



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: July 23, 2015

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

I (WE) Robon Realty, LLC PRESENTLY

RESIDING AT NUMBER 112 Shaft Rd., Gardiner, NY 12525

TELEPHONE NUMBER 845-546-4111

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:

47-1-59.1 (TAX MAP DESIGNATION)

341 Lakeside Road (STREET ADDRESS)

R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1, 185-17-A, 185-15-A-1, 185-15-A-3,



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: July 9, 2015
- 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: Existing non-conforming lot.

Owner discovered existing frames structurally comprised and demolished, leaving masonry foundation

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

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

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



TOWN OF NEWBURGH

Crossroads of the Northeast

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

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:

This is an aesthetic improvement over what existed. Separation at property line meets
NYS Building Code and is in keeping with the status quo of community.

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:

Owner wishes to use a modular home builder and is restricted to certain home footprints.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

In order to make the modular fit, we are recuding the side yard setback and increasing the primary
setback of the rear yard which will be more aesthetically pleasing to properties on the lake front.
The height of the modular is consistent with the trend of the neighborhood with other renovations.

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

No, because the new structure will be connected to the Town sewer and eliminate sanitary
disposal system. Current sanitary disposal system shall be abandoned and connect dwelling
to Town sewer. Therefore it is negative impact.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

Existing structure decayed and the simplest way to make owner whole is to install a modular home.
The hardship was not created by the owner as the house was built prior to Zoning regulation.



TOWN OF NEWBURGH

Crossroads of the Northeast

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

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 27th DAY OF July 2015

NOTARY PUBLIC

EILEEN PIERSALL JACOBS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PI6301479
Qualified in Orange County
My Commission Expires April 14, 2018

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

Robon Realty, LLC, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 112 Shaft Rd., Gardiner, NY 12525

IN THE COUNTY OF Ulster AND STATE OF New York

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

341 Lakeside Road, Newburgh NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Minuta Architecture, PLLC

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

EILEEN PIERSALL JACOBS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PI6301479
Qualified in Orange County
My Commission Expires April 14, 2018

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 27 DAY OF July 2015

NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

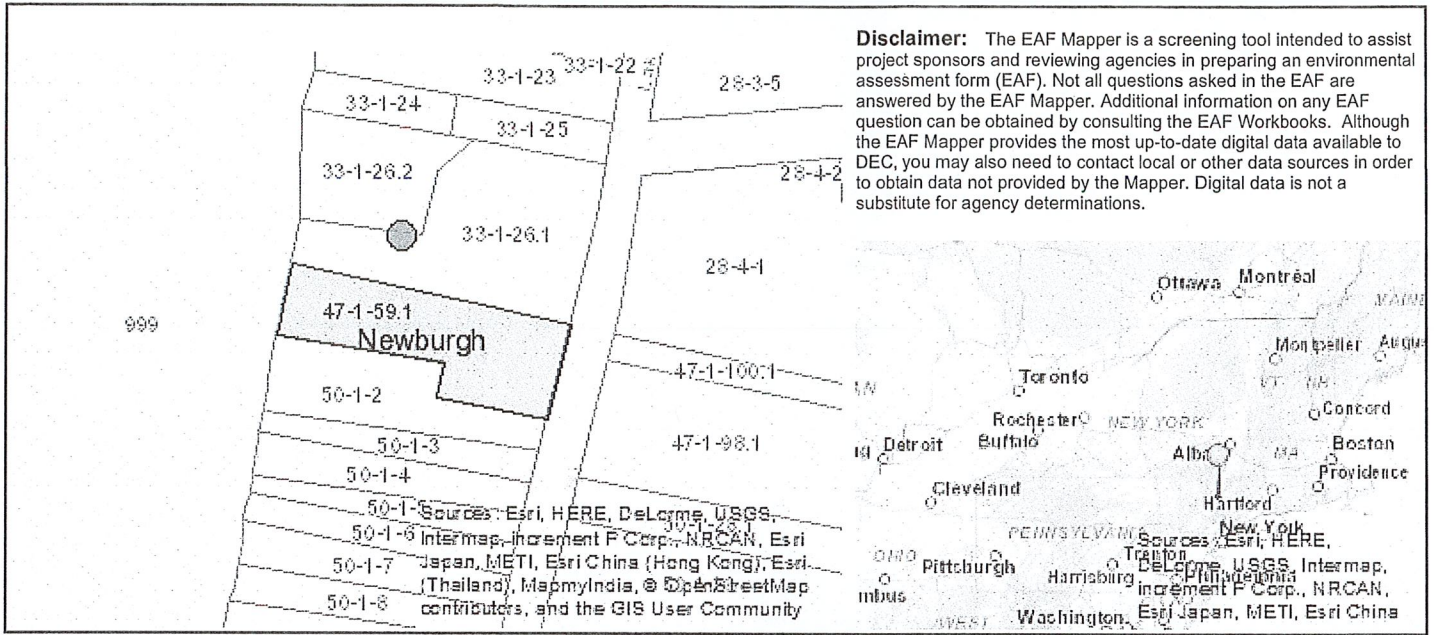
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Robon Realty, LLC			
Project Location (describe, and attach a location map): 341 Lakeside Road, Newburgh NY 12550 (47-1-59.1)			
Brief Description of Proposed Action: Proposed action is to replace existing dwelling unit with new.			
Name of Applicant or Sponsor: Robon Realty, LLC		Telephone: 845-561-2440	
		E-Mail: bob@verlinternational.com	
Address: 112 Shaft Rd.			
City/PO: Gardiner		State: NY	Zip Code: 12525
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 governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh NY Code Compliance, ZBA			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.44 +/- acres	
b. Total acreage to be physically disturbed?		.03 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.44 +/- 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 checked="" 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?	<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?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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: _____	<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 checked="" type="checkbox"/> Shoreline <input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Existing storm water proposal action will be consistent with existing storm water.			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature:  _____</p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

2513-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/09/2015

Application No. 15-0541

To: Robon Realty ^{LLC}
111 Shaft Road
Gardner, NY 12525

SBL: 47-1-59.1

ADDRESS: 341 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 07/09/2015 for permit to reconstruct a second dwelling unit on an existing lot on the premises located at 341 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-19-C-1 Shall not increase the degree on non-conformity. Increasing floor area of second dwelling unit where only 1 dwelling unit is permitted per lot.
- 2) Bulk table schedule 3 requires each dwelling unit have 1500 sf minimum.
- 3) 185-19-C-1 Shall not increase the degree of non-conformity (rear yard) height.
- 4) Bulk table schedule 3 requires one side yard of 30' minimum.
- 5) Bulk table schedule 3 requires a combined side yard of 80' minimum.
- 6) 185-19-C-1 Shall not increase the degree of non-conformity. (22'-9" side yard) height.
- 7) Bulk table schedule 3 allows a maximum of 10% building lot coverage.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2513-15 (1)

Town of Newburgh Code Compliance

991

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

NAME: _____ ROBON REALTY LLC.

ADDRESS: _____ 112 SHAFT RD GARDINER NY 12525

PROJECT INFORMATION:

TYPE OF STRUCTURE: _____ NEW DWELLING @ 341 LAKESIDE RD

SBL: _____ 47-1-59.1 **ZONE:** _____ R-1

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
Dwelling units per lot	1.00	2.00	Increasing the degree of non conformity by adding sf to a non conforming dwelling		
Habitable floor area	1500 sf		1172 sf	328 sf	21.86%
Rear yard setback	40'	21'-10"	Increasing degree of non-conformity by adding height to the dwelling		
One side yard setback	30'	19.10	12.3'	17.75'	59.16%
Combined side yard setback	80'		35'	45'	56.25%
22'-9" side yard setback			Increasing degree of non-conformity by adding height to the dwelling		
Building lot coverage	10%=1925		13.79%=2653	728 sf	37.81%

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES X 3
 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: TOTAL OF { 7 } VARIANCES SEE SHEET # 1 & 2

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 3 column © allows one dwelling unit per lot. 185-19-C-1 increasing floor area. _____
- 2 Bulk table schedule 3 requires 1500 sf habitable floor area per unit. _____
- 3 185-19-C-1 Rear yard setback 40' minimum. Increasing degree of non-conformity by raising dwelling height _____
- 4 Bulk table schedule 3 requires one side yard of 30' minimum. (Creating new non-conformity) _____

REVIEWED BY: _____ Joseph Mattina **DATE:** _____ 9-Jul-15

2513-15 (2)

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: ROBON REALTY LLC.

ADDRESS: 112 SHAFT RD GARDINER NY 12525

Pg 2

PROJECT INFORMATION:

TYPE OF STRUCTURE: NEW DWELLING @ 341 LAKESIDE RD

SBL: 47-1-59.1 ZONE: R-1

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
Dwelling units per lot	1.00	2.00	Increasing the degree of non conformity by adding sf to a non conforming dwelling		
Habitable floor area	1500 sf		1172 sf	328 sf	21.86%
Rear yard setback	40'	21'-10"	Increasing degree of non-conformity by adding height to the dwelling		
One side yard setback	30'	19.10	12.3'	17.75'	59.16%
Combined side yard setback	80'		35'	45'	56.25%
22'-9" side yard setback			Increasing degree of non-conformity by adding height to the dwelling		
Building lot coverage	10%=1925		13.79%=2653	728 sf	37.81%

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES X 3
 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: TOTAL OF { 7 } VARIANCES SEE SHEET # 1 & 2

VARIANCE(S) REQUIRED:

- 5 Bulk table schedule 3 requires a combined side yard of 80'. (creating a new non-conformity)
- 6 185-19-C-1 Increasing degree non-conformity on the 22'-9" side yard by raising dwelling height
- 7 Bulk table schedule 3 allows 10% maximum building lot coverage. (creating a new non-conformity)

REVIEWED BY: Joseph Mattina

DATE: 9-Jul-15

ROBON REALTY LLC
112 Shaft Road
Gardiner, New York 12525
(845)561-2440

July 29, 2015

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

RE: 341 Lakeside Road, Newburgh, NY
Section 47-1-59.1

Dear Sir/Madam:

Enclosed is a true copy of the Deed to Robon Realty LLC dated May 1, 2015 and recorded in the Office of the Orange County Clerk in Deed Book 13890 at page 507.

I am a Member of Robon Realty LLC, a New York Limited Liability Company (the "Company"), the owner of the above referenced real property.

I am authorized to take any and all action with respect to the property, and to execute and deliver, on behalf of the Company, any and all documents necessary or helpful to the prosecution of proceedings concerning the property before the Town of Newburgh Planning Board and the Town of Newburgh Zoning Board of Appeals.

If you have any questions or comments, please call me.

Very truly yours,

ROBON REALTY LLC

By:



ROBERT R. ROTH, Member



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: 13890 / 501
INSTRUMENT #: 20150030303

Receipt#: 1936072
Clerk: MRL
Rec Date: 05/07/2015 01:48:42 PM
Doc Grp: D
Descrip: DEED R
Num Pgs: 4
Rec'd Frm: HILL N DALE ABSTRACTERS INC

Party1: PAWLICZEK ANDREA DURGIN REF
Party2: ROBON REALTY LLC
Town: NEWBURGH (TN)

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

Sub Total: 190.00

Transfer Tax
Transfer Tax - State 360.00

Sub Total: 360.00

Total: 550.00

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

***** Transfer Tax *****
Transfer Tax #: 6313
Transfer Tax
Consideration: 90000.00

Transfer Tax - State 360.00

Total: 360.00

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

Comment: _____

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 07, 2015 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREBY SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt July 29, 2015

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

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

FINKELSTEIN & PARTNERS LLP
1279 ROUTE 300, PO BOX 1111
NEWBURGH, NY 12551

THENCE still along said Sylvester lands South 67degrees 34 minutes 40 seconds East 17.71 feet to the point or place of beginning, as surveyed in November, 1972. Containing 0.44 acres of land, more or less.

TOGETHER with all right, title and interest of which the late J. Renwick Innis died seized to lands abutting the above described lot on the westerly end and lying between said described lot and Orange Lake, including the retaining wall.

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

REFEREE'S DEED

THIS REFEREE'S DEED, made on May 1, 2015 BETWEEN, ANDREA DURGIN PAWLICZEK (Referee), at PO BOX 97, Montgomery, New York 12549 duly appointed in the action hereinafter mentioned, grantor and Robon Realty LLC, grantee, having an office at 112 Shaft Road , Gardiner, New York 12525.

WITNESSETH, that the grantor, the referee appointed in an action between Wells Fargo Bank, N.A., plaintiff, and Patrick DeVito, defendant, foreclosing a mortgage recorded on August 21, 2007 in the office of the Clerk of the County of Orange in Book number 12512 Page number 1026, in pursuance of a judgment entered in the Supreme Court of the County of Orange, State of New York on February 4, 2015 and in consideration of \$90,000.00 Dollars paid by the grantee, being the highest sum bid at the sale under said judgment, does hereby grant and convey unto the grantee,

ALL

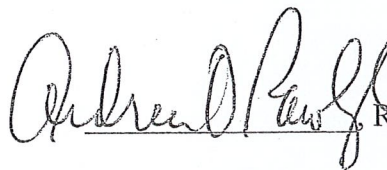
SEE SCHEDULE ``A" ATTACHED

Said Premises being known as: 341 Lakeside Road
Newburgh, New York 12550-1510

TO HAVE AND TO HOLD the premises herein granted unto the grantee, and assigns forever,

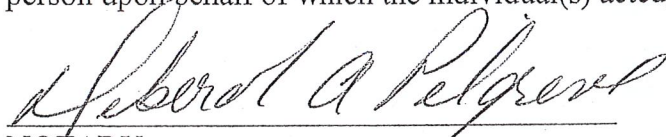
IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal, the date first above written.

In presence of:

 Referee

STATE OF NEW YORK COUNTY OF ORANGE ss.:

On May 1, 2015, before me, the undersigned personally appeared ~~ANDREA DURGIN PAWLICZEK~~, Referee, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY

DEBORAH A. PILGRENE
Notary Public, State of New York
No. 01PI6025492
Qualified in Orange County
Commission Expires ~~May 24, 20~~
8/8/2015

TITLE NO.: VA-0024849

LOAN NO.: N/A

MATTER #: 332-1755

SCHEDULE A
DESCRIPTION

Section: 47 / Block: 1 / Lot: 59.1

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 described as follows:

BEGINNING at a point in the centerline of the apparent right-of-way line of Lakeside Road, said point being a P.K. nail set in the pavement at the northeasterly corner of the parcel herein described and the southeasterly corner of lands now or formerly of Sylvester; and

RUNNING THENCE along the centerline of the apparent right-of-way of said Lakeside Road, South 19 degrees 53 minutes 30 seconds West 88.74 feet to a P.K. nail set in the pavement of said road, said point being the northeasterly corner of lands now or formerly of Delarede;

THENCE along said Delarede land North 69 degrees 49 minutes 30 seconds West 115.33 to a point in a 20" dia. Red Maple tree;

THENCE still along said lands, north 19 degrees 53 minutes 30 seconds East 32.00' to an iron rod found;

THENCE still along said Delarede lands North 69 degrees 49 minutes 30 seconds west 139.27 to an iron pipe set in the ground at the southwesterly corner of lands herein described;

THENCE along the westerly line of the parcel herein described north 20 degrees 58 minutes 47 seconds East 65.84 feet to a chiseled cross in a large stone in the remains of a stone wall;

THENCE along lands now or formerly of Sylvester; and

RUNNING THENCE through a portion of a two story frame building on said Sylvester lands, south 67 degrees 46 minutes 13 seconds East 235.85 feet to an iron rod found;

THENCE still along said Sylvester lands South 67degrees 34 minutes 40 seconds East 17.71 feet to the point or place of beginning, as surveyed in November, 1972. Containing 0.44 acres of land, more or less.

TOGETHER with all right, title and interest of which the late J. Renwick Innis died seized to lands abutting the above described lot on the westerly end and lying between said described lot and Orange Lake, including the retaining wall.

PTL# 33218 NY
 # PO CON CRN CSD
 BUILDER: HILL VIEW CONTRACT.
 CUSTOMER/PROJECT: DISCIGLIO

excel
 HOMES
 WWW.EXCELHOMES.COM

THIS DRAWING WAS EXTRACTED
 FROM APPROVED PLANS AND/OR
 APPROVED SYSTEMS DRAWINGS

NAME _____ DATE _____
 THIS DRAWING AND DESIGN IS
 THE PROPERTY OF EXCEL
 HOMES GROUP, LLC. ANY
 REPRODUCTION OF THE
 DRAWING OR DESIGN IS
 PROHIBITED WITHOUT THE
 EXPRESS WRITTEN CONSENT
 OF EXCEL HOMES GROUP,
 LLC.
 ADJUSTMENTS MADE FOR
 CODE COMPLIANCE AND
 PRODUCTION CAPABILITY
 DRAWING MAY BE REVERSED

DRAWN: CHECKED:
 J.F. C.M. J.F. J.F. J.F.

DESCRIPTION

DATE:	07-20-15
02-10-15	
05-02-15	
08-18-15	
09-18-15	
10-23-15	

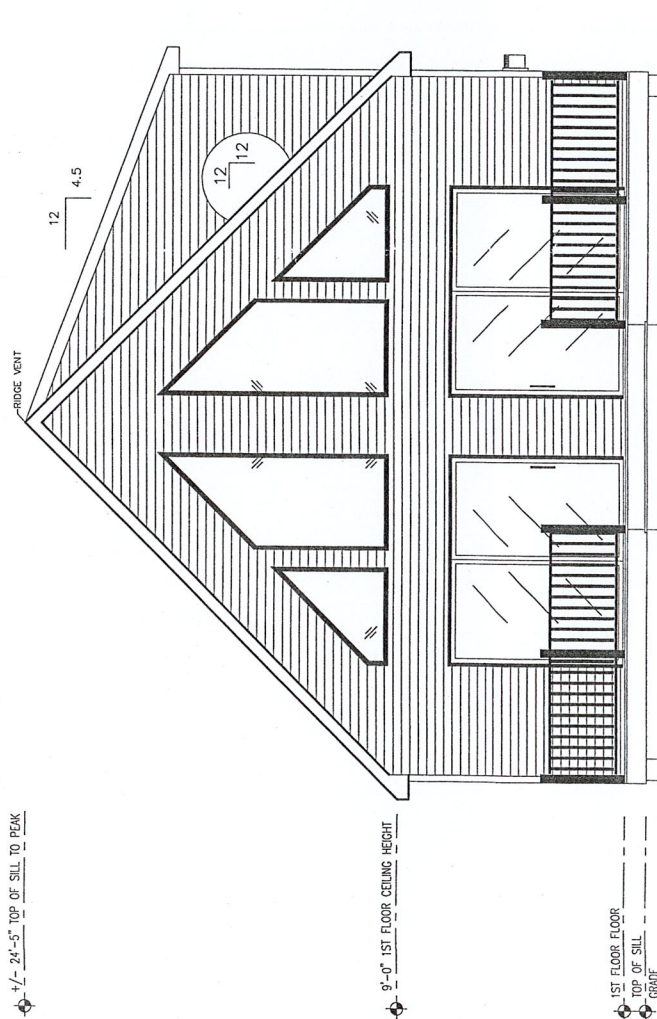
DRAWING TITLE:
COVER SHEET

SCALE: NTS
 SHEET: 1

BUILDER:
HILL VIEW
CONTRACTING
OF THE
HUDSON
VALLEY

THIS HOME HAS BEEN DESIGNED SPECIFICALLY FOR:
DISCIGLIO
 341 LAKESIDE RD
 NEWBURGH, NY 12550
 ORANGE COUNTY

excel
 HOMES
 WWW.EXCELHOMES.COM



SITE CONDITIONS:

GROUND SNOW LOAD:	30 PSF
WIND SPEED:	80 MPH
EXPOSURE:	B
SEISMIC CATEGORY:	SINGLE FAMILY
USE GROUP:	
CONSTRUCTION TYPE:	VB WOOD FRAME UNPROTECTED

SQUARE FOOTAGE:

FIRST FLOOR:	1,172 SQ. FT.
SECOND FLOOR:	462 SQ. FT.
PORCH:	80 SQ. FT.
GARAGE:	1,624 SQ. FT.
TOTAL:	
OVERALL SIZE:	27'-6" x 44'-0" @ 4"
MODEL:	OCEAN VIEW

NOTES:
 1. ITEMS SHOWN ON THE EXTERIOR ELEVATION DRAWINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY
 2. GRILLS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY (SEE WINDOW MANUFACTURER CATALOG FOR ACTUAL GRILL PATTERN)

STATE: NY
 COUNTY: CEN
 CITY: DISCO
 ZIP: 13820
 PROJECT: HILL VIEW CONTRACT
 CUSTOMER: DISCIGLIO



THIS DRAWING AND DESIGN IS THE PROPERTY OF EXCEL HOMES GROUP, LLC. ANY REUSE OR REPRODUCTION OF THIS DRAWING OR DESIGN IS PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF EXCEL HOMES GROUP, LLC.

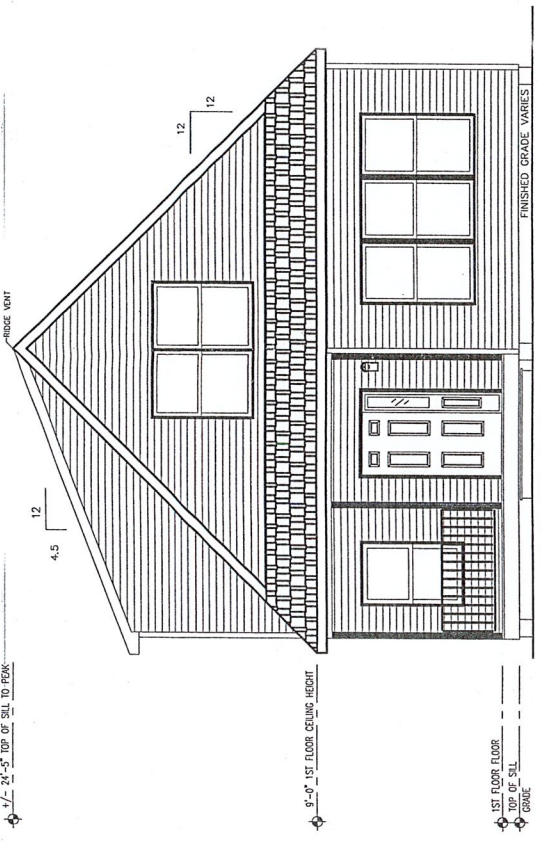
ADJUSTMENTS MADE FOR THIS DRAWING ARE THE RESPONSIBILITY OF THE ARCHITECT. EXCEL HOMES GROUP, LLC. ASSUMES NO LIABILITY FOR PRODUCTION CAPABILITY. DRAWING MAY BE REVERSED.

DRAWN: JLF
 CHECKED: JLF
 DATE: 05-14-15

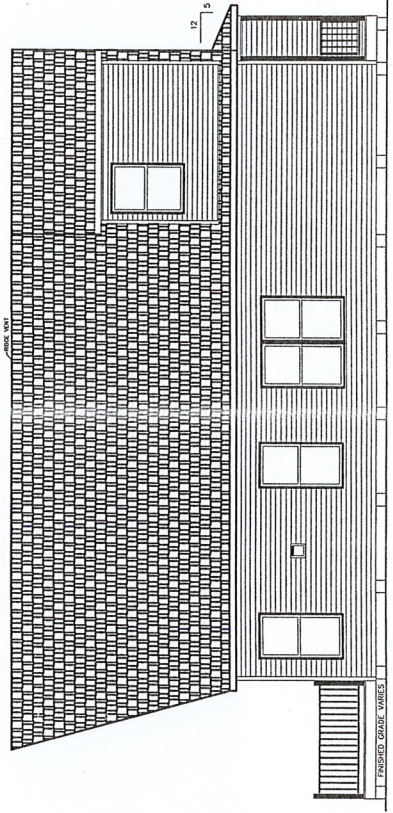
NO. PD 07-02-15
 PD 09-24-15
 PD 05-20-15
 PD 05-18-15
 PD 05-14-15

DRAWING TITLE: ELEVATIONS

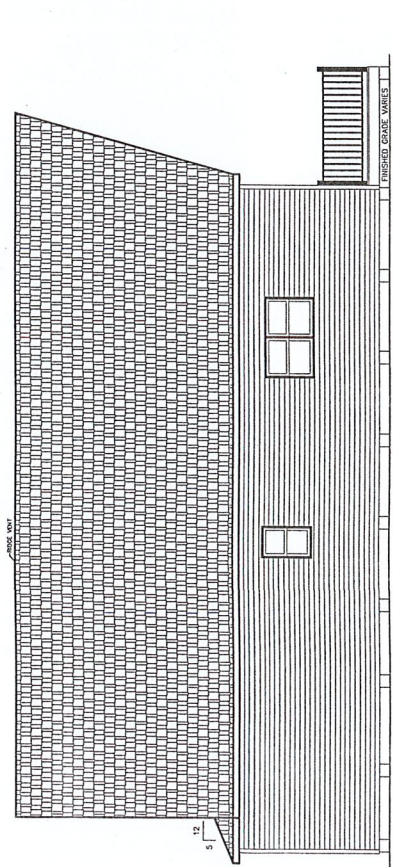
SCALE: NTS
 SHEET: 2



REAR ELEVATION
 COLUMNS, STEPS, RAILING, PORCH FUR, AND HEADER TO BE SUPPLIED AND INSTALLED BY BUILDER. TEMPORARY SUPPORT POSTS AND ROOF SYSTEM BY EXCEL HOMES, INC.



RIGHT ELEVATION
 COLUMNS, STEPS, RAILING, PORCH FUR, AND HEADER TO BE SUPPLIED AND INSTALLED BY BUILDER. TEMPORARY SUPPORT POSTS AND ROOF SYSTEM BY EXCEL HOMES, INC.



LEFT ELEVATION
 COLUMNS, STEPS, RAILING, PORCH FUR, AND HEADER TO BE SUPPLIED AND INSTALLED BY BUILDER.

NOTES:
 1. ITEMS SHOWN ON THE EXTERIOR ELEVATION DRAWINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY

STATE: NY
 FILE: 33218
 PD CEN CSH CBD
 BUILDER: HILL VIEW CONTRACT.
 CUSTOMER/PROJECT: DISCIGLIO



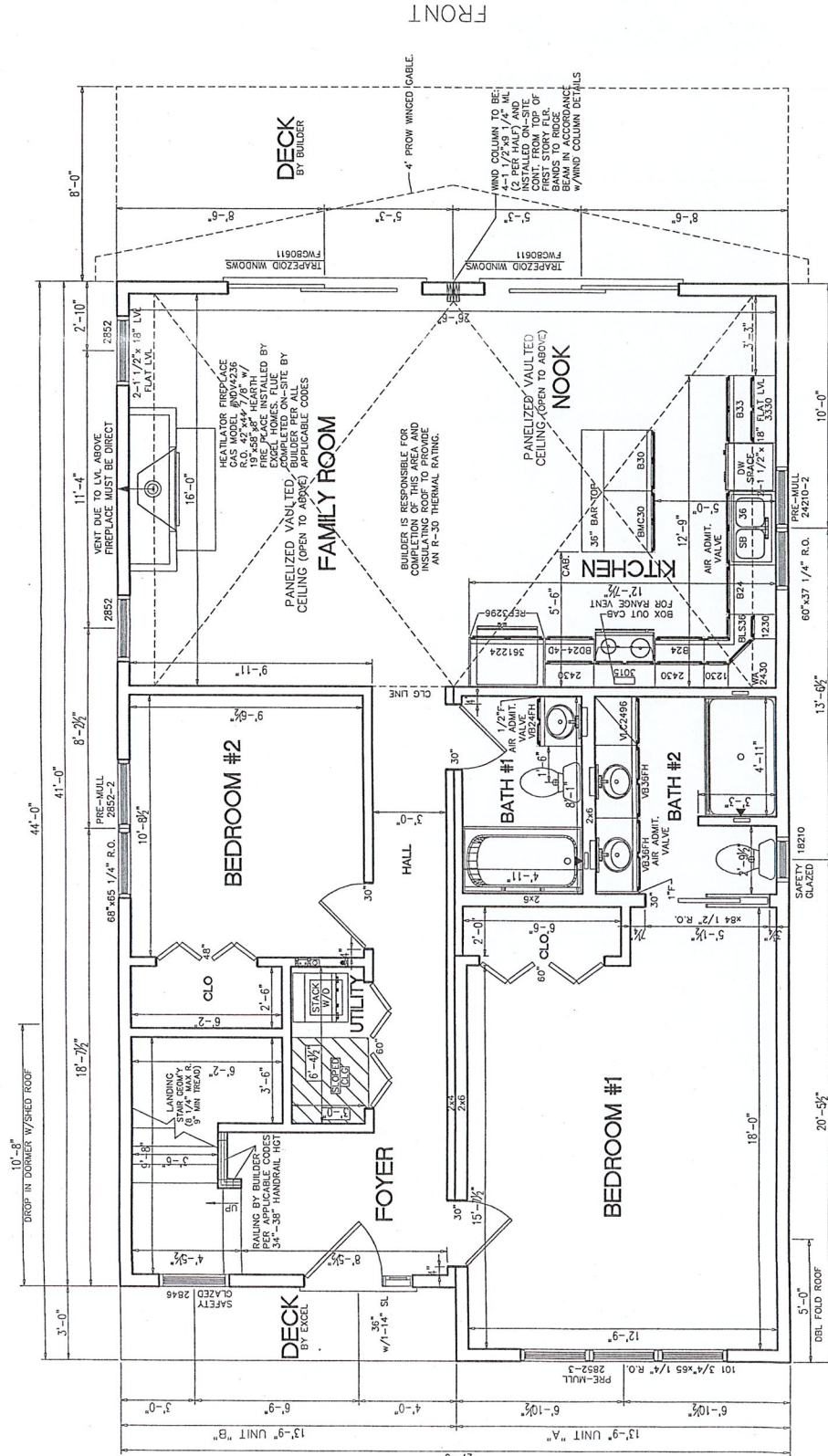
THIS DRAWING WAS EXTRACTED FROM APPROVED PLANS AND/OR APPROVED SYSTEMS DRAWINGS

NAME: DATE: THIS DRAWING AND DESIGN IS THE PROPERTY OF EXCEL HOMES. NO REPRODUCTION OF THE DRAWING OR DESIGN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF EXCEL HOMES GROUP, LLC. ADJUSTMENTS MADE FOR CODE COMPLIANCE AND PRODUCTION CAPABILITY DRAWING MAY BE REVERSED

DESIGNER: J.F.F.
 CHECKED: J.F.F.
 DRAWN: C.M.M.
 DATE: 05-14-16
 DATE: 05-18-16
 DATE: 06-20-16
 DATE: 07-02-16

DRAWING TITLE: FIRST FLOOR PLAN
 SCALE: NTS
 SHEET: 3

EAVES & EXTENSIONS SHIPPED LOOSE FOR SHIPPING



- NOTES:
1. 2x6 EXT WALLS @ 16" O.C./2x4 MARR WALLS @ 16" O.C. (EXCEPT AS NOTED)
 2. 9" O.C. CLG HT
 3. 2x10 SPF #2 FLOOR JOISTS @ 16" O.C.
 4. ROOF SYSTEM TO BE 16" O.C. ROYS
 5. ANDERSEN 200 SERIES WINDOWS
 6. EXPOSURE "B"
 7. SITE LOCATION: NEWBURGH, NY; ORANGE COUNTY; 30 PSF GROUND SNOW LOAD; ELEV 126FT

FRONT

PTL# 33218 NY
 PD CDM CDM CSD
 BUILDER: HILL VIEW CONTRACT.
 CUSTOMER/PROJECT: DISCIGLIO



THIS DRAWING WAS EXTRACTED FROM APPROVED PLANS AND IS APPROVED SYSTEMS DRAWINGS

NAME _____ DATE _____

THIS DRAWING AND DESIGN IS THE PROPERTY OF EXCEL HOMES GROUP, LLC. ANY REPRODUCTION OF THE DRAWING OR DESIGN IS PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF EXCEL HOMES GROUP, LLC.

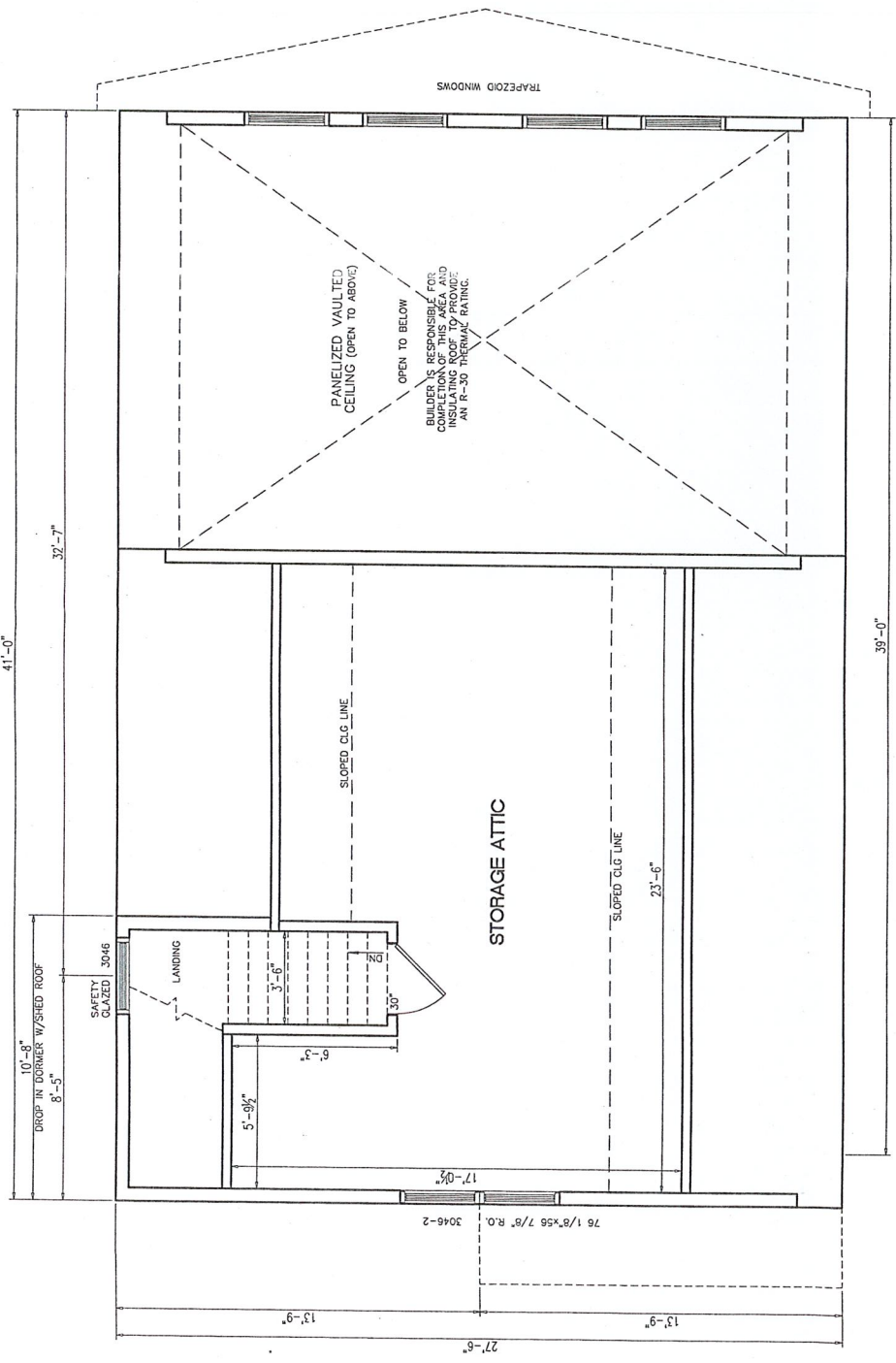
ADJUSTMENTS MADE FOR CODE COMPLIANCE AND PRODUCTION CAPABILITY DRAWING MAY BE REVERSED

NO.	DATE	DESCRIPTION
PD1	05-14-15	
PD2	05-18-15	
PD3	05-20-15	
PD4	6-24-15	
PD5	07-02-15	

DRAWING TITLE: SECOND FLOOR PLAN

SCALE: NTS

SHEET: 4



- NOTES:
1. 2X6 EXT WALLS @ 16" O.C (EXCEPT AS NOTED)
 2. 8'-0" DEPTH FLOOR JOISTS @ 16" O.C.
 3. ROOF SYSTEM TO BE 16" O.C.
 4. ROOF SYSTEM TO BE 16" O.C.
 5. ANDERSEN 200 SERIES WINDOWS

PROPOSED 2ND FLOOR PLAN
 ALL FINISH MATERIALS SUPPLIED AND INSTALLED ON-SITE BY BUILDER

SECTION 33

LAKESIDE ROAD

59.1

98.1 1.3A 98.2 1.7A
JODI DRIVE SUB MAP 101A1

100.1 2.8A (1) (2)
JODI DRIVE EST. SUB MAP 94-92

100.2 2.8A (4)

101 5.4A (4)

VACCARO MAP 8079 102.2 2.

100.3 2.4A (3) (4)
100.4 3.1A

436.2 447.9
JODI DRIVE (PRIVATE)

Section

SECTION 50

477

107 5.3A (10)

106 1.5A (9)

105 1.5A (8) SUB

104 1.3A (7) MAP

103 5.1A (6) SUB MAP 197-00 8079

61.23 5.8A (3) (PRIVATE)

61.22 5.2A (2) (1)

VACCARO (11)

GARDNERTOWN MEADOWS

BLACK ANGUS

108 13.4A

61.21 5.8A

61.26 9.4A

88.2 1.3A(C)

58 3A

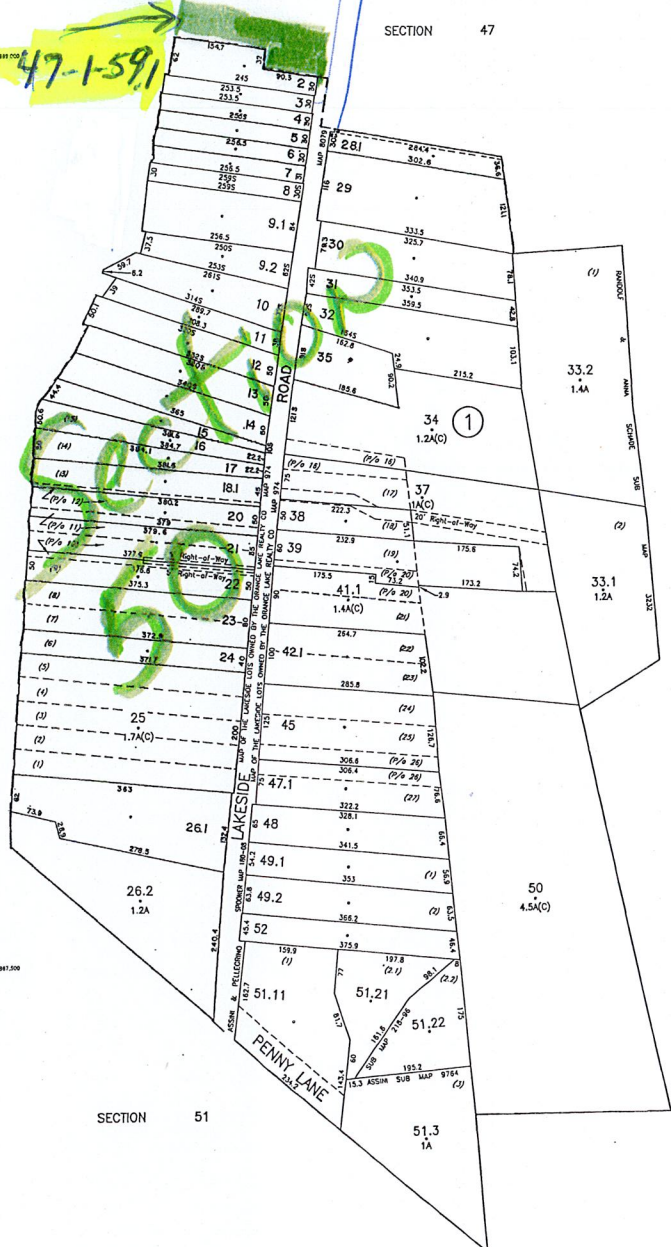
ROBON REALTY
341 LAKESIDE ROAD
(47-1-59.1)

142S 405 229S 351S 231S 445.5 240 168.3 303S 150S 222S 200S 340 51.1 1.3A 5.1 1.1A
GARDNERTOWN RD
50.1 1.7A
50.2

ROBON REALTY

Section 33

ORANGE LAKE



47-1-591

47

SECTION 51

SECTION 47

34 1.2A(C)

33.2 1.4A

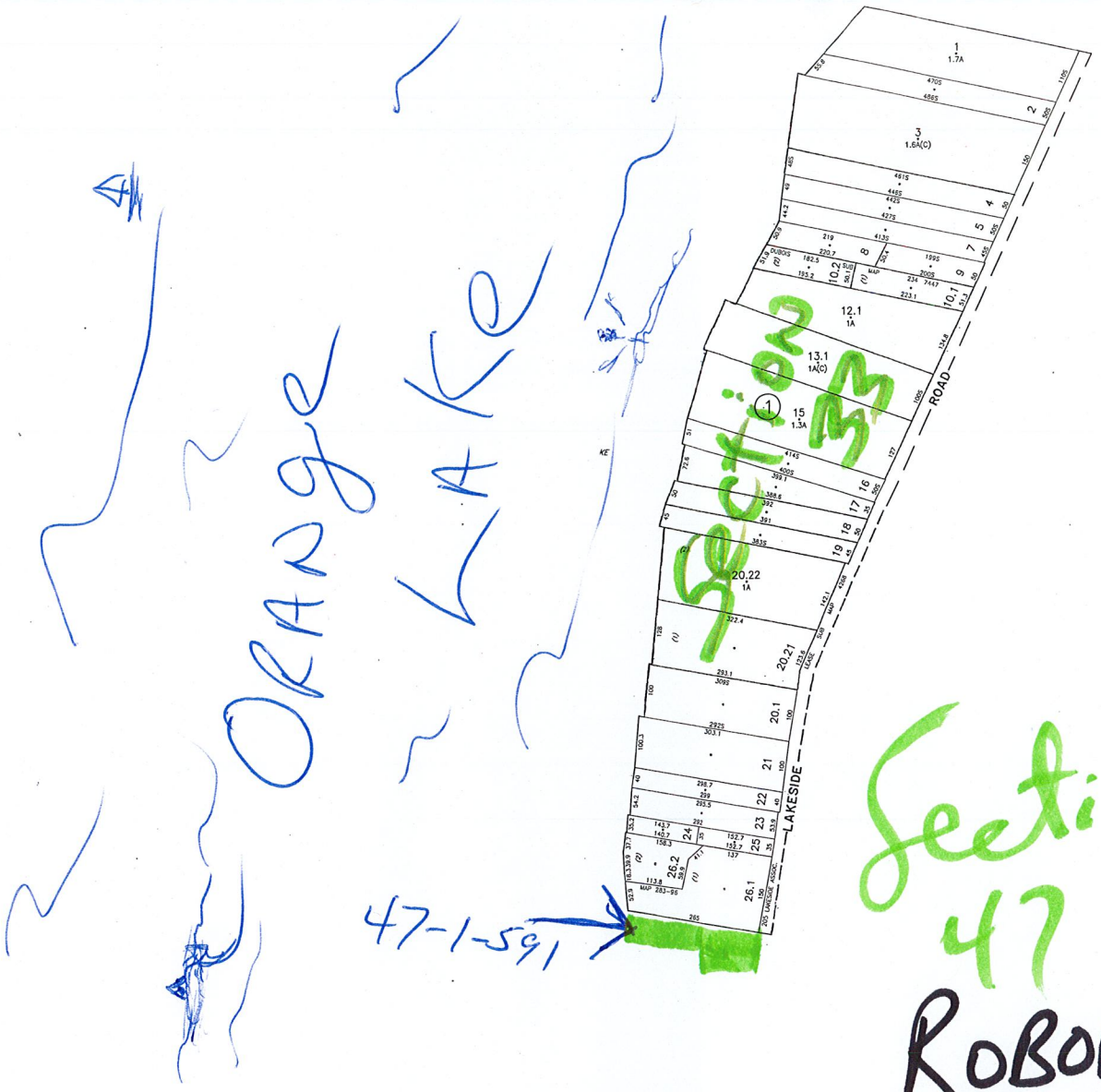
33.1 1.2A

50 4.5A(C)

51.3 1A

PENNY LAKE





ORANGE LAKE

Section 47

Section 47
ROBON REALTY

Section 50

47-1-591