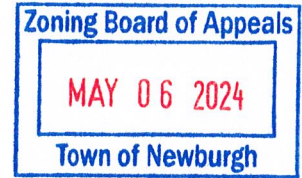




TOWN OF NEWBURGH

Crossroads of the Northeast

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



OFFICE OF ZONING BOARD
TELEPHONE 845-566-4901
FAX LINE 845-564-7802

APPLICATION

DATED: MAY 3, 2024

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

I (WE) REGINA C. FILANNINO
RCF REALTY MANAGEMENT, LLC PRESENTLY

RESIDING AT NUMBER 33 CIMARRON RD, PUTNAM VALLEY, NY 10579

TELEPHONE NUMBER (914) 589-5142

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:

9-3-48.22 (TAX MAP DESIGNATION)

25 BRIGHT STAR DR. (STREET ADDRESS)

R3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1

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: 4/10/24
_____ ✓
- 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: SEEKING TO INCREASE SQUARE

FOOTAGE ON BOTH 1ST + 2ND FLOORS W/OUT CHANGE TO FOOTPRINT

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

N/A

- 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 WORK TO BE PERFORMED WILL IMPROVE THE
AESTHETICS OF THE HOME AND INCREASE VALUES OF
NEIGHBORING PROPERTIES

- 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:

WE ARE LOOKING TO INCREASE LIVING SPACE
SQUARE FOOTAGE

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

IT DOES NOT CHANGE THE FOOTPRINT OF THE CURRENT
BUILDING


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

IT WILL REMAIN A RESIDENCE BUT WITH LESS
BEDROOMS. THE RESIDENCE DOES NOT USE TOWN
WATER OR SEWER

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

SIMPLY TRYING TO IMPROVE THE CONDITION AND
VALUE OF THE RESIDENCE

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3RD DAY OF MAY 20 24



NOTARY PUBLIC

PAUL N. WEBER, JR
Notary Public, State of New York
Qualified in Orange County
Registration #02WES110775
Commission Expires June 1, 2024

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)

*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 Applicant or Sponsor: <i>REGINA C. FILANNINO</i>		Telephone: <i>(914) 529-5142</i>	
Name of Action or Project: <i>REGINA C. FILANNINO RCF REALTY MANAGEMENT LLC</i>		E-Mail: <i>rfilannino@afecservices.com</i>	
Project Location (describe, and attach a location map): <i>IMPROVEMENT OF 25 BRIGHT STAR DR, NEWBURGH (AREA VARIANCE)</i>			
<i>25 BRIGHT STAR DR., NEWBURGH, NY 12550</i>			
Brief Description of Proposed Action: <i>INCREASE LIVING SPACE SQUARE FOOTAGE WITHOUT INCREASING FOOTPRINT AND DECREASING NUMBER OF BEDROOMS</i>			
Name of Applicant or Sponsor: <i>REGINA C. FILANNINO</i>		Telephone: <i>(914) 529-5142</i>	
Address: <i>33 CIMARRON RD.</i>		E-Mail: <i>rfilannino@afecservices.com</i>	
City/PO: <i>PUTNAM VALLEY</i>		State: <i>NY</i>	Zip Code: <i>10579</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.			NO <input checked="" 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: <i>ZONING BOARD OF APPEALS + BUILDING DEPT.</i>			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>1.335</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1.335</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" 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 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	
	<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 checked="" 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: _____	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 checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <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: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input 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>_____</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>_____</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>REGINA B. FLANNING</u></p>		<p>Date: <u>5/3/24</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)

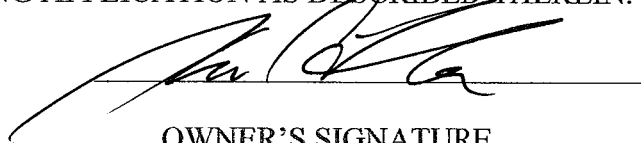
TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

REGINA C. FILANNINO, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 33 CIMARRON ROAD, PUTNAM VALLEY, NY 10579
IN THE COUNTY OF PUTNAM AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

25 BRIGHT STAR DR., NEWBURGH NY 12550
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED PAUL N. WEBER, ESQ.
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 5/3/24



OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3RD DAY OF MAY 2024


NOTARY PUBLIC

PAUL N. WEBER, JR
Notary Public, State of New York
Qualified in Orange County
Registration #02WE0110775
Commission Expires June 1, 2024

DANIEL E. BERTOLINO, P.C.

LAW OFFICES
32 SOUTH MAIN STREET
NEW CITY, NEW YORK 10956
(845) 358-9700
FAX: (845) 358-9707
www.debpc.com

DANIEL E. BERTOLINO
dbertolino@debpc.com

Donna L. Flynn, Paralegal
dflynn@debpc.com

August 7, 2023

Ms. Regina C. Filannino
33 Cimarron Road
Putnam Valley, NY 10579

Re: Pearl to Filannino
Premises: 25 Bright Star Drive, Newburgh, NY 12250

Dear Ms. Filannino:

Enclosed herewith please find the original recorded deed for the above referenced premises which was recorded in the Orange County Clerk's Office on August 1, 2023, as Instrument Number 2023-0046852.

Please keep this document in a safe place for future reference.

Very truly yours,



Daniel E. Bertolino

DEB:lbg
enc.



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: 15452 / 1594
 INSTRUMENT #: 20230046852

Receipt#: 3186694
 Clerk: AV
 Rec Date: 08/01/2023 01:13:57 PM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 6
 Rec'd Frm: ROCKWEST ABSTRACT SERVICES LLC

Party1: PEARL STEVEN L
 Party2: FILANNINO REGINA C
 Town: NEWBURGH (TN)
 9-3-48.22

Recording:
 Recording Fee 50.00
 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: 210.00

Transfer Tax
 Transfer Tax - State 2060.00

Sub Total: 2060.00

Total: 2270.00

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

***** Transfer Tax *****

Transfer Tax #: 37
 Transfer Tax
 Consideration: 515000.00

Transfer Tax - State 2060.00

Total: 2060.00

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

Comment: _____

Kelly A. Eskew
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S
ACTS (INDIVIDUAL OR CORPORATION)**

FORM 8007

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND
REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.**

THIS INDENTURE, made the 26th day of July, two thousand and twenty-three,
between

STEVEN L. PEARL AND SUSAN PEARL, residing at 31 Brooker Drive, Newburgh,
NY 12550,

Party of the first part,

REGINA C. FILANNINO, residing at 33 Cimarron Road, Putnam Valley, NY 10579,

Party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN (\$10.00)
DOLLARS, lawful money 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, more particularly described on Schedule "A" attached hereto and made a part hereof.

[Premises tax map]

9-3-48.22

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

TOGETHER with the appurtenances and all the estate and rights of the party of the first
part in and to said premises,

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

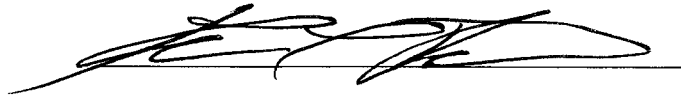
AND the party of the first part, covenants that the party of the first part has not done or
suffered anything whereby the said premises have been encumbered in any way whatever, except
as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants
that the party of the first part will receive the consideration for this conveyance and will hold the

right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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



STEVEN L. PEARL



SUSAN PEARL

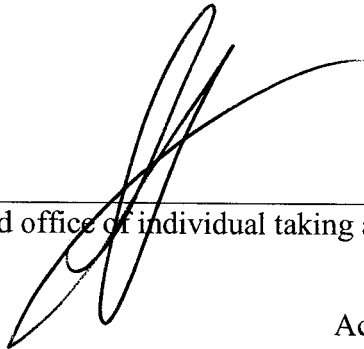
RECORD AND RETURN TO:

Daniel E. Bertolino, P.C.
32 South Main Street
New City, NY 10956

Acknowledgment

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

On the 26th day of July, in the year 2023 before me, the undersigned, personally appeared STEVEN L. PEARL 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

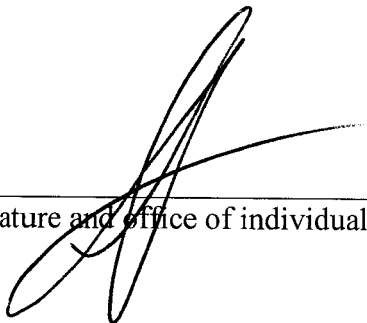


(signature and office of individual taking acknowledgment)

Acknowledgment

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

On the 26th day of July, in the year 2023 before me, the undersigned, personally appeared SUSAN PEARL 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



(signature and office of individual taking acknowledgment)

CLARENCE R. CASTEL, JR.
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CA4649142
Qualified in Rockland County
My Commission Expires 03-30-2027

CLARENCE R. CASTEL, JR.
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CA4649142
Qualified in Rockland County
My Commission Expires 03-30-2027

Schedule A Description

Title Number **CRC-18259**

Page 1

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

BEGINNING at a point on the Southwesterly side of Oak Street, said point being the Southeasterly side of a 50 feet wide right-of-way, said point also being S. 59° 47' 30" East 200.01 feet from the Northeasterly corner of lands now or formerly of J. & M. Vitay; thence running from said point along the Southeasterly side of said 50 foot wide right-of-way the following three (3) courses and distances to the point of beginning.

- (1) South 28° 43' 30" West 714.27 feet to a point on a curve;
- (2) On a curve convex to the Southeast having a radius of 790.00 feet and a length Southwesterly 72.00 feet to a point;
- (3) South 33° 50' 50" West 193.37 feet to the point or place of beginning;

thence from said point of beginning through other lands now or formerly of Geokak, Inc., the following three (3) courses and distances:

- (1) South 54° 21' 40" East 294.68 feet to a point;
- (2) South 38° 05' 30" West 218.00 feet to a point;
- (3) North 51° 54' 30" West 226.99 feet to a point on a curve on the southeasterly side of a 50 foot wide right-of-way; thence along said 50 feet wide right-of-way the following courses and distances;

- (1) Easterly, Northerly and Northwesterly on a curve to the left with a radius of 241.19 feet a distance of 58.85 feet;
- (2) On a curve to the right with a radius of 25.00 feet a distance of 21.02 feet;
- (3) Thence North 18° 51' 00" East 29.29 feet;
- (4) Thence on a curve to the right with a radius of 125.00 feet a distance of 32.72 feet; and
- (5) Thence North 33° 50' 50" East 85.00 feet to the point or place of beginning.

TOGETHER with an easement of ingress and egress in, on or over and across a 50 foot wide right-of-way, said 50 foot right-of-way is bounded and described as follows:

BEGINNING at a point on the Southwesterly line of Oak Street, said point being the intersection of the Southwesterly line of said Oak Street with the Northwesterly line of lands now or formerly of Young and running thence along

Schedule A Description - continued

Title Number **CRC-18259**

Page **2**

the Northwesternly line of lands now or formerly of said Young, South 28° 43' 30" West 563.79 feet to a point; thence leaving said line and running over and through lands of G. Gekakis, the following: South 28° 43' 30" West, 150.48 feet to a point; thence on a curve convex to the Southeast having a radius of 790.00 feet and a length Southwesterly 72.00 feet to a point; thence South 33° 50' 50" West 278.37 feet to a point; thence on a curve convex to the Northwest having a radius of 125.00 feet and a length Southwesterly 32.72 feet to point; thence South 18° 51' 00" West 29.29 feet to a point; thence on a curve convex to the West having a radius of 25.00 feet and a length Southerly 21.02 feet to a point on the turning circle at the end of said 50 foot wide right-of-way; thence along said turning circle having a radius of 50.00 feet and a length of 241.19 feet to a point on the Northwesternly line of said 50 foot wide right-of-way; thence along the Northwesternly line of said 50 foot wide right-of-way, the following: on a curve convex to the Southeast having a radius of 25.00 feet and a length Northeasterly 21.02 feet to a point; thence North 18° 51' 00" East 29.29 feet to a point; thence on a curve convex to the Northwest having a radius of 175.00 and a length Northeasterly 45.81 feet to a point; thence North 33° 50' 50" East 278.37 feet to a point; thence on a curve convex to the Southeast having a radius of 740.00 feet and a length Northeasterly 67.45 feet to a point; thence North 28° 43' 30" East 160.11 feet to a point; thence leaving said line and running along the Northwesternly line of said 50 foot wide right-of-way, along the Southeasterly line of lands now or formerly of aforesaid Young, North 28° 43' 30" East 555.44 feet to a point on the Southwesterly line of aforesaid Oak Street; thence along the Southwesterly line of said Oak Street, South 59° 47' 30" East 50.01 feet to the point or place of **BEGINNING**.

SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

BEING AND INTENDED TO BE THE SAME PREMISES described in that certain deed dated the 27th day of April, 1984 from National Bank of New York City, formerly known as Flushing National Bank, and recorded in the Orange County Clerk's Office on the 29th day of May, 1984 in Liber 2284 at page 1025.



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

2024-22

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/10/2024

Application No. 24-0291

To: RCF Realty Management LLC
33 Cimarron Road
Putnam Valley, NY 10579

SBL: 9-3-48.22
ADDRESS: 25 Bright Star Dr

ZONE: R3

PLEASE TAKE NOTICE that your application dated 04/03/2024 for permit to add a second floor addition to an existing non-conforming 2 family dwelling unit on the premises located at 25 Bright Star Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:
185-19-C-1: Shall not increase the degree of non-conformity: Required lot area.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: REGINA FILANNINO **Application #** 24-0291

ADDRESS: 25 BRITE STAR DR. NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: ADDING 2ND STORY

SBL: 9-3-48.22 **ZONE:** R-3 **ZBA Application #** 2024-22

TOWN WATER: YES / **NO** **TOWN SEWER:** YES / **NO** N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	100,000 SF	58156 SF	INCREASING THE DEGREE OF NON-CONFORMITY		
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 **YES** / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-15-A YES / NO
 STORAGE OF MORE THEN 4 VEHICLES YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES: **ADDING A SECOND FLOOR / 700 SF TO AN EXISTING NON-CONFORMING TWO FAMILY DWELLING UNIT.**

REVIEWED BY: Joseph Mattina **DATE:** 10-Apr-21

TOWN OF NEWBURGH
BUILDING PERMIT APPLICATION
 21 Hudson Valley Professional Plaza
 Newburgh, NY 12550
 Ph: (845)564-7801 Fax: (845)564-7802
(Please Print)

Permit #: _____
 Tracking #: _____
 Fee: \$ _____
Exact Cash or Check ONLY
 Receipt #: _____

 (OFFICE USE ONLY)

JOB LOCATION: 25 Bright Star Drive, Newburgh
 S.B.L.: _____ CONSTRUCTION COST: NY 12550 800k

OWNER: <u>Reginal Filannino</u>	APPLICANT: <u>Y</u> / N	CONTRACTOR: <u>owner (same)</u>	APPLICANT? Y / N
ADDRESS: <u>33 Cimarron Road</u>		ADDRESS:	
CITY/STATE/ZIP: <u>Rutwan Valley, NY 10579</u>		CITY/STATE/ZIP:	
PHONE: <u>914-589-5142</u>		PHONE:	
CONTACT EMAIL: <u>rfilannino@cafeservices.com</u>		CONTACT EMAIL:	

DESCRIPTION OF WORK TO BE PERFORMED:
renovating an existing 2 family - adding to 5 bedrooms
adding sq ft. from 5500 to approx 6200 sq ft

- STRUCTURE (CHECK ONE):
- | | |
|---|--|
| <input type="checkbox"/> SINGLE FAMILY | <input type="checkbox"/> CHANGE OF OCCUPANCY |
| <input type="checkbox"/> 2 FAMILY | <input checked="" type="checkbox"/> ADDITION |
| <input type="checkbox"/> ACCESSORY APARTMENT | <input type="checkbox"/> ALTERATIONS |
| <input type="checkbox"/> NEW COMMERCIAL BLDG. | <input type="checkbox"/> CONDO / TOWN HOUSE |
| <input type="checkbox"/> COMMERCIAL FIT OUT | <input type="checkbox"/> OTHER _____ |

- NO WORK IS TO BE STARTED WITHOUT A BUILDING PERMIT.
- COMPLETELY FILL OUT BUILDING PERMIT CHECK LIST.
- FOR INSPECTION SEQUENCE SEE ATTACHED SHEET
- ELECTRICAL INSPECTION REQUIRED BY TOWN APPROVED AGENCY SEE ATTACHED SHEET
- ANY CHANGES TO THE ORIGINAL PLANS MUST BE APPROVED IN WRITING BY THE BUILDING INSPECTOR.
- THE TOWN OF NEWBURGH HAS OFFICIALLY ADOPTED THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THEREFORE ALL WORK MUST CONFER TO THE CURRENT SECTIONS OF THIS CODE.
- MUST HAVE SET OF APPROVED PLANS FOR ALL INSPECTIONS ON SITE.
- APPROPRIATE FEES ARE REQUIRED TO BE SUBMITTED WITH THE APPLICATION.

THE UNDERSIGNED CERTIFIES THAT THE PLANS AND SPECIFICATIONS AS FILED ARE IN ACCORDANCE WITH THE REGULATIONS OF THE TOWN ZONING ORDINANCE AND AGREES THAT ALL WORK AND MATERIAL SHALL BE IN STRICT CONFORMITY WITH CODES GOVERNING BUILDING IN THIS TOWN AND THE STATE OF NEW YORK. THE PERSON SIGNING THIS APPLICATION AGREES TO NOTIFY THE BUILDING INSPECTOR AS NEEDED FOR THE REQUIRED BUILDING INSPECTIONS. FAILURE TO DO SO MAY RESULT IN LEGAL ACTION AND POSSIBLE FINES. THE OCCUPYING OF A NEW BUILDING OR ADDITION BEFORE ISSUANCE OF A CERTIFICATE OF OCCUPANCY IS A VIOLATION OF THE CODE OF THE TOWN OF NEWBURGH AND PUNISHABLE BY FINE AND OR IMPRISONMENT.

APPLICANT'S SIGNATURE: 

APPROVED: _____
 DISAPPROVED: _____
 REFERRED TO ZBA: _____

OWNERS NAME: Reginald Tillmann
RCF Realty Management LLC
 PROJECT ADDRESS: 25 Bridget Star Drive, Newburgh, NY
12550
 DESIGN PROFESSIONAL NAME: John E. Till
 ADDRESS: 296 Main Street
Cornwall, NY 12518
 PHONE NUMBER: 845-534-8120
 FAX NUMBER: 845-534-8120
 EMAIL: JohnTill1@verizon.net

NAME OF BUSINESS (IF APPLICABLE): RCF Realty Management, LLC
 INTENDED USE: Owner Occupied - Residential

NUMBER OF STORIES: 2
 NUMBER OF BEDROOMS: 5
 NUMBER OF FULL BATHS: 3
 NUMBER OF 1/2 BATHS: 1
 GARAGE CAR STORAGE: 1 1/2
 NUMBER OF DWELLINGS: 2

DIMENSION OF EXISTING STRUCTURE: 5500 sq ft
 DIMENSION OF NEW STRUCTURE: 6200 sq ft est
 DIMENSION OF THE LOT: _____

MATERIAL TYPE: Wood Framing

HEAT TYPE: OIL GAS ELECTRIC OTHER _____

DECK SIZE: _____ SIDE OR REAR

FRONT PORCH SIZE: _____

FEE SCHEDULE
 (REV. JANUARY 1, 2013)

NEW COMMERCIAL

FLOOR SQUARE FEET	0-9,999	10,000-24,999	25,000-99,999	100,000+**
1) BASE FEE	\$300	\$500	\$1,000	\$5,000
2) PER SQUARE FOOT	\$0.60	\$0.65	\$0.70	\$0.70
3) \$200.00 NEW SEPTIC				
4) CERTIFICATE OF OCCUPANCY:	<10,000 S.F. - \$200.00, 10,000 S.F. AND OVER \$400.00			
** SQUARE FOOTAGE >100,000 IS CALCULATED AT \$0.35 PER SQUARE FOOT				

NEW RESIDENTIAL

- 1) \$200.00 BASE FEE
- 2) \$0.50 PER SQUARE FOOT
- 3) \$100.00 NEW SEPTIC RES.
- 4) \$60.00 CERT. OF OCCUPANCY

RESIDENTIAL AND COMMERCIAL (ADDITIONS AND ALTERATIONS)

- 1) \$10.00 PER THOUSAND OF ESTIMATED COST (LABOR & MATERIAL)
- 2) \$25.00 CERTIFICATE OF OCCUPANCY
- 3) \$50.00 SEPTIC REPAIRS
- 4) \$50.00 PRIOR BUILT FEE RESIDENTIAL \$200.00 PRIOR BUILT FEE COMMERCIAL





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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Paul N. Weber, being duly sworn, depose and say that I did on or before

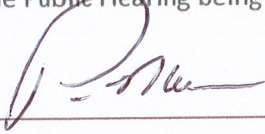
May 9, 2024, post and will thereafter maintain at

25 Bright Star Dr 9-3-48.22 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

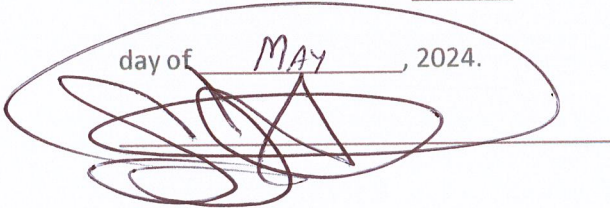
notice was in the form attached hereto.

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 8TH

day of MAY, 2024.



JOSEPH J. ARTRIP
Notary Public, State of New York
No. 02AR6122369
Qualified in Orange County
Commission Expires February 7, ~~2013~~
2025



