,000 SF.**

VARIANCE(S) REQUIRED:

- 1 185-38-C-2 Requires the lot meets the minimum requirements in the district for a single family.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 13-Oct-16

August 30, 2017

To: Town of Zoning Board of Appeals
1496 New York State Route 300
Newburgh, New York 12550

Re.: **Request for Area Variance**
Lands of Dean Mullings
1671 NYS Route 300 (S/B/L: 16-5-2), Town of Newburgh, Orange County, N.Y.

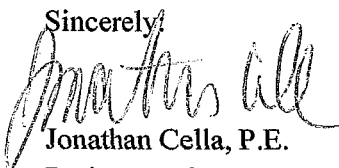
Dear Chairman and Zoning Board of Appeals Members:

Enclosed please find application fees for the initial submission of the above referenced subdivision that includes the following:

1. One (1) copy of Zoning Board of Appeals Application Package for Area Variance for Proposed Addition.
2. One (1) copy of Short Form Environmental Assessment Form.
3. Letter of Referral from the Town of Newburgh Code Compliance
4. Eleven (11) copies of plot plan titled "Plot Plan for Proposed Accessory Apartment, Residential Site Plan for Dean Mullings," Sheet 1 of 1 dated 10-25-16 and last revised 08-30-2017.
5. Four (4) copies of property photos (3 sheets dated 08-30-2017)
6. Deed (original provided at submission)
7. \$300.00 Application fees for area variance.

At this time we respectfully request that this application be placed on the next available Town of Newburgh Zoning Board of Appeals for review and public hearing. Please do not hesitate to contact me with any questions or concerns related to this matter. Thank you.

Sincerely,



Jonathan Cella, P.E.

Project Engineer

51 Hunt Road, Wallkill, New York 12589
845-741-0363, jonathancellahotmail.com



ORANGE COUNTY - STATE OF NEW YORK
ANN G. RABBITT, 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: 14012 / 826
INSTRUMENT #: 20160011231

Receipt#: 2083696
Clerk: KP
Rec Date: 02/22/2016 03:09:14 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: HARDENBURGH TITLE AGENCY

Party1: MULLINGS DEAN
Party2: MULLINGS DEAN
Town: NEWBURGH (TN)
16-5-2

Recording:
Recording Fee 40.00
Cultural Ed 14.25
Records Management - Coun 1.00
Records Management - Stat 4.75
TP584 5.00
RP5217 Residential/Agricu 116.00
RP5217 - County 9.00

Sub Total: 190.00

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 190.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 5366
Transfer Tax
Consideration: 0.00

Total: 0.00

Payment Type: Check ___
Cash ___
Charge ___
No Fee ___

Comment: _____

Signature of Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

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 Feb. 22, 2016 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Signature of Ann G. Rabbitt

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

Sept. 6, 2017

Record and Return To:

LARKIN, INGRASSIA & BROWN, LLP
356 MEADOW AVE.
NEWBURGH, N.Y. 12550

Bargain and Sale Deed with Covenant against Grantor's Acts
Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT

THIS INDENTURE, made the 8th day of February, 2016

BETWEEN DEAN G. MULLINGS, , residing at 1671 Rte. 300, Newburgh, New York 12550
as **Sole Heir and Next of Kin** to Angela J. Mullings who died a resident of the Town of
Newburgh, County of Orange and State of New York.

party of the first part,

and **DEAN G. MULLINGS**, residing at 1671 Route 300, Newburgh, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) 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 and State of New
York, more particularly described in Schedule A attached hereto.

BEING the same premises as described in a deed dated November 17, 2011 from Dennis R. Holt
and Eric M. Holt to Angela J. Mullings which deed was recorded in the Office of the Orange
County Clerk on December 13, 2011 in Liber 13258 at Page 1005. The said Angela J. Mullings
having died a resident of the County of Orange and State of New York on December 26, 2016
leaving Dean P. Mullings as Sole Heir and Next of Kin.

The premises are not in an agricultural district and that the subject premises is entirely owned by
the transferor(s).

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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

16-5-2

Schedule A Description

Underwriter No. 865-O
Title Number HAS-16532

Page 1

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

BEGINNING at a point in the southwesterly side of New York State Route 300, said point being the easterly most corner of lands reputedly of Dipietro; thence from said point or place of beginning and along the southwesterly side of said New York State Route 300, South 53° 00' 00" East, a distance of 170.43 feet; thence along the lands reputedly of Erden Enterprises, Ltd., South 62° 57' 00" West, a distance of 220.00 feet; thence along the lands reputedly of Partington, North 20° 23' 00" West, a distance of 85.97 feet, being 200.10 feet southeasterly from an iron pin found; thence along the lands reputedly of said Dipietro, North 36° 20' 00" East, a distance of 150 feet to the point or place of BEGINNING. As surveyed by Howard W. Weeden, PLS, PC, Walden New York on August 23, 2011, and containing 0.509 acres of land, more or less.

Being and intended to be the same premises conveyed to the grantor(s) herein by deed dated August 3, 1978 and recorded on August 7, 1998 in Liber 2106 at Page 562 in the Orange County Clerk's Office

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.

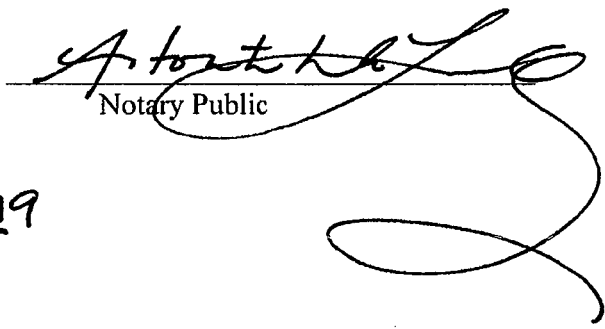
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


DEAN G. MULLINGS

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On February 8, 2015 before me, the undersigned, a Notary Public in and for the State, personally appeared DEAN G. MULLINGS personally known to me or proved to be on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

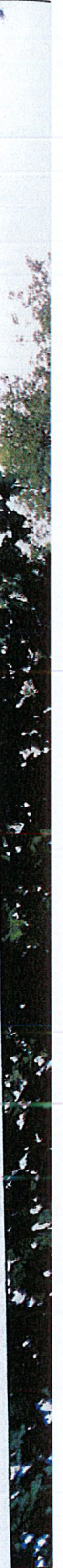

Notary Public

ANTONETTE NACLERIO
Notary Public, State of New York
Qualified in Orange County
Registration No. 02NA6252905
Commission Expires December 12, 2019

RECORD & RETURN:
Antonette Naclerio, Esq.
Larkin, Ingrassia & Tepermayster, LLP
356 Meadow Avenue
Newburgh, NY 12550



EXISTING FRONT VIEW

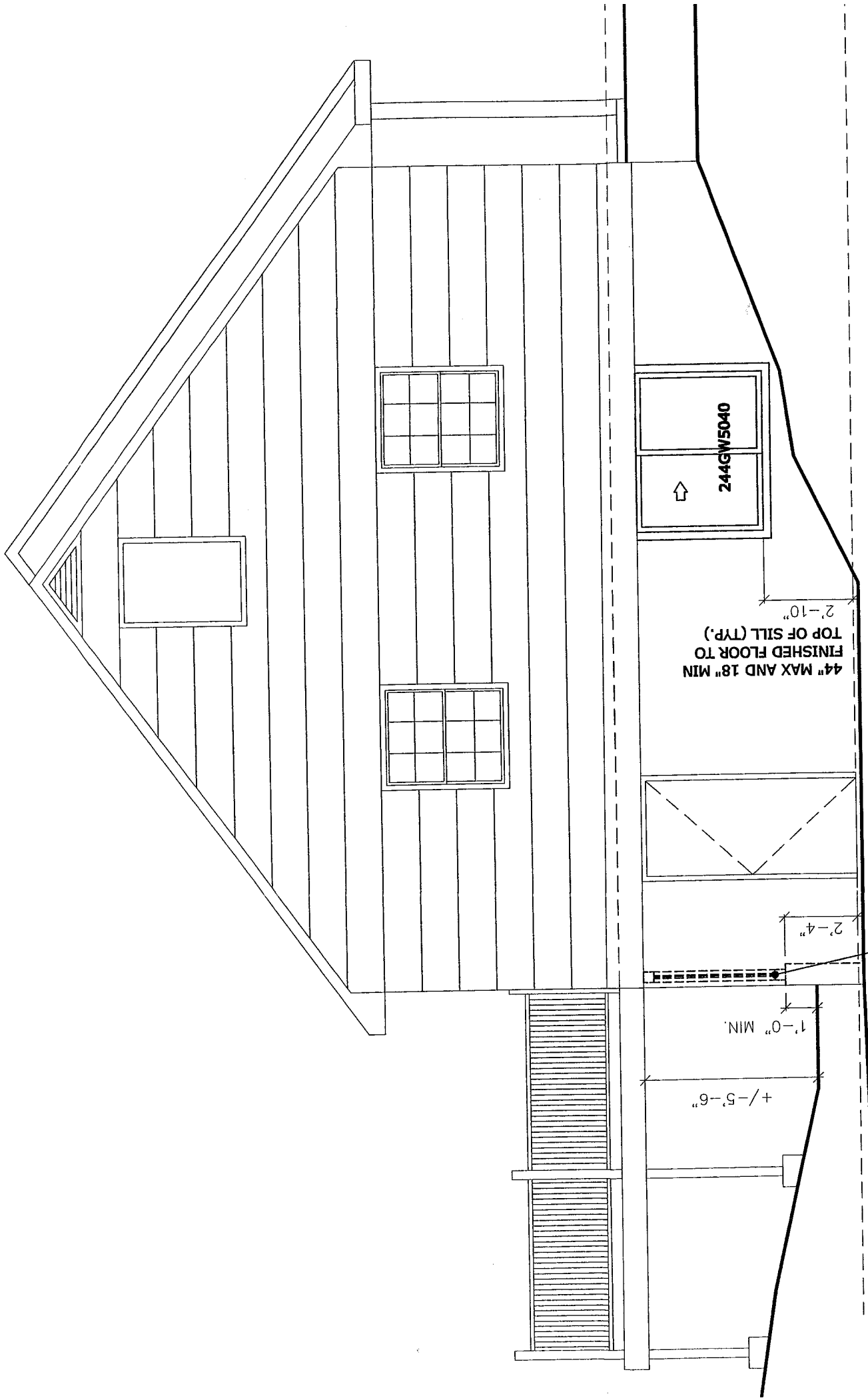


INTO
THE
TREE



EXISTING REAR VIEW

REVISIONS (7)
✓

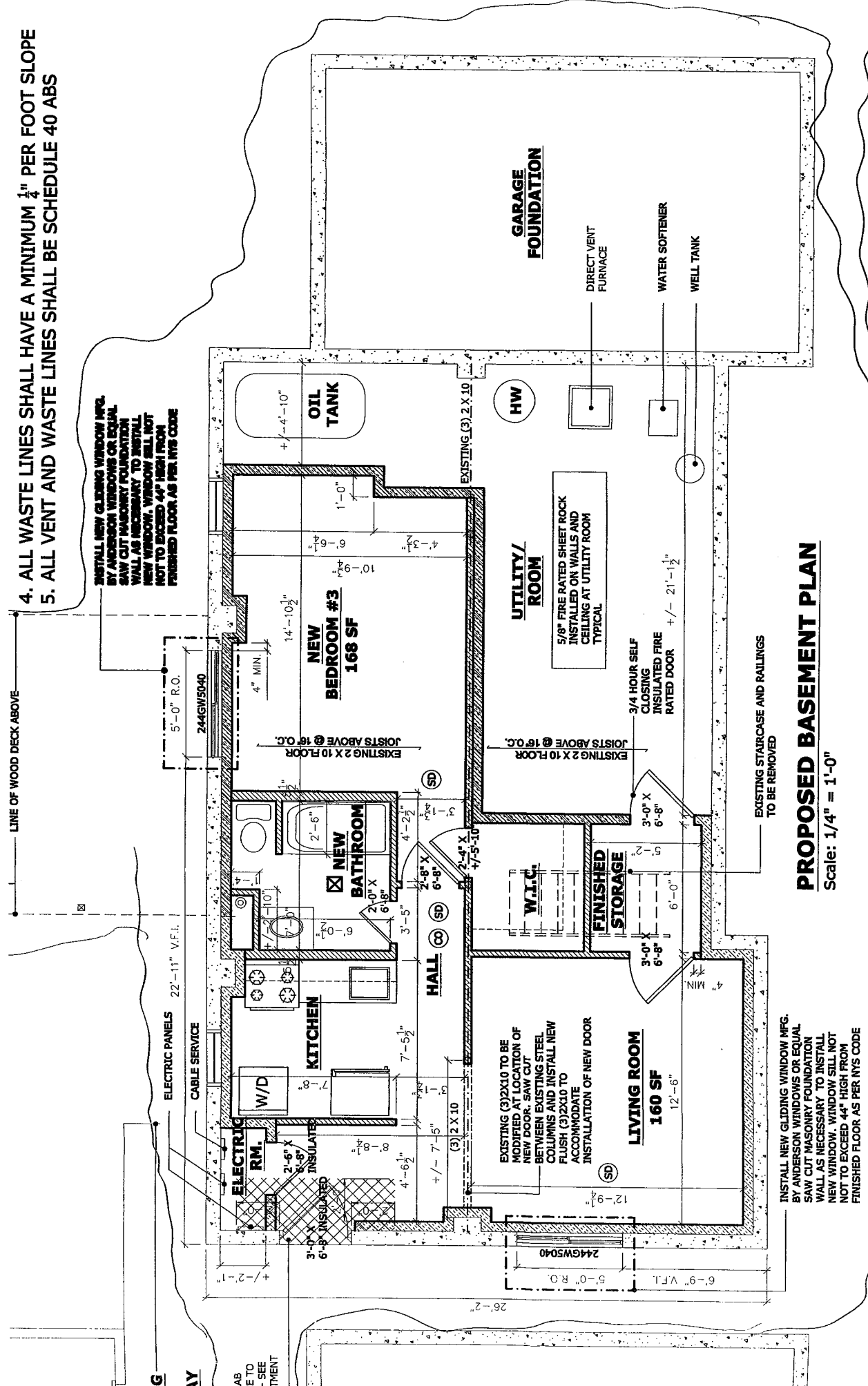


NEW GLIDING WINDOW BEYOND -
 SEE PROPOSED PLAN FOR SIZE
 AND LOCATION

PROPOSED LEFT SIDE VIEW

- 4. ALL WASTE LINES SHALL HAVE A MINIMUM 1/4" PER FOOT SLOPE
- 5. ALL VENT AND WASTE LINES SHALL BE SCHEDULE 40 ABS

INSTALL NEW GLIDING WINDOW MFG. BY ANDERSON WINDOWS OR EQUAL SAW CUT MASONRY FOUNDATION WALL AS NECESSARY TO INSTALL NEW WINDOW. WINDOW SILL NOT TO EXCEED 44" HIGH FROM FINISHED FLOOR AS PER NYS CODE



PROPOSED BASEMENT PLAN
Scale: 1/4" = 1'-0"

REVISER 10/03/16

Designer/ Engineer:

Seal:

SECTION 14

SECTION 14



Mullings
1671 Route 300
(16-5-2)