



TOWN OF NEWBURGH

Crossroads of the Northeast

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

Zoning Board of Appeals
JUN 22 2021
Town of Newburgh

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: June 14, 2021

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

I (WE) Kyle Warren PRESENTLY
RESIDING AT NUMBER 356 Fostertown Road
TELEPHONE NUMBER (845) 544-0336

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:

17-4-8.11 (TAX MAP DESIGNATION)
356 Fostertown Road (STREET ADDRESS)
R2 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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 4: Rear and side yard setbacks.



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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: June 2, 2021
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: Area variance to build a two story 24'x40' attached garage

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:

The garage addition will not look out of scale with other houses in the neighborhood. The addition is also in character with the existing architecture and not a detriment. The garage will have the exact same aesthetics as current house on property.

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 garage addition can only be added to this area of the property. The proposed width of the addition is standard for a two car garage - 24'-0". There is a 10'-0" gap between the existing house and new garage.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The proposed setbacks appear to be larger than what is proposed due to the existing mature trees to the west and north of the 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:

Any increase in the stormwater run-off caused by the addition can be easily mitigated by directing the roof leaders away from the adjacent property.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

The Owner built the house in 2016 and the variance was not self created. The existing lot is somewhat narrow (129 feet wide) for this neighborhood.

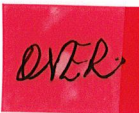


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NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901



7. ADDITIONAL REASONS (IF PERTINENT):

[Handwritten Signature]

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 14th DAY OF June 2021

[Handwritten Signature]

NOTARY PUBLIC

PATRICIA S. TARSIO
Notary Public, State of New York
Qualified in Orange County
No. 05TA6361531
Commission Expires July 10, 2025

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)

7. ADDITIONAL REASONS (IF PERTINENT):

The primary use for the garage is storage and recreation.

I built this house six years ago with the intention of spending at least the next 30 years here. Since then, we have improved the property with landscaping and a pool, as well as extended our kitchen to accommodate us better. Unfortunately, my current garage only has room for 2 cars, but I currently have 3. Also, I have collected many retro video games and pinball machines that I simply have no space for. This is why we are building the garage on bottom and top for recreation (for my arcade machines, pool table, etc.). I have reached out to neighbors as well and they have no issues with the garage. In fact, it will give both them and me more privacy by blocking their view of my pool and my view of their front yard.

1. [unclear]
2. [unclear]
3. [unclear]
4. [unclear]
5. [unclear]



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ZONING BOARD OF APPEALS

OLD TOWN HALL
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NEWBURGH, NEW YORK 12550

PROXY

Kyle Warren, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 356 Fostertown Road

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 356 Fostertown Road

Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Coppola Associates

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 06/14/21 *Kyle Warren*

OWNER'S SIGNATURE

Myara H. Larcie

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 14th DAY OF June 2021

[Signature]

NOTARY PUBLIC
PATRICIA S. TARSIO
Notary Public, State of New York
Qualified in Orange County
No. 05TA6361531
Commission Expires July 10, 2025

617.20
Appendix B
Short Environmental Assessment Form

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: 356 Fostertown Road			
Project Location (describe, and attach a location map): 356 Fostertown Road			
Brief Description of Proposed Action: Build a two story 24'x40' attached garage			
Name of Applicant or Sponsor: Kyle Warren		Telephone: 845-544-0336	
		E-Mail: kyle-richard-warren@gmail.com	
Address: 356 Fostertown Road			
City/PO: Newburgh,		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
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:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?			0.71 acres
b. Total acreage to be physically disturbed?			None acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			0.71 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 _____ _____			

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)?	NO	YES
If Yes, explain purpose and size: _____	<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?	NO	YES
If Yes, describe: _____	<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?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Kyle R. Warren Date: June 14, 2021
 Signature: [Handwritten Signature]

Part 2 - Impact Assessment The Lead Agency is responsible for the completion of Part 2. 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"/>

	No, or small impact may occur	Moderate to large impact may occur
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"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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 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)

PRINT



ORANGE COUNTY – STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 13888 / 1700
INSTRUMENT #: 20150029459

Receipt#: 1934197
Clerk: RB
Rec Date: 05/05/2015 11:58:26 AM
Doc Grp: D
Descrip: DEED C
Num Pgs: 4
Rec'd Frm: SAFFIOTI & ANDERSON

Party1: WARREN KYLE
Party2: WARREN KYLE
Town: NEWBURGH (TN)

Recording:	
Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 315.00

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 315.00

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

***** Transfer Tax *****
Transfer Tax #: 6229
Commercial Transfer Tax
Consideration: 0.00

Total: 0.00

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

Comment: _____

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS,
ORANGE COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE
ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE ON *May 5, 2015*
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL

June 11, 2021 *Ann G. Rabbitt*

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

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

SAFFIOTI & ANDERSON
5031 ROUTE 9W
NEWBURGH, NY 12550

17-4-8.11

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

FORM 8002 (short version), FORM 8007 (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 17th day of April, 2015,

BETWEEN

Kyle Richard Warren, of 18 North Fostertown Drive, Newburgh, New York 12550,
party of the first part, and

Kyle Richard Warren and Ilyana M. Lavoie of 18 North Fostertown Drive, Newburgh, New York 12550,
party of the second part; *Joint Tenants with the rights of survivorship. KW*

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00) and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bound and described in Schedule 'A' attached hereto and made a part hereof;

BEING AND INTENDED to be the same premises conveyed to KYLE RICHARD WARREN who acquired title from BRIAN FERNANDEZ by deed dated November 5, 2013 and recorded in the Orange County Clerk's Office on November 8, 2013 in Liber 13675 at page 1535.

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

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

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

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

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

Section: 17
Block: 4
Lot: 8.11

Schedule A Description

Title Number **GA-142521-O**

Page **1**

ALL that certain plot, piece or parcel of land situate lying and being in the Town of Newburgh, County of Orange and State of New York, being shown and designated as Lot No. 1 on a certain subdivision map entitled "Subdivision for Esther Pekar" dated November 28, 2006 and filed in the Orange County Clerk's Office on August 24, 2007 as Filed Map No. 726-07.

BEING AND INTENDED TO BE the same premises conveyed to Kyle Richard Warren who acquired title from Brian Fernandez, by Deed dated November 5, 2013 and recorded in the Orange County Clerk's Office on November 8, 2013 in Liber 13675 Page 1535.

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.

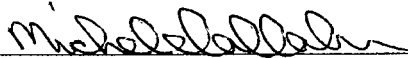


KYLE RICHARD WARREN

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

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

On the 17th day of April in the year 2015, before me, the undersigned, personally appeared Kyle Richard Warren, 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)

MICHELE M. CALLAHAN
Notary Public, State Of New York
No. 01CA6083978
Qualified in Orange County
Commission Expires November 25, 2018

Bargain and Sale Deed

Title No. GA-142521-O

Section 17

Block 4

Kyle Richard Warren

Lot 8.11

To

County or Town Town of Newburgh

~~Primo Lending, a Plain Capital Company~~

Street Address 1 North Fostertown Road

and Ilyana M. Lavoie and

Newburgh, New York 12550

Kyle Richard Warren

Return By Mail To:

JOSEPH M. SAFFIOTI, ESQ.
SAFFIOTI AND ANDERSON
5031 Route 9W
Newburgh, New York 12550



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

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

2929-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/04/2021

Application No. 21-0623

To: Kyle Warren
356 Fostertown Road
Newburgh, NY 12550

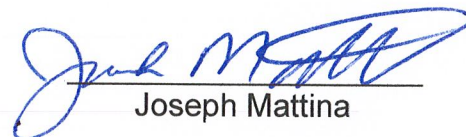
SBL: 17-4-8.11
ADDRESS: 356 Fostertown Rd

ZONE: R2

PLEASE TAKE NOTICE that your application dated 06/04/2021 for permit to build a two story 24' x 40' attached Garage Addition. on the premises located at 356 Fostertown Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 4: Requires a 40' rear yard setback
- 2) Bulk table schedule 4: Requires a 15' side yard setback


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: _____ KYLE WARREN Application # _____ 21-0623

ADDRESS: _____ 356 FOSTERTOWN RD NEWBURGH NY 12550 _____

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: _____ 24' X 40' (2) STORY ADDITION _____

SBL: _____ 17-4-8.11 **ZONE:** _____ R-2 **ZBA Application #** 2929-21

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'		28.41'	11.6'	28.99%
SIDE YARD	15'		6.08'	8.92'	59.46%
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:

REVIEWED BY: _____ Joseph Mattina **DATE:** _____ 4-Jun-21



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

STATE OF NEW YORK, COUNTY OF ORANGE:

I, Laeta J. Ruff, being duly sworn, depose and say that I did on or before

July 8, 2021, post and will thereafter maintain at

356 Fostertown Rd 17-4-8.11 R2 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 28

day of June, 2021.

Lisa M. Kent

LISA M. KENT
Notary Public, State of New York
Registration No. 01KE6105060
My Commission Expires Feb. 2, 2024

