



# TOWN OF NEWBURGH

Crossroads of the Northeast

New Shed

## 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: 4/28/25

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

I (WE) Lauren Haimelin Carter PRESENTLY

RESIDING AT NUMBER 7 Cathy Dr. Newburgh, NY 12550

TELEPHONE NUMBER 845-489-0751

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:

73-12-5 (TAX MAP DESIGNATION)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-43-F: F. No garden house, tool shed shall be located in a front yard.

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:  
4/22/25
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:  
\_\_\_\_\_

4. DESCRIPTION OF VARIANCE SOUGHT: Area Variance 12'x22' shed  
to build a pre-fabricated shed on side yard which is  
considered to be the front yard because lot is on a curve.

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:

It is standard size, will be situated in the only spot it can be, and it will be beautifully landscaped and painted to match the home's character.

- 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 shed cannot be located in any other area of the property ~~without~~ because of the size, topography and situation of the trees, existing house, patio, hills, and illegal sheds nearby in other properties. The lot is a curve so the side is considered

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

No major changes need to be made. The property is just the way it is and the only suitable location is on the side-front.

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

There are large hedges all around and the shed will be an attractive part of the side yard - when you look at the house the side yard is the largest part and is not in any

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

The lot is on a curve so it is considered to have 2 fronts - The back yard is too small as is.

neighbor's way because of the large hedges and trees.

7. ADDITIONAL REASONS (IF PERTINENT):

Trees, hills, other illegal (non-permitted sheds +  
buildings and small back yard size  
do not permit to put shed in the back.

[Signature]  
PETITIONER(S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 28<sup>th</sup> DAY OF April 2025

[Signature]  
NOTARY PUBLIC



NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

**(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).**

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)





## TOWN OF NEWBURGH

*~Crossroads of the Northeast~*

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

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

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 04/22/2025**

**Application No. 25-0330**

**To: Elton Carter**  
**7 Cathy Drive**  
**Newburgh, NY 12550**

**SBL: 73-12-5**  
**ADDRESS: 7 Cathy Dr**

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 04/10/2025 for permit to install a 12' x 22' pre-fabricated accessory building in a front yard on the premises located at 7 Cathy Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-43-F: F. No garden house, tool shed shall be located in a front yard.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# TOWN OF NEWBURGH

Crossroads of the Northeast

Ex. Sued.

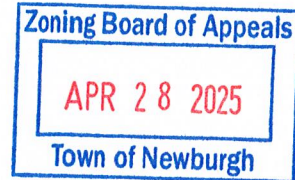
## ZONING BOARD OF APPEALS

21 Hudson Valley Professional Plaza  
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OFFICE OF ZONING BOARD  
DARRIN SCALZO, CHAIRMAN  
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TELEPHONE 845-566-4901

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## APPLICATION

DATED:

4/28/25

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

I (WE) Lauren Haimelin Carter PRESENTLY

RESIDING AT NUMBER 7 Cathy Dr. Newburgh, NY 12550

TELEPHONE NUMBER 845-489-0751

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:

73-12-5 (TAX MAP DESIGNATION)

7 Cathy Dr. (STREET ADDRESS)

R3 (ZONING DISTRICT)

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4/28/25

- 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: Keep a 10x10' shed on side yard that is (that shed was existing when we bought the house) considered to be the front yard because lot is on a curve.

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 shed has been there for many  
years, before we even bought the house. It  
is in a location that is pleasing.

- 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 shed was built before we bought  
the house - it was here when we  
got here.

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

It presents no change to  
The current property.

- 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 has not and will not, because  
it is already here on the lot.  
It is small and is an attractive part of the property

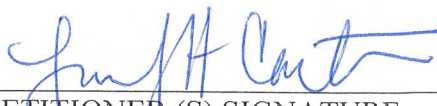
- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The shed was already here and  
we are living on a curved lot  
with a side yard that is considered to be  
a front yard.




7. ADDITIONAL REASONS (IF PERTINENT):

Shed is already there & has been  
since we moved in. The rest of  
the yard is too small or too hilly to place a shed.

  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 28<sup>th</sup> DAY OF April 20 25

  
NOTARY PUBLIC

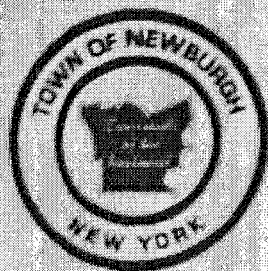


NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals 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.

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(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

b.

**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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

Date: 04/28/2025

Application No. 25-0387

To: Lauren Carter  
7 Cathy Drive  
Newburgh, NY 12550

SBL: 73-12-5  
ADDRESS: 7 Cathy Dr

**ZONE:**

PLEASE TAKE NOTICE that your application dated 04/24/2025 for permit to keep a 10' x 10' pre-fabricated accessory building in a front yard on the premises located at 7 Cathy Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-43-F: F. No garden house, tool shed shall be located in a front yard.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: <u>Area Variance</u> <u>To Build a Pre Fabricated Shed 12' x 22' inside = Front yard.</u>							
Project Location (describe, and attach a location map): <u>7 Cathy Drive, Newburgh, NY</u>							
Brief Description of Proposed Action: <u>Have a 12' x 22' pre fabricated shed delivered onto the property. Area Variance needed because property has 2 fronts due to being on a curve.</u>							
Name of Applicant or Sponsor: <u>Lauren Haimelin Carter</u>		Telephone: <u>845-489-0751</u> E-Mail: <u>lalatek20@gmail.com</u>					
Address: <u>7 Cathy Dr.</u>							
City/PO: <u>Newburgh</u>		State: <u>NY</u>	Zip Code: <u>12550</u>				
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> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </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"/>						
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> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </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?		<u>.23</u> acres					
b. Total acreage to be physically disturbed?		<u>0</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>.23</u> 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 checked="" 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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <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: <u>N/A</u>	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<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? If Yes, describe: _____	NO	YES
_____	<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? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Lauren H. Carter</u> Date: <u>4/28/25</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 type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>



Agency Use Only [If applicable]

Project:

Date:

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

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

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

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

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

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

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

(School District proof)

14658-70012/804866

Bargain & sale deed, with covenant against grantor's acts

Deed

**THIS INDENTURE**, made the 23 day of December, 2019

**BETWEEN**

S: 73  
B: 12  
L: 5

**7 CATHY DR LLC**, a New York limited liability company having a mailing address of 367 Windsor Highway, #0407, New Windsor, New York 12553,

party of the first part, and

**ELTON W. CARTER and LAUREN HAIMELIN CARTER**, as husband and wife, both having an address of 45 West 139<sup>th</sup> Street, Apartment 5J, New York, New York 10037,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) DOLLARS, lawful money of the United States and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, 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, being more particularly bounded and described on Schedule A annexed hereto and made a part hereof.

**SUBJECT TO** any and all covenants, easements, rights of ways, and grants and restrictions of record.

**BEING AND INTENDED TO BE** the same premises conveyed to the party of the first part herein through a deed from Carla S. Wise, Esq., as Referee to 7 Cathy Dr. LLC, the grantor herein, dated September 5, 2019 and recorded in the Office of the Orange County Clerk on September 10, 2019 in Liber 14621 at Page 1781.

**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.

# **Westcor Land Title Insurance Company**

## **SCHEDULE A**

*(continued)*

**TITLE NO. RAD-22091WC**

### **Description**

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, known and designated as Lot # 55 on a certain map designated as Gidney Estates Subdivision, made by T.W. Westlake, Engineer, and filed in the Office of the Clerk of Orange County on December 15, 1955, as Map # 1638, which said parcel is more completely described as follows:

BEGINNING at the northeast corner of said Lot # 55 and running thence along the south side of Cathy Drive South 58-14-10 East a distance of 141.14 feet to a point; thence running South 59-26-30 West a distance of 137.13 feet along the line separating Lot # 55 from Lots #45 and 46 on said map; thence running North 30-33-30 West a distance of 125 feet along the line separating Lots # 54 and 55 to the southerly line of Cathy Drive; thence along the southerly line of Cathy Drive North 59-26-30 East a distance of 71.57 feet to the point or place of BEGINNING.




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:

7 CATHY DR LLC

By:   
Brendan J. Gebert, Sole Member

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

On the 23<sup>rd</sup> day of December, 2019, before me, the undersigned, a Notary Public in and for the State, personally appeared, **Brendan J. Gebert**, 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.

  
Notary Public

AARON C. FITCH  
Notary Public, State of New York  
No. 02FI6295253  
Qualified in Orange County  
Commission Expires December 30, 2021

BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS  
\*\*\*\*\*

7 CATHY DR LLC

to

ELTON W. CARTER AND  
LAUREN HAIMELIN CARTER  
\*\*\*\*\*

SECTION 73  
BLOCK 12  
LOT 5  
COUNTY OF ORANGE  
TOWN OF NEWBURGH

RAD 22091

**Record and Return to:**

Paul B. Supple, Esq.  
Lyons & Supple  
P.O. Box 510  
5 Cliff Street  
Beacon, NY 12508







































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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Elton Carter, being duly sworn, depose and say that I did on or before

May 8, 2025, post and will thereafter maintain at

7 Cathy Dr 73-12-5 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.

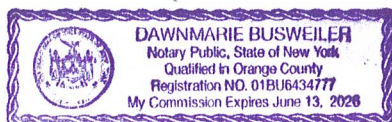
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the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

Elton Carter

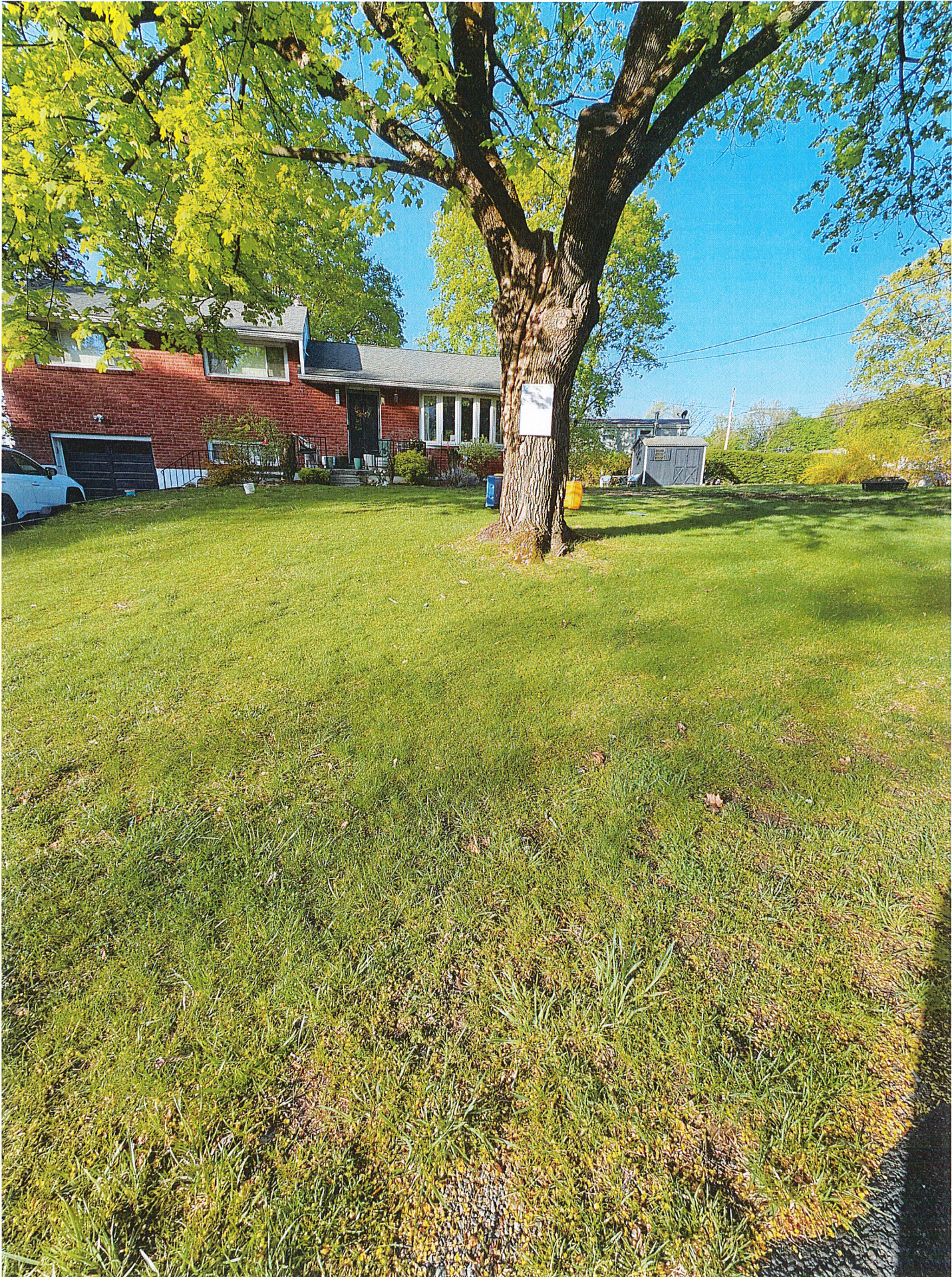
Sworn to before me this 30

day of April, 2025.

[Signature]









2020 RESIDENTIAL CODE OF NEW YORK STATE

SCOPE: RESIDENTIAL ACCESSORY BLDG. (STORAGE SHED)

GROUND SNOW LOAD: 40 PSF (MAX)

WIND SPEED: 115 MPH

TOPOGRAPHIC EFFECTS: NO

SPECIAL WIND REGION: SEE WIND MAP

WIND BORN DEBRIS ZONE: NO

SEISMIC DESIGN CATEGORY: B

WEATHERING: SEVERE

FROST LINE DEPTH: N/A FOR STORAGE SHEDS LESS THAN 600 SF

TERMITES: MODERATE TO HEAVY

WINTER DESIGN TEMP: N/A FOR UNHEATED SHED

ICE BARRIER UNDERLAYMENT: N/A FOR UNHEATED SHEDS

FLOOD HAZARDS: AS PER PLANNING & ZONING

AIR FREEZING INDEX: N/A FOR UNHEATED SHED

MEAN ANNUAL TEMP: N/A FOR UNHEATED SHED

ROOF COVER:

OPTION 1: 30 YR ARCHITECTURAL SHINGLES O/ 15# FELT

O/ 7/16" LP TECHSHIELD

OPTION 2: 40 YEAR 28 GA METAL

O/ 2X4 FLAT AT 24" OC

ROOF FRAMING AS PER OVERALL BUILDING WIDTH:

(APPLICABLE ONLY TO 40 PSF GROUND SNOW LOAD OR LESS):

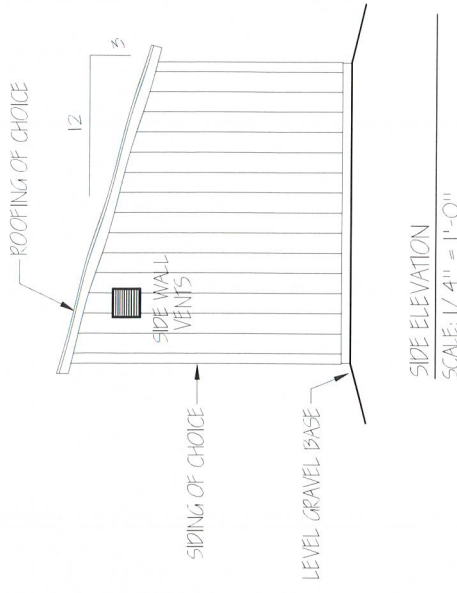
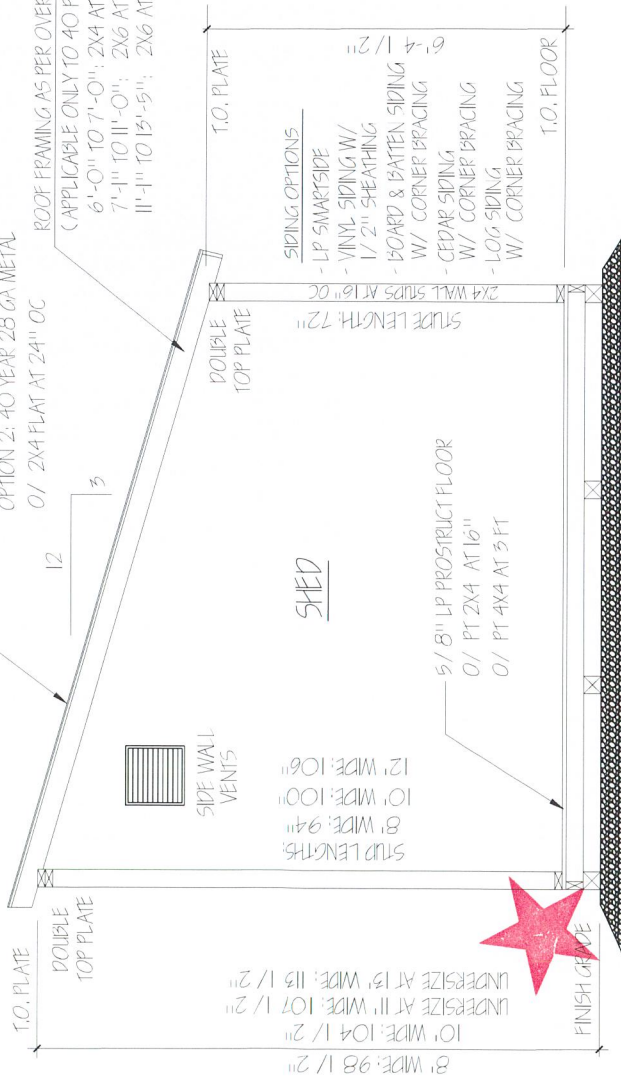
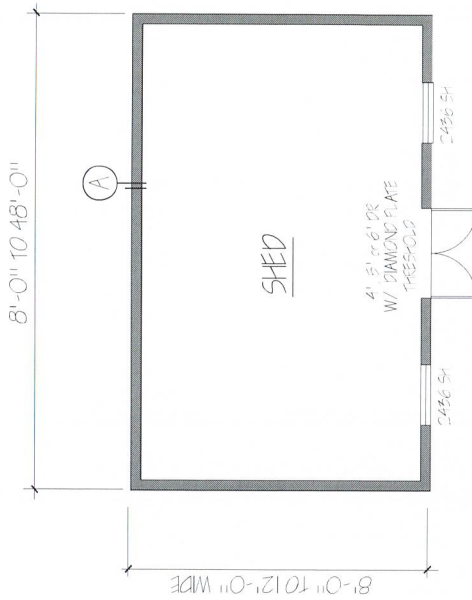
6'-0" TO 7'-0": 2X4 AT 16" OC

7'-1" TO 11'-0": 2X6 AT 16" OC

11'-1" TO 15'-5": 2X6 AT 12" OC OR 2X8 AT 16"

SHED FLOOR PLAN

SCALE: 1/4" = 1'-0"



SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

Model: LEAN TO TYPE SHED PROTOTYPE

Builder: The Barn Raisers

DATE: 02-12-21

REVISION:

DRAWING #

A-1

SHEET 1 OF 1



