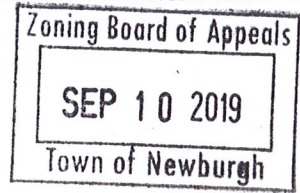




TOWN OF NEWBURGH

Crossroads of the Northeast

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



APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: August 3RD 19

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

I (WE) MUGHEN NAKAMURA PRESENTLY
RESIDING AT NUMBER 575 RIVER RD.
TELEPHONE NUMBER 917.719.0684

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

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

20-2-24 (TAX MAP DESIGNATION)
575 RIVER RD. (STREET ADDRESS)
R1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-11
Base REQUIREMENTS R1 - SCHEDULE 3



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3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 11.29.2018
- 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: BUILDABLE SCHEDULE 3

50' MINIMUM FRONT SETBACK, 10.5" VARIANCE FOR ENTRY DECK.

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

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NEWBURGH, NEW YORK 12550

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:

IT IS NOT VISIBLE FROM THE ROAD
AND THERE IS ALREADY AN EXISTING
STRUCTURE BY THE FRONT ENTRY

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 PROPERTY IN QUESTION WAS BUILT 2
FEET INTO THE SETBACK REQUIREMENTS AND
THE WALKWAY AVOIDS UNEVEN TERRAIN TO THE BACKYARD

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

1. AN EXISTING STRUCTURE EXISTS
2. DUE TO THE ELEVATION OF THE PROPERTY
IT DOES NOT AFFECT NEIGHBORS AND IS HARDLY VISIBLE

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 STRUCTURE WILL BE AN ATTACHED
DECK ~~ON~~ RAISED UP ON BEAMS AND
DOES NOT TOUCH, OR SHADE ANYTHING EXCEPT A
SMALL STRIP OF UNFINISHED DIRT ADJUTING THE HOUSE

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

A PLATFORM RAISED TO THE HEIGHT OF
THE FRONT DOOR IS REQUIRED TO PHYSICALLY
ACCESS THE FRONT DOOR



TOWN OF NEWBURGH

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

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 6 DAY OF August 2019

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)

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 | | | |
|--|--|---|---------------------------------|
| Name of Action or Project: DECK AND WALKWAY | | | |
| Project Location (describe, and attach a location map): 575 RIVER RD. NEWBORGH NY 12550 | | | |
| Brief Description of Proposed Action: CONSTRUCT FRONT DECK ATOP EXISTING PLATFORM WITH WALKWAY TO SIDE YARD DECK SECURED TO HOUSE. | | | |
| Name of Applicant or Sponsor: MUCHEN NAKAMORA | | Telephone: 917.719.0684 | |
| Address: 1732 FIRST AVE #208016 | | E-Mail: MORALBUSINESS@GMAIL.COM | |
| City/PO: NEW YORK, NY 10128 | | State: NY | Zip Code: 10128 |
| 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 checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? | | 1.5 acres | |
| b. Total acreage to be physically disturbed? | | .00643 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 1.5 acres | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. | | | |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) | | | |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ | | | |
| <input type="checkbox"/> Parkland | | | |

| | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 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? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 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"/> | |
| 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: <u>Not APPLICABLE</u> | 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: <u>NA</u> | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NA</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? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the proposed action located in an archeological sensitive area? | NO | YES | |
| | <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? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 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"/> | |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES | |
| | <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 | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ | NO | YES | |
| | <input 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 | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE | | |
| Applicant/sponsor name: <u>MUCHEN NPKAMARA</u> | Date: <u>SEPT 21st 19</u> | |
| Signature: _____ | | |

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

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



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: 14043 / 433
INSTRUMENT #: 20160026429
Receipt#: 2118579
Clerk: MRL
Rec Date: 04/28/2016 11:29:33 AM
Doc Grp: D
Descrip: DEED
Num Pgs: 5
Rec'd Frm: HILL N DALE ABSTRACTERS INC

Party1: DABRUSIN JACK
Party2: NAKAMURA MUGHEN
Town: NEWBURGH (TN)
20-2-24

Recording:
Recording Fee 45.00
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: 195.00

Transfer Tax
Transfer Tax - State 860.00

Sub Total: 860.00

Total: 1055.00
*** NOTICE: THIS IS NOT A BILL ***

***** Transfer Tax *****
Transfer Tax #: 7310
Transfer Tax
Consideration: 215000.00

Transfer Tax - State 860.00
Total: 860.00

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

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 4/28/16 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 91619

Record and Return To:

RIDER WEINER & FRANKEL PC
655 LITTLE BRITAIN RD
NEWBURGH, NY 12550

HW 55590

Standard N.Y.B.T.U. Form 8007

Bargain & sale deed, with covenant against grantor's acts - Ind. or Corp.

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

THIS INDENTURE, made the 21st day of April, Two Thousand Sixteen

BETWEEN

JACK DABRUSIN and MARGARET DABRUSIN, husband and wife,
residing at 40 Echo Lane, Newburgh, NY 12550,

party of the first part, and

MUGHEN NAKAMURA, residing at 15 Avenue A, New York, NY 10009

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN and 00/100 (\$10.00) dollars,

lawful money of the United States, and other good and 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, being more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

BEING the same premises described in a certain deed dated September 29, 2005 from John Merchant and Sandra Fay Mark to Jack Dabrusin and Margaret Dabrusin, and recorded in the Orange County Clerk's office on October 5, 2005 in Liber 11960 of Deeds at Page 381.

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 incumbered 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.

Section 20, Block 2, Lot 24



- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

Alfred A. Fusco, Jr., P.E., Principal

Alfred A. Fusco, III, General Manager

File No. 16-099

575 RIVER ROAD DESCRIPTION

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

Beginning at point on the northwesterly line of the assumed road line of River Road in the
northeasterly line of Lot 2 as shown on a map entitled "Two Lot Subdivision for Michael Quick and
filed in the Orange County Clerk's Office on February 3, 1995 as map number 9-95, thence along
the northeasterly line of Lot 2 and Lot 1, North 68 degrees 46 minutes 00 seconds West a distance of
161.84 feet to a point; thence along the lands reputedly of McCurdy as described in deed liber 2243
on page 715, North 89 degrees 53 minutes 00 Seconds East a distance of 36.74 feet to a point; thence
continuing along the same, North 41 degrees 38 minutes 00 seconds East a distance of 77.71 feet to an
iron pin found; thence along the lands reputedly of Dabrusin as described in deed liber 11756 on
page 574, North 17 degrees 21 minutes 00 seconds East a distance of 85.48 feet to a point; thence
continuing along the lands of Dabrusin and the lands reputedly of Cumella as described in deed liber
2608 on page 70, North 27 degrees 38 minutes 00 seconds East a distance of 61.58 feet to a point;
thence continuing along the lands of Cumella, North 21 degrees 53 minutes 00 seconds East a
distance of 187.81 feet to a point; thence along the lands reputedly of Munsie and along or near a
stonewall, South 60 degrees 53 minutes 35 seconds East a distance of 49.10 feet to a point; thence
continuing along the same an passing through an iron pipe found at 115.56 feet, South 56 degrees 30
minutes 35 seconds East a distance of 170.28 feet to a point; thence along the northwesterly line of

**River Road, South 40 degrees 30 minutes 51 seconds West a distance of 323.87 feet to a point;
continuing along the**

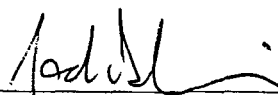
**northwesterly line of River Road, South 29 degrees 44 minutes 58 seconds West a distance of 72.71
feet to said point or place beginning and containing 1.48 acres of land more or less as surveyed by
Fusco Engineering and Land Surveying on March 31, 2016.**

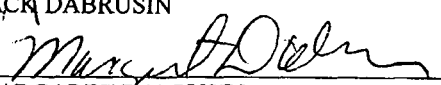
HILL-N-DALE ABSTRACTERS, INC.
20 SCOTCHTOWN AVENUE
P.O. BOX 547
GOSHEN, NEW YORK 10924
(845) 294-5110
FAX (845) 294-9581

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:

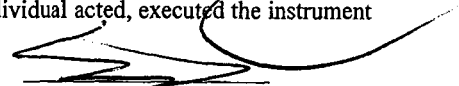

 JACK DABRUSIN


 MARGARET DABRUSIN

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

On the 21 day of April, 2016, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared Jack Dabrusin and Margaret Dabrusin, 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 said individual executed the same in their capacity and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument

TODD A. KELSON
 Notary Public, State of New York
 Qualified in Orange County
 No. 4870143
 Commission Expires August 11, 19 2018


 Notary Public
 Commission Expires:

Bargain and Sale Deed
 WITH COVENANT AGAINST GRANTOR'S ACTS
 Title No.

 JACK DABRUSIN and MARGARET DABRUSIN

SECTION 20
 BLOCK 2
 LOT 24
 COUNTY OF ORANGE
 TOWN OF NEWBURGH

TO
 MUGHEN NAKAMURA

RETURN BY MAIL TO:
 CHARLES FRANKEL, ESQ.
 Rider, Weiner & Frankel
 655 Little Britain Road
 New Windsor, NY 12553



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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/29/2018

Application No. 18-1416

To: Mughen Nakamura
1732 First Ave #28896
New York, NY 10128

SBL: 20-2-24
ADDRESS: 575 River Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 11/28/2018 for permit to build a 8'-6" x 9'-6" covered front deck with a 5' x 40' walkway to the side deck on the premises located at 575 River Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code section:

1) Bulk table schedule 3 requires a 50' minimum front yard setback


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Mughen Nakamura **Building Application #** 18-1416

ADDRESS: 1732 First Ave #28896 New York NY 10128

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: covered front porch @ 575 River Rd.

SBL: 20-2-24 **ZONE:** R-1 **ZBA Application #** _____

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

| | MINIMUM | EXISTING | PROPOSED | VARIANCE | VARIANCE PERCENTAGE |
|----------------------|---------|----------|----------|----------|---------------------|
| LOT AREA | | | | | |
| LOT WIDTH | | | | | |
| LOT DEPTH | | | | | |
| FRONT YARD | 50' | | 39'-6" | 10'-6" | 21.00% |
| 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: 8'-6" x 9'-6" covered front deck with a 5' x 40' walkway to the side deck

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 3 Requires a 50' minimum front yard setback
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 27-Nov-18





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

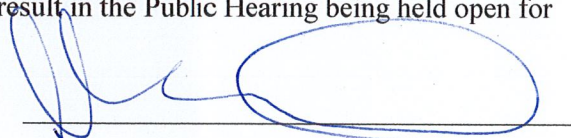
STATE OF NEW YORK: COUNTY OF ORANGE:

I WUCHEN NIZAMUR, being duly sworn, depose and say that I did on or before

September 12, 2019, post and will thereafter maintain at

575 River Rd 20-2-24 R-1 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.



Sworn to before me this 10th
day of September, 2019.

Melisa Clarke-Dawson

Notary Public

MELISA CLARKE-DAWSON
Notary Public, State of New York
No. 01CL6207240
Qualified in Bronx County
Commission Expires August 17, 2021

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



