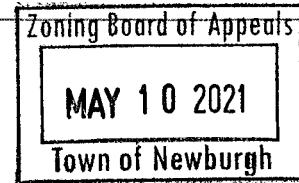




TOWN OF NEWBURGH

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: April 27, 2021

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

I (WE) Orchard Hills Landings, LLC - Christopher Bicho PRESENTLY

RESIDING AT NUMBER 543 Thames Street, Newport, RI 02840

TELEPHONE NUMBER 401.845.2200

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:

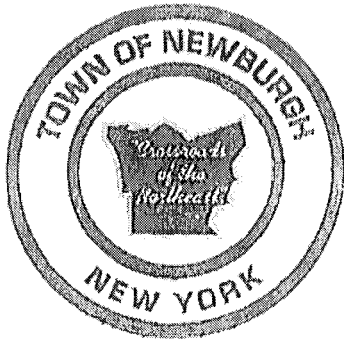
09-01-45.21 (TAX MAP DESIGNATION)

1 Kayla Court, Newburgh, NY 12550 (STREET ADDRESS)

R-3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

184-15-A (1); 184-15-A (4); 184-15-B



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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: April 14, 2021
- 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: Variances requested for area and height increases and reduction in required distance to fronting street for accessory maintenance garage within an existing residential community.

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:



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

6. IF AN AREA VARIANCE IS REQUESTED:

a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

The proposal is located within a private residential community which is well screened from neighboring properties. The new structure does not encroach on any yards / setbacks and the facade will be in keeping with the current community's architectural standards.

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 building size is required to store and screen the community's maintenance equipment. The location of the structure is limited to the proposed location due to wetlands and existing site grades.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The proposed structure does not affect the neighboring properties and the scale of the building is in keeping with the existing structures within the residential community.

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 proposed 1,200 SF structure is marginal within the 50+ acre residential community and is in keeping with the neighborhood fabric.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

The requested size of the accessory structure is required due to the scale of the existing community and the scope of storage and equipment required for the site's maintenance.



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308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

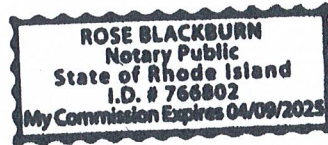
7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 29th DAY OF April 2021

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

Crossroads of the Northeast

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

PROXY

Orchard Hills Landings, LLC - Christopher Bicho , DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 543 Thames Street

IN THE COUNTY OF Newport AND STATE OF Rhode Island

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

Orchard Hills Landings - 1 Kayla Court, Newburgh, NY 12550

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

DATED: 4/29/21

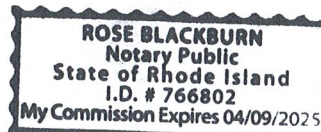
OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 29th DAY OF April 20 21

NOTARY PUBLIC



Short Environmental Assessment Form

Part 1 - Project Information

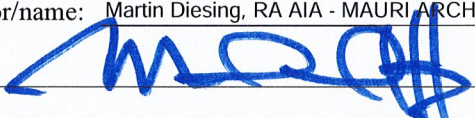
Instructions for Completing

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			
Name of Action or Project: Orchard Hills Landings - Accessory Maintenance Garage			
Project Location (describe, and attach a location map): 1 Kayla Court, Newburgh, NY, 12550 - See attached Google Map			
Brief Description of Proposed Action: Construction of one story wood frame maintenance garage for existing apartment community.			
Name of Applicant or Sponsor: Martin Diesing, RA AIA - MAURI ARCHITECTS PC		Telephone: 845.452.1030 E-Mail: jay@mauri-architects.com	
Address: 73 Mansion Street			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh Building Permit			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		50.40 acres	
b. Total acreage to be physically disturbed?		0.26 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		50.40 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input 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? 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 services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Not applicable - the proposed structure will not have water service.	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: _____ Not applicable - the proposed structure will not have sewer service.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	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? 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" 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 plan?	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?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
Stormwater from the new structure's roof will be discharged at grade.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Martin Diesing, RA AIA - MAURI ARCHITECTS PC</u> Date: <u>May 6, 2021</u> Signature:  Title: <u>President</u>		

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"/>

Project: _____
 Date: _____

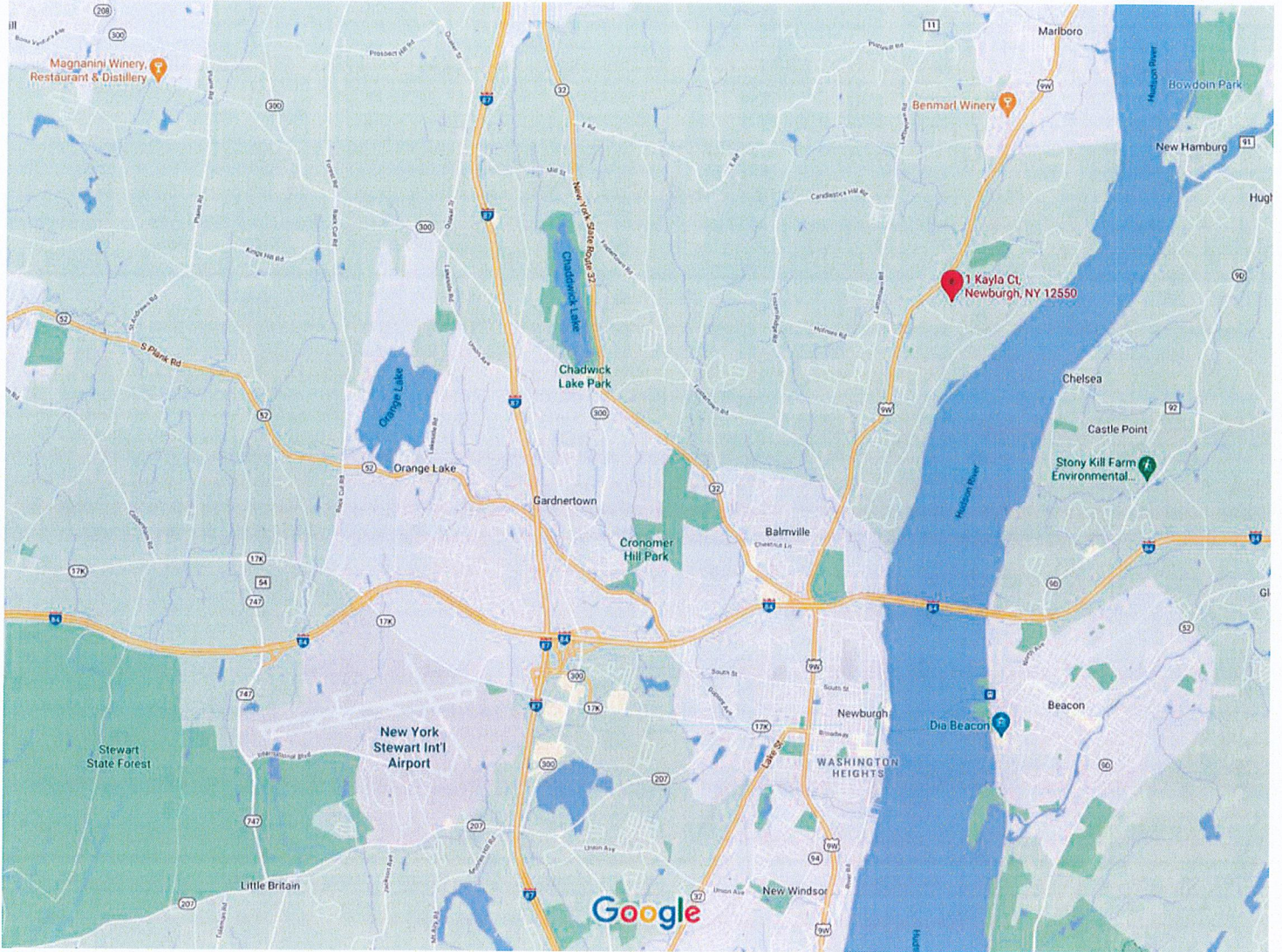
**Short Environmental Assessment Form
 Part 3 Determination of Significance**

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)

PRINT FORM



BARGAIN AND SALE DEED

THIS INDENTURE, made the 30th day of September, 2013 between **ORCHARD HILLS OF NEWBURGH, LLC**, a New York limited liability company having an address at 15 Research Road, East Falmouth, MA 02536 (the "**Grantor**"), and **ORCHARD HILLS LANDINGS LLC**, a New York limited liability company having an address at One Mill Street Newport, Rhode Island 02840 (the "**Grantee**").

W I T N E S S E T H:

That Grantor, in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, the heirs or successors and assigns of the Grantee, forever:

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

SEE SCHEDULE A ANNEXED HERETO AND MADE A PART HEREOF

The said premises are designated on the Tax Map of the City of Newburgh, County of Orange; as Block 1, Lot 45.21, Section 9.

BEING the same premises conveyed to Grantor herein by deed dated 5/25/2010 recorded 5/26/2010 in Liber 13008 cp 1852 made by Larry H. Cosman and Kathy A. Cosman.

TOGETHER with (a) all right, title and interest, if any, of Grantor in and to any streets and road abutting the above described premises to the center lines thereof and (b) the appurtenances and all the estate and rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the same unto the Grantee, the heirs or successors and assigns of the Grantee, forever.

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor 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 same for any other purpose.

EXHIBIT A

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

BEGINNING at a point on the northerly sideline of Oak Street, said point being a point in common with lands now or formerly Gurda (Liber 4623 at Page 241);

RUNS THENCE along said lands of Gurda,
North 30 degrees 02 minutes 06 seconds East for a distance of 474.81 feet, to a point, said point being a point in common with other lands now or formerly Gurda (Liber 4623 at Page 241);

THENCE along said lands,
North 25 degrees, 32 minutes, 18 seconds West for a distance of 249.10 feet, to a point, said point being a point in common with lands now or formerly Route 9W Assoc. of Newburgh, Inc. (Liber 4416 at Page 48);

THENCE along said lands, and passing through an iron pipe found at a distance of 1.39 feet,
North 51 degrees, 52 minutes, 54 seconds East for a distance of 471.17 feet, to a point, said being located 1.24 feet SW from an iron pipe found;

THENCE continuing along said lands,
North 35 degrees, 28 minutes, 26 seconds West, for a distance of 34.55 feet, to a point, said point being a point in common with land now or formerly Parr Valley Assoc. (Liber 2269 at Page 1134);

THENCE along said lands,
North 76 degrees, 17 minutes, 51 seconds East for a distance of 418.93 feet, to a point, said point being a point in common with said lands;

THENCE along said lands the following seven (7) courses and distances, namely:

1. South 13 degrees, 42 minutes, 09 seconds East for a distance of 465.00 feet, to a point, thence
2. North 76 degrees, 17 minutes, 51 seconds East for a distance of 227.00 feet, to a point, thence
3. North 46 degrees, 23 minutes, 20 seconds East for a distance of 37.98 feet, to a point, thence
4. North 88 degrees, 10 minutes, 10 seconds East for a distance of 360.90 feet, to a point, thence
5. North 12 degrees, 48 minutes, 06 seconds East for a distance of 353.11 feet, to a point, thence
6. North 88 degrees, 10 minutes, 10 seconds East for a distance of 218.38 feet,

- CONTINUED -

to a point, thence

7. North 12 degrees, 48 minutes, 06 seconds East for a distance of 147.53 feet, to a point,

said point being a point in common with lands now or formerly Roseton Hills Sewage-Works Corp. (Liber 2104 at Page 586);

THENCE along said lands the following twelve (12) courses and distances, namely:

1. South 76 degrees, 11 minutes, 54 seconds East for a distance of 183.81 feet, to a point, thence

2. North 12 degrees, 48 minutes, 06 seconds East for a distance of 87.61 feet, to a point, thence

3. South 74 degrees, 24 minutes, 10 seconds East for a distance of 155.00 feet, to a point, thence generally along a pond,

4. North 37 degrees, 18 minutes, 57 seconds East for a distance of 39.68 feet, to a point, thence

5. South 68 degrees, 50 minutes, 07 seconds East for a distance of 17.43 feet, to a point,

6. North 00 degrees, 43 minutes, 51 seconds West for a distance of 33.18 feet, to a point, thence

7. North 14 degrees, 24 minutes, 37 seconds East for a distance of 11.59 feet, to a point, thence

8. North 80 degrees, 45 minutes, 14 seconds West for a distance of 19.02 feet, to a point, thence

9. North 66 degrees, 19 minutes, 24 seconds West for a distance of 16.30 feet, to a point, thence

10. North 42 degrees, 21 minutes, 48 seconds East for a distance of 11.31 feet, to a point, thence

11. North 67 degrees, 33 minutes, 05 seconds East for a distance of 37.39 feet, to a point, thence

12. North 42 degrees, 26 minutes, 57 seconds East for a distance of 37.99 feet, to a point,

said point being a point in common with lands now or formerly Cedar Hill Cemetery Assoc. (Liber 1744 at page 455);

THENCE along said lands the following five (5) courses and distances, namely:

1. South 74 degrees, 24 minutes, 10 seconds East for a distance of 130.62 feet,

to a point, thence

2. North 48 degrees, 46 minutes, 50 seconds East for a distance of 111.54 feet, to a point, thence
3. South 60 degrees, 36 minutes, 10 seconds East for a distance of 569.54 feet, to a point, thence
4. South 73 degrees, 43 minutes, 59 seconds East for a distance of 158.21 feet, to a point, thence generally along a stonewall,
5. South 79 degrees, 12 minutes, 35 seconds East for a distance of 335.71 feet, to a point, said point being a point in common with lands now or formerly FNSN, L.L.C. (Liber 5308 at Page 317);

THENCE along said lands and generally along a stonewall, the following eight (8) courses and distances, namely:

1. South 37 degrees, 48 minutes, 31 seconds West for a distance of 142.16 feet, to a point, thence
2. South 43 degrees, 15 minutes, 30 seconds West for a distance of 60.08 feet, to a point, thence
3. South 38 degrees, 34 minutes, 41 seconds West for a distance of 121.45 feet, to a point, thence
4. South 43 degrees, 35 minutes, 34 seconds West for a distance of 56.31 feet, to a point, thence
5. South 38 degrees, 55 minutes, 04 seconds West for a distance of 322.27 feet, to a point, thence
6. South 33 degrees, 07 minutes, 58 seconds West for a distance of 49.09 feet, to a point, thence
7. South 40 degrees, 21 minutes, 30 seconds West for a distance of 270.38 feet, to a point, thence
8. South 37 degrees, 19 minutes, 47 seconds West for a distance of 43.50 feet, to a point, said point being a point in common with lands now or formerly Parkas (Liber 6141 at Page 42);

THENCE along said lands and generally along a stonewall, the following fourteen (14) courses and distances, namely:

1. North 75 degrees, 53 minutes, 09 seconds West for a distance of 275.69 feet, to a point, thence
2. North 77 degrees, 55 minutes, 50 seconds West for a distance of 223.90 feet,

to a point, thence

3. North 70 degrees, 27 minutes, 25 seconds West for a distance of 65.07 feet, to a point, thence
4. North 76 degrees, 32 minutes, 36 seconds West for a distance of 416.35 feet, to a point, thence
5. North 80 degrees, 45 minutes, 11 seconds West for a distance of 106.91 feet, to an iron pipe found, thence generally along a wire fence,
6. South 56 degrees, 48 minutes, 19 seconds West for a distance of 80.12 feet, to a point, thence
7. South 46 degrees, 35 minutes, 11 seconds West for a distance of 45.14 feet, to a point, thence
8. South 40 degrees, 50 minutes, 06 seconds West for a distance of 121.96 feet, to a point, thence
9. North 64 degrees, 16 minutes, 51 seconds West for a distance of 321.55 feet, passing through an iron pipe found at a distance 2.74 feet, to a point, thence
10. South 43 degrees, 36 minutes, 55 seconds West for a distance of 75.64 feet, to a point, thence
11. North 77 degrees, 56 minutes, 34 seconds West for a distance of 189.79 feet, to a point, thence
12. North 79 degrees, 18 minutes, 03 seconds West for a distance of 150.30 feet, to a point, thence
13. North 75 degrees, 53 minutes, 51 seconds West for a distance of 335.82 feet, to a point, thence
14. South 11 degrees, 20 minutes, 16 seconds West for a distance of 306.68 feet, to an iron pipe found, said pipe being a point in common with lands now or formerly Duckworth (Liber 1904 at Page 1098);

THENCE along said lands, and lands now or formerly Byczek (Liber 2176 at Page 1130),

North 64 degrees, 47 minutes, 52 seconds West for a distance of 212.86 feet, passing through an iron pipe found online, to a point;

THENCE continuing along said lands now or formerly Byczek, South 11 degrees, 18 minutes, 40 seconds West for a distance of 209.93 feet, to a point, said point being a point in common with lands now or formerly Savarese (Liber 1968 at Page 1032);

THENCE along said lands,

North 65 degrees, 51 minutes, 20 seconds West for a distance of 200.00 feet, to a point;

THENCE still along said land,
South 11 degrees, 18 minutes, 40 seconds West for a distance of 178.30 feet, to
a point on the northerly sideline of Oak Street, aforementioned,

THENCE along said sideline,
North 69 degrees, 41 minutes, 05 seconds West for a distance of 132.23 feet, to
the point or place of BEGINNING.



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2912-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/14/2021

Application No. 21-0221

To: Orchard Hills Landings LLC
543 Thames Street
Newport, RI 02840

SBL: 9-1-45.21
ADDRESS: 1 Kayla Court

ZONE: R3

PLEASE TAKE NOTICE that your application dated 03/16/2021 for permit to build a 30' x 40' x 23'-8" accessory building on the premises located at 1 Kayla Court is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

1. 185-15-A-4: The maximum allowed square foot for an accessory building is 1000 sf.
2. 185-15-A-1: The maximum allowed height for an accessory building is 15'.
3. 185-15-B: No accessory building shall project closer to the front street than the main building.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: ORCHARD HILLS LANDING LLC Application # 21-0221

ADDRESS: KAYLA CT

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 30' X 20' X 23'-8" ACCESSORY BUILDING

SBL: 9-1-45.21 **ZONE:** R-3 **ZBA Application #** 2912-21

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SQAURE FOOT	1000 SF		1200 SF	200 SF	20.00%
LOT DEPTH					
185-15-B REAR YARD	No such building shall project closer to the fronting street than the front of the main building.				
SIDE YARD					
MAX. BUILDING HEIGHT	15'		23.66'	8.66'	57.73%
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-B **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 buildings are setback 24.6' from the street: the proposed building will be setback 20' from the street.**

REVIEWED BY: Joseph Mattina **DATE:** 14-Apr-21



PHOTOGRAPH No. 1



PHOTOGRAPH No. 2



PHOTOGRAPH No.3



PHOTOGRAPH No.4

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, BRANDON PETRELLA, RAAIA
MAURI ARCHITECTS PC, being duly sworn, depose and say that I did on or before

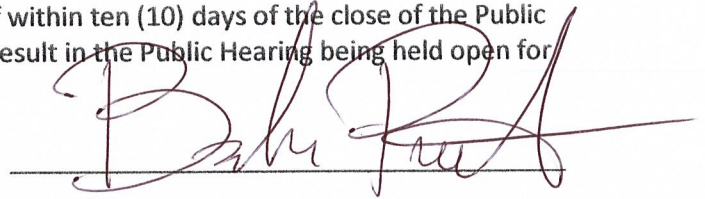
May 13, 2021, post and will thereafter maintain at

1 Kayla Ct 9-1-45.21 R3 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 May, 2021.





TOWN OF NEWBURGH

Cascades of the Northeast
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901
FAX LINE 845-564-7802

Notice of Public Hearing

PLEASE TAKE NOTICE that due to the current COVID-19 pandemic, the Zoning Board of Appeals meeting of the Town of Newburgh scheduled for May 27, 2021 at 7:00 p.m. at the Town Hall, 1496 Route 300, Newburgh, NY 12550 will be conducted in accordance with the applicable Executive Orders heretofore issued by New York State Governor Andrew Cuomo suspending certain provisions of the New York State Open Meetings Law. Accordingly, physical attendance by the public at the meeting will not be permitted. All Board Members and Applicants will be required to appear in person unless prior arrangements have been made.

PLEASE TAKE FURTHER NOTICE that the public may view the meeting live using the Zoom platform at the following link:

Topic: ZBZA Meeting
Time: May 27, 2021 07:00 PM Eastern Time (US and Canada)
Join Zoom Meeting
<https://us02web.zoom.us/j/81424162879?pwd=VERRdEltQTZlVmM5bEt3WU9XR3VWdz09>
Meeting ID: 814 2416 2879
Passcode: 887931
One tap mobile
+16468769923,81424162879#...*887931# US (New York)
+13126266799,81424162879#...*887931# US (Chicago)
Dial by your location
+1 646 876 9923 US (New York)
+1 312 626 6799 US (Chicago)
Meeting ID: 814 2416 2879
Passcode: 887931
Find your local number: <https://us02web.zoom.us/j/81424162879>

Application of Orchard Hills Landings LLC for area variances of maximum square footage, maximum height and a front yard to build a 30' x 40' x 23.8' accessory building.

Location 1 Kayla Ct 9-1-45.21 R3 Zone

After each hearing scheduled for May 27, 2021 is opened, the public will be able to make comments through the Zoom livestream or by telephone through the Zoom teleconference option. Written comments will be accepted prior to the meeting. Such comments may be submitted by email to zoningboard@townofnewburgh.org or by regular First Class mail to Town of Newburgh ZBA 21 Hudson Valley Professional Plaza Newburgh NY 12550. Meeting materials may be viewed on the Town of Newburgh web site at: <http://www.townofnewburgh.org/cn/Meetings?tmpl=4722>. As permitted by

Section 104 of the Public Officers Law and the Governor's Executive Orders, the ZBA Board Chairman and individual board members may participate from remote locations. Consistent with the aforementioned Executive Orders, physical attendance at said remote locations shall not be permitted.

BY ORDER OF THE ZONING BOARD OF APPEALS TOWN OF NEWBURGH

Dated: May 13, 2021
Newburgh, New York

Applicant



TOWN OF BUCKINGHAM
WATER DEPARTMENT
1000 BUCKINGHAM AVENUE
BIRMINGHAM, AL 35203
PH: 205.972.1000
WWW.BUCKINGHAMALABAMA.GOV

WATER SERVICE INFORMATION

Water Service: Water service is provided to all lots within the Town of Buckingham. The water service is provided by the Town of Buckingham Water Department. The water service is provided to all lots within the Town of Buckingham. The water service is provided to all lots within the Town of Buckingham.

Water Meter: The water meter is located at the front of the lot. The water meter is located at the front of the lot. The water meter is located at the front of the lot.

Water Billing: The water bill is provided to the property owner. The water bill is provided to the property owner. The water bill is provided to the property owner.

Water Conservation: Water conservation is encouraged. Water conservation is encouraged. Water conservation is encouraged.

Water Quality: The water quality is excellent. The water quality is excellent. The water quality is excellent.

Water Safety: The water is safe to drink. The water is safe to drink. The water is safe to drink.

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ORCHARD HILLS
LANDINGS
AN APARTMENT & TOWNHOME COMMUNITY

62-2300

Small white sign in the grass, text is illegible.