



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

OFFICE OF ZONING BOARD  
DARRIN SCALZO, CHAIRMAN  
SIOBHAN JABLESNIK, SECRETARY

TELEPHONE 845-566-4901  
FAX LINE 845-564-7802

## APPLICATION

DATED: 4/30

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

I (WE) Lisa Flanagan PRESENTLY  
RESIDING AT NUMBER 1 Marino Dr Wallkill, NY 12589  
TELEPHONE NUMBER (845) 304-4017

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

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

\_\_\_\_\_ (TAX MAP DESIGNATION)

1 Marino Drive, Wallkill, NY 12589 (STREET ADDRESS)

\_\_\_\_\_ (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

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

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:

\_\_\_\_\_

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: for 24 foot round  
pool.

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:

enjoying the summer

**(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:

it relates to the individuals of 1 Morris Drive  
Walkin

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

Its in the backyard out of sight  
of neighbors

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:

No one will see it or be using it

- 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 pool permit was denied

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

property has 2 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:

Its self contained in an isolated area

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

The Town denied the permit

7. ADDITIONAL REASONS (IF PERTINENT):

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

*L. M. Flanagan*  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF May 2024

*Karen Barr*  
\_\_\_\_\_  
NOTARY PUBLIC

**KAREN BARR**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA0008200  
Qualified in Sullivan County  
Commission Expires May 18, 2027

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  
ZONING BOARD OF APPEALS

PROXY

I, Lisa Flanagan, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 1 Marina Dr Walkkill NY 12589  
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: 5/3/2024

Lisa Flanagan  
OWNER'S SIGNATURE

Karen Barr  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF May 2024

Karen Barr  
NOTARY PUBLIC

KAREN BARR  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BA0008200  
Qualified in Sullivan County  
Commission Expires May 18, 2027

## 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							
Name of Action or Project:							
Project Location (describe, and attach a location map): <i>1 Marino Drive, Wallkill, NY 12589</i>							
Brief Description of Proposed Action: <i>Seeking to have a pool/property variance approved.</i>							
Name of Applicant or Sponsor: <i>Lisa Flanagan</i>		Telephone: <i>845.304-4017</i>					
Address: <i>1 Marino Dr</i>		E-Mail: <i>Lflanagan304@gmail.com</i>					
City/PO: <i>Wallkill</i>		State: <i>NY</i>	Zip Code: <i>12589</i>				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres							
b. Total acreage to be physically disturbed? _____ acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input checked="" 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"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<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 type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>water delivery</u>	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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>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)?</p> <p>If Yes, explain purpose and size: <u>24 ft. round pool</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Les M Flanagan</u></p>	<p>Date: <u>5/3/2024</u></p>	
<p>Signature: _____</p>		



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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 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

Slur K. Kojteri

TO

Lisa M. Alanagan

SECTION 2 BLOCK 1 LOT 23.12

RECORD AND RETURN TO: (name and address)

Benchmark Abstract LLC
100 Commerce Dr. Suite 107
New Windsor NY 12553



THIS IS PAGE ONE OF THE RECORDING

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

BLA 703-607

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
2003 SO. BLOOMING GROVE (VLG)
2001 WASHINGTONVILLE (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 HARRIMAN (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 HARRIMAN (VLG)
5809 WOODBURY (VLG)
CITIES
0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO PAGES 4 CROSS REF.

CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable CONSIDERATION \$ 236,900.
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

Donna L. Benson signature

DONNA L. BENSON
ORANGE COUNTY CLERK

Received From

Benchmark Abs.

RECORDED/FILED
03/23/2011/ 15:37:51
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20110029094
DEED R / BK 13153PG 1978
RECORDING FEES 190.00
TTX# 004321 T TAX 948.00
Receipt#1293563 alicev

STATE OF NEW YORK, COUNTY OF ORANGE ss:
I, Kelly A. Eskew, 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 3/23/2011 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 05/02/2024.
Kelly A. Eskew
County Clerk & Clerk of the Supreme County Courts
Orange County



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

THIS INDENTURE, made on March 11, 2011

**BETWEEN**

**Ilir K. Kojtari, as Surviving Joint Tenant, having an address of  
2 Attenborough Drive, Apt. 301, Rosedale, Maryland 21237, party of the first part, and**

**Lisa Flanagan, residing at 438 County Route 17, Montgomery, New York  
12549, party of the second part,**

WITNESSETH, that the party of the first part, in consideration of

TEN AND XX/XX----- dollars, good and lawful  
consideration of the United States, paid by the party of the second part, does hereby grant and  
release unto the party of the second part, the heirs or successors and assigns of the party of the  
second part forever,

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

Being and intended to be the same premises conveyed by deed dated September 26, 2001,  
from Ronjon Homes, Inc., a New York Corporation to Kimet Kojtari, Hiria Kojtari and  
Ilir K. Kojtari, as Joint Tenants with Rights to Survivorship, and recorded on 10/3/01 in  
Liber 5645, at page 141 in the Office of the Orange County Clerk. Kimet Kojtari died a  
resident of New York State on 3/20/2010. Hiria Kojtari died a resident of New York  
State on 3/20/2010.

Being same premises commonly known as 1 Marino Drive, Newburgh, New York.

Kimet Kojtari and Hiria Kojtari were husband and wife at the time of death.

**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.

**SCHEDULE "A" - Legal Description**

ALL THAT CERTAIN plot, piece or parcel of land lying and being in the Town of Newburgh, County of Orange, State of New York, being known and designated as Lot No. 6 on a map entitled "Per Mar Subdivision No. 1", filed in the Orange County Clerk's Office on December 3, 1976 as Map No. 3939.

Section 2 Block 1 Lot 23.12.

BEING the same premises which Ronjon Homes, Inc., a New York Corporation by Indenture dated 09/26/2001, and recorded 10/03/2001 in the Office of the Clerk of the County of Orange in Liber 5645 page 141, granted and conveyed unto Kimet Kojtari, Hiria Kojtari and Ilir K. Kojtari, as joint tenants with rights to survivorship.

---


TOGETHER with all right, title and interest of the party of the first part of, in and to the land lying in the street in front of and adjoining said premises.

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:

  
Ilir K. Kojtari

State of New York, County of Orange ss.:

On the 11 day of March 2011, before me personally came Ilir K. Kojtari, 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 this instrument.

  
Notary Public  
**MARC KERCHMAN**  
Notary Public, State of New York  
No. 02-4763808  
Qualified in Orange County  
Commission Expires October 31, 2014

Bargain and Sale Deed  
WITH COVENANT AGAINST GRANTOR'S ACTS  
Title Number BCH703-607 By Benchmark Abstract, LLC

Section 2  
Block 1  
Lot 23.12  
COUNTY OF ORANGE  
Town of Newburgh

ILIR K. KOJTARI

TO

Lisa Flanagan

RETURN BY MAIL TO:  
Richard D. Forbes, Esq.  
372 Fullerton Avenue, Box 5  
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

# 2024-24

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 04/23/2024**

**Application No. 20-0854**

**To: Lisa Flanagan**  
**1 Marino Drive**  
**Wallkill, NY 12589**

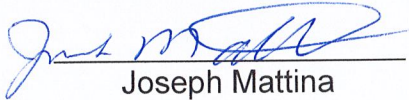
**SBL: 2-1-23.12**  
**ADDRESS: 1 Marino Dr**

**ZONE: RR**

PLEASE TAKE NOTICE that your application dated 09/04/2020 for permit to keep a 24' round above ground pool installed without approvals on the premises located at 1 Marino Dr 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











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

STATE OF NEW YORK: COUNTY OF ORANGE:

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

May 9, 2024, post and will thereafter maintain at

1 Marino Dr 2-1-23.12 RR 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.

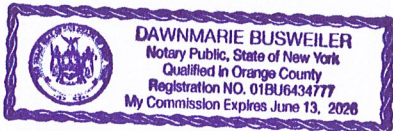
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.

George Kimball


Sworn to before me this 9

day of May, 2024.

[Signature]






**TOWN OF NEWBURGH**  
 ZONING BOARD OF APPEALS  
 11 Hudson Valley Professional Plaza  
 Newburgh, NY 12550  
 OFFICE OF ZONING BOARD  
 TELEPHONE 845-566-4981  
 FAX LINE 845-566-7802

**NOTICE OF HEARING**


NOTICE is hereby given that, pursuant to Section 26-7-a (1) of the Town Law, State of New York and Section 165-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 23rd, day of May, 2024 at 7:00 P.M., in the Town Hall, 1436 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of John Phlipsen for an area variance to have an above ground pool in the front yard. (Proposed in a residential zone)

PREMISES LOCATED at 1 Marine Dr. # 1-23-12 - RR Zone, in the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

BY ORDER of the Zoning Board of Appeals dated the 20th, day of May, 2024.

  
 (APPLICANT)

**1 MARINO DR**

LOT #7, FM # 3939

LOT #8 FM # 3939

S76° -37'-40"E

265.15'

278.41'

33.2'±

57.8'±

HOUSE

LOT #6  
AREA = 1.15± ACRES

10.5'

WELL

1000 GAL.  
S.T.

DIST.  
BOX

42'

42'

42'

30'

R-574.96'  
MARINO DRIVE

EDGE OF PAVEMENT

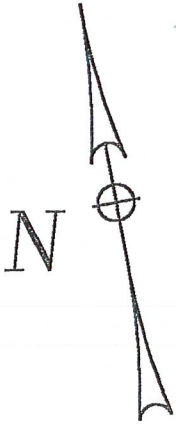
358.82'

S20° -08'-52"W

OLD MILL ROAD

R=20.63'  
L= 43.21

BRICK  
CONCRETE  
WALL  
(GLENVIEW ESTATES)



I HEREBY CERTIFY TO THE TOWN OF NEWBURGH  
THAT THE SEWAGE SYSTEM DEPICTED ON THIS  
PLAN HAS BEEN INSTALLED IN ACCORDANCE WITH  
THE DESIGN AS APPROVED FOR LOT #6, FILED MAP NO.3939

*Carmen T. Messina, P.E.*  
CARMEN T. MESSINA, P.E.

