

a) 10' x 13' Greenhouse

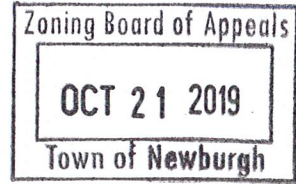


OFFICE OF ZONING BOARD
(845) 566-4901

TOWN OF NEWBURGH

Crossroads of the Northeast

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



APPLICATION

DATED: 10/14/19

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

I (WE) Nancy Munoz PRESENTLY

RESIDING AT NUMBER 3 Dusty Drive

TELEPHONE NUMBER 914-260-9838

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:

SBL: 3-1-16.21 (TAX MAP DESIGNATION)

3 Dusty Drive, Wallkill, NY 12589 (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Section 185-15-A-4

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: _____

4. DESCRIPTION OF VARIANCE SOUGHT: 10' x 13' accessory
(greenhouse)

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

- 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:

Property used to be an active farm there is enough space to accommodate request and property is on wooded lot.

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 establishment of a garage closer to the residence along with the garage will provide more space for the out-family of various things.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Access to the property is being sought.

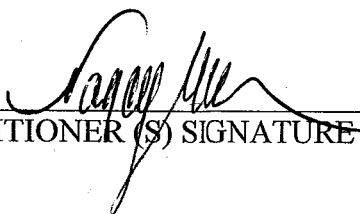
d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

The property is agricultural and the small area will be located well away from any property lines.

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

Property is damaged and additional structure is being built so a smaller garage may be a smaller project than what has been present before.

7. ADDITIONAL REASONS (IF PERTINENT):

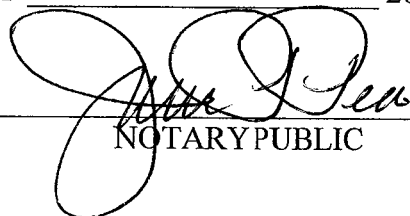


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 18 DAY OF October 20 19

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022



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.
(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
ZONING BOARD OF APPEALS**

PROXY

_____, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT _____
IN THE COUNTY OF _____ AND STATE OF _____
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

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

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20____

NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Munoz greenhouse			
Name of Action or Project: 10x13 low profile greenhouse			
Project Location (describe, and attach a location map): In back portion of property, see map			
Brief Description of Proposed Action: Place greenhouse adjacent to existing paved parking area			
Name of Applicant or Sponsor: Nancy Munoz		Telephone: 914-260-9838	
		E-Mail: nancy@spaceofstillness.com	
Address: street: 3 DUSTY DRIVE, WALKERSVILLE, MD 20787			
Mailbox: PO BOX 10776, WALKERSVILLE, MD 20787			
City/PO:		State: -	Zip Code:
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 checked="" type="checkbox"/>
			YES <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 <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		6.6 acres	
b. Total acreage to be physically disturbed?		0.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.6 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 checked="" 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?	<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?		NO	YES
	<input type="checkbox"/>	<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: _____		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input 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: _____		NO	YES
	<input type="checkbox"/>	<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: _____		NO	YES
	<input type="checkbox"/>	<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: <u>No wastewater</u>		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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? 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: _____		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" 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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input 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		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<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>_____</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>_____</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>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u> <i>Laney Munoz</i> </u></p> <p>Signature: <u> <i>Laney Munoz</i> </u></p>	<p>Date: <u> 10/14/19 </u></p>	

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
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.

<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)

b) 12 x 36 Acc. Build.

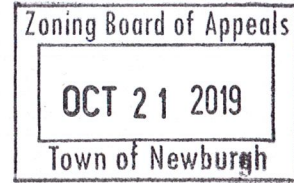


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TOWN OF NEWBURGH

Crossroads of the Northeast

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



APPLICATION

DATED: 10/14/19

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

I (WE) Nancy Munoz PRESENTLY
RESIDING AT NUMBER 3 Dusty Drive
TELEPHONE NUMBER 914-260-9838

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:

SBL: 3-1-16.21 (TAX MAP DESIGNATION)
3 Dusty Drive, Wallkill, NY 12589 (STREET ADDRESS)
AR (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).

Section 185-15-A-4

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: _____

4. DESCRIPTION OF VARIANCE SOUGHT: 12' x 36' accessory building (pre-fab shed row type) as shelter for 2 horses.

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

- 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:

Property used to be an active farm, there is enough space to accommodate request and property is designated AR.

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:

Allowable horses require shelter from inclement weather

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

According to the deed there were additional structures beyond those which currently exist.

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

While shed row will tie in with the appearance of other existing structures it will obviously be new and is still far enough from any bordering property lines.

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

Zoning permits 2 horses and need a proper shelter to care for them.

7. ADDITIONAL REASONS (IF PERTINENT):

Rancey Mendez

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 18 DAY OF October 20 19

Joseph P. PEDI

NOTARY PUBLIC

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

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
ZONING BOARD OF APPEALS**

PROXY

_____, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT _____

IN THE COUNTY OF _____ AND STATE OF _____

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED _____

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20_____

NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Munoz horse shed			
Name of Action or Project: 12x36 shed row			
Project Location (describe, and attach a location map): In back portion of property 3 Dusty Drive, see map			
Brief Description of Proposed Action: On slightly elevated area in back pasture, set pre fab 12x36 two stall shed row on stone base as shelter for two horses and to provide medical care if necessary.			
Name of Applicant or Sponsor: Nancy Munoz		Telephone: 914-260-9838	
		E-Mail:	
Address: street: 3 Dusty Drive mailing: PO Box 10776, Newburgh, NY 12589			
City/PO:		State:	Zip Code:
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 checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		6.6 acres	
b. Total acreage to be physically disturbed?		432 sq. ft	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.6 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 checked="" 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
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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?	NO	YES	
	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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: _____	NO	YES	
	<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: _____	NO	YES	
	<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: <u>No wastewater efforts</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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? 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 checked="" 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input 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	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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 <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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Nancy Munoz</u>	Date: <u>10/14/19</u>	
Signature: <u>Nancy Munoz</u>		

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)



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

2791-19 (a)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/25/2019

Application No. 19-0923

To: Nancy Munoz
PO BOX 10776
Newburgh, NY 12552

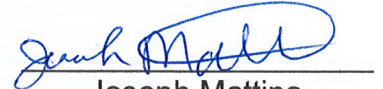
SBL: 3-1-16.21
ADDRESS: 3 Dusty Dr

ZONE: AR

PLEASE TAKE NOTICE that your application dated 08/26/2019 for permit to install a 10' x 13' greenhouse on the premises located at 3 Dusty Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-A-4 / Maximum allowed accessory building square footage is 1000 sf. (Total is 3438 sf)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



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

#2791-19(b)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/25/2019

Application No. 19-0922

To: Nancy Munoz
PO BOX 10776
Newburgh, NY 12552

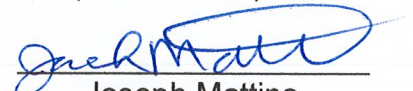
SBL: 3-1-16.21
ADDRESS: 3 Dusty Dr

ZONE: AR

PLEASE TAKE NOTICE that your application dated 08/26/2019 for permit to install a 12' x 36' accessory building on the premises located at 3 Dusty Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-A-4 / Maximum allowed accessory building square footage is 1000 sf. (3438 sf total)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Nancy Munoz **Building Application #** 19-0922 & 0923

ADDRESS: PO Box 10776 Newburgh NY 12550 02

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: Green house & horse barn @ 3 Dusty Dr. Walkill NY 12589

SBL: 3-1-16.21 **ZONE:** AR **ZBA Application #** 2791-19 a+b

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
ACCESSORY SF	1000 SF	2876 SF	3438 SF	2438 SF	243.80%
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: Greenhouse 10' x 13' (#19-0923) and Accessory building 12' x 36' (#19-0922)

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 / Maximum allowed square footage per the formula is 1000 square feet
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 25-Sep-19

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

THIS INDENTURE, made the 3rd day of December two thousand and two

BETWEEN

**Bank One, National Association as Trustee, f/k/a
The First National Bank of Chicago, as Trustee**
with an office at 9275 Sky Park Court, 3rd Fl, San Diego, CA

party of the first part, and

Nancy Munoz and Tisziji Munoz, AS HUSBAND AND WIFE
with an address of 3 Dusty Dr, Newburgh NY

party of the second part,

WITNESSETH, that the party of the first party, 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 as more particularly described as follows:

see Schedule "A" attached hereto and made part hereof.

Premises Commonly Known as: 3 Dusty Drive
Newburgh, New York

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.

This sale is made in the ordinary course of business of the Grantor and does not constitute all or substantially all of the assets of the Grantor.

Being and intended to be the same premises conveyed by Referee's Deed dated February 13, 2002 in the Orange County Clerk's Office.

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

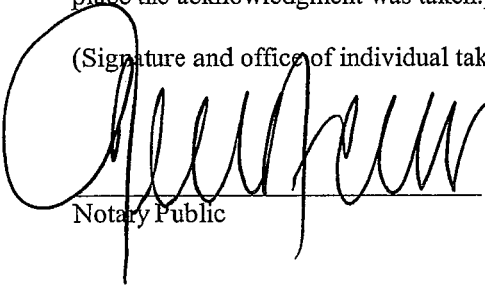
IN PRESENCE OF:

COUNTY OF SAN DIEGO

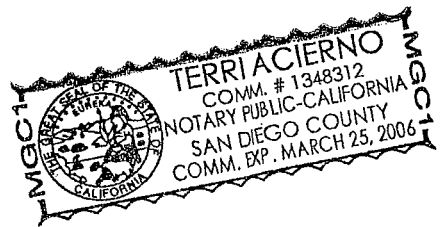
STATE OF CALIFORNIA

On the 3th day of December in the year 2002 before me, the undersigned, a notary public in and for said State, personally appeared _____ **Sharmel Dawson-Tyau** _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the CA. (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)

(Signature and office of individual taking acknowledgment.)



Notary Public



Bargain and Sale Deed

Title No.

SECTION

BLOCK

LOT

CITY OR TOWN Newburgh

COUNTY Orange

**Bank One, National Association, as Trustee
f/k/a The First National Bank of Chicago, as Trustee**

TO

Nancy Munoz and Tisziji Munoz

1-TN 31005

RETURN BY MAIL TO: Jeffrey R. Otto, Esq.
710 Broadway
Newburgh, NY 12550

SCHEDULE A

HN 31005

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, known and designated as Lot #1 shown on a certain map entitled "Subdivision Lands of Donald C. & Jean O. Porteous" dated 4/30/87 recorded 5/19/87 in Orange County Clerk's Office as Map #8281, said Lot #1 being more fully described as follows:

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

BEGINNING at a point in the easterly line of the existing N.Y.S. Route 300 (a/k/a North Plank Road) said point being the northwesterly corner of lands now or formerly of Schwaite;

THENCE along the easterly line of N.Y.S. Route 300 (a/k/a North Plank Road) North 15 degrees 00 minutes 47 seconds East 409.86 feet and North 13 degrees 56 minutes 02 seconds East 135.09 feet to a point on the division line between the lands now or formerly of Giarrizzo on the north and the parcel herein described on the south;

THENCE along the last mentioned division line the following four (4) courses:

- (1) South 67 degrees 14 minutes 03 seconds East 169.01 feet;
- (2) South 65 degrees 43 minutes 05 seconds East 113.38 feet;
- (3) South 65 degrees 17 minutes 37 seconds East 140.80 feet; and
- (4) South 64 degrees 49 minutes 58 seconds East 130.63 feet to a point on the division line between Lot No. 2 of the aforesaid filed map and the lands now or formerly Besaw, on the east and the parcel herein described on the west;

THENCE along the last mentioned division line, South 16 degrees 39 minutes 30 seconds West 325.65 feet and South 17 degrees 46 minutes 42 seconds West 201.98 feet to a point on the division line between the individual lands now or formerly of Spiconardi, Quastalla, Depalma and Schweiter, respectively, on the south and the parcel herein described on the north;

THENCE along the last mentioned division line, North 67 degrees 06 minutes 52 seconds West 124.49 feet and North 57 degrees 27 minutes 43 seconds West 405.27 feet to a point or place of beginning.

CONTINUED

SUBJECT to the rights of ingress and egress and the right to place utilities over the 30 feet R.O.W. shown on the aforementioned filed map being described as follows:

ALL that piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being a 30 foot right of way as shown on a map entitled "Subdivision Plan Lands of Donald C. and Jean O. Porteous", dated February 10, 1987, revised March 14, 1987 and filed in the Orange County Clerk's Office May 19, 1987 as Map No. 8281 being more particularly bounded and described as follows:

BEGINNING at a point in the easterly line of the existing N.Y.S. Route 300 (a/k/a North Plank Road), said point also being the northwesterly corner of lands now or formerly of Schweiter;

THENCE along the easterly line of N.Y.S. Route 300 (a/k/a North Plank Road), North 15 degrees 00 minutes 47 minutes East 30.26 feet to a point;

THENCE through Lot No. 1 of the above mentioned filed map, the following (4) courses:

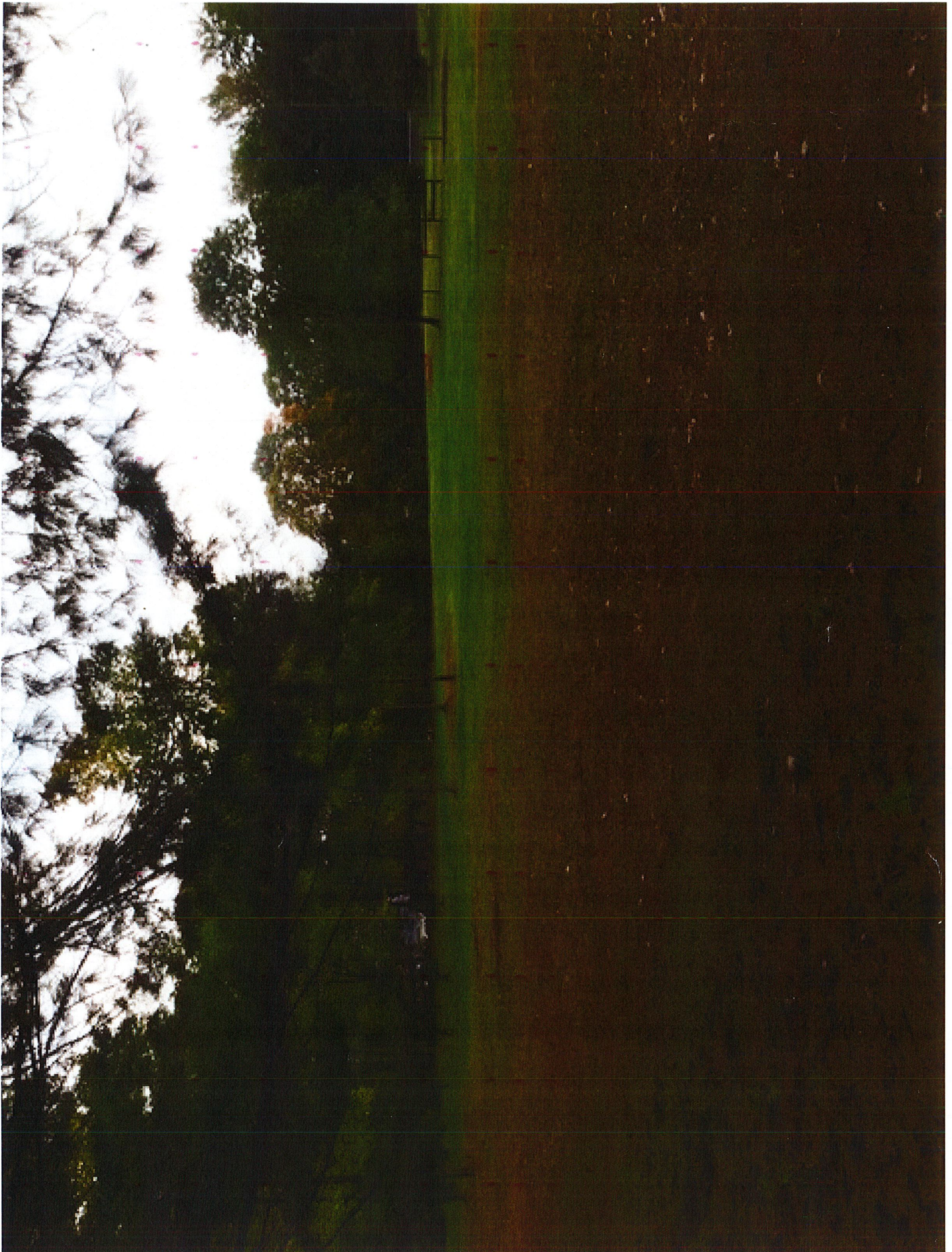
- (1) South 67 degrees 27 minutes 43 seconds East 409.33 feet;
- (2) South 67 degrees 06 minutes 52 seconds East 91.78 feet;
- (3) North 17 degrees 46 minutes 42 seconds East 168.88 feet and;
- (4) North 16 degrees 39 minutes 30 seconds East 329.84 feet to a point on the division line between the land now or formerly of Giarrizzo on the north and Lot No. 1 of the above mentioned filed map of the south;

THENCE along the last mentioned division, South 64 degrees 49 minutes 58 seconds East 30.33 feet to a point on the division line between Lot No. 2 of the above mentioned filed map of the lands now or formerly of Besaw, respectively, on the east and Lot No. 1 of the above mentioned filed map on the west;

THENCE along the last mentioned division line, South 16 degrees 39 minutes 30 seconds West 325.65 feet and South 17 degrees 46 minutes 42 seconds West 201.98 feet to a point on the division line between the individual lands now or formerly of Spiconardi, Quastalla, DePalma and Schweiter, respectively, on the south and Lot No. 1 of the above mentioned filed map, on the north;

THENCE along the last mentioned division line, North 67 degrees 06 minutes 52 seconds West 124.49 feet and North 67 degrees 27 minutes 43 seconds West 405.27 feet to the point or place of beginning.









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

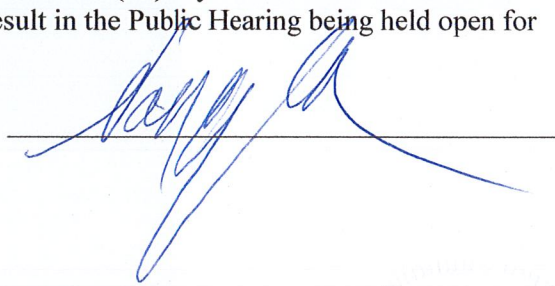
STATE OF NEW YORK: COUNTY OF ORANGE:

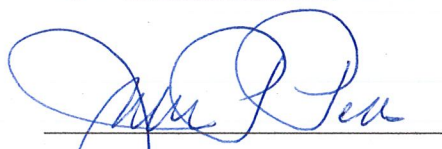
I Nancy Munoz, being duly sworn, depose and say that I did on or before
November 12, 2019, post and will thereafter maintain at

3 Dusty Dr Walkkill 3-1-16.21 in the Town of Newburgh, New York, at or near the front
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which
notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the
information contained in the original Notice of Hearing) until after the Public Hearing is closed. The
Notice must then be removed and property disposed of within ten (10) days of the close of the Public
Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for
additional time.

Sworn to before me this 30
day of October, 2019.





Notary Public

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this
affidavit.]

DUSTY DR
PRIVATE ROAD



US MAIL
MAILBOX 3
DUSTY DR
PRIVATE ROAD
[Small illegible text]

3 DUSTY DRIVE PROPOSED PLAN

