



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: 11/26/2024

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

I (WE) Habitat for Humanity of Greater Newburgh PRESENTLY

RESIDING AT NUMBER 125 Washington St. Newburgh, NY 12550

TELEPHONE NUMBER 845-565-6035

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:

105-12-1 (TAX MAP DESIGNATION)

27 GAIL PLACE (STREET ADDRESS)

R-3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185 Attachment 9.1.b – Front Yard Setback

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:
11/01/2024

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: Front yard setback not met due to Central Hudson power line easement running through most of the property and existing overhead wires.

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 proposed front yard setback will be similar to the other existing dwellings in the neighborhood.

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 existing CHG&E easement prohibits building under the easement; therefore the proposed location is the only option not to render the lot unbuildable.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

A front yard setback of 25.5 ft is proposed where 40 ft is required.

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 use is a single family dwelling consistent with all surrounding uses in the neighborhood.

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

It is due to existing overhead wires and associated easement within the rear of the property.

7. ADDITIONAL REASONS (IF PERTINENT):

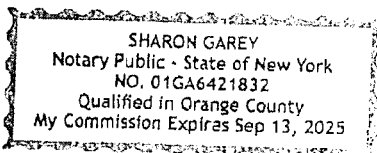
Existing lot encumbered by CHG&E easement prohibiting development that meets all zoning requirements.


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 9 DAY OF December 2024


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
ZONING BOARD OF APPEALS**

PROXY

Jill Marie c/o Habitat for Humanity, DEPOSES AND SAYS THAT

SHE HAS OFFICES AT 125 Washington St. Newburgh

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 27 Gail Place,
Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Engineering & Surveying Properties PC and/or Lan Associates

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 12/9/2024

Jill Marie ED
OWNER'S SIGNATURE

WITNESS' SIGNATURE



STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 9 DAY OF December 20 24

Sharon Garey
NOTARY PUBLIC

ENCLOSURES: SUBMIT ALL ITEMS TOGETHER

- * RECEIPT(S) ISSUED BY THE TOWN CLERK
(SEE 1-1-2017 FEE SCHEDULE) (X)
- BUILDING INSPECTOR'S DISAPPROVAL (X)
OR REFERRAL LETTER FROM PLANNING BOARD
- PLOT PLAN, ELEVEN (11) COPIES DRAWN (X)
TO SCALE
- PLANS, ELEVEN (11) COPIES (IF APPLICABLE) (N/A)
- * DEED OR CERTIFIED COPY THEREOF (X)
- * ASSESSOR'S LIST OF PROPERTY OWNERS
WITHIN 500 FEET OF PROPERTY (X)
- FOUR PHOTOGRAPHS TAKEN AT DIFFERENT
ANGLES (X)
- * ZONING BOARD APPLICATION WITH SHORT
ENVIRONMENTAL ASSESSMENT FORM (X)
- * PROXY OR STATEMENT FOR REPRESENTATION
THEREOF (X)
- SEPTIC DESIGN BY P.E. (IF APPLICABLE) (N/A)
- PERCULATION TEST (IF APPLICABLE) (N/A)

*** ORIGINALS ARE REQUIRED.**

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).

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: Habitat for Humanity			
Project Location (describe, and attach a location map): 27 Gail Place Newburgh, NY			
Brief Description of Proposed Action: Construction of single family dwelling which will require a variance to the required front yard setback due to existing CHG&E overhead easement			
Name of Applicant or Sponsor: Habitat for Humanity of Greater Newburgh		Telephone: 845-565-6035 E-Mail: sdegroat@habitatnewburgh.org	
Address: 125 Washington St.			
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: town of Newburgh Bldg Dept			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 0.453 acres	
b. Total acreage to be physically disturbed?		_____ 0.117 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.453 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
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	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	
b. Are public transportation services 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 the 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 checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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 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?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
all runoff will enter town of Newburgh stormwater collection system within Gail Place		
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Preparer Applicant/sponsor/name: Jay Samuelson Date: 12/04/2024 Signature:  Title: Engineer		

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NRCAN, Esri, OpenStreetMap contributors, and the GIS User Community

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]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

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:	<input type="checkbox"/>	<input type="checkbox"/>
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: 15509 / 1467
 INSTRUMENT #: 20240000679

Receipt#: 3232134
 Clerk: BR
 Rec Date: 01/04/2024 09:44:30 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: Integrity Land Services LLC

Party1: BEWX LLC
 Party2: HABITAT FOR HUMANITY OF GREATER
 NEWBURGH
 Town: NEWBURGH (TN)
 105-12-1

Recording:
 Recording Fee 40.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00
 RP5217 All others - State 241.00
 RP5217 - County 9.00

Sub Total: 315.00

Transfer Tax
 Transfer Tax - State 156.00

Sub Total: 156.00

Total: 471.00
 **** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 3809
 Commercial Transfer Tax
 Consideration: 39000.00

Transfer Tax - State 156.00

Total: 156.00

Payment Type: Check ___
 Cash ___
 Charge ___
 No Fee ___

Comment: _____

Kelly A. Eskew
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGENIO

S: 105
B: 12
L: 1

DEED

THIS INDENTURE made December 12, 2023 by and between
BEWX LLC
With an address of 51 Forest Rd Unit 316-42, Monroe, NY 10950
Party of the First Part

AND

HABITAT FOR HUMANITY OF GREATER NEWBURGH C/O JILL MARIE ROTHSCHILD
With an address of 125 Washington Street, Newburgh, NY 10950
Party of the Second Part;

WITNESSETH

THAT the Party of the First Part, in consideration of Ten Dollars (\$10.00), 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, the heirs or successors and assigns of the Party of the Second Part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being more particularly bounded and described as follows:

See attached Schedule A Description hereto

BEING and intended to be the same premises conveyed to the grantor by Deed dated August 2, 2023 and recorded in the Office of the Clerk of the County of Orange on August 4, 2023 in Book 15455 at Page 136.

FOR information only: Said premises also known as: 27 Gail Place, Newburgh, NY 12550; Section 105 Block 12 Lot 1

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


Section 105 Block 12 Lot 1

AND the Party of the First Part, in compliance with Section 13 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 purposes.

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.

Bewx LLC


By: Juda Schwartz, Member

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

On the 7 day of Dec., in the year 2023, before me the undersigned, a Notary Public in and for said State, personally appeared Juda Schwartz, 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), of the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

YOEL WEISS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01WE6337095
Qualified in Orange County
My Commission Expires 02-16-2024

Record and Return to:

Dana Blackmon
Habitat for Humanity of Greater Newburgh
125 Washington Street
Newburgh, NY 12550

**Integrity Land Services LLC
as Agent for
Westcor Land Title Insurance Company**

SCHEDULE A - LEGAL DESCRIPTION

Title No.: ILS-O-23872

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, designated on the Orange County Tax Map as Section 105 Block 12 Lot 1 - Being Lot #1 in Block "E", As Shown On Map Entitled, "Plan Of Subdivision Wedgewood Park", Filed in the O.C.C.O. On July 31, 1988, as Map No. 2360.



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

2024-01

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/01/2024

Application No. 24-1116

To: Habitat for Humanity of Greater Newburgh
125 Washington Street
Newburgh, NY 12550


SBL: 105-12-1
ADDRESS: Gail PI

ZONE: R3

PLEASE TAKE NOTICE that your application dated 10/09/2024 for permit to single family dwelling on the premises located at Gail PI is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code

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


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

TOWN OF NEWBURGH

Crossroads of the Northeast

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

DARRIN SCALZO, CHAIRMAN
SIOBHAN JABLESNIK, SECRETARY

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

November 4, 2024

Habitat for Humanity of Greater Newburgh
125 Washington St
Newburgh, NY 12550

Re: Gail Place, Newburgh
105-12-1 R3 Zone


To whom it may concern:

Enclosed please find Notice of Disapproval of Building Permit Application together with Application and Instructions for the Zoning Board of Appeals.

To build a new single family dwelling on this property in the Town of Newburgh you must obtain a variance from the Zoning Board of Appeals.

The next scheduled available meeting of the Zoning Board of Appeals is Thursday December 26, 2024. If this Agenda is full, the next meeting will be Thursday January 23, 2025. If you plan on applying to the Zoning Board of Appeals for variances, the application and all materials requested must be submitted to this office no later than 13 business days prior to the hearing date. Also, all mailings must be completed at least 10 business days prior to that date. Please refer to the enclosed Meeting Dates and Deadlines sheet.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Siobhan Jablesnik, Acting Secretary
Zoning Board of Appeals

/BG

Encl. NYS GML Section 239 requires the Zoning Board of Appeals 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.

TOWN OF NEWBURGH ZONING CHART

NAME: Habitat for Humanity ADDRESS: Gail Place
Newburgh NY 12550

STRUCTURE: Single family TYPE OF VARIANCE: AREA

S:B:L: 105-12-1 ZONE: R3 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
Front yard setback	Bulk table schedule 5	40'	25.5'	14.5'	36.25%

COMMENTS: Central Hudson power line Easement running through most of property

REVIEWED BY: JOSEPH MATINA DATE: 11-1-2024 APPLICATION: 24-1116
ZNA . 2024-01



SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Code of the Town of Newburgh Zoning Board of Appeals Application Fees Effective January 1, 2017".

SECTION 2 - AMENDMENTS TO CHAPTER 104

1. That Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code is amended as follows:

Subsection 104-2D(2) of Section 104-2 entitled "Planning, zoning and building fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(2) Zoning Board of Appeals Applications:

(a)	Area Variance for Single and Two Family Residential Use and Accessory Use thereto	\$250.00
(b)	Use Variance for Single and Two Family Residential Use And Accessory Use thereto	\$250.00
(c)	All other Area Variances	\$500.00
(d)	All other Use Variances	\$750.00
(e)	Special Permits	\$150.00
(f)	ZBA Interpretation of Code	\$250.00
(g)	Appeal of Code Compliance Determination	\$250.00

Additionally, a \$50.00 public hearing publication fee will be charged for all applications requiring a public hearing, and for those proceedings for which a court reporter is used, the applicant shall pay the costs of transcription

SECTION 3 - UNCONSTITUTIONALITY OR ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect on the later of the date it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law or January 1, 2017.

Town of Newburgh ZBA
2024 Meeting Dates and
Deadlines

Application & checklist items.	Mailings and affidavit.	Meeting date.
January 8, 2024	January 11, 2024	January 25, 2024
February 5, 2024	February 8, 2024	February 22, 2024
March 11, 2024	March 14, 2024	March 28, 2024
April 8, 2024	April 11, 2024	April 25, 2024
May 6, 2024	May 9, 2024	May 23, 2024
June 10, 2024	June 13, 2024	June 27, 2024
July 8, 2024	July 11, 2024	July 25, 2024
CANCELED August 5, 2024	CANCELED August 8, 2024	CANCELED August 22, 2024
September 9, 2024	September 12, 2024	September 26, 2024
October 7, 2024	October 10, 2024	October 24, 2024
Friday November 8, 2024	Tuesday November 12, 2024	Tuesday November 26, 2024
December 9, 2024	December 12, 2024	December 26, 2024

*All meetings will be held on the 4th Thursday of every month with the exception of November

Photographs for Town of Newburgh Zoning Board of Appeals Application

Habitat for Humanity of Greater Newburgh

27 Gail Place (Tax ID: 105-12-1)









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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Robin Fink, being duly sworn, depose and say that I did on or before

December 12, 2024, post and will thereafter maintain at

Gail Place 105-12-1 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.

Robin Fink

Sworn to before me this 11th

day of December, 2024.

Charlene M. Black







