



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:  
09/18/2024

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: \_\_\_\_\_

requires a minimum frontyard setback of 40'

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:

The house has had the same existing deck with same dimensions since 1997 that was built without a permit. The property is on a hill which keeps it away from the road.

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- 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 hill that the property sits on needs steps to go to the deck to access the front door.

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- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The house has been in place for many years and is consistent with the character of the existing neighborhood.

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- 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 house has been in place for many years and is consistent with the character of the existing neighborhood.

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

After I purchased the house, we got a code violation for the decks being built long ago without a permit.

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TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS

PROXY

Taylor Berg, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 102 Fern Ave Newburgh NY 12550  
IN THE COUNTY OF orange AND STATE OF ny  
AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

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

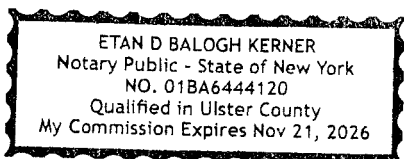
DATED: 9-24-24

[Signature]  
OWNER'S SIGNATURE

[Signature]  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 24 DAY OF September 20 24



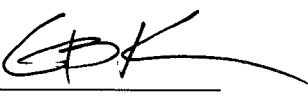
[Signature]  
NOTARY PUBLIC

7. ADDITIONAL REASONS (IF PERTINENT):

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

  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

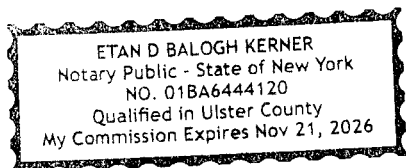
STATE OF NEW YORK: COUNTY OF ORANGE: <sup>TB</sup>  
24 <sup>(E)</sup> TB September <sup>(EK) TB</sup>  
SWORN TO THIS ~~24~~ DAY OF ~~September~~ 20 ~~24~~ 24

   
\_\_\_\_\_  
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 13 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~*

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

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

# 2024-446

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/18/2024

Application No. 24-0891

To: Chutos Construction Inc.  
347 Forest Park  
Wallkill, NY 12589

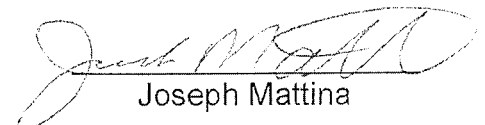
SBL: 67-8-2  
ADDRESS: 102 Fern Ave

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 08/20/2024 for permit to build a 10' x 20' rear deck on the premises located at 102 Fern Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code section:

1) Bulk table schedule 5: Requires a combined side yard of 80'.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# TOWN OF NEWBURGH ZONING CHART

NAME: CAPITAL PROPERTY BUYER LLC ADDRESS: 102 FERN AVE NEWBURGH NY 12550

STRUCTURE: 10' X 20' REAR DECK TYPE OF VARIANCE: AREA

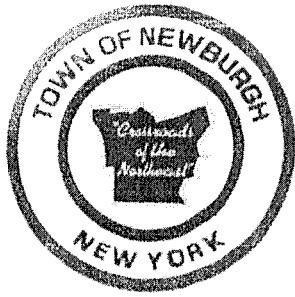
S:B:L: 67-8-2 ZONE: R-3 TOWN WATER: NO TOWN SEWER: NO

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
COMBINED SIDE YARD	BULK TABLE SCHEDULE 5	80'	49.3'	30.7'	38.37%

COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 9-18-2024 APPLICATION: 24-0891

*2151A-2024-406*



# 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

# 2024-44(a)

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/18/2024

Application No. 24-0890

To: Chutos Construction Inc.  
347 Forest Park  
Wallkill, NY 12589

SBL: 67-8-2  
ADDRESS: 102 Fern Ave

ZONE: R3

PLEASE TAKE NOTICE that your application dated 08/20/2024 for permit to keep a multi level front deck built without permits or approvals on the premises located at 102 Fern Ave is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code section:

1) Bulk table schedule 5: Requires a minimum front yard setback of 40'.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# TOWN OF NEWBURGH ZONING CHART

NAME: CAPITAL PROPERTY BUYER LLC ADDRESS: 102 FERN AVE NEWBURGH NY 12550

STRUCTURE: MULL LEVEL FRONT DECK TYPE OF VARIANCE: AREA

S:B:L: 67-8-2 ZONE: R-3 TOWN WATER: NO TOWN SEWER: NO

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
FRONT YARD SETBACK	BULK TABLE SCHEDULE 5	40'	4'	36'	90.00%

COMMENTS: BUILD WITHOUT A PERMIT

REVIEWED BY: JOSEPH MATINA DATE: 9-18-2024 APPLICATION: 24-0890

*2504-2024-41(6)*

*Short Environmental Assessment Form*  
*Part 1 - Project Information*

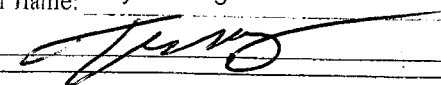
**Instructions for Completing**

**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:			
Project Location (describe, and attach a location map): 102 Fern Ave, Newburgh NY 12550			
Brief Description of Proposed Action: Rebuild decks as they exist with up to date code regulations.			
Name of Applicant or Sponsor: Taylor Berg		Telephone: 845-232-1824	
		E-Mail: taylor@capitalpropertybuyer.com	
Address: PO Box 1824			
City/PO: Newburgh		State: NY	Zip Code: 12551
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 governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.41 acres	
b. Total acreage to be physically disturbed?		0.1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.41 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			



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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: Taylor Berg	Date: 09/24/2024	
Signature: 		

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form  
Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input 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"/>

Agency Use Only [If applicable]

Project:

Date:

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

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

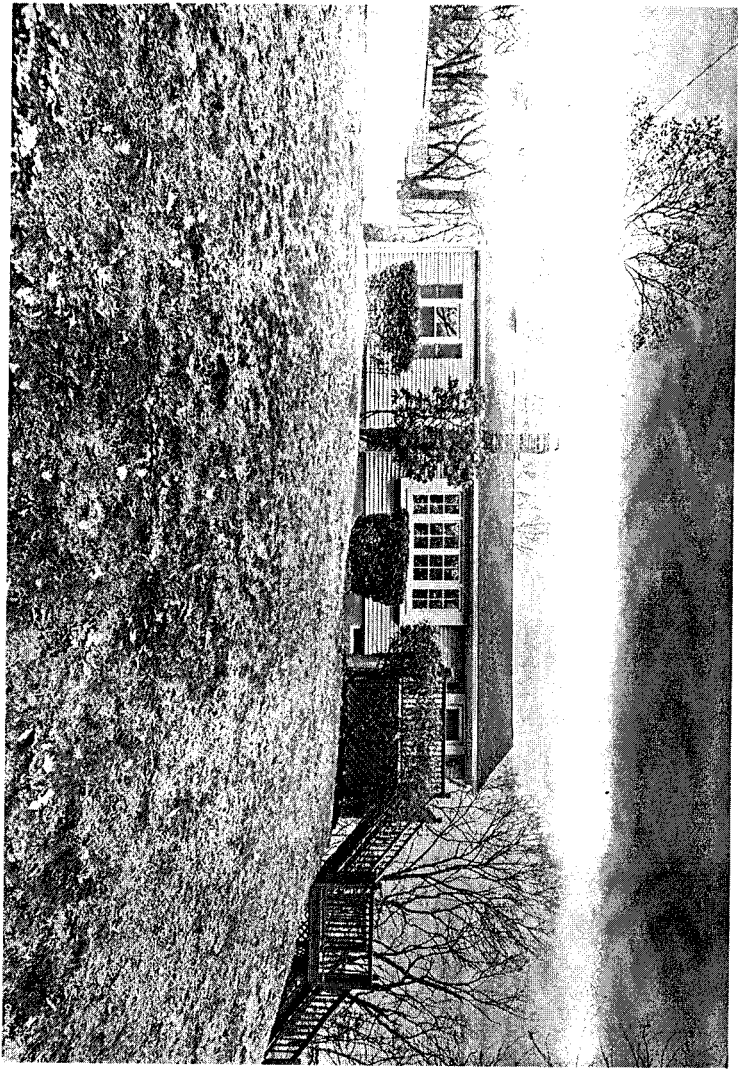
\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

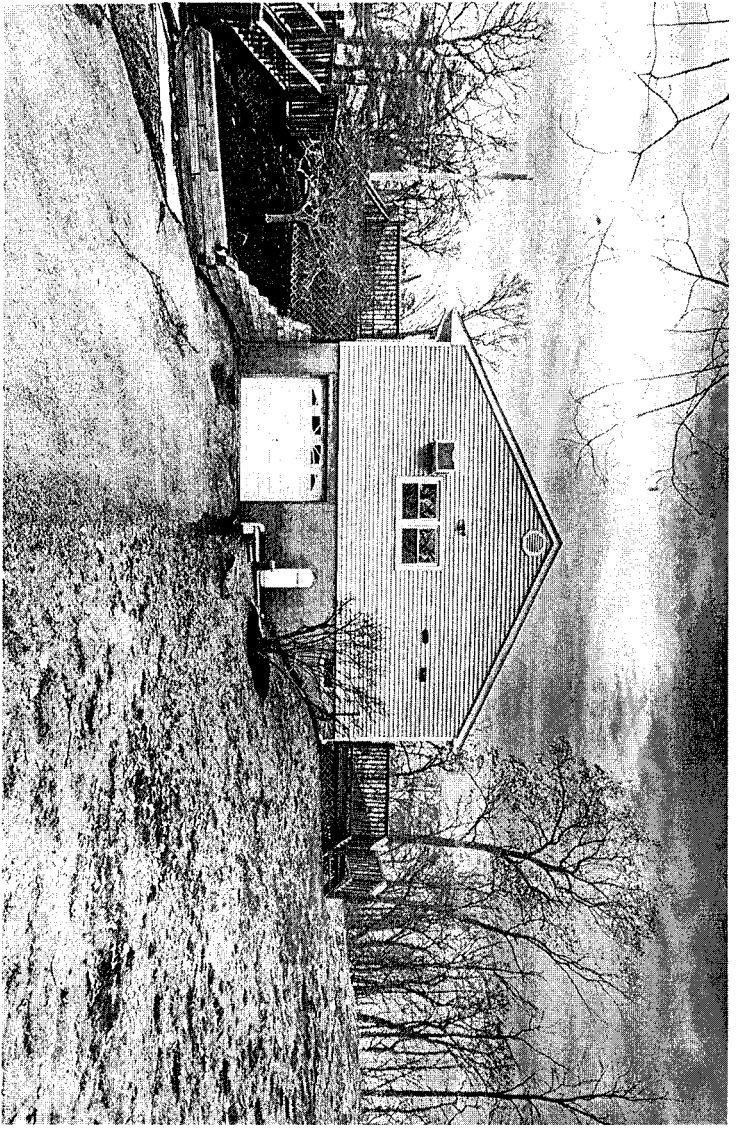
\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

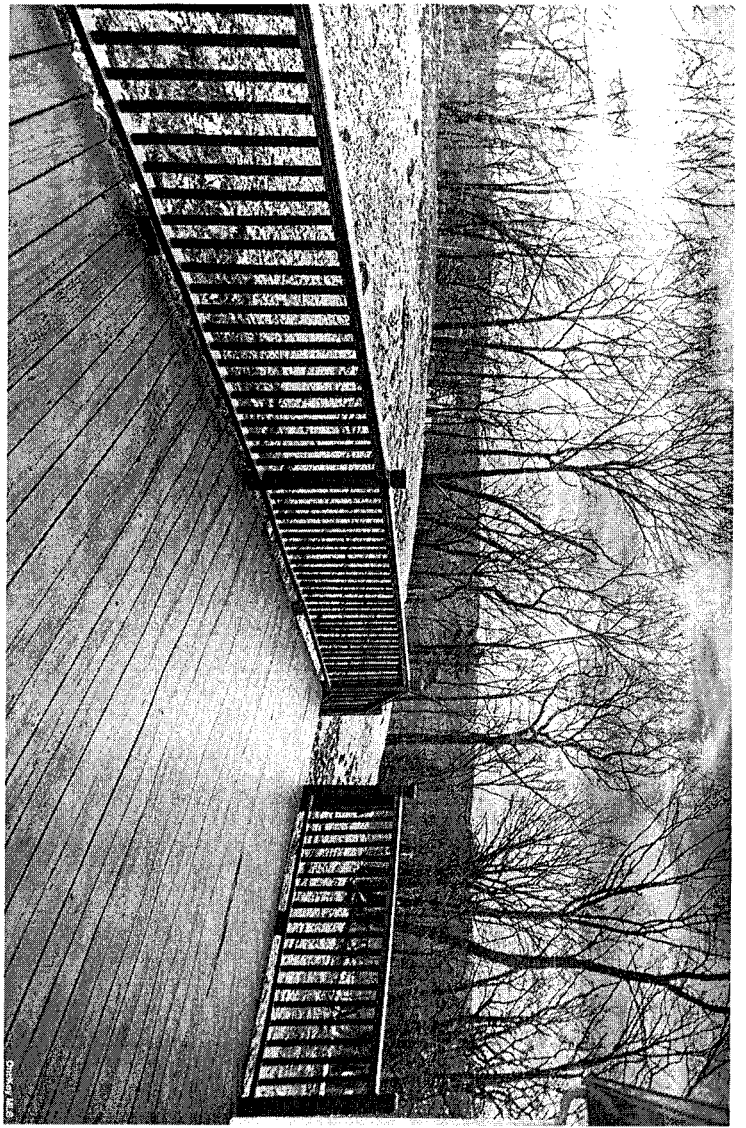
\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

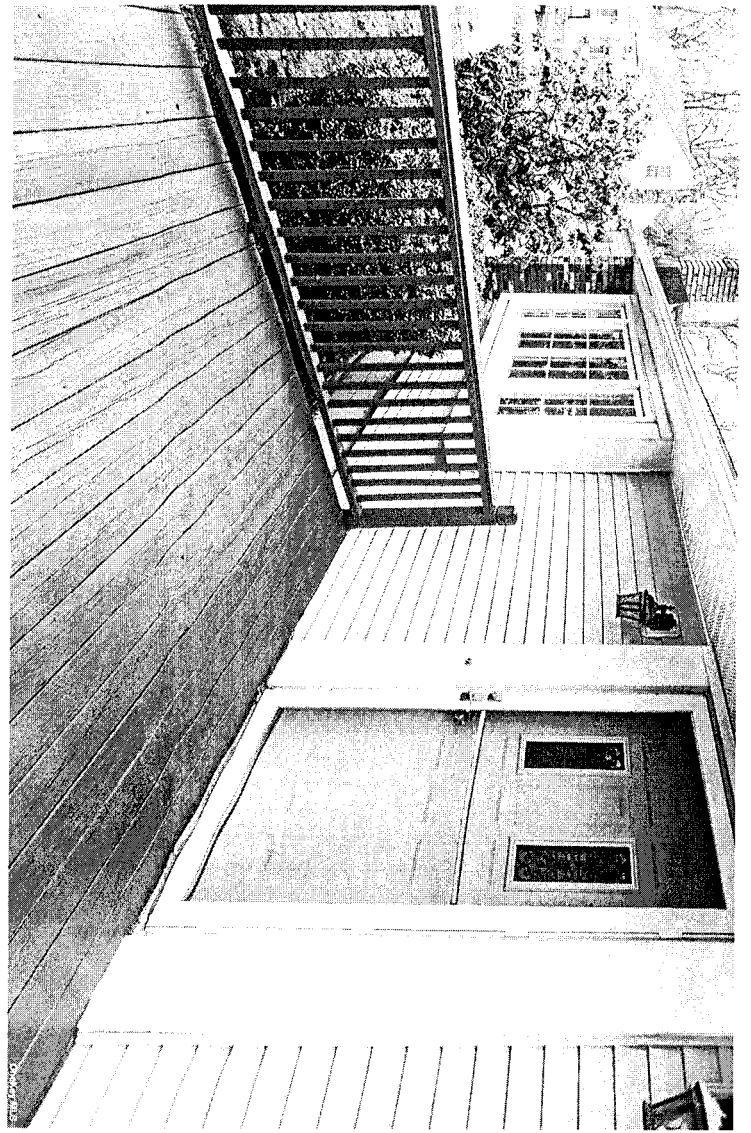


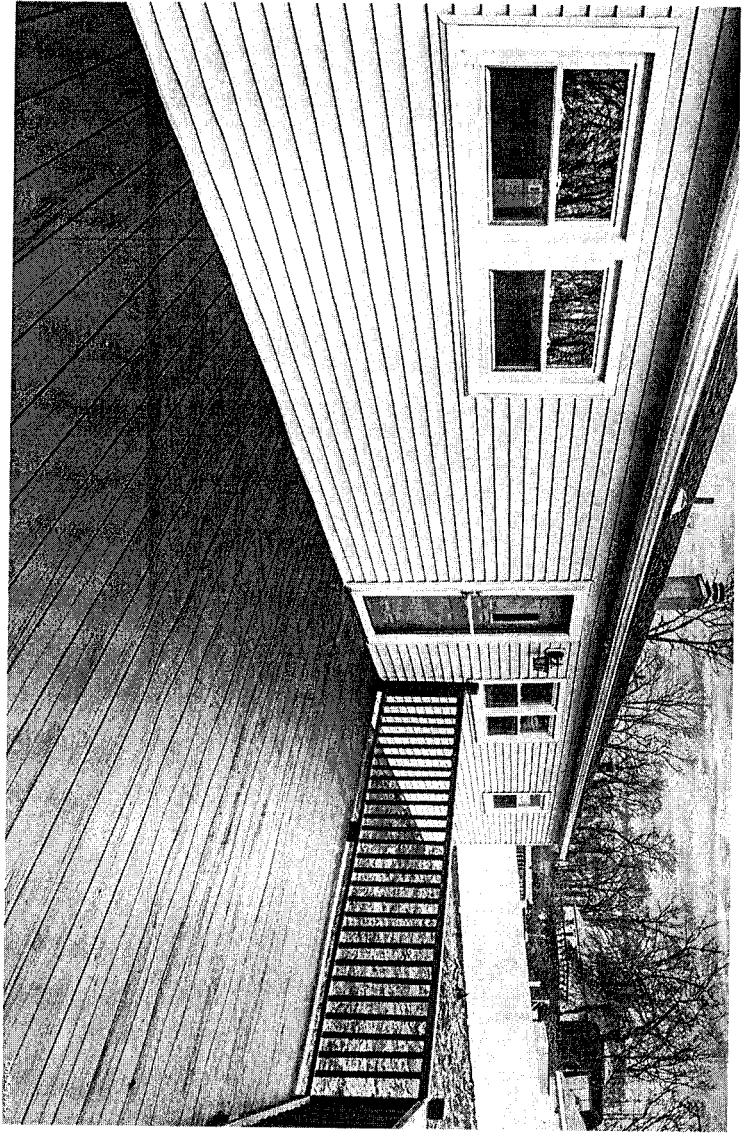


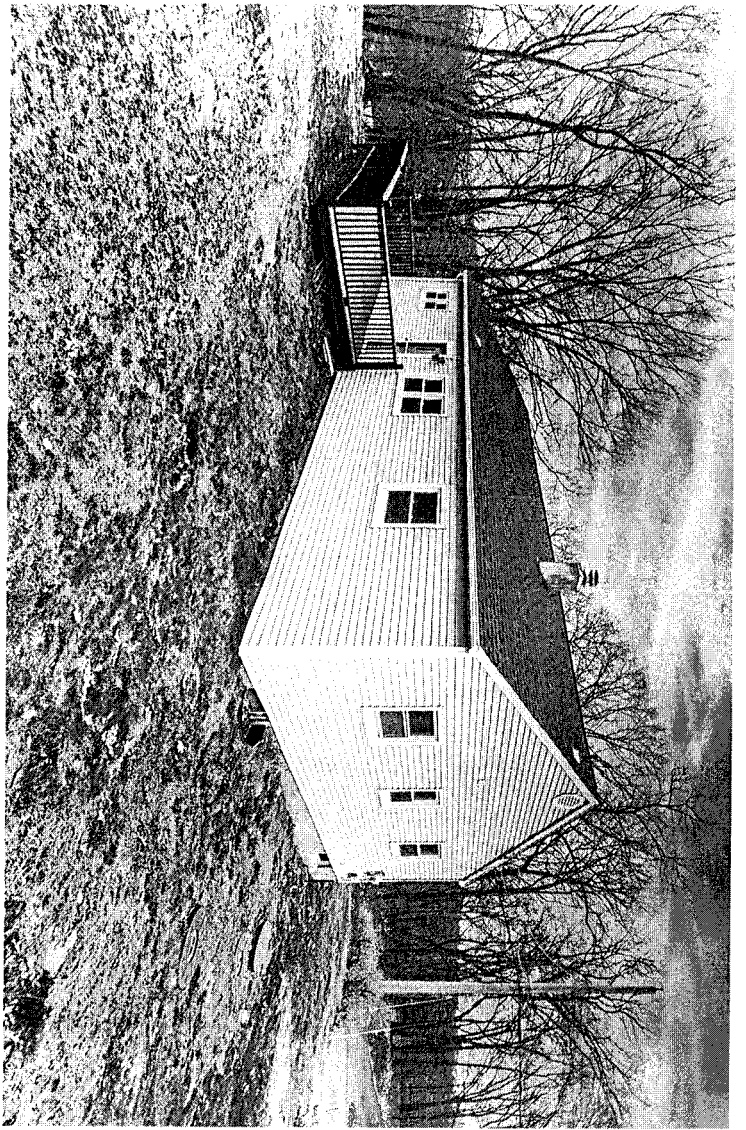


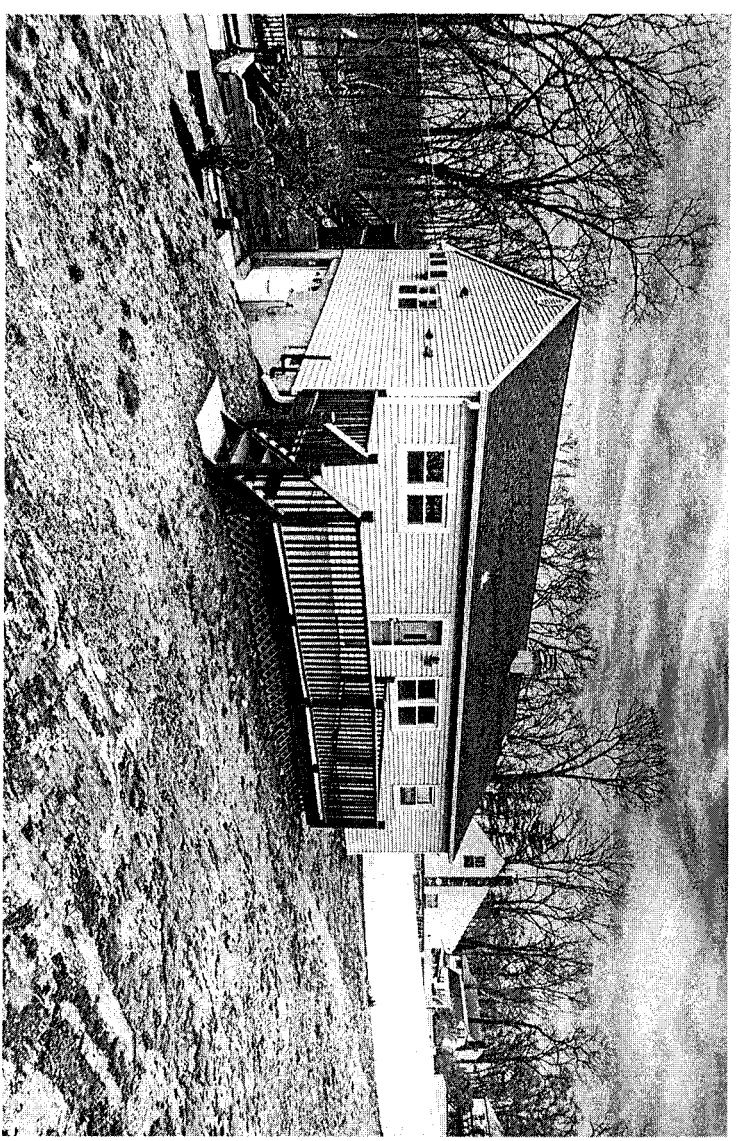


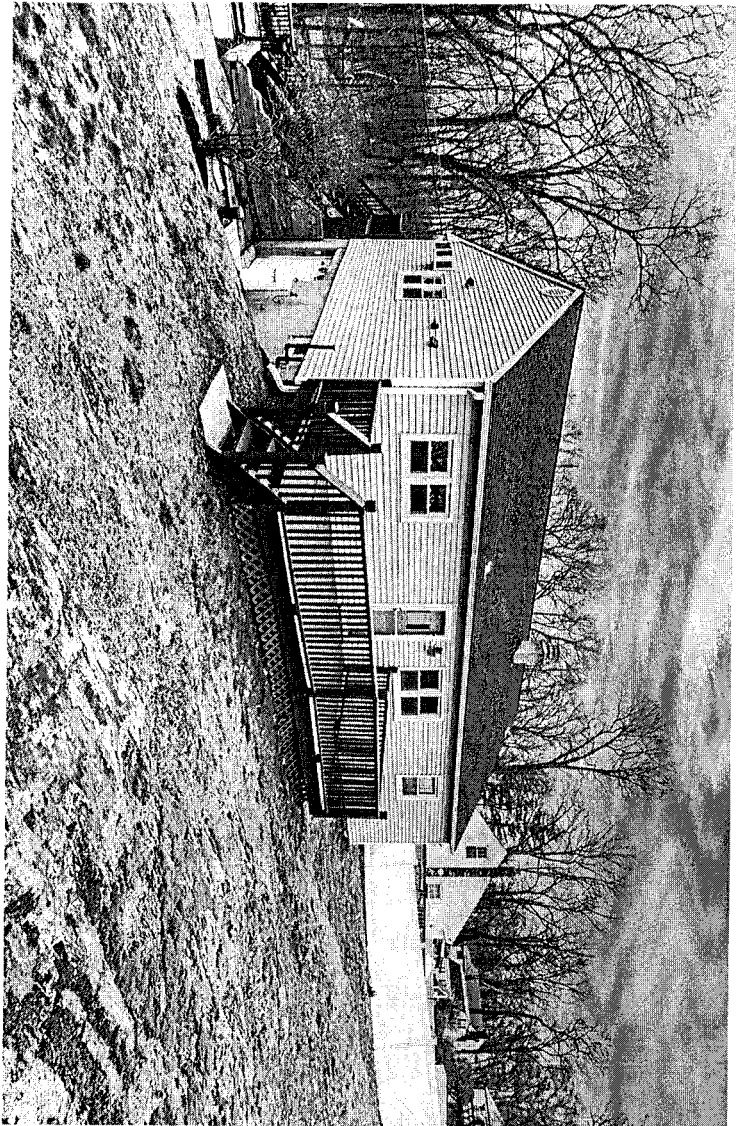


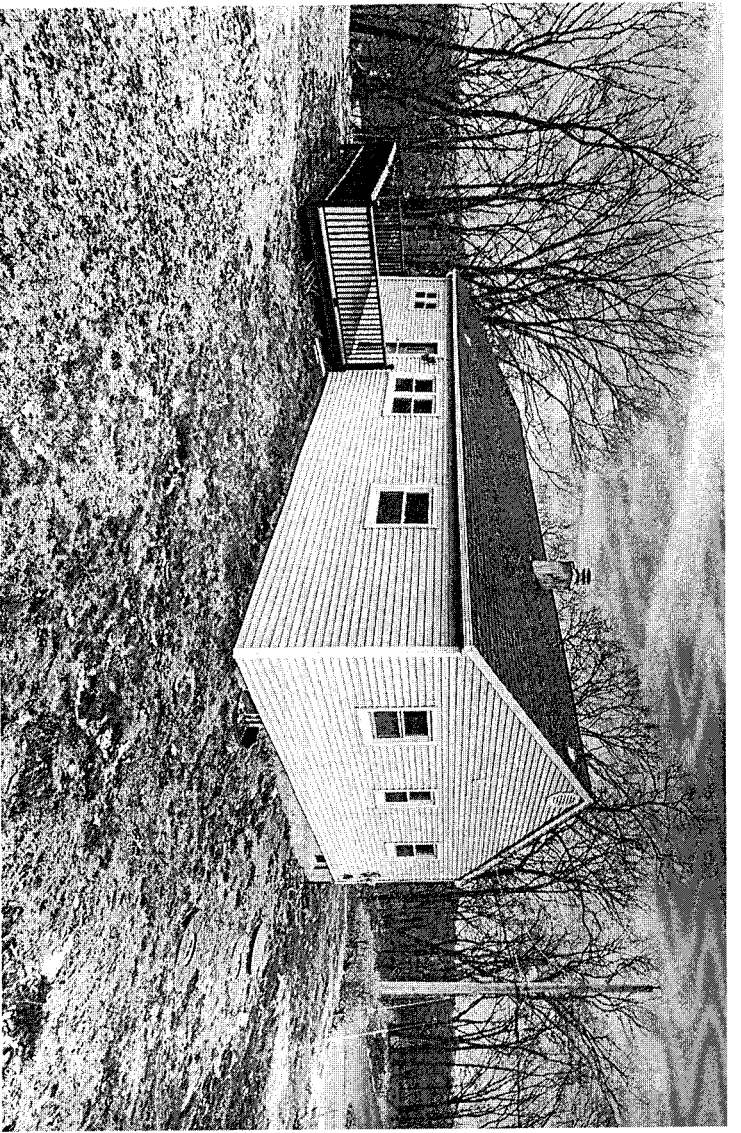
















ORANGE COUNTY – STATE OF NEW YORK  
 KELLY A. ESKEW, COUNTY CLERK  
 255 MAIN STREET  
 GOSHEN, NEW YORK 10924

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



BOOK/PAGE: 15543 / 166  
 INSTRUMENT #: 20240016423  
 Receipt#: 3256169  
 Clerk: BR  
 Rec Date: 03/15/2024 10:08:29 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 4  
 Rec'd Frm: GREENACRE ABSTRACT LLC

Party1: MICHETTI ANTHONY  
 Party2: CAPITAL PROPERTY BUYER LLC  
 Town: NEWBURGH (TN)  
 67-8-2

Recording:  
 Recording Fee 40.00  
 Cultural Ed 14.25  
 Records Management - Coun 1.00  
 Records Management - Stat 4.75  
 TP584 5.00  
 Notice of Transfer of Sal 10.00  
 RP5217 Residential/Agricu 116.00  
 RP5217 - County 9.00

Sub Total: 200.00  
 Transfer Tax  
 Transfer Tax - State 640.00  
 Sub Total: 640.00

Total: 840.00  
 \*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 5857  
 Transfer Tax  
 Consideration: 160000.00  
 Transfer Tax - State 640.00  
 Total: 640.00

Payment Type: Check \_\_\_  
 Cash \_\_\_  
 Charge \_\_\_  
 No Fee \_\_\_

Comment: \_\_\_\_\_

Kelly A. Eskew  
 Orange County Clerk

Record and Return To:

JOHN REVELLA, ESQ  
 9 FACTORY STREET  
 MONTGOMERY, NY 12549

BA-24-14319-0

**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 17 March, 2024

*BETWEEN* Anthony Michetti, ~~as surviving spouse~~, individually and as surviving tenant by the entirety of \* of 102 Fern Avenue, Newburgh, New York 12550, party of the first part, and \* Christine Michetti \*

Capital Property Buyer LLC of 156 N. Grand Avenue, Poughkeepsie, New York 12603, party of the second part;

*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, more particularly described in Schedule A attached hereto.

*BEING* and intended to be the same premises conveyed to Anthony Michetti and Christine Michetti from John L. Guarino by Deed dated December 7, 2001 and recorded in the Office of the Orange County Clerk on January 8, 2002 in Liber 5737 at page 293.;

**Christine Michetti died a resident of Orange County, New York on October 24, 2022.**

*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.

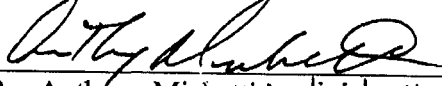
*AND* the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

S 67-  
B 8-  
L 2

**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.

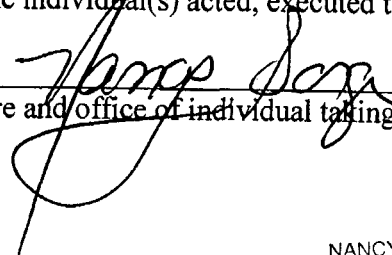
**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

  
By: Anthony Michetti, individually and as surviving tenant by the entirety of  
Christine Michetti

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

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

On the 12 day of March in the year 2024, before me, the undersigned, personally appeared **Anthony Michetti**, 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 they executed the same in their capacity(ies), and that by their 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)

NANCY M. SORGE  
Notary Public, State of New York  
No. 01505019345  
Qualified in Orange County  
Commission Expires October 18, 2025

R+R  
John Levelle, Esq.  
9 Factory St  
Montgomery, MD  
12549

Section: 67, Block: 8, Lot: 2

# Stewart Title Insurance Company

## OWNER'S POLICY OF TITLE INSURANCE

### SCHEDULE A

#### LEGAL DESCRIPTION

Title No.: GA-24-14349-O

Policy No.: Owner Policy: O-8911-000978411

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 bounded and described as follows:

BEGINNING in the westerly line of Fern Avenue at the northeasterly corner of lands now or formerly of Diamond;

RUNNING THENCE South 88 degrees 06' 00" West, 133.00 feet;

THENCE North 01 degrees 54' 00" West, 95.20 feet;

THENCE North 83 degrees 31.50' 00" East, 157.57 feet to the westerly line of Fern Avenue;

THENCE South 16 degrees 20' 00" West, 89.10 feet along the westerly line of Fern Avenue;

THENCE South 11 degrees 16' 00" East along the westerly line of Fern Avenue, 23.46 feet to the point or place of BEGINNING.

For Information Only:

Said premise(s) being known as:

102 Fern Avenue, Newburgh, NY 12550 (Section: 67 Block: 8 Lot: 2)

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

STATE OF NEW YORK: COUNTY OF ORANGE:

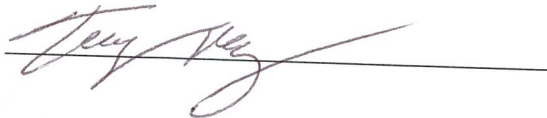
I, Taylor Berg, being duly sworn, depose and say that I did on or before  
October 10, 2024, post and will thereafter maintain at

102 Fern Ave 67-8-2 R3 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.

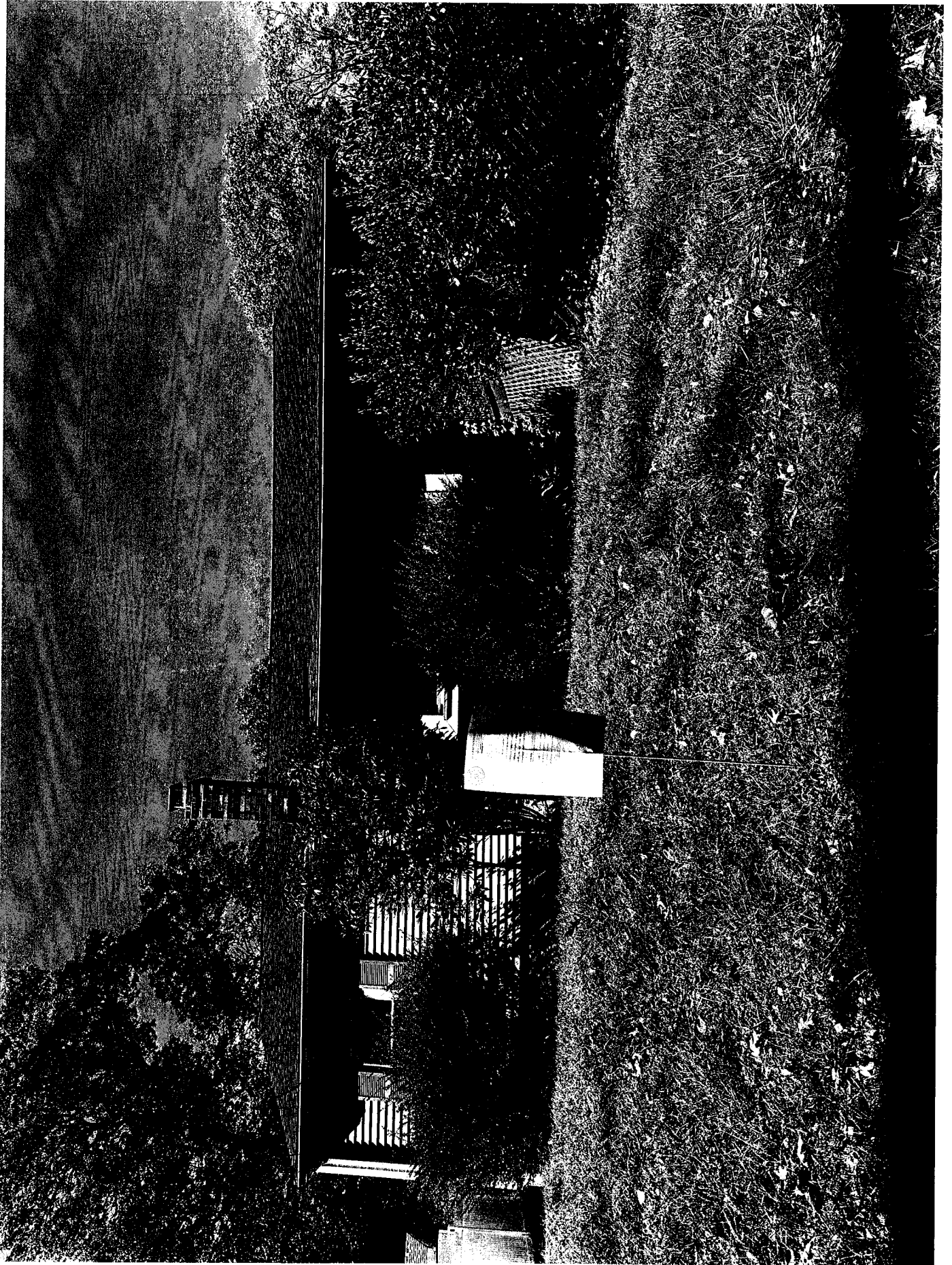
The applicant shall maintain and update notice(s) (with amended information if there is any change to  
the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The  
Notice must then be removed and property disposed of within ten (10) days of the close of 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 8

day of October, 2024.



Estefani Rios Silva  
Notary Public, State of New York  
Reg. No. 01RI6356007  
Qualified in Orange County  
Commission Expires March 20, 2025





**TOWN OF NEWBURGH**  
County of the State of New York  
**ZONING BOARD OF APPEALS**  
21 Hudson Valley Professional Park  
Newburgh, NY 12550

OFFICE OF ZONING BOARD APPEALS  
DR. JAMES A. FRANKLIN  
DR. JAMES A. FRANKLIN, JR.  
TEL: 845-566-1902  
FAX: 845-566-1902

**NOTICE OF HEARING**

NOTICE is hereby given that, pursuant to Section 267-a (1) of the State of New York and Section 185-55A (1) of the Zoning Ordinances of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of Newburgh, New York on Thursday the 24th day of October, 2011 at 7:00 P.M. in the Town Hall, 1496 Route 59N, Town of Newburgh, NY, upon the following appeal:

APPLICANTS of Equal Property Enterprises for a variance of Section 185-55A (1) to allow a multi-level deck built without posts and (U) and the deck to be made.

PERMITS LOCATED at 102 Fern Ave - 67-80 - B3 Zone in the

PLEASE NOTICE that the applicant should appear at the hearing and be heard in any way may appear and be heard by the Board.

MEMBER of the Zoning Board of Appeals dated the 10th day of

*[Signature]*  
(APPLICANT)