





# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: July 1, 2016
- 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: Rear yard variance of 14.5 feet for enclosed porch built over 50 years ago so it remains in its present position.  
NOTE: Deck has been removed.

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 enclosed porch has been in existence over 50 years.

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

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:

Compliance with current zoning law would require substantial renovation to the enclosed porch that has been in existence for over 50 years. Property was inherited from parents, and renovations to bring it up to current code would be cost prohibitive to owners and to the property's value.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The enclosed porch has been in existence for over 50 years.

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

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

The enclosed porch has been in existence over 50 years and there have been no adverse effects to the property or any environmental concerns during that timeframe.

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

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

The enclosed porch has been in existence over 50 years.

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



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OFFICE OF ZONING BOARD  
(845) 566-4901

### 7. ADDITIONAL REASONS (IF PERTINENT):

Since the enclosed porch has been in existence for over 50 years, we are asking for the variance, to be grandfathered in and allow the addition to stand in its present position.

PETITIONER (S) SIGNATURE Pamela J. Weber

North Carolina

Durham

STATE OF ~~NEW YORK~~: COUNTY OF ~~ORANGE~~:

SWORN TO THIS 5<sup>th</sup> DAY OF July 2016

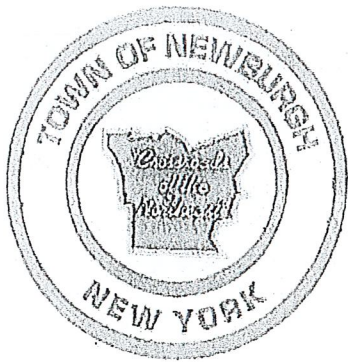


NOTARY PUBLIC

Commission exp: 12/20/2016

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)



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OFFICE OF ZONING BOARD  
(845) 566-4901

### 7. ADDITIONAL REASONS (IF PERTINENT):

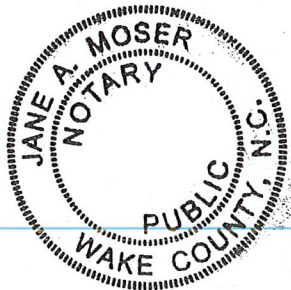
Since the enclosed porch has been in existence for over 50 years, we are asking for the variance, to be grandfathered in and allow the addition to stand in its present position.

PETITIONER (S) SIGNATURE Gail W. Amerson

North Carolina

STATE OF ~~NEW YORK~~: COUNTY OF ~~ORANGE~~

SWORN TO THIS 5<sup>th</sup> DAY OF July 2016



NOTARY PUBLIC

Commission Exp: 12/20/2016

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.

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

## PROXY

Pamela J. Weber, DEPOSES AND SAYS THAT

~~HE~~SHE RESIDES AT 1815 Affirmed Way

IN THE COUNTY OF Wake AND STATE OF North Carolina

AND THAT ~~HE~~SHE IS THE OWNER IN FEE OF \_\_\_\_\_

6 Sandalwood Drive, Newburgh, New York 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT ~~HE~~SHE HAS AUTHORIZED David L. Russell

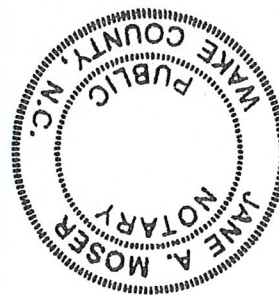
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 7-5-2016 Pamela J. Weber

OWNER'S SIGNATURE

*[Handwritten Signature]*

WITNESS' SIGNATURE



North Carolina

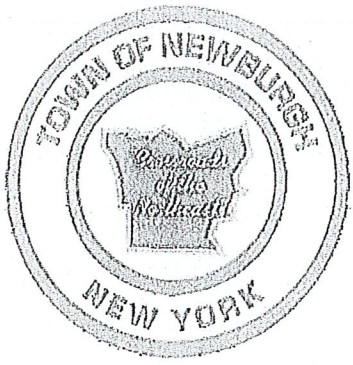
Durham

STATE OF ~~NEW YORK~~: COUNTY OF ~~ORANGE~~:

SWORN TO THIS 5<sup>th</sup> DAY OF July 20 16

Jane A. Moser  
NOTARY PUBLIC

Commission Exp: 12/20/2016



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

## PROXY

Gail W. Amerson, DEPOSES AND SAYS THAT

~~HE~~/SHE RESIDES AT 512 Harris Street

IN THE COUNTY OF Granville AND STATE OF North Carolina

AND THAT ~~HE~~/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

6 Sandalwood Drive, Newburgh, New York 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT ~~HE~~/SHE HAS AUTHORIZED David L. Russell

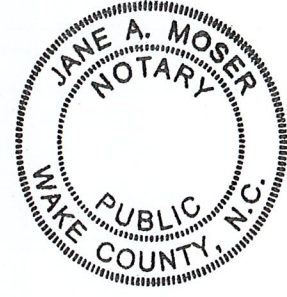
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 7-5-16 Gail W. Amerson

OWNER'S SIGNATURE

[Handwritten Signature]

WITNESS' SIGNATURE



North Carolina DURHAM  
STATE OF ~~NEW YORK~~: COUNTY OF ~~ORANGE~~:

SWORN TO THIS 5<sup>th</sup> DAY OF July 2016

Jane A. Moser  
NOTARY PUBLIC

Commission Exp: 12/20/2016

# 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: 6 Sandalwood Drive Variance Application			
Project Location (describe, and attach a location map): 6 Sandalwood Drive, Town of Newburgh, Orange County, Tax Map No. 91-3-9			
Brief Description of Proposed Action: Area variance application of the rear setback for existing enclosed porch which has been in existence since over 50 years for the purpose of obtaining a certificate of occupancy for the sale of the property.			
Name of Applicant or Sponsor: Pamela J. Weber and Gail W. Amerson		Telephone: 919-906-9183; 919-451-2449 E-Mail: pamelaweber55@gmail.com	
Address: 1815 Affirmed Way, Cary, NC 27519 (Pam) 512 Harris Street, Oxford, NC 27565 (Gail)		gduncan4@nc.rr.com	
City/PO:	State:	Zip Code:	
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?			NO <input checked="" type="checkbox"/>
b. Total acreage to be physically disturbed?			YES <input type="checkbox"/>
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			NO <input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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: <u>public water connection presently exists for the structure on the property</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>public sewer connection presently exists for the structure on the property</u>	<input checked="" type="checkbox"/>	<input 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 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 type="checkbox"/>	<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   <input checked="" type="checkbox"/>	YES   <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   <input checked="" type="checkbox"/>	YES   <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   <input checked="" type="checkbox"/>	YES   <input type="checkbox"/>

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

Applicant/sponsor name: Pamela J. Weber  
 Signature: *Pamela J. Weber*

Date: 7-5-16

Applicant/sponsor name: Gail W. Amerson  
 Signature: *Gail W. Amerson*

Date: 7-5-16

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"/>

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

WALTER F. WEBER and  
JANET M. WEBER

SECTION 91 BLOCK 3 LOT 9



RECORD AND RETURN TO:  
(name and address)

David L. Russell, P.C.  
1602 Route 300  
Newburgh, NY 12550

TO  
PAMELA J. WEBER and  
GAIL W. DUNCAN

THIS IS PAGE ONE OF THE RECORDING

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE  SATISFACTION  ASSIGNMENT  OTHER

PROPERTY LOCATION

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

NO. PAGES 4 CROSS REF. \_\_\_\_\_  
CERT. COPY ADD'L X-REF. \_\_\_\_\_  
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_

PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

CONSIDERATION \$ 0  
TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT. \$ \_\_\_\_\_  
DATE \_\_\_\_\_

- MORTGAGE TAX TYPE:
- (A) COMMERCIAL/FULL 1%
  - (B) 1 OR 2 FAMILY
  - (C) UNDER \$10,000
  - (E) EXEMPT
  - (F) 3 TO 6 UNITS
  - (I) NAT. PERSON/CR. UNION
  - (J) NAT. PER-CR. UN/1 OR 2
  - (K) CONDO

- CITIES
- 0900 MIDDLETOWN
  - 1100 NEWBURGH
  - 1300 PORT JERVIS

9999 HOLD

*Donna L. Benson*  
DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM: *Walter Weber*

*See Original  
7/8/16  
[Signature]*

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 Oct. 4, 2000 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 June 20, 2016*

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

LIBER 5381 PAGE 121

LIBER 5381 PAGE 121  
ORANGE COUNTY CLERKS OFFICE 55198 JUL  
RECORDED/FILED 10/04/2000 03:11:58 PM

FEES 47.00 EDUCATION FUND 5.00

SERIAL NUMBER: 002345  
DEED CNTL NO 63321 RE TAX .00

**BARGAIN AND SALE DEED WITH COVENANT**

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

THIS INDENTURE, made the <sup>20<sup>th</sup></sup>~~11<sup>th</sup>~~ day of September, Two Thousand

**BETWEEN** Walter F. Weber and Janet M. Weber, Husband and Wife, residing at 6 Sandalwood Drive  
Newburgh, New York 12550

party of the first part, and

Pamela J. Weber and Gail W. Duncan, residing at  
5003 Pinecone Drive  
Durham, North Carolina 27707

as Joint Tenants with the Right of Survivorship,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of One Dollar (\$1.00) 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 and State of New York being known and described as:

**BEGINNING** at a point on the northerly side of Sandalwood Drive, said point being the following three courses and distances from the southwest corner of lands conveyed by Schoonmaker to Scotto by deed dated October 26, 1957, recorded October 29, 1957 in the Orange County Clerk's Office in Liber 1444 at page 294, viz: (1) North 61 degrees 40' west 27 feet to a point; (2) on a curve to the right with radius of 150 feet, a distance of 61 feet; (3) North 38 degrees 30' west 124 feet and from said point of beginning running thence North 51 degrees 31' east 161 feet to a point; thence North 68 degrees 20' west 189 feet along the southerly line of lands conveyed by Schoonmaker to Dobens by deed dated April 23, 1958 recorded April 29, 1958 in the Orange County Clerk's Office in Liber 1460 at page 175, to a point on the easterly side of Westwood Drive; thence south 21 degrees 40' west along said easterly side of Westwood Drive 70 feet to appoint; thence on a curve to the left with a radius of 10 feet, a distance of 15.7 feet to a point on the northerly side of Sandalwood Drive; thence south 38 degrees 30' east along the northerly side of said Sandalwood Drive 120 feet to the place of beginning. Containing more or less land surveyed by Alger O. Royce, L.S., Liberty, New York.

**BEING** the same premises conveyed to Walter F. Weber and Janet M. Weber, husband and wife, from D. Bruce Schoonmaker and Harvey B. Schoonmaker, by deed dated August 5, 1958 and recorded in the Orange County Clerk's Office on August 11, 1958 in Liber 1471 at page 500.

**EXCEPTING AND RESERVING** to the parties of the first part a life estate in the within described premises with the right to

sole possession thereof for and during the terms of their natural lives.

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

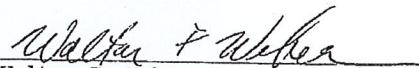
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered with any way whatever, except as aforesaid.

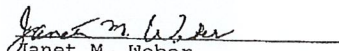
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied for the purpose of paying the cost of the improvement 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:

  
Walter F. Weber

  
Janet M. Weber

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

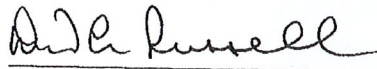
On the *22<sup>nd</sup>* day of September in the year 2000, before me, the undersigned, personally appeared **WALTER F. WEBER**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual ~~(s)~~ whose name ~~(s)~~ is ~~(are)~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ capacity ~~(ies)~~, and that by his/~~her/their~~ signature ~~(s)~~ on the instrument, the individual ~~(s)~~, or the person upon behalf of which the individual ~~(s)~~ acted, executed the instrument.

  
Notary Public

**DAVID L. RUSSELL**  
NOTARY PUBLIC, State of New York  
Qualified in Orange County  
Commission Expires March 30, 19

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

On the *22<sup>nd</sup>* day of September in the year 2000, before me, the undersigned, personally appeared **JANET M. WEBER**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual ~~(s)~~ whose name ~~(s)~~ is ~~(are)~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ capacity ~~(ies)~~, and that by his/~~her/their~~ signature ~~(s)~~ on the instrument, the individual ~~(s)~~, or the person upon behalf of which the individual ~~(s)~~ acted, executed the instrument.

  
Notary Public

**DAVID L. RUSSELL**  
NOTARY PUBLIC, State of New York  
Qualified in Orange County  
Commission Expires March 30, 19

*Aug 31, 2001*





## 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

2577-16

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/01/2016

Application No. 16-0419

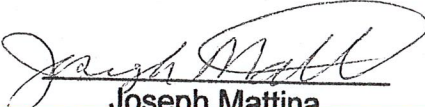
To: Pamela Weber & Gail Duncan  
1815 Affirmed Way  
Cary, NC 27519

SBL: 91-3-9  
ADDRESS: 6 Sandalwood Dr

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 05/20/2016 for permit to keep a prior built 11 x 24 rear addition on the premises located at 6 Sandalwood Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:  
Bulk table schedule 3 Requires a rear yard setback of 40' minimum

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT** **YES**

NAME: \_\_\_\_\_ Pamela Weber *& Gail Duncan*

ADDRESS: \_\_\_\_\_ 1815 Affirmed Way Cary NC 27519

**PROJECT INFORMATION:**

**AREA VARIANCE**      USE VARIANCE

TYPE OF STRUCTURE: \_\_\_\_\_ **11 x 24 rear addition @ 6 Sandlawood Dr.**

SBL: \_\_\_\_\_ 91-3-9      ZONE: \_\_\_\_\_ R-1

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

**2577-16**

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'		25.5'	14.5'	36.25%
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**

**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: **Prior built rear addition / prior built rear deck to be removed. Corner lot !!!!!**

**VARIANCE(S) REQUIRED:**

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

REVIEWED BY: \_\_\_\_\_ Joseph Mattina      DATE: \_\_\_\_\_ 30-Jun-16

# Weber Sandalwood Drive (91-3-9)

SECTION 90



SECTION 90