



OFFICE OF ZONING BOARD  
(845) 566-4901

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

## APPLICATION

DATED: 10/3/2019

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

I (WE) Michael & Valerie Starace PRESENTLY  
RESIDING AT NUMBER 38 CROWN BOULEVARD  
TELEPHONE NUMBER 845 742 4647

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:

102-9-7 (TAX MAP DESIGNATION)  
38 CROWN BLVD (STREET ADDRESS)  
R-2 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

defined set backs

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: 10/2/2019
- 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: Because we do not meet the required set backs

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 Porch is being replaced with  
a similar enclosed Porch but nicer & a  
little bigger.

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:

if the town set backs

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

It does not impose on the neighbors

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

my neighbor has one and it's standard  
in the neighborhood

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

the required set backs set forth by  
the town

7. ADDITIONAL REASONS (IF PERTINENT):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8th DAY OF October 2019

MAUREEN C. BIFOLCO  
Notary Public, State of New York  
No. 01B16112706  
Qualified in Orange County  
My Commission Expires 07/06/ 2020

  
\_\_\_\_\_  
NOTARY PUBLIC

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

**(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).**

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

**TOWN OF NEWBURGH  
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

## Short Environmental Assessment Form

### Part 1 - Project Information

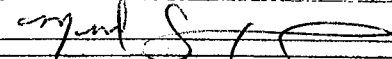
#### Instructions for Completing

**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: <span style="font-size: 1.2em;">3 Season Room</span>			
Project Location (describe, and attach a location map): <span style="font-size: 1.2em;">Back of house, see Submitted Plan</span>			
Brief Description of Proposed Action: <span style="font-size: 1.2em;">replacing and expanding current enclosed porch</span>			
Name of Applicant or Sponsor: <span style="font-size: 1.2em;">Michael Z Starace</span>		Telephone: <span style="font-size: 1.2em;">845 742 4647</span>	
		E-Mail: <span style="font-size: 1.2em;">MSTARACE@YAHOO.COM</span>	
Address: <span style="font-size: 1.2em;">38 Crown Blvd</span>			
City/PO: <span style="font-size: 1.2em;">Newburgh</span>		State: <span style="font-size: 1.2em;">NY</span>	Zip Code: <span style="font-size: 1.2em;">12550</span>
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	YES
		<input checked="" type="checkbox"/>	<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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<span style="font-size: 1.2em;">1/3</span> acres	
b. Total acreage to be physically disturbed?		<span style="font-size: 1.2em;">200 SQ. FT.</span> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<span style="font-size: 1.2em;">1/3</span> 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <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: <u>WINDOWS, INSULATION</u>		NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	

<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><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>Michael Starace</u></p>		<p>Date: <u>10/3/19</u></p>
<p>Signature: <u></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

John D. Taylor, Executor of the Estate of Ralph B. Taylor TO Michael Starace & Valerie Starace

SECTION 102 BLOCK 9 LOT 7

RECORD AND RETURN TO: (name and address)

Ronald Salvato, Esq. 10 Matthews St. Goshen, NY 10924



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

2111289

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLG)
2003 SO. BLOOMING GROVE (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)
5809 WOODBURY (VLG)
CITIES
0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO. PAGES 5 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.
PAYMENT TYPE: CHECK CASH CHARGE NO FEE
Taxable CONSIDERATION \$ 175,000
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

Received From Cti

RECORDED/FILED 03/14/2012/ 15:32:17 DONNA L. BENSON County Clerk ORANGE COUNTY, NY FILE#20120026406 DEED R / BK 13310PG 1488 RECORDING FEES 195.00 TTX# 003840 T TAX 700.00 Receipt#1426242 juls



STATE OF NEW YORK (COUNTY OF ORANGE) SS: I, ANN G. RABBIT, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL INSTRUMENT RECORDED IN MY OFFICE AND THE SAME IS A CORRECT TRUE AND FAITHFUL COPY. IN WITNESS WHEREOF, I HAVE HEREBY SET MY OFFICIAL SEAL. 3/14/12 10/7/19

211289

**EXECUTOR'S DEED (INDIVIDUAL OR CORPORATION)**

**FORM 8005 (short version), FORM 8010 (long version)**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.**

**THIS INDENTURE**, made the December 2, 2011,

**between**

John D. Taylor, Executor of the Estate of Ralph B. Taylor, as executor of Estate, the last will and testament of Ralph B. Taylor, late of 38 Crown Blvd, Newburgh, New York 12550, who died on the eighth day of September, Two Thousand Eleven, party of the first part, and

Michael Starace and Valerie Starace, Husband and Wife of 70 East Road, Newburgh, New York 12550, party of the second part;

**WITNESSETH**, that the party of the first part, to whom letters testamentary were issued by the Surrogate's Court, Orange County, New York on September 28, 2011, and by virtue of the power and authority given in and by said last will and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of 175,000.00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the distributees 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 being more particularly bounded and described in Schedule 'A' attached hereto and made a part hereof.;

**BEING AND INTENDED** to be the same premises conveyed to JOHN DWIGHT TAYLOR, Executor of the Estate of Ralph B. Taylor, Deceased who acquired title along with NANCY A. TAYLOR, deceased, from FLOYD M. MCCOY, JR. and MARIA J. MCCOY dated November 28, 1979 and recorded November 29, 1979 in Liber 2150 page 424.

**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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

**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 costs of the

**Section: 102  
Block: 9  
Lot: 7**

**Fidelity National Title Insurance Company**  
**Schedule A Description**

Title Number **2111289**

Page **1**

ALL that certain lot, piece or parcel of land situate in the Town of Newburgh, County of Orange, State of New York, known and designated as Lot No. 7, Block "D", Crown Boulevard, on Map of Meadow Hill - North Subdivision", "Metes & Bounds - Section II", Town of Newburgh, Orange County, State of New York, dated November 22, 1966, made by Herbert L. Kartiganer, P.E.L.S., revised December 20, 1966 and filed December 27, 1966 as Map No. 2234, Orange County Clerk's Office; the said premises being known by street address as No. 38 Crown Boulevard being bounded and more particularly described as follows:

COMMENCING at a point (P.O.C.), at the intersection of the easterly right of way line of Crown Boulevard and the northerly right of way line of Meadow Hill Road, said point being the southwesterly corner of the lands now or formerly of Orner as described in Liber 1875 of Deeds at Page 1144, said point also bearing S 02° 38' 54" W, 0.27 feet from an iron pipe found, thence;

running northwesterly along the northerly right of way line of Meadow Hill Road to a point, a distance of 50.00 feet measured along said line, on a course bearing N 64° 58' 20" W, said point also being the southeasterly corner of the parcel herein described, and the true point of beginning, thence;

continuing along said northerly line of the right of way of Meadow Hill Road, and running along the southerly line of a 10' wide drainage and utility easement as described in Liber 2150 of Deeds at Page 423 the following two courses:

- 1) N 64° 58' 20" W, 46.30 feet to a point, thence;
- 2) N 75° 06' 17" W, 56.67 feet, to a point, thence;

leaving said right of way line, running along the division line between the lands now or formerly of Thompson, as described in Liber 2133 of Deeds at Page 557, and the parcel herein described, also running along the westerly line of a 10' wide drainage and utility easement as described in Liber 2150 of Deeds at Page 423, and as shown on Filed Map 2234, the following course:

- 2) N 13° 12' 34" E, 150.53 feet, to a point, thence;

leaving said division line, running along the division line between the lands now or formerly of Sawyer & Wiley, as described in Liber 11686 of Deeds at Page 1141, and the parcel herein described, the following course:

**Fidelity National Title Insurance Company**  
**Schedule A Description - continued**

Title Number 2111289

Page 2

3) S 62° 05' 30" E, 133.44 feet to a point, thence;

leaving said division line, running along the westerly right of way line to Crown Boulevard the following two courses:

4) along a curve to the left, having a radius of 325.00 feet, an internal angle of 02° 41' 50", a chord length of 15.30 feet, along a chord bearing S 26° 22' 35" W, and having an arc length of 15.30 feet to a point, thence;

5) S 25° 01' 40" W, 115.39 feet, to the true point of beginning.

SUBJECT TO a drainage and utility easement of a strip of land 10.00 feet in width along the entire westerly or rear line of instant lot as shown on the aforementioned filed map, and also,

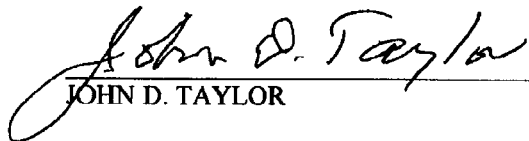
SUBJECT TO a drainage and utility easement of a strip of land 10.00 feet in width along the entire southerly line of instant lot as described in Liber 2150 of Deeds at Page 423, and also as shown on the aforementioned filed map.

BEING and intended to be the same premises conveyed to Ralph B. Taylor and Nancy A. Taylor, Husband and Wife by deed from Floyd M. McCoy, Jr. and Maria J. McCoy, Husband and Wife, dated November 26, 1979 and recorded in the Orange County Clerk's Office on November 29, 1979 in Liber 2150 of Deeds at Page 423.

- 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.

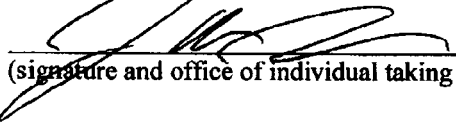
**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

  
 \_\_\_\_\_  
 JOHN D. TAYLOR

Acknowledgment by a Person Within New York State (RPL § 309-a)

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

On the 2nd day of March, 2012, before me, the undersigned, personally appeared John D. Taylor, 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 executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
 \_\_\_\_\_  
 (signature and office of individual taking acknowledgment)

JOSEPH M. SAFFIOTI  
 Notary Public, State of New York  
 No. 4985013  
 Qualified in Orange County  
 Commission Expires August 5, 2013



## 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

# 2801-19

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 10/02/2019**

**Application No. 19-1006**

**To: Michael Starace**  
38 Crown Blvd  
Newburgh, NY 12550

**SBL: 102-9-7**  
**ADDRESS: 38 Crown Blvd**

**ZONE: R2**

PLEASE TAKE NOTICE that your application dated 09/10/2019 for permit to build a 20' x 20' enclosed non-heated rear addition on the premises located at 38 Crown Blvd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 4 / Requires a 40' minimum rear 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:**      Michael Starace      **Building Application #**      19-1006

**ADDRESS:**      38 Crown Blvd newbwuirgh NY 12550

**PROJECT INFORMATION:**      **AREA VARIANCE**      USE VARIANCE

**TYPE OF STRUCTURE:**      20' x 20' rear enclosed porcch

**SBL:**      102-9-7      **ZONE:**      R-2      **ZBA Application #**      2801-19

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'		25'	15'	37.50%
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

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

**ACCESSORY STRUCTURE:**

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

**NOTES:**      **20 x 20 non-heated rear yard enclosed porch**

**VARIANCE(S) REQUIRED:**

- 1 Bulk table schedule 4 / Requires a rear yard setback of 40' minimum.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

**REVIEWED BY:**      Joseph Mattina      **DATE:**      2-Oct-19



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

STATE OF NEW YORK: COUNTY OF ORANGE:

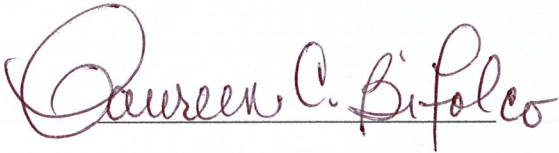
I Michael Starace, being duly sworn, depose and say that I did on or before

October 10, 2019, post and will thereafter maintain at

38 Crown Blvd 102-9-7 R-2 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 8th  
day of October, 2019.



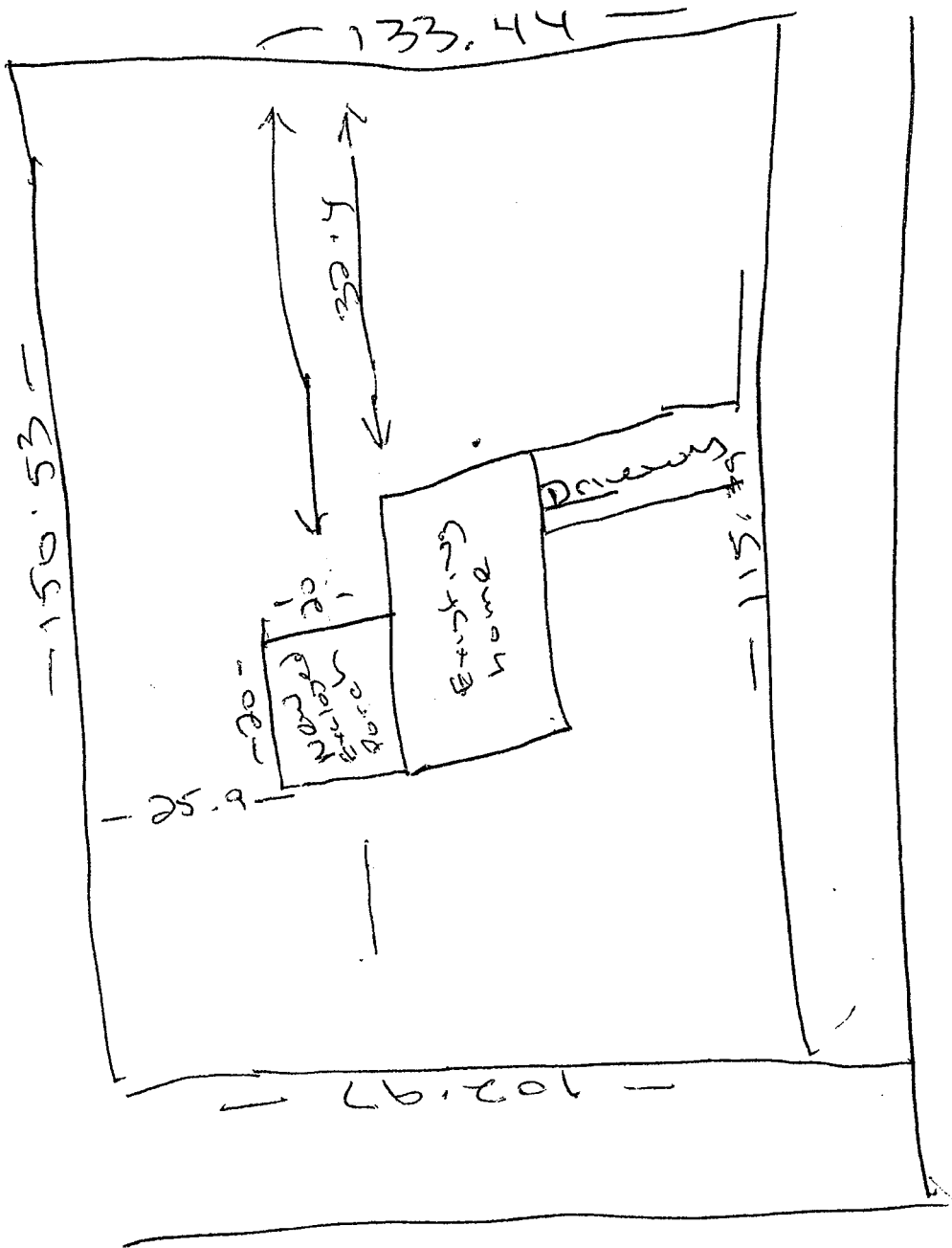
Notary Public

MAUREEN C. BIFOLCO  
Notary Public, State of New York  
No. 01BI6112706  
Qualified in Orange County  
My Commission Expires 07/06/ 2020

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



# Plot Plan



Crown Bal.

Meadow Hill Rd.