

Prior Built Enclosed Application



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: 9/22/03

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

I (WE) SALVIA & ADAM SERRANO PRESENTLY

RESIDING AT NUMBER 307 LAKESIDE RD

TELEPHONE NUMBER (845) 913-6415 (845) 913-6416

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:

50-1-17 (TAX MAP DESIGNATION)

307 LAKESIDE RD (STREET ADDRESS)

R1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C1 (1 SIDE YARD)

185-19-C1 (BOTH SIDE YARD)

185-19-C1 (LOT BUILDING EDGEABLE)

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: 9/13/13
- 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: CONTINUE THE USE OF A PRIOR BUILT ENCLOSED PLAY ROOM ON PREMISES.

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:

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 EXISTING STRUCTURE HAS BEEN AT ITS
CURRENT LOCATION FOR 50 PLUS YEARS. WE THE SHARPIOS
ENCLOSED THIS POACH IN THE FALL OF 2003.

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 AREA WHICH WE ARE LOOKING TO FINISH IS AN
EXISTING STRUCTURE THAT HAS BEEN ON THE PROPERTY
SINCE 1960. WE ARE LOOKING TO OPERATE CURRENT AREA

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THERE IS AN EXISTING STRUCTURE. WE MUST GOING
OUTSIDE THE EXISTING FOOTPRINT OF HOUSE ONLY
ENCLOSURE POACH.

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

IT HAS BEEN IN ITS EXISTING LOCATION BEFORE
ANY OF THE CURRENT NEIGHBORS HAVE RESIDED
AT THEIR CURRENT LOCATIONS.

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

THERE IS NO HARDSHIP HERE, JUST LOOKING
TO UPGRADE SPACE & MAKE MORE INTERIUM
SPACE FOR FAMILY TO GROW INTO.

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS FIRST DAY OF OCTOBER 2013



NOTARY PUBLIC

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 30, 2013

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.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR SAROLA: ADAM SHAPIRO	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <u>NEWBUNTA NY</u> County <u>ONEALGA</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>307 LAKE SIDE RD (WEST SIDE OF ST / 1/4 MILE W. OF ST)</u>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>EXPLORE IN EXISTING POLE</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>0</u> acres Ultimately <u>0</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>TOWN OF NEWBUNTA ZONING BOARD</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>ADAM SHAPIRO</u> Date: <u>9/30/13</u> Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING; (Answers may be handwritten, if legible)
 C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 AND provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency

Date

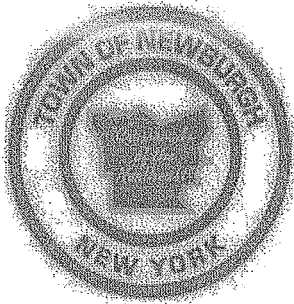
Print or Type Name of Responsible Officer in Lead Agency

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

2383-13

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/13/2013

Application No. ~~13-0877~~

**To: Sandra Terkovich Shapiro
307 Lakeside Rd
Newburgh, NY 12550**

**SBL: 50-1-17
ADDRESS: 307 Lakeside Rd**

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 09/12/2013 for permit to continue the use of a prior built enclosed play room on the premises located at 307 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 of nonconformity (1 side yard)
- 2) 185-19-C-1 Shall not increase the degree of nonconformity (both side yards)
- 3) 185-19-C-1 Shall not increase the degree of nonconformity (lot building coverage)

Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES

2383-13

A

NAME: Adam & Sandra Shapiro

ADDRESS: 307 Lakesdie Rd Newburgh NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: Left side front enclosed existing nonconforming porch

SBL: 50-1-17 ZONE: R-1

TOWN WATER: NO

TOWN SEWER: NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA	13780 SF				
LOT WIDTH					
LOT DEPTH					
Combined side yard	80'	Increasing the degree of non conformity.			
REAR YARD					
ONE SIDE YARD	30'				
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	10%= 1378				
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES

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: Enclosing a nonconforming porch. By adding walls causes building coverages to increase. (see definitions) The roof was existing so no new increase for surface coverages.

VARIANCE(S) REQUIRED:

- 1 185-19-C-1 Shall not increase the degree of nonconformity. (one side yard)
- 2 185-19-C-1 Shall not increase the degree of nonconformity. (combined side yards)
- 3 185-19-C-1 Shall not increase the degree of nonconformity. (building lot coverage)
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 13-Sep-13

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



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

JAMES E. KENNEDY and DOLORES J. KENNEDY
TO
SANDRA TERKOVICH-SHAPIRO

SECTION 50 BLOCK 1 LOT 17

RSAT 14336

RECORD AND RETURN TO:
(Name and Address)

Joseph M. Saffioto, Esq.
5031 Route 9W
Newburgh, NY 12550

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

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

CITIES

- 0900 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO. PAGES 4 CROSS REF _____
CERT. COPY _____ ADD'L X-REF _____
MAP # _____ PGS. _____
PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

CONSIDERATION \$ 185000-
TAX EXEMPT _____

MORTGAGE AMT \$ _____
DATE _____

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:

River City

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, DONNA L. BENSON, 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 06/16/00 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Donna L. Benson

LIBER 5313 PAGE 65

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS
ORANGE COUNTY CLERKS OFFICE 33519 DAB
RECORDED/FILED 06/16/2000 02:09:32 PM

FEES 47.00 EDUCATION FUND 5.00
SERIAL NUMBER: 010244
DEED CNTL NO 57788 RE TAX 740.00

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 8th day of June, 2000. AD

BETWEEN JAMES E. KENNEDY and DOLORES J. KENNEDY, presently residing at 307 Lakeside Road, Newburgh, NY 12550.

SANDRA TERKOVICH-SHAPIRO, presently residing at 76 O'Dell Circle, Newburgh, NY 12550 /

grantor

grantee

WITNESSETH, that the grantor, in consideration of Ten and no/100 (\$10.00) Dollars, paid by the grantee hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

ALL

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART THEREOF.



TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises. TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires. IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

James E. Kennedy L. S.
James E. Kennedy
Dolores J. Kennedy L. S.
Dolores J. Kennedy

STATE OF NEW YORK, COUNTY OF ss.:
On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that deponent resides at No. of deponent is of the corporation described in and which executed, the foregoing instrument; deponent knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; deponent signed deponent's name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss.:
On the day of 19, before me personally came to me known to be the individual described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

Daniel P. Yanosh

LICENSED LAND SURVEYOR

2184 Route 302, P.O. Box 320
Circleville, N.Y. 10919

Daniel P. Yanosh, L.L.S.
Kevin J. Wild, L.L.S.

Tel: 914-361-4700
Fax: 914-361-4722

DESCRIPTION
LANDS TO BE CONVEYED TO
SANDRA TERKOVICH,
JAMES E. KENNEDY & DOLORES J. KENNEDY
307 LAKESIDE ROAD

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWN OF NEWBURGH, COUNTY OF ORANGE, STATE OF NEW YORK, BEING LOT #14 AS SHOWN ON A MAP ENTITLED "MAP OF THE LAKESIDE LOTS, OWNED BY THE ORANGE LAKE REALTY CO." FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON AUGUST 6, 1909 AS MAP NUMBER 974, AND BEING MORE ACCURATELY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING at a point along the Westerly line of Lakeside Road, said point being the Southerly most corner of the herein described parcel, said point also being the Easterly most corner of lands now or formerly Nugent, Liber 1914 Page 583, running thence along said lands now or formerly Nugent, North 73°-20'-00" West 381.54 feet; thence along Orange Lake, North 14°-54'-00" East 50.00 feet; thence along lands now or formerly Reynolds, Liber 2130 Page 252, South 69°-10'-54" East, passing over three iron rods found on line, 384.09 feet to a found iron rod; thence along the said Westerly line of Lakeside Road, South 16°-40'-00" West 22.17 feet to the point or place of beginning and containing 0.32 acres of land more or less as surveyed by Daniel P. Yanosh, L.L.S.

May 31, 2000
D2043

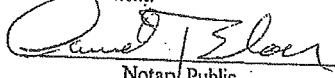
BEING AND INTENDED TO BE the same premises as described in a certain Deed dated September 15, 1975, running from Christine K. Schleiermacher to James E. Kennedy and Dolores J. Kennedy, which Deed was thereafter recorded in the Office of the Orange County Clerk on September 25, 1975, in Liber 2018 of Deeds at page 384.

STATE OF NEW YORK)

)ss.:

COUNTY OF ORANGE)

On the 8th day of June, in the year 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared James E. Kennedy, 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 Public

DANIEL J. BLOOM
Notary Public, State of New York
Residing in Orange County
Commission Expires Feb. 28, ~~199~~ 2002

STATE OF NEW YORK)

)ss.:

COUNTY OF ORANGE)

On the 8th day of June, in the year 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Dolores J. Kennedy, 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 Public

DANIEL J. BLOOM
Notary Public, State of New York
Residing in Orange County
Commission Expires Feb. 28, ~~199~~ 2002

PRIOR Built 4x8 mud/LAUNDRY
Room 1

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: 9/22/13

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

I (WE) SALMA & ADAM SHAPIRO PRESENTLY

RESIDING AT NUMBER 307 Lakeside Rd

TELEPHONE NUMBER (845) 913-6415 (845) 913-6416

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:

50-1-17 (TAX MAP DESIGNATION)

307 Lakeside Rd (STREET ADDRESS)

R1 (ZONING DISTRICT)

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

BULK TABLE SCHEDULE 3: 30' FRONT SIDE YARD, 80' COMBINED SIDE YARDS, MAX BUILDING COVERAGE OF 10%, MAX LOT SURFACE COVERAGE OF 20%.

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: 9/13/13
- 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: 4x8 ADDITION TO

BACK OF HOUSE BUTTING AGAINST PLAY ROOM (MUD ROOM/LAUNDRY)

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:

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 CHARACTER OF THE NEIGHBORHOOD WOULD NOT BE COMPROMISED BECAUSE IT WILL BE TIED INTO THE EXISTING CANTILEVERED ROOF LINE.

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:

WOULD LIKE TO CREATE MUD ROOM/LAUNDRY ROOM UNDER OLD ROOF LINE TO NOW WASH DRYED OUT OF KITCHEN AREA.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

COMPLETELY THERE IS A ROOF OVER AREA WHICH WOULD LIKE TO INCLUDE BUILD ADDITION.

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 NEW PROPOSED ADDITION WOULD MATCH THE CURRENT HOMES IN THE NEIGHBORHOOD AND WOULD ONLY INCREASE THE LOOK OF THE NEIGHBORHOOD HOMES.

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

THIS CASE IS A HARDSHIP CASE NOT LOOKING TO INCREASE THE SQ FOOTAGE OF HOUSE AND SO FT TO MAKE WAY FOR LAUNDRY/MUD ROOM.

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS FIRST DAY OF OCTOBER 2013



NOTARY PUBLIC

ANDREW J. ZARUTSKIE
ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 30, 2013

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 30, 2013

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.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR SALWAH & ADAM SHAPIRO	2. PROJECT NAME
3. PROJECT LOCATION: Municipality NEWBURGH County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 307 Lakeside Blvd. (K4 north of Rt 52)	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: 40 sq/ft addition under existing roof.	
7. AMOUNT OF LAND AFFECTED: Initially <u> 0 </u> acres Ultimately <u> 0 </u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: ADAM SHAPIRO	Date: 9/26/13
Signature:	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
 C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 AND provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency

Date

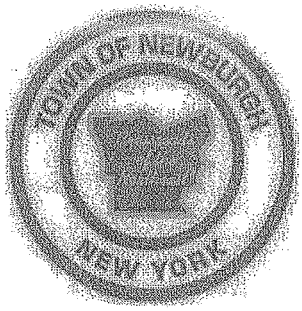
Print or Type Name of Responsible Officer in Lead Agency

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

2384-13



NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/13/2013

Application No. 13-0876

**To: Sandra Terkovich Shapiro
307 Lakeside Rd
Newburgh, NY 12550**

**SBL: 50-1-17
ADDRESS: 307 Lakeside Rd**

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 09/12/2013 for permit to continue the construction of a 4' x 8' front addition on the premises located at 307 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections.

- 1) Bulk table schedule 3 requires 30' for one side yard
- 2) Bulk table schedule 3 requires 80' combined side yards
- 3) Bulk table schedule 3 allows a maximum building coverage of 10%
- 4) Bulk table schedule 3 allows a maximum lot surface coverage of 20%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES

2384-13

NAME: Adam & Sandra Shapiro

ADDRESS: 307 Lakesdie Rd Newburgh NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: Right side front 4 x 8 mud/laundry room

B

SBL: 50-1-17 ZONE: R-1

TOWN WATER: NO TOWN SEWER: NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
LOT AREA	13780 SF				
LOT WIDTH					
LOT DEPTH					
Combined side yard	80'		8'	72'	90.0%
REAR YARD					
ONE SIDE YARD	30'		3'-6"	26'-6"	88.3%
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	10%= 1378		1500 sf	122 sf	8.85%
SURFACE COVERAGE	20%= 2756		3560 sf	804 sf	29.17%

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: **Half prior built enclosed mud / laundry room**

VARIANCE(S) REQUIRED:

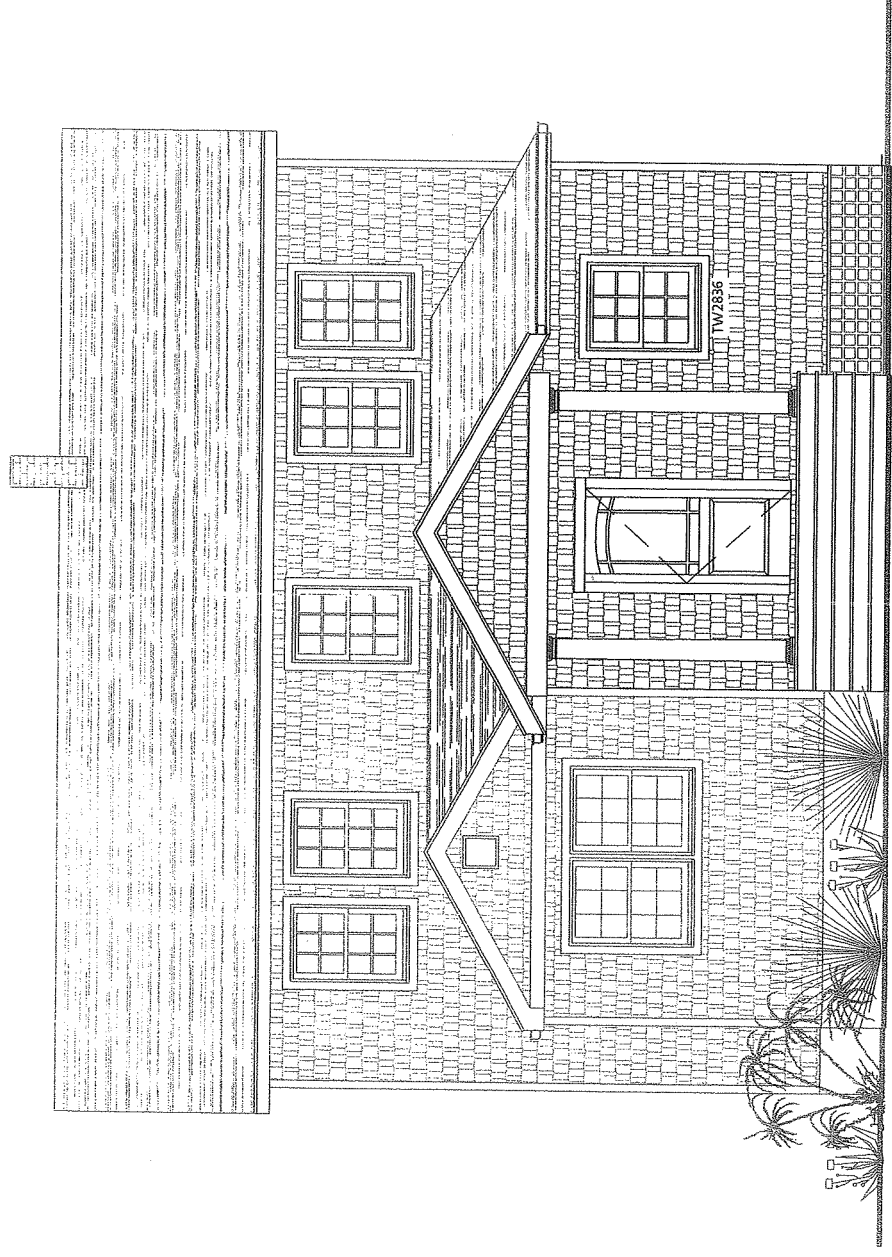
- 1 Bulk table schedule 3 requires 30' one side yard setback
- 2 Bulk table schedule 3 requires a combined side yard of 80'
- 3 Bulk table schedule 3 allows a maximum building lot coverage of 10%
- 4 Bulk table schedule 3 allows a maximum surface lot coverage of 20%

REVIEWED BY: Joseph Mattina DATE: 13-Sep-13

CS
-

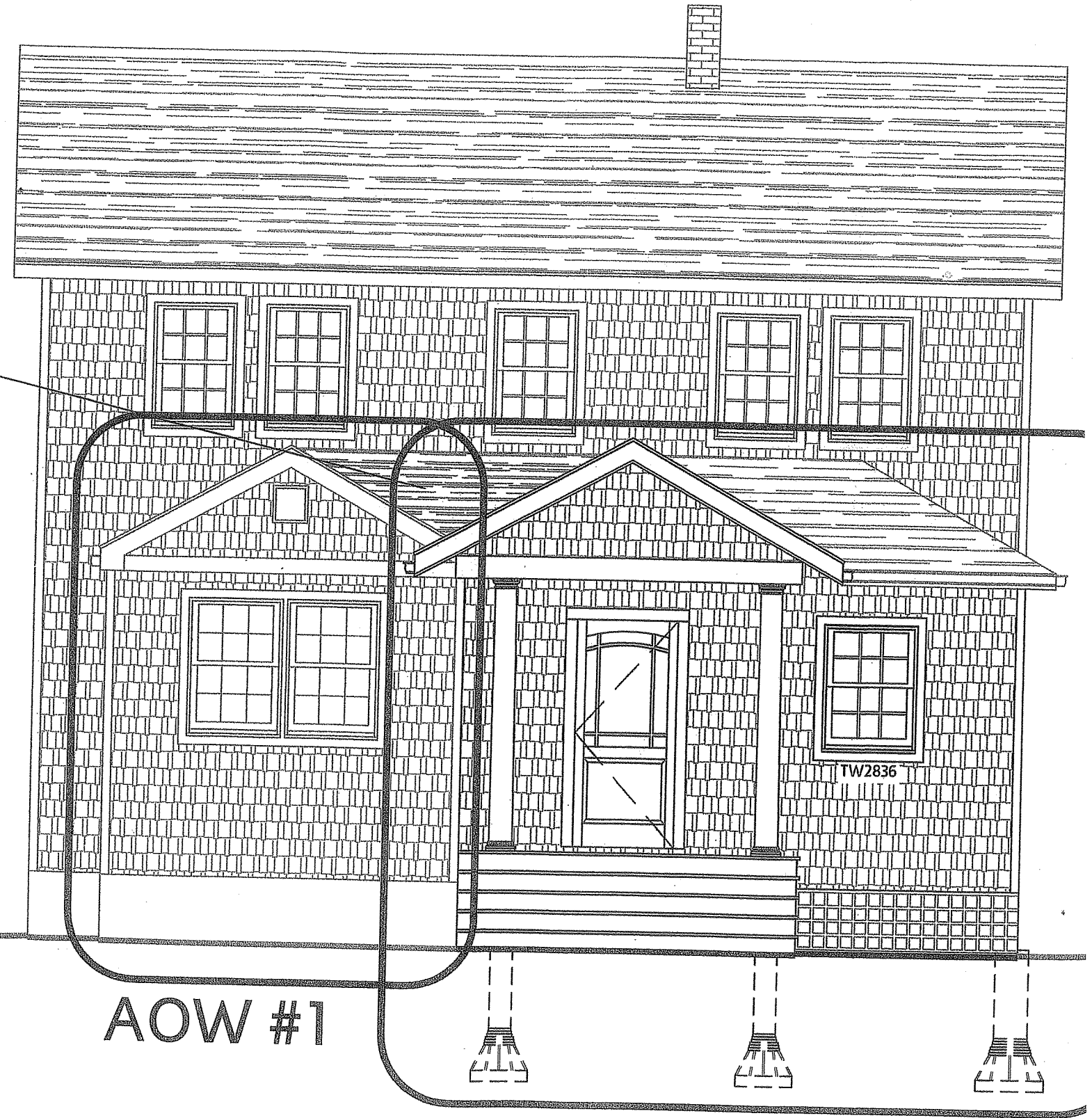
DRAWING LIST

TITLE SHEET & GENERAL NOTES	TS-1
DEMOLITION PLAN	A-1
PROPOSED FLOOR PLAN & FURNITURE PLAN	A-2
PROPOSED ELEVATIONS, TYPICAL	A-3
WALL SECTION & DETAILS	
FRAMING PLANS	S-1



Full Plans Available for Review
AT ZBA Office, 308 Gardnertown Rd

4 of 5
A-3

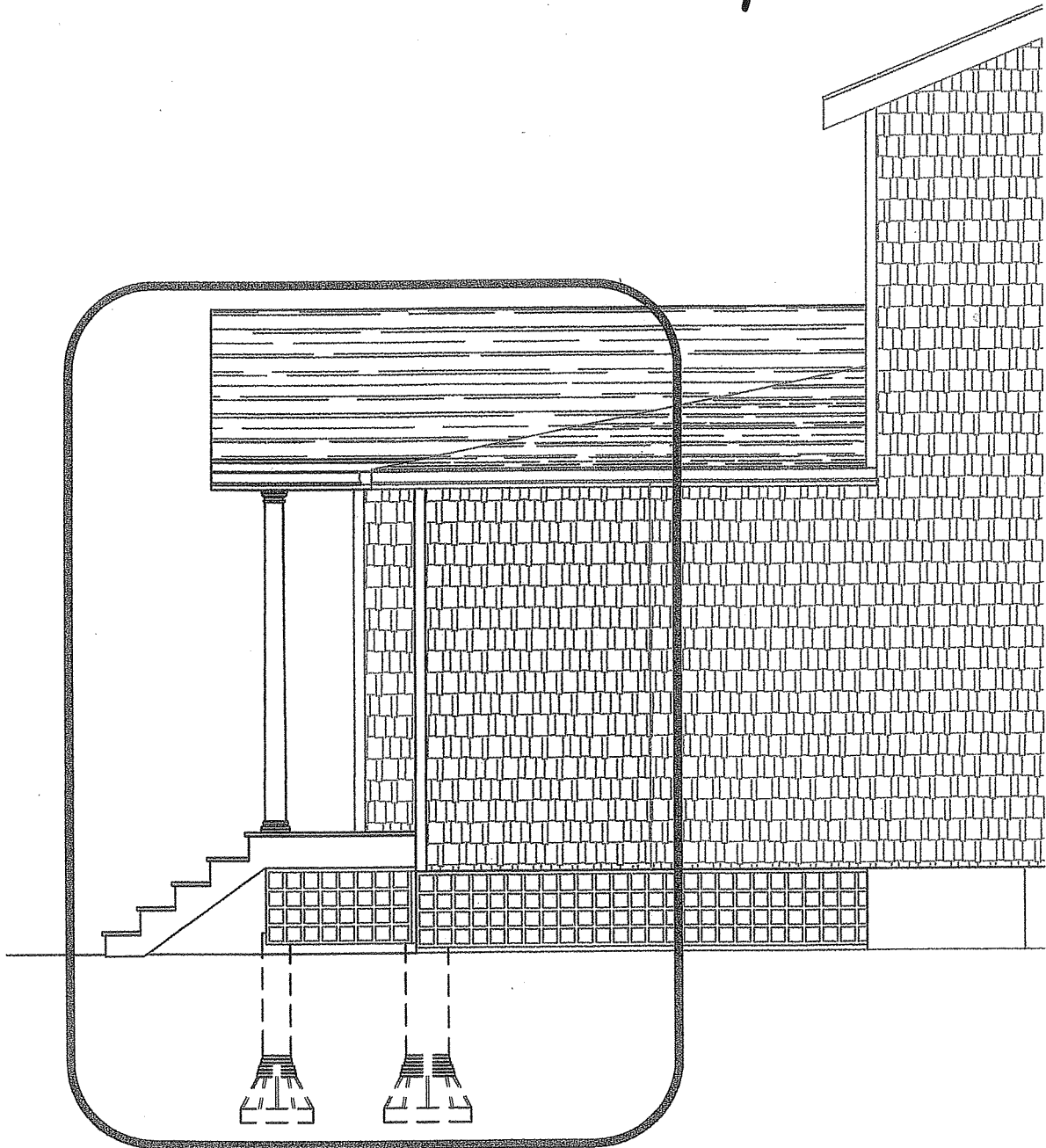


AOW #1

AOW #2

PROPOSED
FRONT ELEVATION

4 of 5
A-3

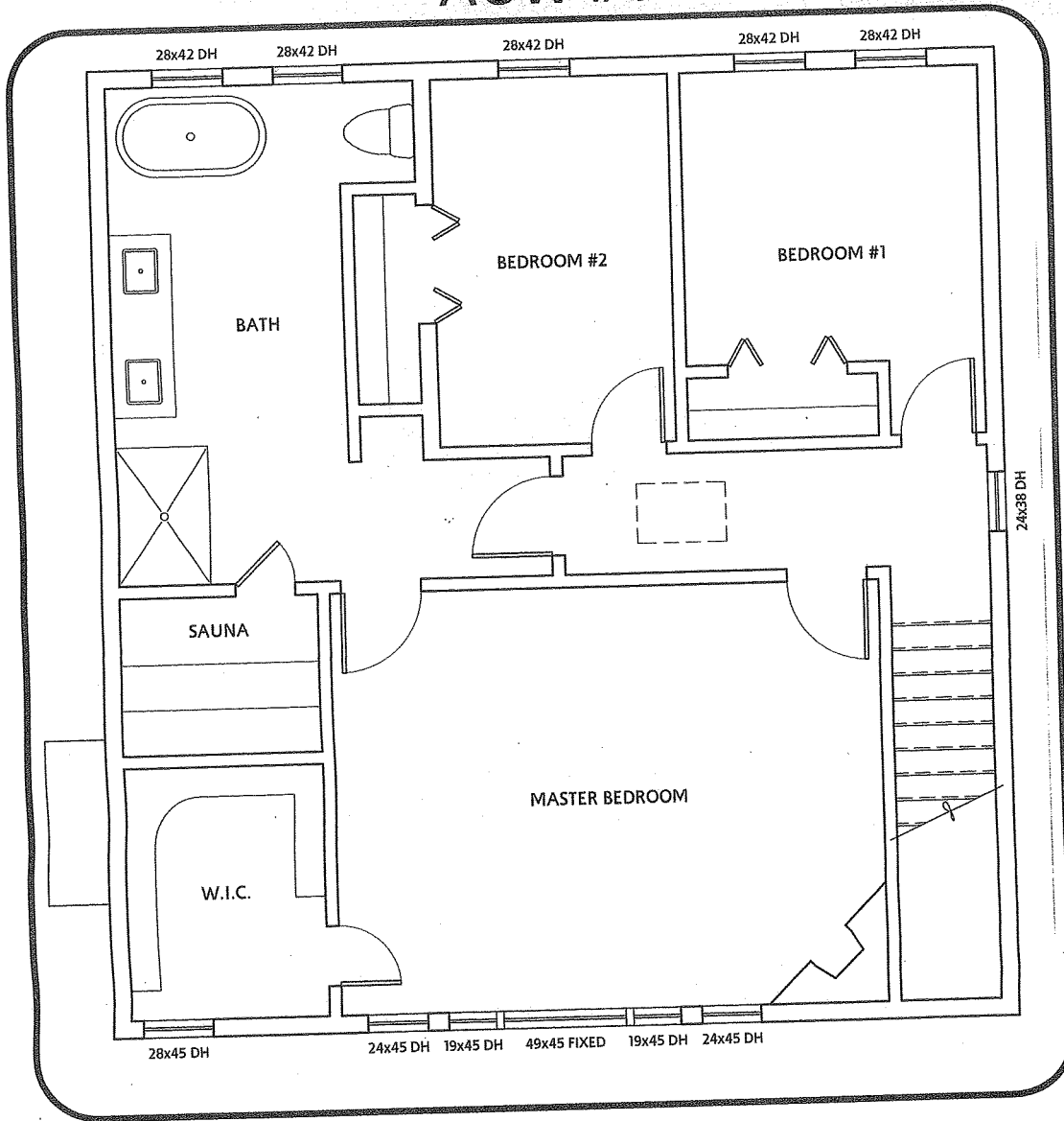


PROPOSED **AOW #2**
~~PROPOSED~~ SIDE ELEVATION

$\therefore \frac{1}{4}'' = 1'-0''$

AOW #4

10/21
A-1

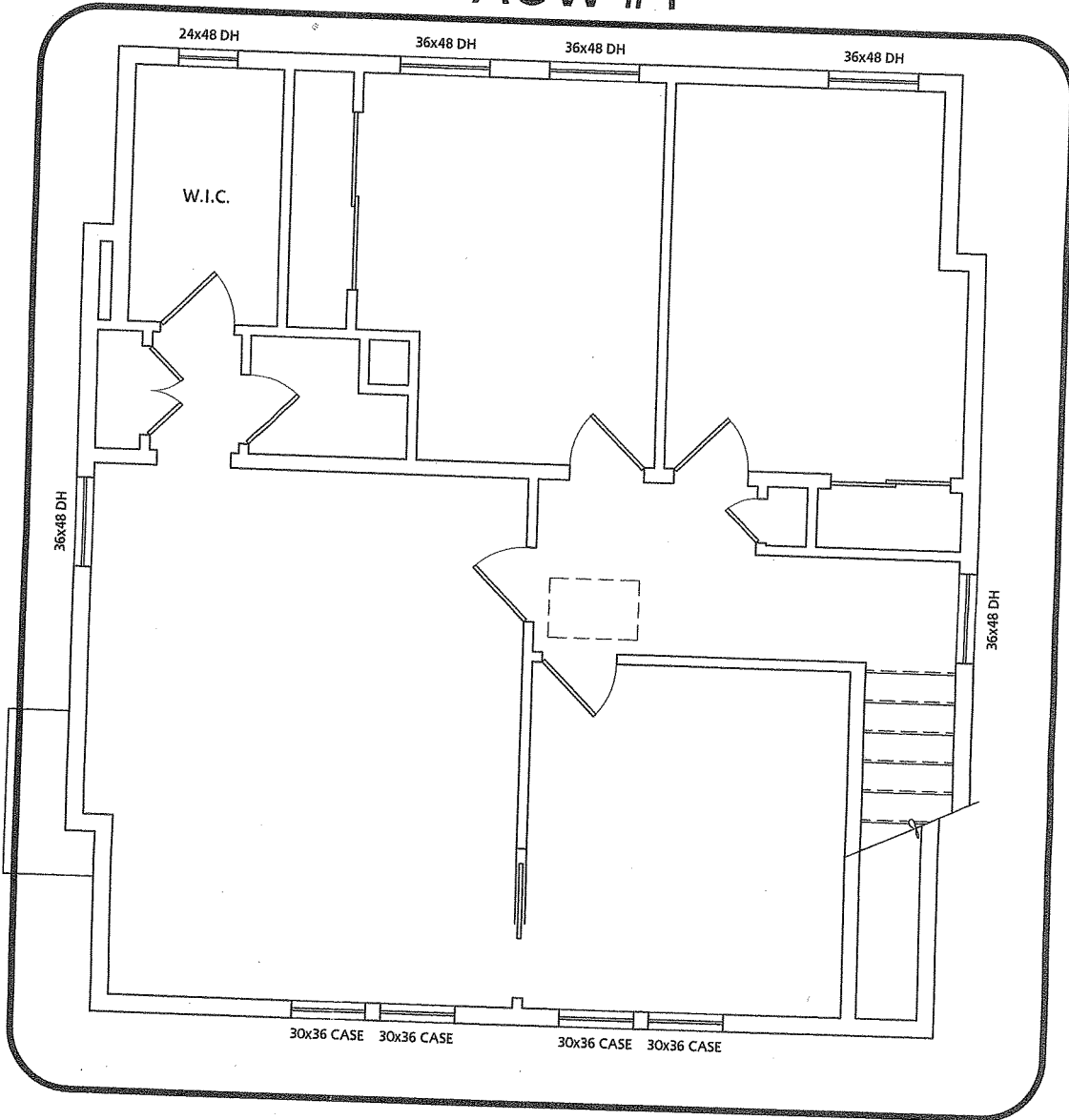


FINAL SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

AOW #4

1 of 1
A-1

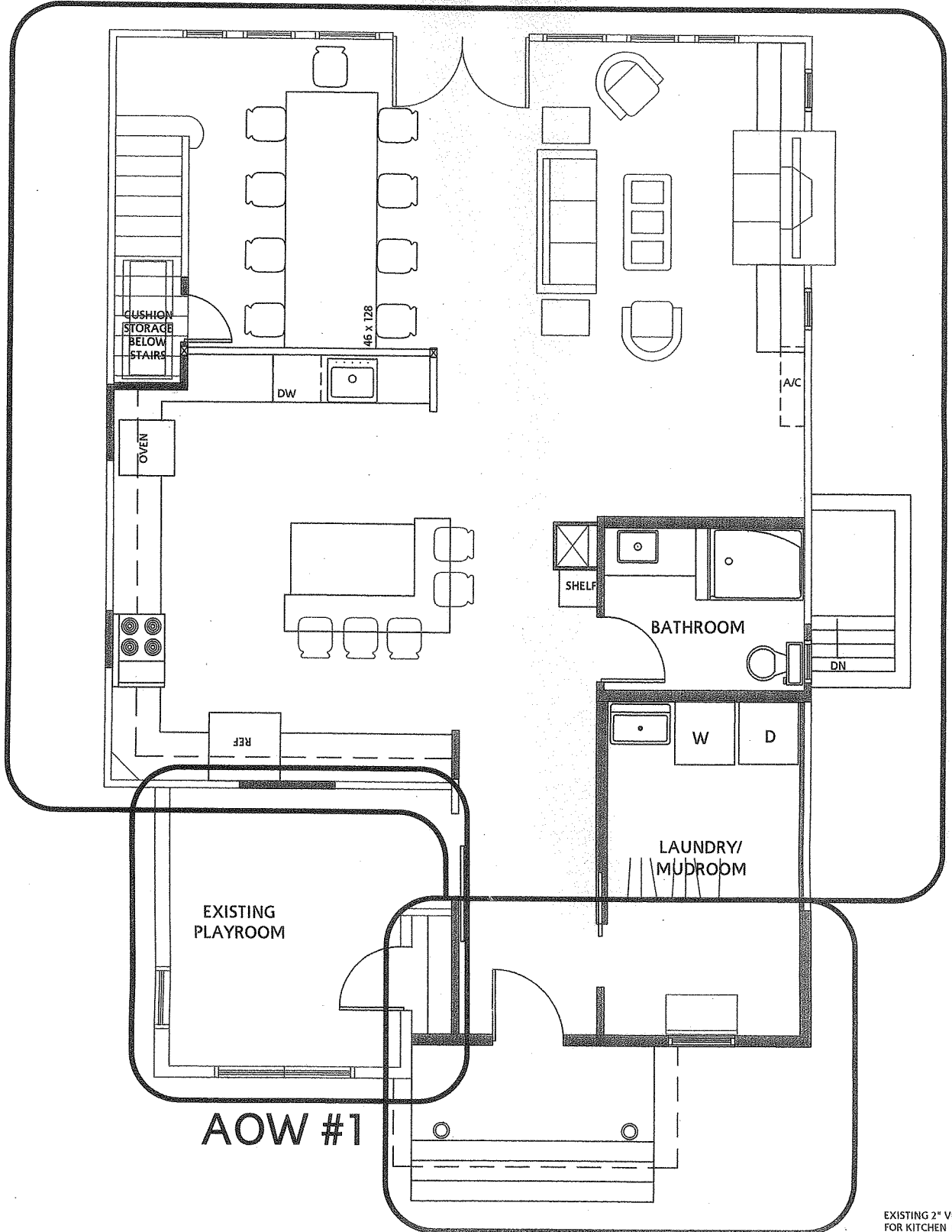


ORIGINAL SECOND FLOOR PLAN DESIGN

SCALE: 1/4" = 1'-0"

30/5
A2

AOW #3

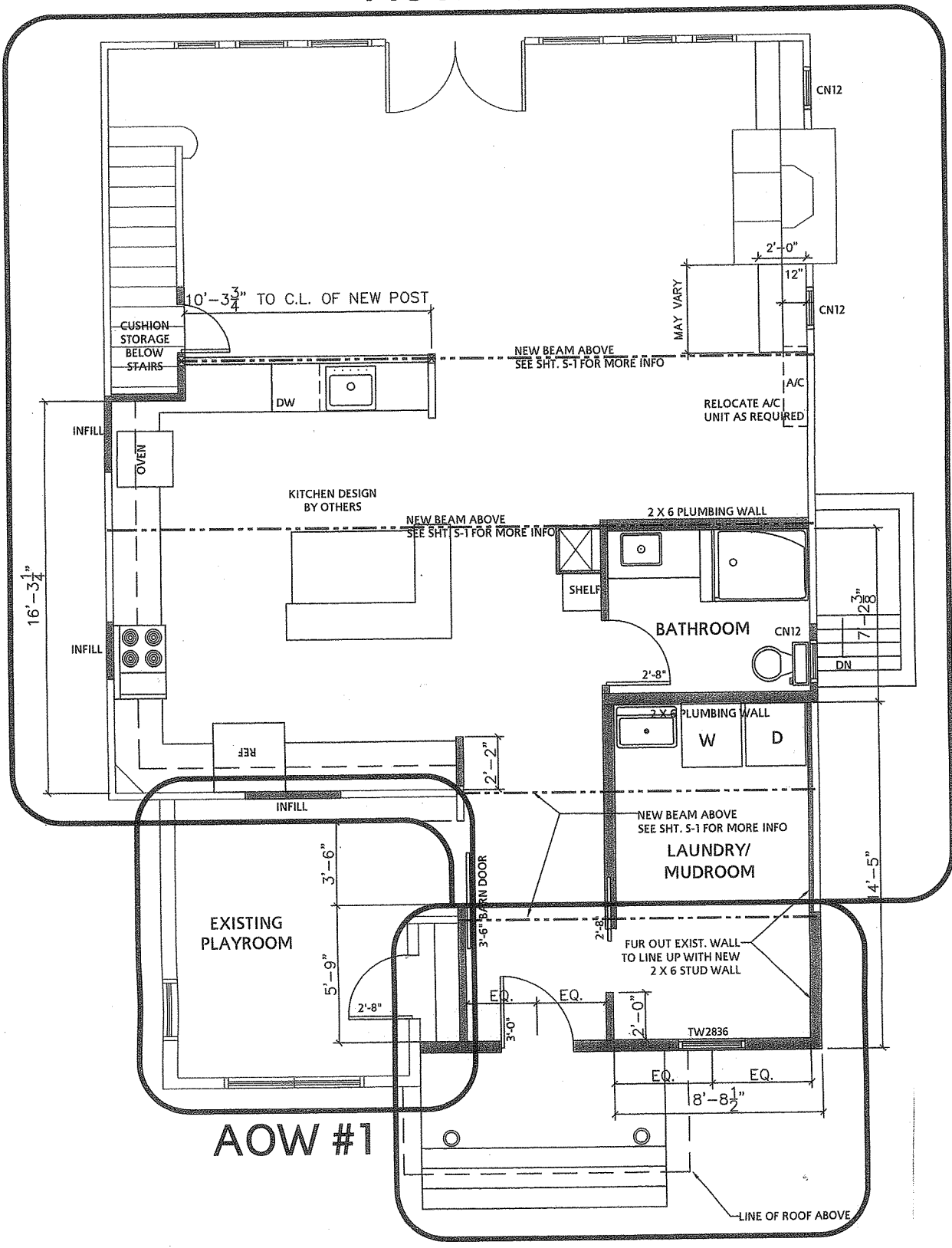


AOW #1

AOW #2

3075
A-2

AOW #3



PROPOSED FLOOR PLAN

AOW #2

M 4"

2" V

ORANGE LAKE

989,000

SHAPIRO
SECTION #1
307 LAKESIDE RD
50-1-17



7