



TOWN OF NEWBURGH

Crossroads of the Northeast

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

2326-C-12
Prior Built
Side Addition (7x18)

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 24/07/2013

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

PADDINGTON ZWINGARD

I (WE) KAMALODIN MOHAMED PRESENTLY

RESIDING AT NUMBER 4 CHRISTIE Rd, NEWBURGH, N.Y. 12550

TELEPHONE NUMBER 845 563 0569

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

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

1. LOCATION OF THE PROPERTY:

73-14-9 (TAX MAP DESIGNATION)

4 CHRISTIE Rd (STREET ADDRESS)

NEWBURGH, N.Y. 12550 (ZONING DISTRICT)

R-3

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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

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: 20/11/2012
- 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

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

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

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

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

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

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

ITS WITHIN MY PROPERTY LINE

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:

PROJECT HAS ALREADY BUILT AND IS EXCEEDING SIDE YARD SET BACK

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

ITS AN OPEN OUT SHED

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

ITS NOT INTERFERING WITH ANY OF THE NEIGHBOUR PROPERTY OR HAS ANY ENVIRONMENT EFFECTS

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

THE HARDSHIP HAS BEEN CREATED BY ME. KANALODU MALANED. BECAUSE I BUILD WITHOUT A PERMIT

7. ADDITIONAL REASONS (IF PERTINENT):

Conaldu Melamed
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OR ORANGE:

SWORN TO THIS 25th DAY OF July 2013

Andrew J. Zarutskie
NOTARY PUBLIC

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 30, 2013

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.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <u>KAMALODIN MOHAMED</u>	2. PROJECT NAME <u>SIDE ADDITION (7418)</u>
3. PROJECT LOCATION: Municipality _____ County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>4 CHRISTIE Rd. NEWBURGH, N.Y 12550</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>BUILD NEW OPEN OUT SHED (7418)</u>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>KAMALODIN MOHAMED</u> Date: <u>24/07/2013</u> Signature: <u>Kamalodin Mohamed</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p>
<p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:</p>
<p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:</p>

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p>	
<p><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 AND provide, on attachments as necessary, the reasons supporting this determination.</p>	
<p>_____</p> <p style="text-align: center;">Name of Lead Agency</p>	<p>_____</p> <p style="text-align: center;">Date</p>
<p>_____</p> <p style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____</p> <p style="text-align: center;">Title of Responsible Officer</p>
<p>_____</p> <p style="text-align: center;">Signature of Responsible Officer in Lead Agency</p>	<p>_____</p> <p style="text-align: center;">Signature of Preparer (if different from responsible officer)</p>



TOWN OF NEWBURGH

Crossroads of the Northeast
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550
(845)564-7801

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. 2326-C-12

Date: November 20, 2012

To: PADDINGTON ZWIGARD

SBL 73-14-9

P.O. BOX 331

ADD: 4 Christie Rd, Newburgh

AURORA, NY 13026

ZONE R-3

PLEASE TAKE NOTICE that your application dated April 20,
20 12 for permit to keep the Prior Built side addition (7 x 18)

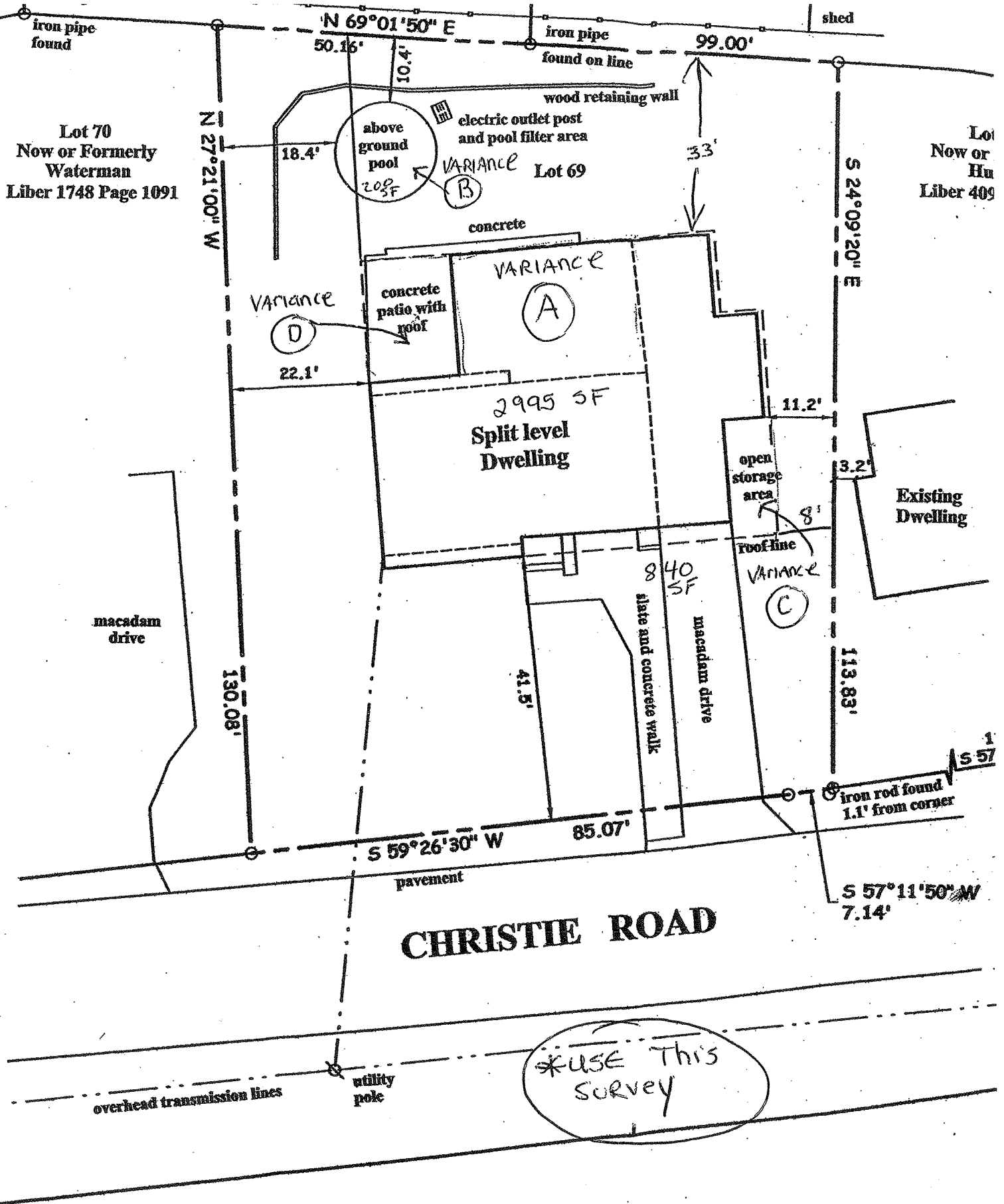
At the premises located at 4 Christie Road, Newburgh

Is returned herewith and disapproved on the following grounds:

BULK TABLE - SCHEDULE 5 -
ALLOWS A MAXIMUM LOT SURFACE COVERAGE OF 30%.
ALLOWS A MAXIMUM BUILDING LOT COVERAGE OF 15%.
REQUIRES A MINIMUM ONE SIDE YARD SETBACK OF 15 FT.


JOSEPH MATTINA

Cc: Town Clerk & Assessor (300')
File



**USE THIS SURVEY*

**Survey of Property For
PADDINGTON ZWIGARD**

Town of Newburgh Orange County, New York
 Scale: 1" = 20' May 8, 2008 Area 11,624 S.F. or 0.267 Acres
 Pool and retaining wall location August 25, 2012

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

DENISE SCOTT N/K/A
DENISE BRAMM

SECTION 73 BLOCK 14 LOT 9



RECORD AND RETURN TO:
(name and address)

D'KEEFE & MCCANN, ESQS
25 MAIN ST
GOSHEN, NY 10924

TO
PADDINGTON ZWIGARD

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 R MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2003 SO. BLOOMING GROVE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
- 3003' FLORIDA (VLG)
- 3005 CHESTER (VLG)
- 3200 GREENVILLE (TN)
- 3489 HAMPTONBURGH (TN)
- 3401 MAYBROOK (VLG)
- 3689 HIGHLANDS (TN)
- 3601 HIGHLAND FALLS (VLG)
- 3889 MINISINK (TN)
- 3801 UNIONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRISMAN (VLG)
- 4005 KIRYAS JOEL (VLG)
- 4289 MONTGOMERY (TN)
- 4201 MAYBROOK (VLG)
- 4203 MONTGOMERY (VLG)
- 4205 WALDEN (VLG)
- 4489 MOUNT HOPE (TN)
- 4401 OTISVILLE (VLG)
- 4600 NEWBURGH (TN)
- 4800 NEW WINDSOR (TN)
- 5089 TUXEDO (TN)
- 5001 TUXEDO PARK (VLG)
- 5200 WALLKILL (TN)
- 5489 WARWICK (TN)
- 5401 FLORIDA (VLG)
- 5403 GREENWOOD LAKE (VLG)
- 5405 WARWICK (VLG)
- 5600 WAWAYANDA (TN)
- 5889 WOODBURY (TN)
- 5801 HARRISMAN (VLG)
- 5809 WOODBURY (VLG)
- CITIES
- 0900 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO. PAGES 3 CROSS REF. _____
 CERT. COPY _____ ADD'L X-REF. _____
 MAP# _____ PGS. _____
 PAYMENT TYPE: CHECK _____
 CASH _____
 CHARGE _____
 NO FEE _____

Taxable
 CONSIDERATION \$ 235,000.-
 TAX EXEMPT _____
 Taxable
 MORTGAGE AMT. \$ _____

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

*See original
8/2/13*

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

Received From O'KEEFE & MCCANN

RECORDED/FILED
 08/06/2008/ 10:49:56
 DONNA L. BENSON
 County Clerk
 ORANGE COUNTY, NY
 FILE # 20080258359
 DEED R / BK 12678 PR 1038
 RECORDING FEES 114.00
 TTX# 007500 T TAX 940.00
 Receipt#894684 alicev

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
 I, DONNA L. BENSON, 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 6-6-08 AND THE SAME IS A CORRECT
 TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Donna L. Benson 8-2-13
 COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
 ORANGE COUNTY



THIS INDENTURE

MADE the 21st day of May, Two Thousand Eight between DENISE SCOTT N/K/A DENISE BROMM, residing at 10 Barbara Court, Newburgh, New York 12550 party of the first part, and PADDINGTON ZWIGARD, with a mailing address of P.O. Box 331, Aurora, New York 12580, party of the second part:

WITNESSETH:

That the party of the first part, in consideration of Ten and 00/100 (\$10.00) Dollars lawful money of the United States, AND OTHER GOOD AND VALUABLE CONSIDERATION paid by the party of the second part, does hereby grant and release unto the party of the second part, its heirs, successors and assigns 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, Orange County and State of New York, known as and by Lot 69 on a certain map entitled, "Gidney Estates Subdivision, made by T.W. Westlake, Engineer," and filed in the Orange County Clerk's Office on February 7th, 1957, as Map No. 1694 and more particularly bounded and described according to said map as follows:

BEGINNING at a point on the Northerly side of Christie Road, South 57 degrees 11 minutes 50 seconds West, 117 feet from the corner formed by the intersection of the Northerly side of Christie Road and the Westerly side of Stony Run Road; running thence along the Northerly side of Christie Road, South 57 degrees 11 minutes 50 seconds West, 7.14 feet and South 59 degrees 26 minutes 30 seconds West 85.07 feet; thence North 27 degrees 21 minutes West 130.08 feet; thence North 69 degrees 01 minute 50 seconds East 99 feet; thence South 24 degrees 09 minutes 20 seconds East, 113.83 feet to the Northerly side of Christie Road, the point or place of beginning.

TOGETHER with all right, title and interest, if any, of the party of the first part in an 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 the said premises,

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

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

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 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.

IN WITNESS WHEREOF, the party of the first part has hereunto set hand and seal the day and year first above written.

Denise Scott NKA Denise Bromm
DENISE SCOTT, N/K/A DENISE BROMM

STATE OF NEW YORK)

SS:

COUNTY OF ORANGE)

On the 21st day of May in the year 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared DENISE SCOTT, N/K/A DENISE BROMM, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Diane K. Halstead
Notary Public

DIANE K. HALSTEAD
Notary Public, State of New York
No. 4856289
Qualified in Orange County
Commission Expires March 31, 2010

1517.002\8:\Clients\Scott, Denise\Deed.doc

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

I, Paddington Zwigard ^{PROXY} ← A.K.A. "Matz (maiden name) PMZ
DEPOSES AND SAYS THAT

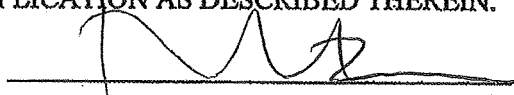
HE/SHE RESIDES AT 331 Main Street, Arva, NY 13026

IN THE COUNTY OF Cayuga AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 4 Christie Rd
Newburgh, New York 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Kamaladin Mohamed
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 8/1/13



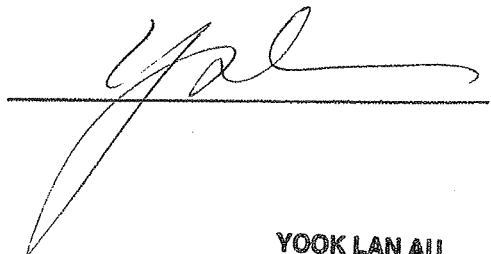
OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 1ST DAY OF August 2013



NOTARY PUBLIC

YOOK LAN AU
Notary Public - State of New York
No. 01AU6283417
Qualified in Richmond County
My Commission Expires June 03, 2017

ZWIGARD
4 Christie Rd
73-14-19

