



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

*John Wicker*

ZONING BOARD OF APPEALS

OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

## APPLICATION

OFFICE OF ZONING BOARD  
(845) 566-4901

DATED: 11/30/15

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

*Bambrick Builders, Inc*  
I (WE) Anthony P. Tarsio PRESENTLY

RESIDING AT NUMBER 5 Foley Avenue, New Windsor NY

TELEPHONE NUMBER 845-742-2857

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:

73-7-20 (TAX MAP DESIGNATION)

722 N. Dix Ave (STREET ADDRESS)

R-3 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

~~18-5-18~~ Bulk Table Schedule 5.



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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: 11/17/15
- 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: Reduce front yard to 25'. Similar to house to the south and increase lot coverage similar to other houses in the area.

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

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

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

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

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

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

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

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



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

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

*Proposed house is consistent with other homes in the surrounding area.*

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:

*Reduction in the house is not practical in today's market.*

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

*The proposed building area of 11475 SF is only 27% greater than the minimum required 9000 SF.*

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 will be similar to the homes in the neighborhood.*

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

*The lot is large pre-existing and can not be increased in size.*



# TOWN OF NEWBURGH

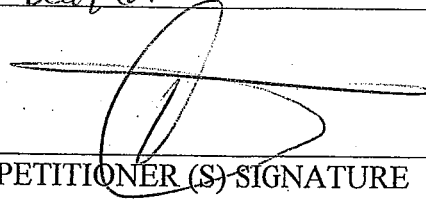
*Crossroads of the Northeast*

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

OFFICE OF ZONING BOARD  
(845) 566-4901

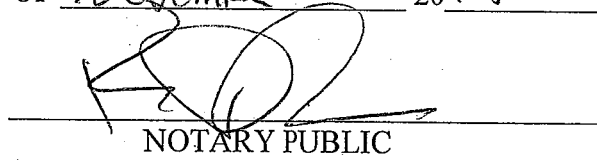
7. ADDITIONAL REASONS (IF PERTINENT):

*Purchase of this property is subject to approval. We just sold our home and are hoping to build.*

  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30 DAY OF November 2015

  
NOTARY PUBLIC

**ROY BARTELS**  
Notary Public, State of New York  
No. 01BA6159708  
Qualified in Dutchess County  
My Commission Expires January 22, 2019

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.  
**(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).**

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



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

## PROXY

John and Susan Wicker, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 1241 Florence Rd

IN THE COUNTY OF Carroll AND STATE OF Maryland

AND THAT HE/SHE IS THE OWNER IN FEE OF 122 N. Dix

Avenue, Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Anthony P. Tarsio  
*Bambrick Builders Inc*

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11-25-15

John Wicker  
John Wicker  
OWNER'S SIGNATURE

Susan Wicker  
Susan Wicker

Donna Spialb

WITNESS' SIGNATURE

Maryland Carroll  
STATE OF ~~NEW YORK~~ COUNTY OF ~~ORANGE~~

SWORN TO THIS 25 DAY OF November 2015

**DEAN LESLIE REITER PENNINGTON**  
Notary Public  
Carroll County  
Maryland  
My Commission Expires Mar. 26, 2019

[Signature]  
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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <i>Bambrick Builders, Inc</i>			
Project Location (describe, and attach a location map): <i>122 N. Dix Avenue, Newburgh</i>			
Brief Description of Proposed Action: <i>Construction of a Single Family dwelling</i>			
Name of Applicant or Sponsor: <i>Bambrick Builders, Inc</i>		Telephone: <i>845-742-2857</i>	
<i>Anthony P. Tarsio</i>		E-Mail: <i>atarvio23@gmail.com</i>	
Address: <i>5 Foley 119 Myrtle Avenue</i>			
City/PO: <i>New Windsor</i>		State: <i>NY</i>	Zip Code: <i>12553</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>0.14</i>	acres
b. Total acreage to be physically disturbed?		<i>.07</i>	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0.14</i>	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <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 type="checkbox"/>	<input checked="" 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 <input 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 type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <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 <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 checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>	

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)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Anthony D. Torsio</u>		Date: <u>11/30/15</u>
Signature: _____		



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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

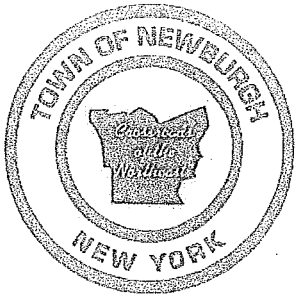
Agency Use Only [If applicable]

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.

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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

2531-15

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/17/2015

Application No. 15-0948

To: John Wicker  
1241 FLORENCE RD  
MT AIRY, MD 21771

SBL: 73-7-20  
ADDRESS: N Dix Ave

ZONE: R3

PLEASE TAKE NOTICE that your application dated 10/29/2015 for permit to construct a single family dwelling unit on the premises located at N Dix Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Bulk Table Schedule 5 Requires:

- 1) Minimum lot area is 12,500 s.f.
- 2) Minimum lot width is 85'
- 3) 40' minimum front yard setback.
- 4) 40' minimum rear yard setback.
- 5) One side yard minimum of 15'
- 6) Both side yard setbacks of 30'.
- 7) 15% maximum lot building surface coverage.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

2531-15  
pp 1

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

NAME: APPLICANT / ANTHONY TARSIO

ADDRESS: 119 MYRTLE AVE. NEW WINDSOR NY 12553.

PROJECT INFORMATION:

TYPE OF STRUCTURE: NORTH DIX AVE

SBL: 73-7-20 ZONE: R-3

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	12500 SF	6000 SF		6500 SF	52.00%
LOT WIDTH	85'	60'		25'	29.41%
LOT DEPTH	OK				
FRONT YARD	40'		25'	15'	37.50%
REAR YARD	40'		39'	1'	2.50%
ONE SIDE YARD	15'		12'	3'	20.00%
COMBINED SIDE YARDS	30'		24'	6'	20.00%
BUILDING COVERAGE	15%=900 SF		1147 SF	247 SF	27.44%
SURFACE COVERAGE	OK				

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: **2 LOTS (73-7-20 & 73-7-21) COMBINED TO FORM SINGLE LOT. 185-18-C-3, 185-18-A-1 AND 185-18-C-2 ARE NOT APPLICABLE.**

VARIANCE(S) REQUIRED: **7 TOTAL VARIANCES ARE REQUIRED / SEE PAGE 1+2**

- 1 BULK TABLE SCHEDULE 5 REQUIRES A MINIMUM LOT AREA OF 12,500 SF
- 2 BULK TABLE SCHEDULE 5 REQUIRES A LOT WIDTH OF 85' MINIMUM.
- 3 BULK TABLE SCHEDULE 5 REQUIRES A 40' MINIMUM FRONT YARD SETBACK.
- 4 BULK TABLE SCHEDULE 5 REQUIRES A 40' MINIMUM REAR YARD SETBACK.

16291

REVIEWED BY: JOSEPH MATTINA DATE: 16-Nov-15

# Town of Newburgh Code Compliance

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

NAME: APPLICANT / ANTHONY TARSIO

ADDRESS: 119 MYRTLE AVE. NEW WINDSOR NY 12553

2531-15  
P8  
2

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: NORTH DIX AVE

SBL: 73-7-20 ZONE: R-3

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	12500 SF	6000 SF		6500 SF	52.00%
LOT WIDTH	85'	60'		25'	29.41%
LOT DEPTH	OK				
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COMBINED SIDE YARDS	30'		24'	6'	20.00%
BUILDING COVERAGE	15%=900 SF		1147 SF	247 SF	27.44%
SURFACE COVERAGE	OK				

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: **2 LOTS (73-7-20 & 73-7-21) COMBINED TO FORM SINGLE LOT. 185-18-C-3, 185-18-A-1 AND 185-18-C-2 ARE NOT APPLICABLE.**

VARIANCE(S) REQUIRED: **7 TOTAL VARIANCES ARE REQUIRED / SEE PAGE 142**

- 1 BULK TABLE SCHEDULE 5 REQUIRES ONE SIDE YARD OF 15' MINIMUM.
- 2 BULK TABLE SCHEDULE 5 REQUIRES A COMBINED SIDE YARD OF 30'.
- 3 BULK TABLE SCHEDULE 5 ALLOWS A MAXIMUM LOT BUILDING COVERAGE OF 15%
- 4 \_\_\_\_\_

9252

REVIEWED BY: JOSEPH MATTINA DATE: 16-Nov-15

John and Susan Wicker  
1241 Florence Road,  
Mount Airy, MD 21771

November 18, 2015

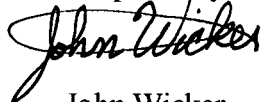
Town of Newburgh  
Zoning Board of Appeals  
Old Town Hall  
308 Gardnertown Road  
Newburgh, NY 12550

Re: Contingency letter

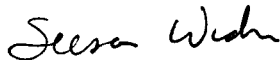
To Whom It May Concern:

We are currently in contract with Anthony Tarsio of Bambrick Builders to purchase our property located at 122 North Dix, Avenue, Newburgh, NY 12550. We currently live in Maryland and will not be able to attend any meetings. We grant full permission to Anthony Tariso to represent us at the Zoning Board of appeals. Anthony Tarsio will be responsible for the entire process and any fees or cost associated with this process. Please direct all correspondents to him regarding this process. If you have any questions please feel free to contact me at 301-219-2957.

Respectfully Yours,

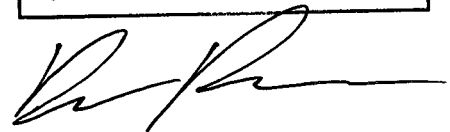


John Wicker



Susan Wicker

**DEAN LESLIE REITER PENNINGTON**  
Notary Public  
Carroll County  
Maryland  
My Commission Expires Mar. 26, 2019



**REAL PROPERTY TAX SERVICE AGENCY**

John I. McCarey - Director  
124 Main Street  
Goshen, NY 10924  
(914) 291-2498

CODE COMPLIANCE DEPT.  
NOV 06 2015  
REQUEST FOR COMBINATION  
Sign x *AM*

**RECEIVED**  
OCT 23 2015  
BY: \_\_\_\_\_

*Tarsio  
X Dixtel*

DATE: 10-23-15

TOWN/VILLAGE/CITY:

Newburgh

SCHOOL DISTRICT:

Newburgh Enlarged City School District

**For Tax Map Department Use**

- |                                     | <u>S-B-L</u>            |
|-------------------------------------|-------------------------|
| <input checked="" type="checkbox"/> | 1. <u>33460-73-7-20</u> |
| <input type="checkbox"/>            | 2. <u>33460 73-7-21</u> |
| <input type="checkbox"/>            | 3. _____                |
| <input type="checkbox"/>            | 4. _____                |
| <input type="checkbox"/>            | 5. _____                |
| <input type="checkbox"/>            | 6. _____                |

DEED

OWNER

CHECK OFF PARCEL TO DECIMAL OFF.

A REQUEST IS MADE TO COMBINE THE ABOVE NAMED SECTION, BLOCK, AND LOTS INTO ONE PARCEL. FOR TAX PURPOSES.

ALL THE DUE TAXES ARE PAID

ON THESE PARCELS AND THEY ARE ALL IN THE SAME SCHOOL DISTRICT.

ASSESSOR'S SIGNATURE  
AUTHORIZING AND CONFIRMING ABOVE

*[Signature]*

OWNER'S SIGNATURE

*[Signature]*

301-219-2957

cell

Form 8007 8-81-5M —Barrels and Sale Deed with Clerks and Director's Notations

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE, BLACK INK ONLY

Joseph E. Wicker and Josephine M. Wicker, his wife

TO

John J. Wicker and Susan Kay Wicker, his wife

SECTION 73 BLOCK 7 LOT 14, 15, 16, 17, 20 & 21

RECORD AND RETURN TO:  
(Name and Address)

John B. Cameron, Esq.  
PO Box 808  
Goshen, NY 10924

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 59107 DATE 1-19-92 AFFIDAVIT FILED \_\_\_\_\_ 19\_\_\_\_

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

<p>           BG20 Blooming Grove _____            CH22 Chester _____            CO24 Cornwall _____            CR26 Crawford _____            DP28 Deerpark _____            GO30 Goshen _____            GR32 Greenville _____            HA34 Hamptonburgh _____            HI36 Highlands _____            MK38 Miniskunk _____            ME40 Monroe _____            MY42 Montgomery _____            MH44 Mount Hope _____            NT46 Newburgh (T) <input checked="" type="checkbox"/>            NW48 New Windsor _____            TU80 Tuxedo _____            WL82 Walkkill _____            WK84 Warwick _____            WA86 Wawayanda _____            WO68 Woodbury _____            MN08 Middletown _____            NC11 Newburgh _____            PJ13 Port Jervis _____            9999 Hold _____         </p>	<p>           SERIAL NO. _____            Mortgage Amount \$ _____            Exempt Yes _____ No _____            3-8 Cooking Units Yes _____ No _____            Received Tax on above Mortgage            Basic \$ _____            MTA \$ _____            Spec. Add. \$ _____            TOTAL \$ _____         </p>	<p>           CHECK <input checked="" type="checkbox"/> CASH _____ CHARGE _____            MORTGAGE TAX \$ _____            TRANSFER TAX <u>EXEMPT</u>            ED. FUND \$ <u>5.00</u>            RECORD. FEE \$ <u>17-</u>            REPORT FORMS \$ <u>30-</u>            CERT. COPIES \$ _____         </p>
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MARION S. MURPHY  
Orange County Clerk

by: Jm

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on SEP 2 1992  
at 9:25 O'clock Deed P M.  
in Liber/Film 3659  
of page 212 and acknowledged.

Marion S. Murphy  
County Clerk

RECEIVED  
EXEMPT  
REAL ESTATE  
SEP 2 1992  
TRANSFER TAX  
ORANGE COUNTY

LIBER 3659 PAGE 212

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 September 02, 1992 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt September 25, 2015  
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,  
ORANGE COUNTY

ORC 09/02/92 03:25:56 42158 47.00  
\*\*\*\* EDUCATION FUND 5.00 \*\*\*\*  
DEED CONTROL NO: 59107 .00 \*  
\*\*\*\*\* SERIAL NUMBER: 000794 \*\*\*\*\*



Form 8007 8-81-5M —Bargain and Sale Deed with Covenant against Grantor's Act—Ind. ex Corp.

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

THIS INDENTURE, made the 17<sup>th</sup> day of January nineteen hundred and ninety-two BETWEEN

Joseph E. Wicker and Josephine M. Wicker, his wife, both residing at 44 Dix Avenue, Newburgh, New York 12550

party of the first part, and  
and Susan Kay Wicker, his wife, both  
John J. Wicker, /residing at 1241 Florence Road, Mt. Airy,  
Maryland 21771

party of the second part,  
WITNESSETH, that the party of the first part, in consideration of

One and no/100 ----- 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 heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

see description attached

Sec.

Blk.

Lot

All that tract or parcel of land situate in the Town of Newburgh, County of Orange and State of New York, being lots numbered 497, 498, 499, 536, 537, 538, on a Map or Plan of Newburgh Gardens, dated June 1, 1912, made by A. L. Eliot, Civil Engineer, and filed in the office of the Clerk of Orange County, October 14, 1912, and more particularly described as follows, to wit: Bounded easterly by Wilson Avenue 90'; southerly by lots 496 and 539 on said plan 200'; westerly by Dix Avenue 90'; northerly by lots 535 and 500 on said plan 200'; containing, according to said plan 18,000 square feet, more or less.

Together with the fee, in so far as the party of the first part has the right so to convey the same, of all streets and ways shown on said plan, in common with the owners of the other lots shown on said plan, and subject to the right of all of said lot owners to make any customary use of said streets and ways.

Being the same premises conveyed to the party of the first part hereto by Frank J. Clarino by deed dated Sept. 30, 1949.

ALSO all that tract or parcel of land situate in the Town of Newburgh, County of Orange and State of New York, being lots numbered 495, 496, 539, 540, on a Map or Plan of Newburgh Gardens, dated June 1, 1912, made by A. L. Eliot, Civil Engineer, and filed in the Office of the Clerk of Orange County, October 14, 1912, and more particularly described on said recorded plan to which reference is hereby made.

Together with the fee in so far as the said party of the first part has the right so to convey the same, of all the streets and ways shown on said plan, in common with the owners of the other lots shown on said plan, and subject to the right of all the said lot owners to make any customary use of said streets and ways.

As the said lands and premises were conveyed by Louis Clarino to Joseph E. Wicker and Josephine M. Wicker, husband and wife by deed dated October 14, 1949 and recorded in the Orange County Clerk's Office in liber 1140 of deeds at page 401 on November 4, 1949.

Excepting lots numbered 38, 39 and 50 conveyed by Grantors to Blanchard by deed dated Jan. 13, 1971 and recorded in the Orange County Clerk's Office on Jan. 20, 1971 in liber 1865 at page 186.

Reserving, however, a life estate to the grantors, Joseph E. Wicker and Josephine M. Wicker, his wife, or the survivor, for their lives and for the life of the survivor of them, with no obligation to support or maintain.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

*Joseph E. Wicker*

Joseph E. Wicker

*Josephine M. Wicker*

Josephine M. Wicker

STATE OF NEW YORK, COUNTY OF Orange  
On the 17<sup>th</sup> day of January 1992, before me personally came Joseph E. Wicker and Josephine M. Wicker, his wife

to me known to be the individual s described in and who executed the foregoing instrument, and acknowledged that they executed the same.

*J.B. Cameron*  
Notary Public

**J.B. CAMERON**  
Notary Public - State of New York  
Residing in Orange County  
Commission Expires June 30, 1992

STATE OF NEW YORK, COUNTY OF  
On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he 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, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF  
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 executed the same.

STATE OF NEW YORK, COUNTY OF  
On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he 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, and that he signed his name thereto by like order.

**Bargain and Sale Deed**

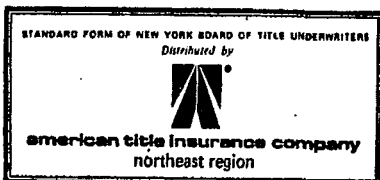
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

Joseph E. Wicker and Josephine M. Wicker, his wife

TO  
John J. Wicker

SECTION  
BLOCK  
LOT  
COUNTY OR TOWN



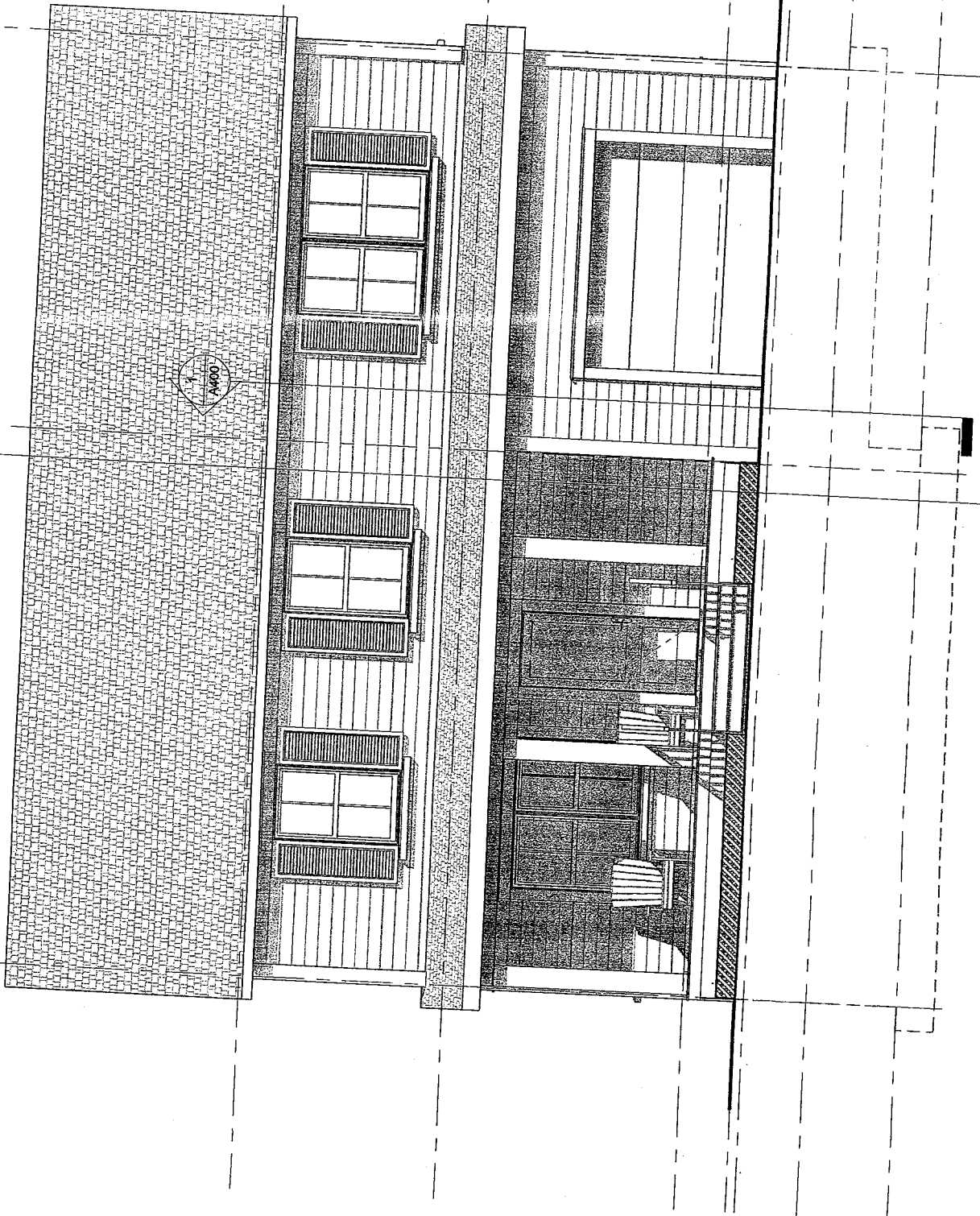
A Member of The Continental Insurance Companies

Recorded At Request of American Title Insurance Company  
RETURN BY MAIL TO:

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

LIBER 3659 PAGE 216



Roof  
17' - 6 3/4"

Second Floor  
9' - 5 3/4"

First Floor  
0' - 0"

Garage Floor  
-2' - 0"

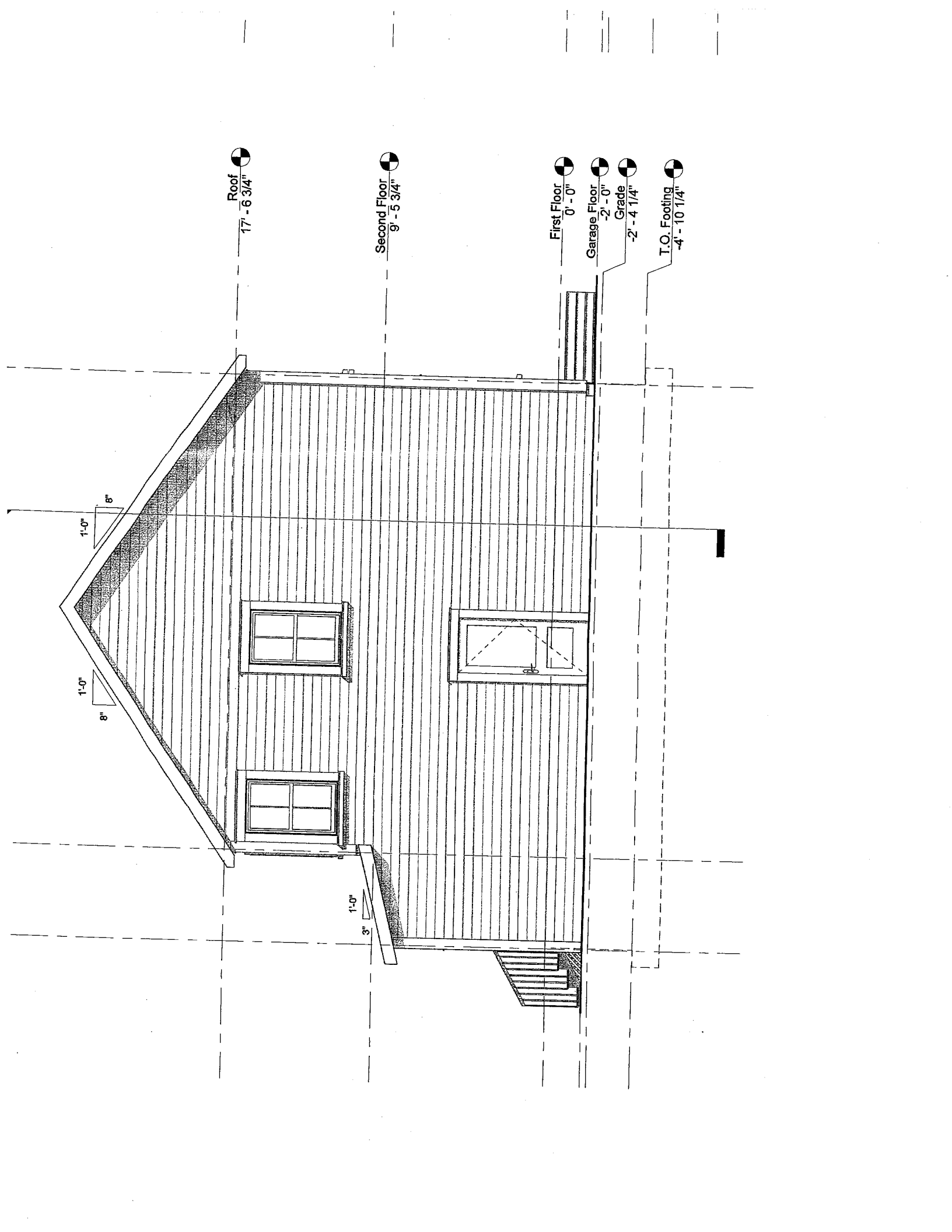
Grade  
-2' - 4 1/4"

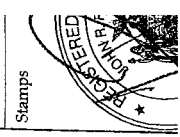
T.O. Footing  
-4' - 10 1/4"

Basement  
-8' - 5 1/4"

1  
400

1 South  
1/4" = 1'-0"

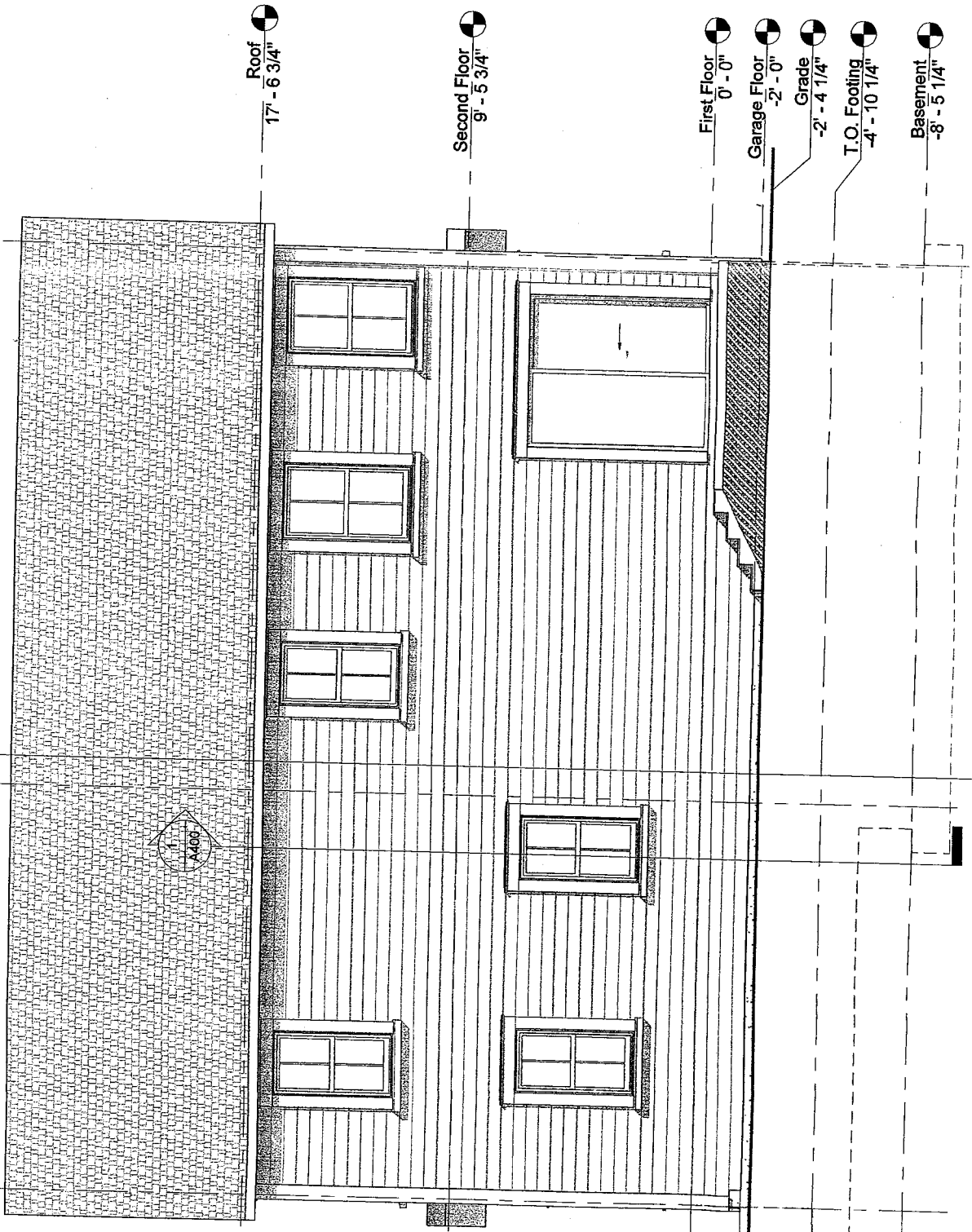




Stamps

1  
A300

A400



Roof  
17' - 6 3/4"

Second Floor  
9' - 5 3/4"

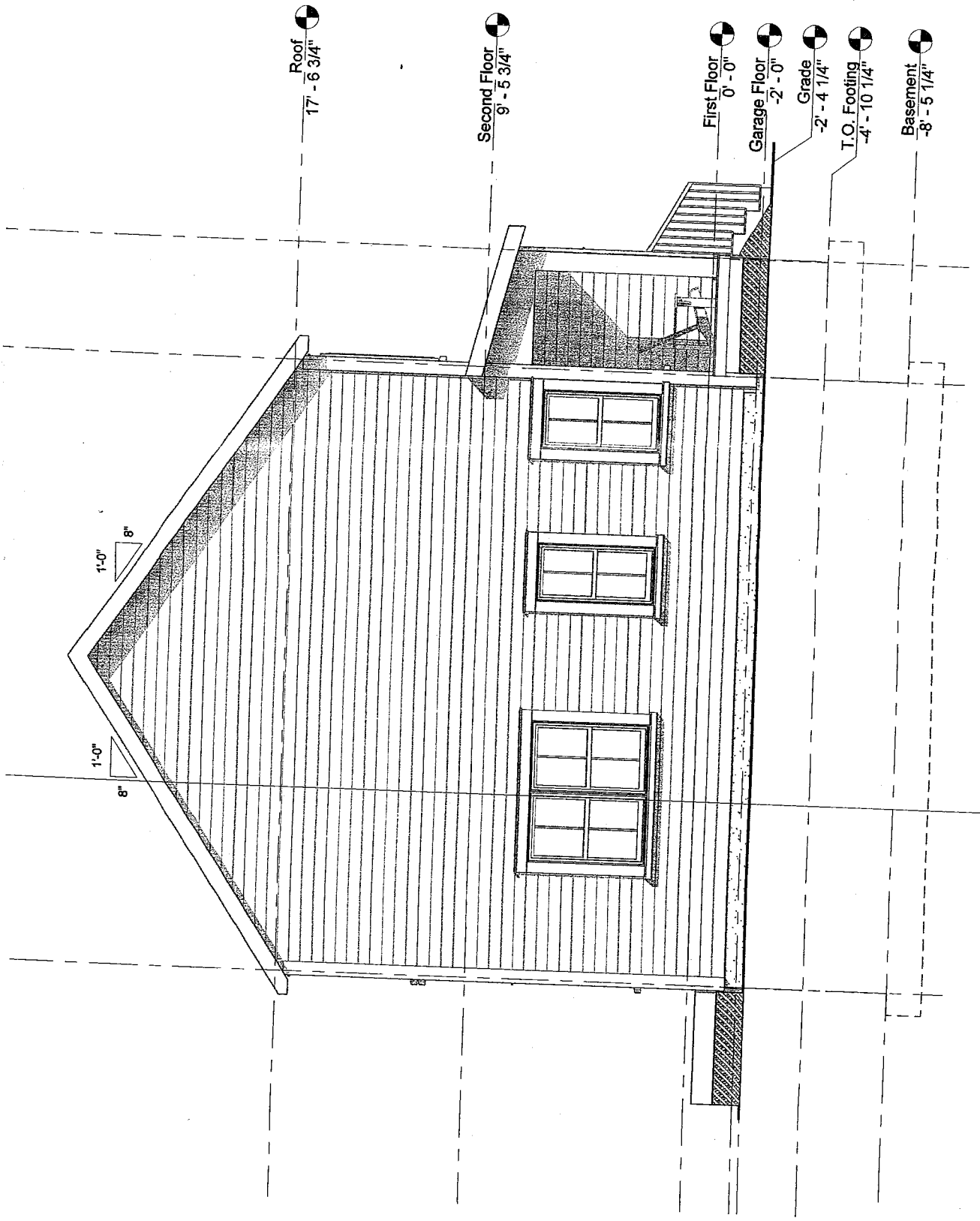
First Floor  
0' - 0"

Garage Floor  
-2' - 0"

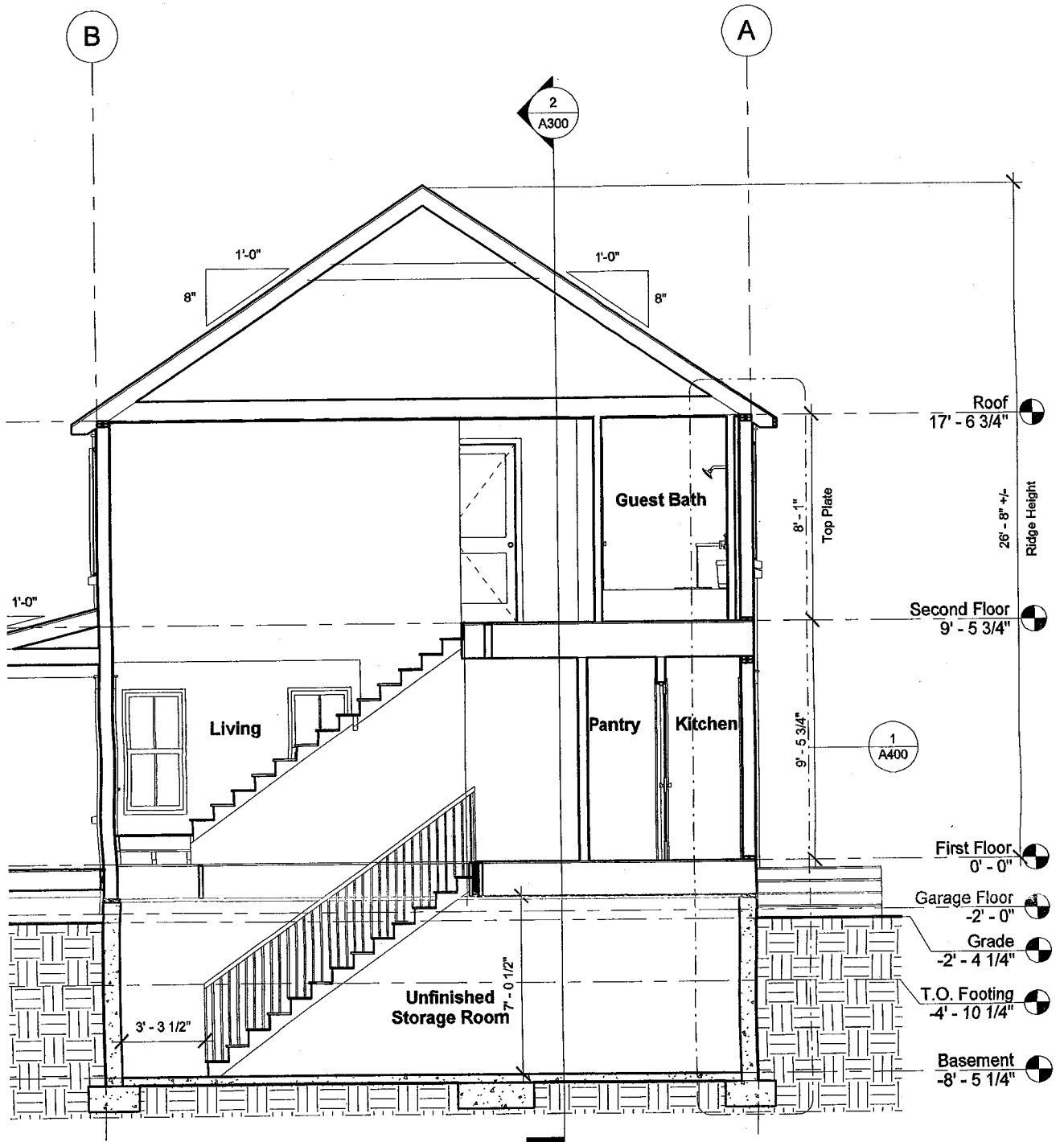
Grade  
-2' - 4 1/4"

T.O. Footing  
-4' - 10 1/4"

Basement  
-8' - 5 1/4"







① Building Section  
1/4" = 1'-0"

Roof  
17' - 6 3/4"

Second Floor  
9' - 5 3/4"

First Floor  
0' - 0"

Garage Floor  
-2' - 0"

Grade  
-2' - 4 1/4"

T.O. Footing  
-4' - 10 1/4"

Basement  
-8' - 5 1/4"

8' - 1"

9' - 5 3/4"

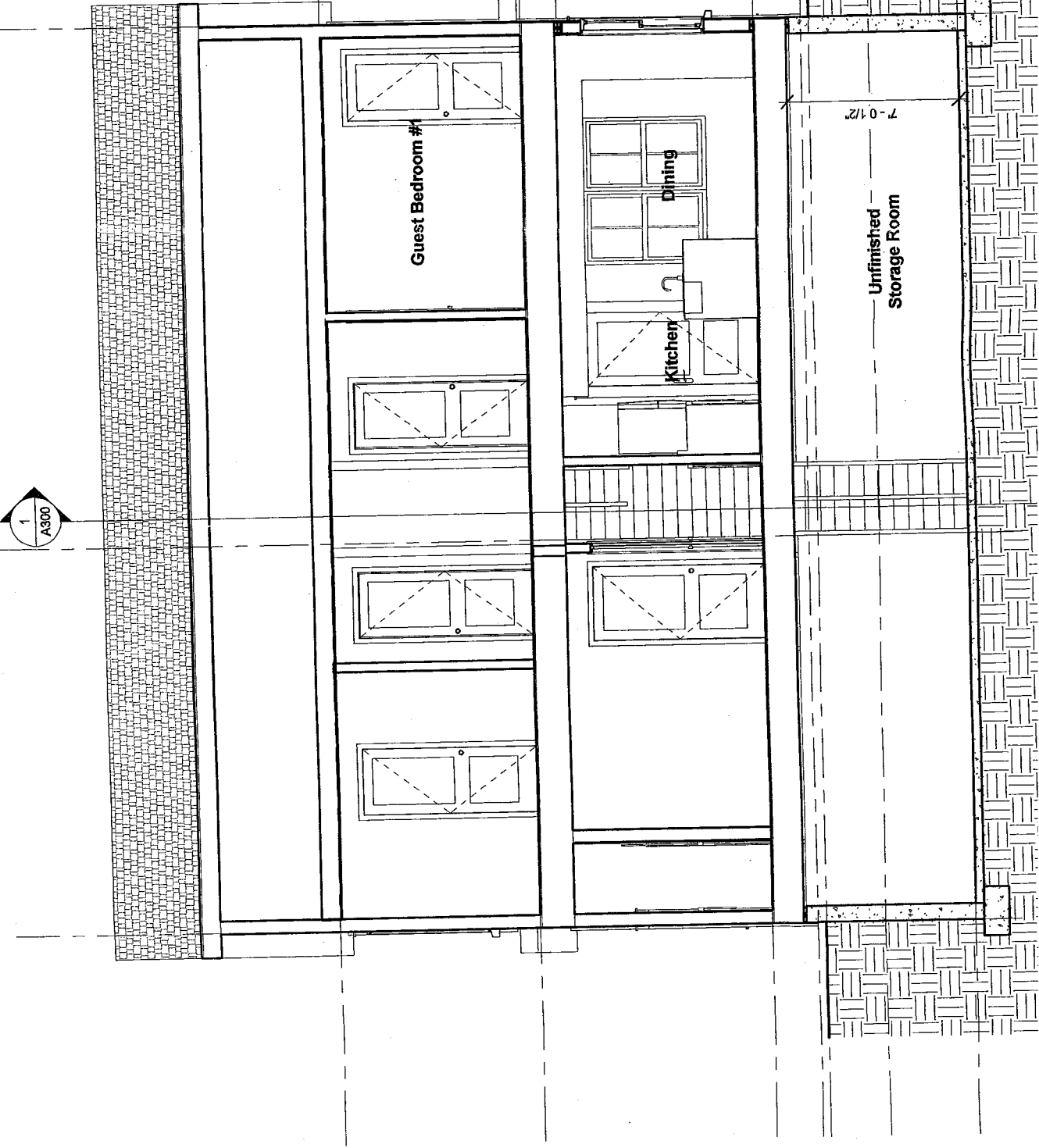
7' - 0 1/2"

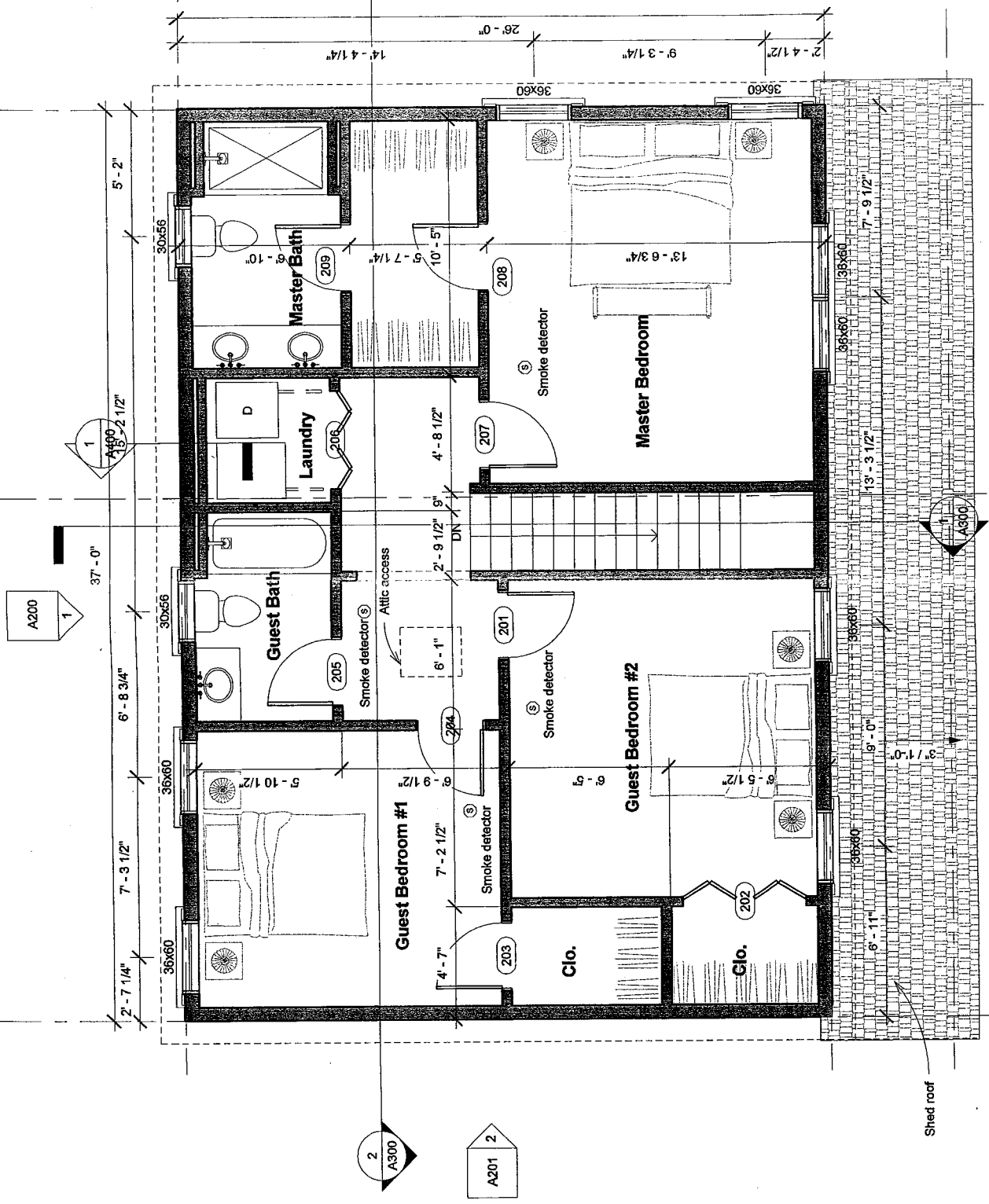
Guest Bedroom #1

Dining

Kitchen

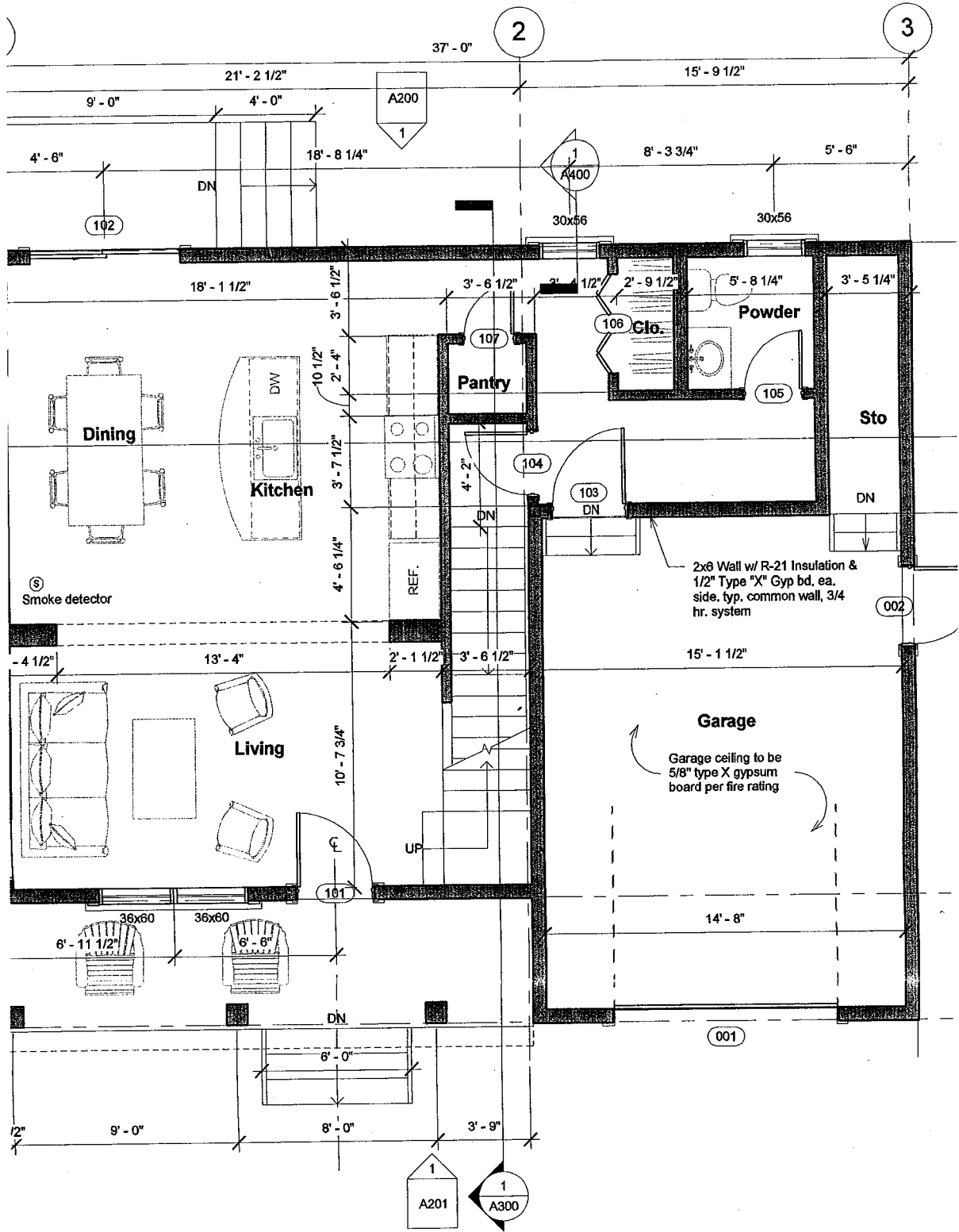
Unfinished  
Storage Room





*Second Floor*

Shed roof

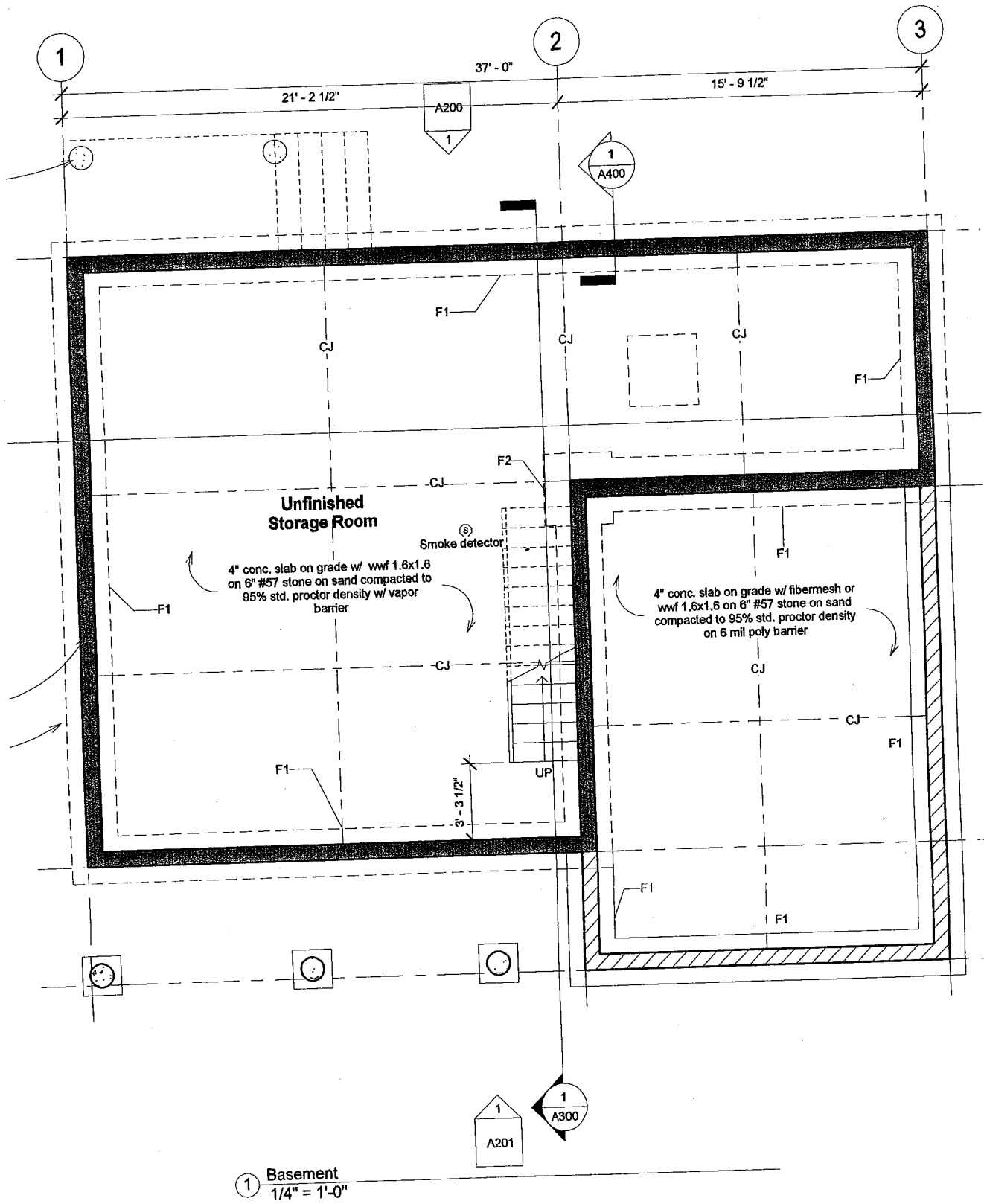




② First Floor  
1/4" = 1'-0"

Note: All window head heights are 7'-0" U.N.O.

Door Schedule						
Mark	Fire Rating	Width	Height	Head Height	Finish	Comments

Garage Floor



Foundation Legend	
	8" CIP Concrete wall w/ (1) #4 12" O.C. horizontal and (1) #4 16" O.C. vertical; 3,000 PSI Concrete (2) #5 long @ top of wall
	8" CIP Concrete Stemwall w/ (1) - #4 16" O.C. Vertical; (2) #5 Long @ top of wall.

TARSIO  
 N Dix Ave  
 (73-7-20)



WOODLAWN TERRACE