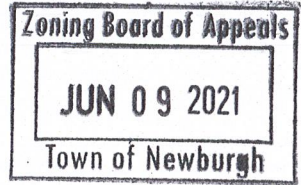




TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550



OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 5/12/21

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

I (WE) Jeremy + Dawn Prati PRESENTLY
RESIDING AT NUMBER 7 Shaker Crt Wallkill NY 12589
TELEPHONE NUMBER (845) 541-1211

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:

_____ (TAX MAP DESIGNATION)
7 Shaker Crt. (STREET ADDRESS)
2-2-37 RR (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

1) Bulk table schedule 1: Requires
2) Bulk

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:

03/31/2021

- 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: area variance
to allow replacement of 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:

The house was built prior
to current bulk permitting rules.

(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:

Most home in area built
after adoption of current bulk
permitting rules.

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

It is a deck that is replacing
existing deck.

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

The home was built prior to
current bulk permitting rules. It was
also

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:

Replacement of existing deck

- 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 house was built prior to current bulk permitting

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

The replacement deck is smaller

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

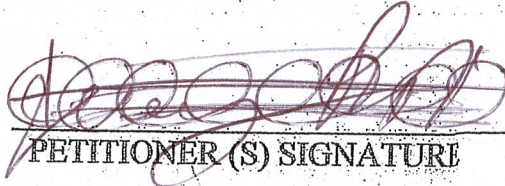
The replacement deck is smaller

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

The house was built with deck before current bulk permitting rules

7. ADDITIONAL REASONS (IF PERTINENT):

This deck is replacing a
permitted deck


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 27th DAY OF May 2021


NOTARY PUBLIC



: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the 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 action to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR HEARING NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE MATERIALS FOR 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

1st 3088 FU out

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: <i>Deck replacement</i>			
Project Location (describe, and attach a location map): <i>Attached to home south east corner</i>			
Brief Description of Proposed Action: <i>Replace existing deck that was removed to repair water damage to foundation.</i>			
Name of Applicant or Sponsor: <i>Jeremy + Dawn Prati</i>		Telephone: <i>845-541-1211</i>	
Address: <i>7 Shaker Court</i>		E-Mail: <i>jeremyprati@hotmail.com</i>	
City/PO: <i>Wellkill</i>		State: <i>NY</i>	Zip Code: <i>12589</i>
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?		<i>.94</i> acres	
b. Total acreage to be physically disturbed?		<i>.94</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>.94</i> 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
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 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	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" 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: _____	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: _____	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 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 type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" 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>	NO	YES
<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>	NO	YES
<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>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Jeremy Pich</u></p>	<p>Date: <u>5/12/21</u></p>	
<p>Signature: <u>Jeremy Pich</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.

- 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)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK: NAME(S) OF PARTY(S) TO DOCUMENT

Robert F. Prati
Rosemary B. Prati
TO
Jeremy L. Prati
Dawn K. Prati

SECTION 2 BLOCK 2 LOT 37

RECORD AND RETURN TO: (name and address)

Richard D. Forbes, Esq.
372 Fullerton Avenue, Box 5
Newburgh, New York 12550



THIS IS PAGE ONE OF THE RECORDING

10-374

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED [checked] MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN)
2003 SO. BLOOMING GROVE (VLG)
2001 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG)
2289 CHESTER (TN) 4203 MONTGOMERY (VLG)
2201 CHESTER (VLG) 4205 WALDEN (VLG)
2489 CORNWALL (TN) 4489 MOUNT HOPE (TN)
2401 CORNWALL (VLG) 4401 OTISVILLE (VLG)
2600 CRAWFORD (TN) 4600 NEWBURGH (TN)
2800 DEERPARK (TN) 4800 NEW WINDSOR (TN)
3089 GOSHEN (TN) 5089 TUXEDO (TN)
3001 GOSHEN (VLG) 5001 TUXEDO PARK (VLG)
3003 FLORIDA (VLG) 5200 WALLKILL (TN)
3005 CHESTER (VLG) 5489 WARWICK (TN)
3200 GREENVILLE (TN) 5401 FLORIDA (VLG)
3489 HAMPTONBURGH (TN) 5403 GREENWOOD LAKE (VLG)
3401 MAYBROOK (VLG) 5405 WARWICK (VLG)
3689 HIGHLANDS (TN) 5600 WAWAYANDA (TN)
3601 HIGHLAND FALLS (VLG) 5889 WOODBURY (TN)
3889 MINISINK (TN) 5801 HARRIMAN (VLG)
3801 UNIONVILLE (VLG) 5809 WOODBURY (VLG)
4089 MONROE (TN)
4001 MONROE (VLG) 0900 MIDDLETOWN
4003 HARRIMAN (VLG) 1100 NEWBURGH
4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS
9999 HOLD

NO PAGES 4 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK [checked]
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$ 280,000
TAX EXEMPT
Taxable
MORTGAGE AMT. \$

MORTGAGE TAX TYPE:
(A) COMMERCIAL/FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(E) EXEMPT
(F) 3 TO 6 UNITS
(I) NAT. PERSON/CR. UNION
(J) NAT. PER-CR. UN/1 OR 2
(K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From Lotus Abstract

RECORDED/FILED
05/26/2010/ 11:30:27
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20100050555
DEED R / BK 13008PG 1131
RECORDING FEES 190.00
TTX# 006095 T TAX 1,120.00
Receipt#1174548 marse

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 May 26, 2010
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
June 1, 2010

Ann G. Rabbitt
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY



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

THIS INDENTURE, made the 20th day of May, in the year 2010

BETWEEN

**ROBERT F. PRATI & ROSEMARY B. PRATI, RESIDING AT,
7 SHAKER COURT, WALLKILL, NEW YORK 12589**

party of the first part, and

husband & wife

**JEREMY L. PRATI & DAWN K. PRATI, RESIDING AT
7 SHAKER COURT, WALLKILL, NEW YORK 12589**

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, and more particularly described on the annexed Schedule "A".

BEING and intended to be the same premises conveyed by Stephen Chiripka to Robert F. Prati & Rosemary B. Prati, by Deed dated September 28th, 1990 and recorded in the Orange County Clerk's Office on October 22nd, 1990 in Liber 3362 at page 285.

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.

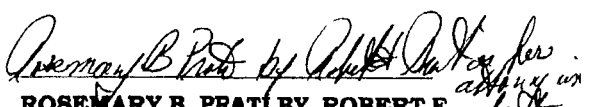
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

IN PRESENCE OF:



ROBERT F. PRATI



ROSEMARY B. PRATI BY ROBERT F. PRATI AS HER ATTORNEY IN FACT

State of New York County of Orange, ss:

On the 20th day of May in the year 2010, before me the undersigned, personally appeared **ROBERT F. PRATI**, 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 executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



RICHARD D. FORBES
NOTARY PUBLIC, State of New York
Qualified in Orange County No. 02F06035004
Commission Expires 12/20/2009 2013

BARGAIN AND SALE DEED

RETURN BY MAIL TO

**Lotus Abstract Corp.
Title No. 10-374**

**ROBERT L. PRATI &
ROSEMARY B. PRATI**

TO

**JEREMY L. PRATI &
DAWN K. PRATI**

**RICHARD D. FORBES, ESQ.
372 FULLERTON AVENUE, BOX 5
NEWBURGH, NEW YORK 12550**

Section: 2

Block: 2

Lot: 37

County: Orange

Town: Newburgh

SCHEDULE A (Description)

All that certain lot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being designated as Lot #4 on a filed map entitled "Subdivision Plan lands of William J. McGrath & Paul V. Cuomo" filed in the Orange County Clerk's Office on December 10, 1987 as map #8640 and being more accurately bounded and described as follows;

Beginning at a point in the center of Shaker Court (Private Road) being a 50' wide right of way, said point being the division line between lot #4 with lot #2 and also being the southwesterly most corner of the here-in described parcel; thence from the said point or place of beginning and following along the center of Shaker Court, North 06 degrees 46 minutes 09 seconds East 187.79 feet to a point; thence along lot #4 of filed map #9256 and passing over an iron pin found on line, South 71 degrees 34 minutes 56 seconds East 242.46 feet to a point; thence along lot #2 of filed map #9282 and lot #2 of filed map #8781 and passing over an iron pin found on line, South 12 degrees 28 minutes 47 seconds West 170.00 feet to a point; thence along the division line between lot #4 with lot #2, North 75 degrees 24 minutes 13 seconds West 222.62 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

2911-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/31/2021

Application No. 21-0279

To: Dawn Prati
7 Shaker Court
Walkill, NY 12589

SBL: 2-2-37
ADDRESS: 7 Shaker Ct

ZONE: RR

PLEASE TAKE NOTICE that your application dated 03/29/2021 for permit to build a 15' x 31' rear deck on the premises located at 7 Shaker Ct is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 1: Requires a 100' rear yard setback.
- 2) Bulk table schedule 1: Requires a 50' minimum side 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: DAWN PRATI **Application #** 21-0279

ADDRESS: 7 SHAKER CT. WALLKILL NY 12589

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 15' X 31' REAR DECK

SBL: 2-2-37 **ZONE:** RR **ZBA Application #** 2911-21

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	100'		43.9'	56.1'	56.10%
SIDE YARD	50'		44.4'	5.6'	11.20%
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 _____ YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY _____ YES / NO
 CORNER LOT - 185-17-A _____ YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 _____ YES / NO
 FRONT YARD - 185-15-A _____ YES / NO
 STORAGE OF MORE THEN 4 VEHICLES _____ YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 _____ YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 _____ YES / NO

NOTES:

THE DWELLING IS EXISTING NON-CONFORMING

REVIEWED BY: Joseph Mattina

DATE: 31-Mar-21









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

STATE OF NEW YORK: COUNTY OF ORANGE:

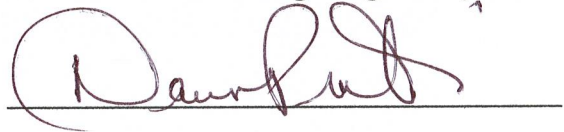
I, Dawn Prati, being duly sworn, depose and say that I did on or before

June 10, 2021, post and will thereafter maintain at

7 Shaker Ct 2-2-37 RR 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 10

day of June, 2021.







