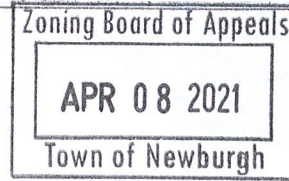




TOWN OF NEWBURGH

Crossroads of the Northeast

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



APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: _____

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

I (WE) SENER YIACOUP _____ PRESENTLY

RESIDING AT NUMBER 32 SLOANE ROAD _____

TELEPHONE NUMBER 917-578-3079 _____

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR
THE FOLLOWING:

- _____ A USE VARIANCE
- X AN AREA VARIANCE
- _____ INTERPRETATION OF THE ORDINANCE
- _____ SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

S/B/L: 43-5-49.1 _____ (TAX MAP DESIGNATION)

32 SLOANE ROAD _____ (STREET ADDRESS)

R-1 _____ (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-43-F: NO GARDEN HOUSE, TOOL SHED, POOL, OR TENNIS COURT SHALL BE CONSTRUCTED IN A FRONT YARD.



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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: 03/05/2021
- 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 FOR CONSTRUCTION OF AN IN GROUND SWIMMING POOL FOR A SINGLE FAMILY RESIDENCE IN A FRONT YARD. THE SUBJECT PROPERTY FRONTS ON AND IS ACCESSED FROM SLOANE ROAD BUT ALSO FRONTS ON RIVER ROAD.

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:



TOWN OF NEWBURGH

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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 CONSTRUCTION OF THE PROPOSED POOL WILL BE COMPLETELY ON THE SUBJECT PROPERTY AND IN THE PROPERTY'S NATURAL REAR YARD. THOUGH THE PROPERTY FRONTS ON RIVER ROAD THE RESIDENCE IS NOT ACCESSIBLE AND OR VISIBLE FROM RIVER ROAD. FURTHER THE PROPERTY WILL NEVER BE ACCESSED FROM RIVER ROAD DUE TO EXISTING STEEP GRADES.

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 SUBJECT PROPERTY WILL ALWAYS HAVE TWO FRONT YARDS AS THE PROPERTY FRONTING ON RIVER ROAD HAS STEEP GRADES AND CANNOT BE DEVELOPED. THE GRADES ON THE SOUTH SIDE OF THE PROPERTY MAKE IT DIFFICULT FOR CONSTRUCTION OF A POOL IN THIS YARD AND THE EXISTING SEPTIC IS IN THE NORTHERN YARD.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THE PROPOSED POOL WILL NOT BE VISIBLE FROM ANY ROADS (SLOANE OR RIVER ROAD) AND THE PLACEMENT OF THE POOL IS IN THE YARD WHICH ONE WOULD ASSUME IS THE REAR OF THE RESIDENCE. ADJACENT PROPERTIES ALSO HAVE SIMILAR FRONTAGE ON SLOANE AND RIVER ROAD AND ALSO HAVE SIMILAR CONSTRUCTION IN THEIR RIVER ROAD FRONT YARDS.

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 PROPOSED CONSTRUCTION WILL NOT BE VISIBLE FROM ANY ROAD AND IT FITS IN WITH THE CHARACTER OF THE NEIGHBORHOOD. THE OWNER PLANS ON ALSO LANDSCAPING THE YARD DURING CONSTRUCTION OF THE POOL.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

THE PROPOSED SWIMMING POOL IS BEING CONSTRUCTED IN THE NATURAL REAR YARD OF THE PROPERTY AS THE FRONT OF THE RESIDENCE FACES SLOANE ROAD AND THE DRIVEWAY FOR THE RESIDENCE ALSO COMES FROM SLOANE ROAD.



TOWN OF NEWBURGH

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308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

THE PLACEMENT OF THE PROPOSED POOL IS SIMILAR TO EXISTING POOLS ON ADJACENT AND NEARBY RESIDENCES AND IT WILL NOT BE VISIBLE FROM SLOANE AND/OR RIVER ROAD.

[Handwritten Signature]
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 5th DAY OF April 2021

BRIAN P McFARLANE
Notary Public - State of New York
No. 01MC6369833
Qualified in Dutchess County
My Commission Expires Jan. 22, 2022

[Handwritten Signature]
NOTARY PUBLIC

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

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



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

SENER YIACOUP, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 32 SLOANE ROAD, NEWBURGH, NY 12550

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

32 SLOANE ROAD, NEWBURGH, NEW YORK 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED JONATHAN CELLA, P.E.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 4/5/21

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 5th DAY OF April 2021

BRIAN P McFARLANE
Notary Public - State of New York
No. 01MC6369833
Qualified in Dutchess County
My Commission Expires Jan. 22, 2022

NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information

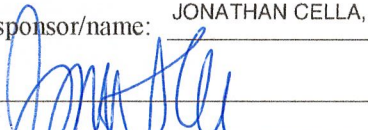
Instructions for Completing

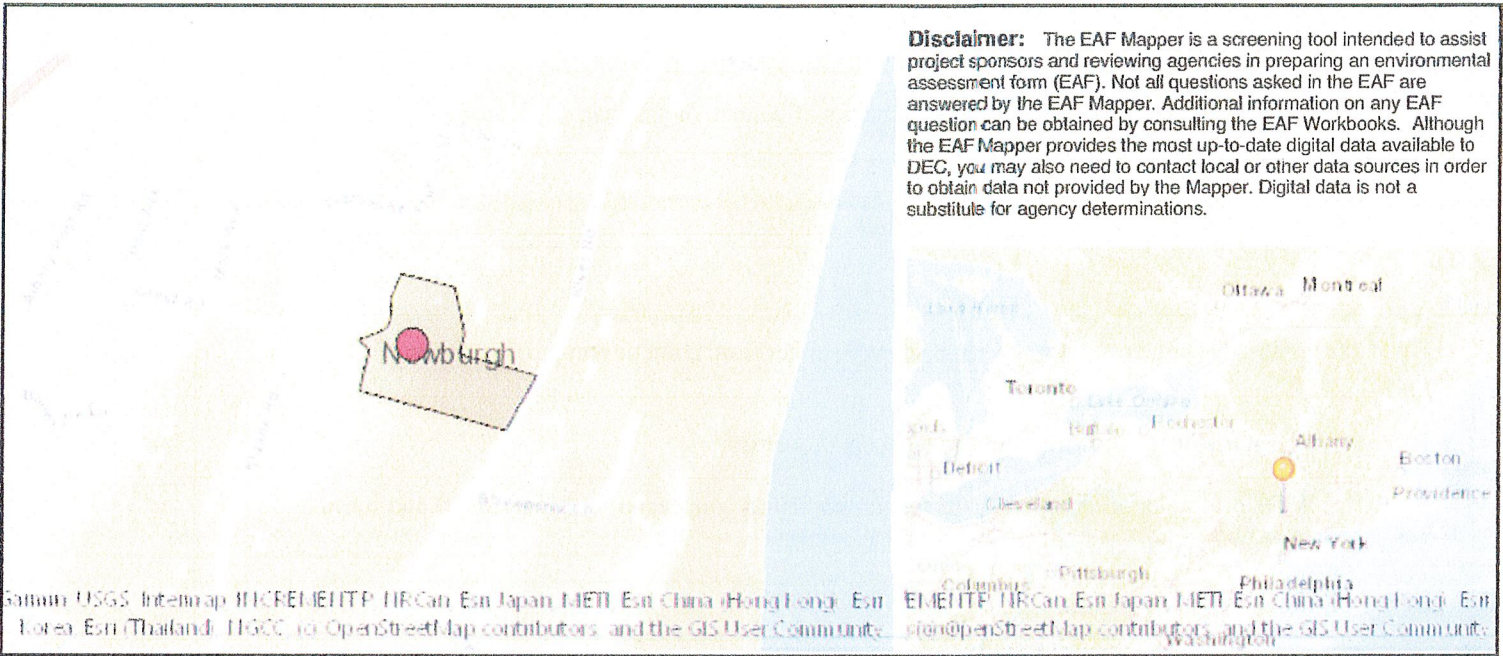
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | | |
|--|--|---|--------------------------------|--|
| Part 1 – Project and Sponsor Information | | | | |
| SENER YIACOUP | | | | |
| Name of Action or Project: CONSTRUCTION OF PROPOSED SWIMMING POOL | | | | |
| Project Location (describe, and attach a location map): 32 SLOANE ROAD (S/B/L: 43-5-49.1), TOWN OF NEWBURGH, PRANGE CUNTY, NEW YORK | | | | |
| Brief Description of Proposed Action: CONSTRUCTION OF AN IN GROUND POOL AT AN EXISTING RESIDENCE. THE POOL WILL BE PLACED BEHIND THE EXISTING RESIDENCE AND WILL INCLUDE MINOR GRADING. CONSTRUCTION OF THE POOL WILL INCLUDE A SMAL PATIO AREA AND LANDSCAPING. ALL DISTRUBED LANDS WILL BE STABILIZED AND RECLAIMED. | | | | |
| Name of Applicant or Sponsor: SENER YIACOUP | | Telephone: 917-578-3079 | | |
| | | E-Mail: syiacoup@midvalleycontractors.com | | |
| Address: 32 SLOANE ROAD | | | | |
| City/PO: NEWBURGH | | State: NEW YORK | 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"/> | YES <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: BUILDING PERMIT FROM CODE COMPLIANCE AND AREA VARIANCES FROM TOWN ZONING BOARD OF APPEALS | | | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | 5.50 acres | | |
| b. Total acreage to be physically disturbed? | | 0.25 acres | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 5.50 acres | | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | | |
| 5. <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, | NO | YES | N/A |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. A permitted use under the zoning regulations? | | | |
| b. Consistent with the adopted comprehensive plan? | NO | YES | N/A |
| | <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 | YES | |
| | <input type="checkbox"/> | <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 | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <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 | YES | |
| | <input type="checkbox"/> | <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: THE EXISTING RESIDENCE IS SERVICED BY AN INDIVIDUAL WELL _____ | NO | YES | |
| | <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: THE EXISTING RESIDENCE IS SERVICED BY AN ON SITE INDIVIDUAL SWAGE DISPOSAL SYSTEM _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | NO | YES | |
| | <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? 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: _____ _____ _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

| | | |
|---|-------------------------------------|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: | | |
| <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Shortnos... | NO | YES |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | <input checked="" 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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ | 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE | | |
| Applicant/sponsor/name: JONATHAN CELLA, P.E. Date: 04/04/2021 | | |
| Signature:  Title: PROFESSIONAL ENGINEER | | |



| | |
|---|--|
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No |
| Part 1 / Question 12b [Archeological Sites] | No |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | No |
| Part 1 / Question 15 [Threatened or Endangered Animal] | Yes |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name] | Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | Yes |



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: 14460 / 1544
 INSTRUMENT #: 20180066757

Receipt#: 2549388
 Clerk: KOD
 Rec Date: 09/14/2018 11:50:53 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 5
 Rec'd Frm: First Abstract Inc

Party1: DADGARIAN BRIDGET G
 Party2: YIACOUP SENER
 Town: NEWBURGH (TN)
 43-5-49.1

Recording:
 Recording Fee 45.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00
 RP5217 Residential/Agricu 116.00
 RP5217 - County 9.00

Sub Total: 195.00

Transfer Tax
 Transfer Tax - State 1552.00

Sub Total: 1552.00

Total: 1747.00

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

***** Transfer Tax *****
 Transfer Tax #: 1510
 Transfer Tax
 Consideration: 388000.00

Transfer Tax - State 1552.00

Total: 1552.00

Payment Type: Check
 Cash
 Charge
 No Fee

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

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

THIS INDENTURE, made the 30th day of AUGUST, in the year two thousand eighteen,

BETWEEN
BRIDGET G. DADGARIAN AND MEHDI DADGARIAN,
32 SLOANE ROAD, NEWBURGH, NEW YORK 12550,

party of the first part, and

SENER YIACOUP,
9 SCHILL PLACE, HILLSDALE, NEW JERSEY 07642,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 (\$10.00) dollars 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 improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, and State of New York, as more fully described on Schedule A attached hereto.

Grantee herein is prohibited from conveying these premises for an ysales price for a period of 30 days from the date of this conveyance. After this 30 day period, Grantee is further prohibited from conveying the property for a sales price greater than 120% of the short sale price until 90 days from the date of this conveyance. These restrictions shall run with the land and are not personal to the Grantee.

Being and intended to be that property acquired by Grantors, by deed dated April 30, 2003, and recorded in the office of the Orange County Clerk on May 9, 2003, in Book 11044 page 956.

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.

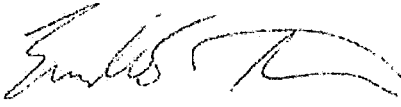
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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. 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:

Emilio Thebit 8/23/2018



Bridget Dadgarian
BRIDGET G. DADGARIAN

Mehdi Dadgarian
MEHDI DADGARIAN

Sener Yiacoup
SENER YIACOUP

EMILIO THEBIT
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50045499
My Commission Expires 9/9/2021

Schedule A Description

Title Number 33-124-18108

Page 1

ALL that piece or parcel of land, with buildings and improvements thereon, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being designated as Lot No. 3 on a map entitled "Subdivision & Lot Line Change, Lands of Ines A. Sison and Vincent & Ann Sison", dated August 28, 2000. last revised May 22, 2001 and filed in the Orange County Clerk's Office on August 29, 2001 as Map No. 186-01 and being more particularly bounded and described as follows:

BEGINNING at a point in the northwesterly line of the existing River Road, said point being on the division line between the lands now or formerly of Scheer on the southwest and Lot No. 3 herein described on the northeast; thence, from said point of beginning and along the last said division line, north 66 degrees 50 minutes 00 seconds west 616.57 feet to a point on the division line between the lands now or formerly of Wager, on the northwest and Lot No. 3 herein described on the southeast; thence, along the last said division line, north 21 degrees 30 minutes 00 seconds east 167.73 feet to a point in the centerline of a 30 foot right of way and driveway; thence, along the centerline of said right of way and driveway, north 37 degrees 37 minutes 08 seconds west 59.67 feet to a point on the division line between the lands now or formerly of Borgueta on the north, west, and the northwest and Lot # 3 herein described on the south, east, and southeast; thence, leaving the centerline of the aforesaid right of way and driveway, and along the last said division line, the following (6) six courses,

1. North 77 degrees 13 minutes 52 seconds east 84.20 feet,
2. On a curve to the left having a radius of 80 feet and an arc length of 87.33 feet,
3. North 14 degrees 41 minutes 16 seconds east 24.39 feet,
4. On a curve to the left having a radius of 63.91 feet and an arc length of 33.27 feet,
5. On a curve to the right having a radius of 21.89 and an arc length of 17.93 feet and
6. North 31 degrees 47 minutes 09 seconds east 106.92 feet to a point on the division line between Lot No. 2 of the aforementioned filed Map No. 186-01, lands now or formerly of Sison, on the north and east and Lot No. 3 herein described on the south and west;

Continued On Next Page

Schedule A Description - continued

Title Number 33-124-18108

Page 2

thence, along the last said division line, the following (4) four courses,

1. South 68 degrees 25 minutes 00 seconds east 226.95 feet,
2. South 4 degrees 12 minutes 58 seconds east 193.01 feet,
3. South 23 degrees 00 minutes 00 seconds west 85.00 feet and
4. South 67 degrees 00 minutes 00 seconds east 329.90 feet to a point in the aforementioned northwesterly line of River Road; thence, along the last said line, south 38 degrees 15 minutes 00 seconds west 259.43 feet to the point or place of BEGINNING.

TOGETHER WITH the rights of ingress and egress over a 30 foot wide right of way and existing driveway as shown on Filed Map No. 8214 and 186-01.

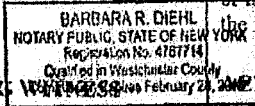
Grantee herein is prohibited from conveying these premises for any sales price for a period of 30 days from the date of this conveyance. After this 30 day period, Grantee is further prohibited from conveying the property for a sales price greater than 120% of short sale price until 90 days from the date of this conveyance. These restrictions shall run with the land and are not personal to the Grantee.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Rockland, ss:

On the 29th day of August, 2018, MEHDI DADGARIAN, and Bridget Dadgarian personally known 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.

Barbara R. Diehl



ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____ before me, the undersigned, a Notary Public in and for said State, personally appeared _____, the

subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____

(If the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s) _____

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

Bargain and Sale Deed with covenant against Grantors Acts

Title No. _____

DISTRIBUTED BY

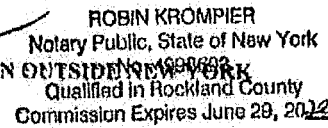
ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of ORANGE, ss:

On the 30th day of August in the year 2018, before me, the undersigned, personally appeared SENEC YIA Corp

, 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

Robin Krompier



ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

* State of _____, County of _____, ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the _____ day of August in the year 2018, before me the undersigned personally appeared MEHDI DADGARIAN,

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), 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, and that such individual make such appearance before the undersigned in the _____ (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

SECTION 43
BLOCK 5
LOT 49.100
TOWN OF NEWBURGH
COUNTY OF ORANGE

RETURN BY MAIL TO:

JOHN POGGIOLI, ESQ.
79 Broadway
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

2902-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/05/2021

Application No. 21-0187

To: Sener Yiacoup
32 Sloane Road
Newburgh, NY 12550

SBL: 43-5-49.1
ADDRESS: 32 Sloane Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 03/05/2021 for permit to install a 20' x 40' in-ground pool in a front yard on the premises located at 32 Sloane Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-43-F: No garden house, tool shed, pool or tennis court shall be located in a front yard


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: _____ SENER YIACOUP **Application #** 21-0187

ADDRESS: _____ 32 SLOANE RD NEWBURGH NY 12550 _____

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 20' X 40' IN-GROUND POOL

SBL: 43-5-49.1 **ZONE:** R-1 **ZBA Application #** 2902-21

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 | | | | | |
| SIDE YARD | | | | | |
| MAX. BUILDING HEIGHT | | | | | |
| BUILDING COVERAGE | | | | | |
| SURFACE COVERAGE | | | | | |

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 _____ YES / NO

2 OR MORE FRONT YARDS FOR THIS PROPERTY _____ YES / NO

CORNER LOT - 185-17-A _____ YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 _____ YES / NO

FRONT YARD - 185-15-A _____ YES / NO

STORAGE OF MORE THEN 4 VEHICLES _____ YES / NO

HEIGHT MAX. 15 FEET - 185-15-A-1 _____ YES / NO

10% MAXIMUM YARD COVERAGE - 185-15-A-3 _____ YES / NO

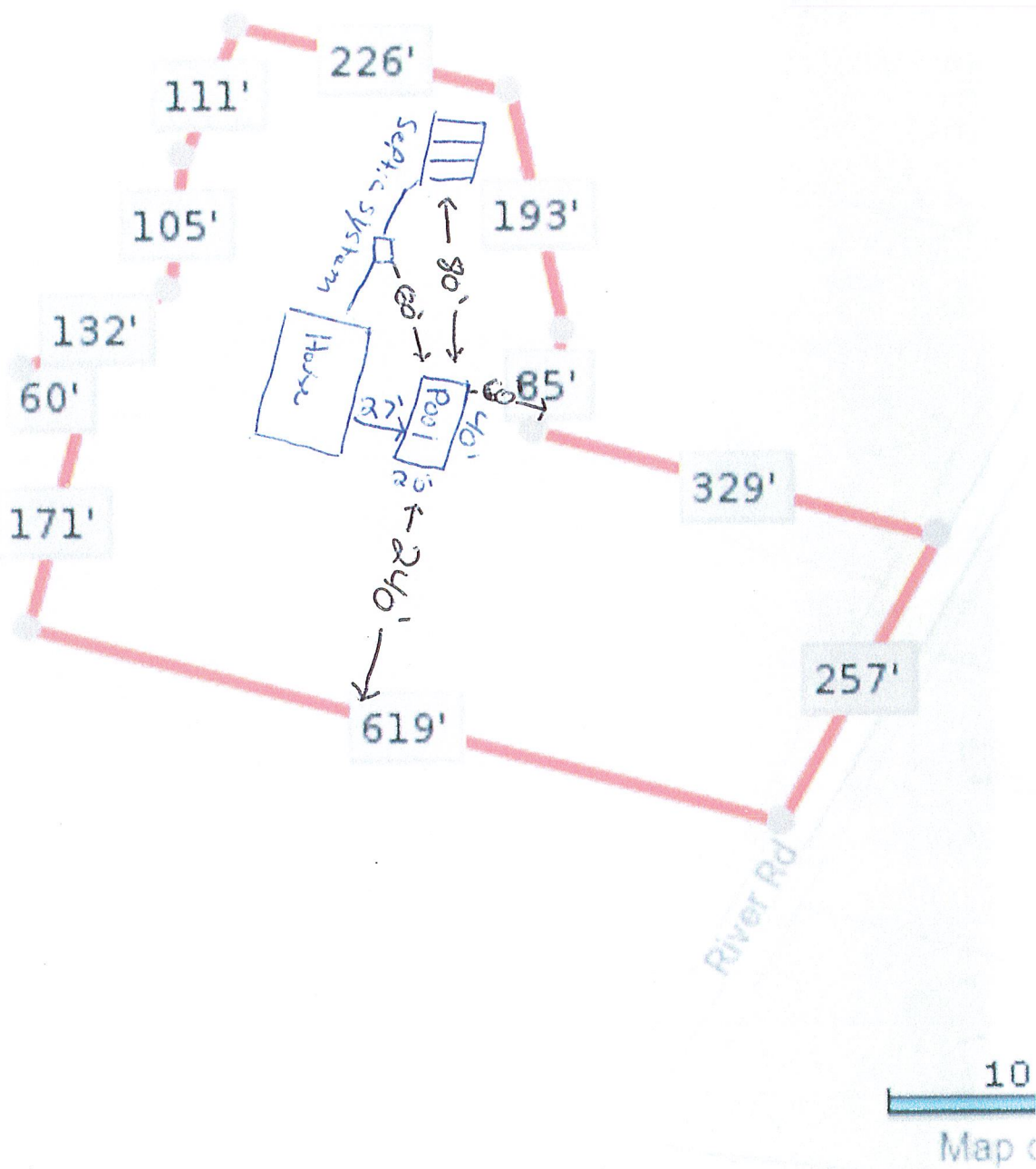
NOTES:

(2) FRONT YARDS RIVER ROAD / SLOANE RD
185-43-F:
No garden house, tool shed, pool or tennis court shall be located in a front yard

REVIEWED BY: _____ Joseph Mattina _____

DATE: _____ 5-Mar-21 _____

Shaded area



s are Estimated

10
Map c

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I George Meyer, being duly sworn, depose and say that I did on or before

April 8, 2021, post and will thereafter maintain at

32 Sloane Rd 43-5-49.1 R1 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 7th

day of April, 2021.

George Meyer

BRIAN P McFARLANE
Notary Public - State of New York
No. 01MC6369833
Qualified in Dutchess County
My Commission Expires Jan. 22, 20

Brian P. McFarlane



PROPOSED POOL
LOCATION



PICTURE # 1
RIVER ROAD FRONT YARD OF PROPERTY
PICTURE FROM TOP OF BANK LOOKING WEST
TOWARDS SLOANE ROAD ROAD

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmai.com

SHEET NO.:
1 OF 8



PICTURE # 2
FRONT OF EXISTING RESIDENCE
PICTURE FROM SLOANE ROAD DRIVEWAY
LOOKING EAST TOWARDS HUDSON RIVER

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmai.com

SHEET NO.:
2 OF 8



PICTURE # 3
NORTH SIDE OF PROPERTY
PICTURE FROM SLOANE ROAD FRONT YARD
LOOKING EAST TOWARDS HUDSON RIVER

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmai.com

SHEET NO.:
3 OF 8



PICTURE # 4
EAST SIDE OF PROPERTY
PICTURE FROM TOP OF BANK OF DEVELOPED LAWN
LOOKING EAST TOWARDS HUDSON RIVER AND RIVER ROAD

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmai.com

SHEET NO.:
4 OF 8

PROPOSED POOL
LOCATION



PICTURE # 5
NORTH SIDE OF HOUSE
PICTURE FROM NORTH SIDE OF PROPERTY
LOOKING SOUTH TOWARDS EXISTING RESIDENCE

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

WALLKILL, NEW YORK 12589
(845) 741-0363
jonathancell@hotmai.com

SHEET NO.:
5 OF 8



PICTURE # 6
NORTH SIDE OF HOUSE
PICTURE FROM WEST SIDE OF PROPERTY
LOOKING NORTH TOWARDS EXISTING TENNIS COURTS

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

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(845) 741-0363
jonathancell@hotmai.com

SHEET NO.:
6 OF 8



PICTURE # 7
SLOANE ROAD FRONTAGE
PICTURE FROM EXISTING COMMON DRIVEWAY
LOOKING WEST TOWARDS SLOANE ROAD

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

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(845) 741-0363
jonathancella@hotmail.com

SHEET NO.:
7 OF 8



PICTURE # 8
SOUTH SIDE F PROPERTY LOOKING NORTHWEST
TOWARDS EAST SIDE OF RIVER

AREA VARIANCE
SENER YIACOUP
32 SLOANE ROAD (S/B/L: 43-5-49.1)
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.
51 HUNT ROAD

DATE:
04-03-2021

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(845) 741-0363
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SHEET NO.:
8 OF 8