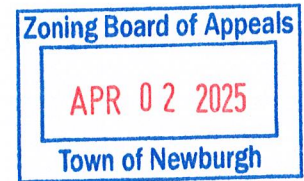




# TOWN OF NEWBURGH

*Crossroads of the Northeast*  
ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550



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

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

## APPLICATION

DATED: 4-2-25

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

I (WE) Nick DiLemme PRESENTLY

RESIDING AT NUMBER 12 Deer Run Road, Newburgh, NY 12550

TELEPHONE NUMBER (845)629-7079

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:

SBL 14-3-22.11 (TAX MAP DESIGNATION)  
12 Deer Run Rd., Newburgh (STREET ADDRESS) (12 Route 300)  
R1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4 (Square Footage)  
185-15-A-1 (Building Height)  
Bull Table Schedules 3 (Vehicles Stored)

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:  
03-06-2025
- 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 for accessort building - maximum area allowed 1,000 Sq. Ft. area propsaed 2016 Sq. Ft.  
Max height allowed 15 feet. max height propped 30.79 feet.  
Storage of 4 Vehicles are allowed storage of 11 vehicles proposed

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:

\_\_\_\_\_  
N/A  
\_\_\_\_\_

**(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:

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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 building design will complement the existing home and add to the character of the neighborhood. The accessory building is a residential garage accessory to an existing home located in a residential district. It will be located to the rear of the existing home. Therefore, it does not produce and undesirable change 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 applicant collects Classic and Collectible cars and requires the proposed building to store and protect these Vehicles

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:  
The building's architectural design will complement the existing home.

The size and scale of the building will be complementary to the existing home.

- 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 construction will only affect a land area of 2,016 sq.ft. The building will not connect to the water or sewer, so other than minimal land disturbance, there are no other environmental impacts.

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

Even though the hardship is self-created, such a finding does not preclude the ZBA's approval of the requested variance.



7. ADDITIONAL REASONS (IF PERTINENT):

The roof of the accessory building will be facing in the direction  
optimal for electric solar panel efficiency.

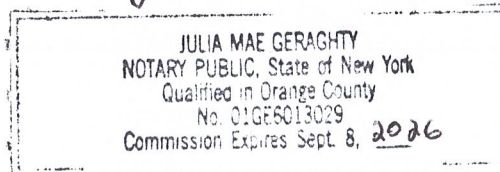
*Mark S. Senne*

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2nd. DAY OF April 2025

*Julia Mae Geraghty*  
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

Nick DiLemme, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 12 Deer Run Rd., Newburgh  
IN THE COUNTY OF Orange AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_  
Tax Parcel SBL 14-3-22.11

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

DATED: 4-2-25



OWNER'S SIGNATURE

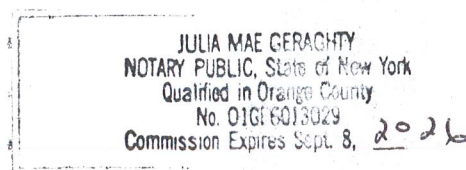


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2nd. DAY OF April 2025

  
NOTARY PUBLIC





# 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.

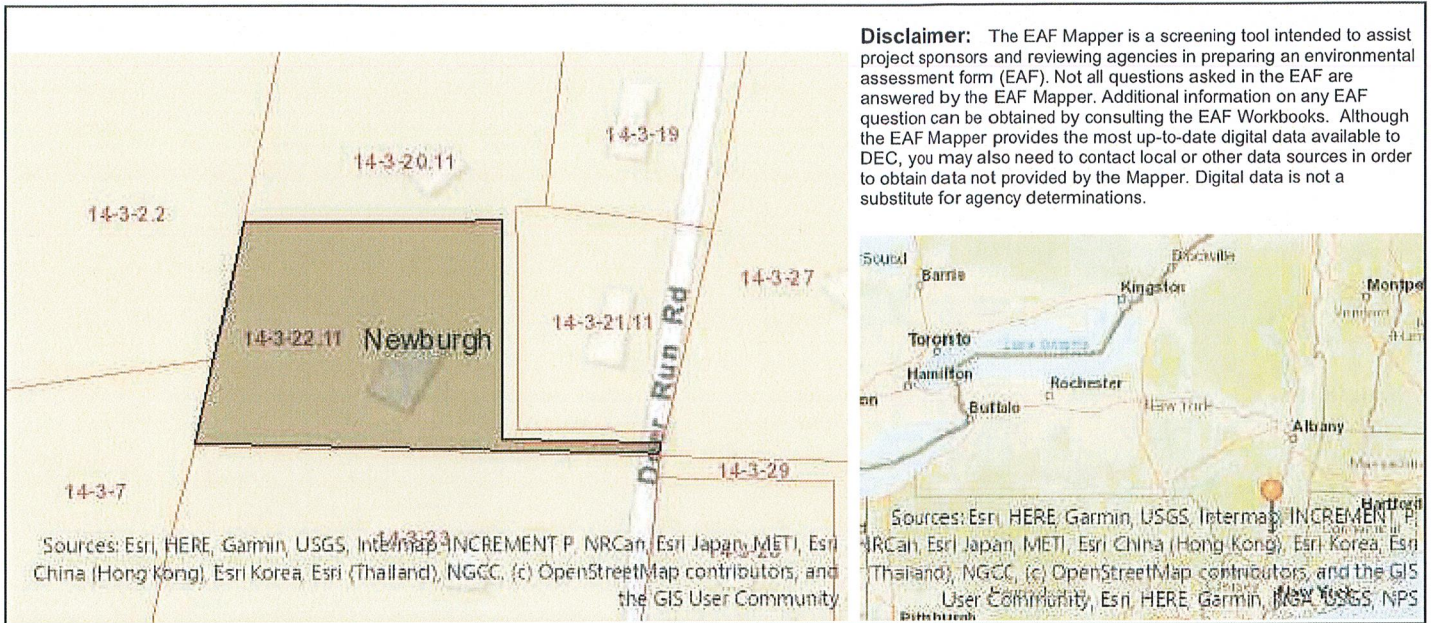
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Accessory Building for DiLemme, 12 Deer Run Road			
Project Location (describe, and attach a location map): 12 Deer Run Road, Town of Newburgh, Orange County SBL 14-3-22.11			
Brief Description of Proposed Action: Proposed 2016 square foot accessory garage (42' by 48' by 30.79' high). In order to construct the accessory building, area variances are required.			
Name of Applicant or Sponsor:  Nick DiLemme		Telephone: 845 629-7079  E-Mail: nick@dilemmeconcrete.com	
Address: 12 Deer Run Road			
City/PO: Newburgh		State: NY	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 checked="" 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 Building Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.079 acres	
b. Total acreage to be physically disturbed?		0.046 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.079 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?	NO	YES	
If Yes, identify: _____	<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 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?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Potable water is not being provided to the accessory building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Wastewater utilities are not being provided to the accessory building.	<input checked="" type="checkbox"/>	<input 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 checked="" 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? If Yes,	NO	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)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
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)? If Yes, explain the purpose and size of the impoundment:	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"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Nick DiLemme</u> Date: <u>3/6/2025</u>  Signature: <u><i>Nick DiLemme</i></u> Title: <u>Property owner</u>		



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

# ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

Deane M Kelley as  
executing LWT Affilio  
A Casucci  
TO  
Nicky G DILEMME  
JENNIFER M DILEMME

SECTION 14 BLOCK 3 LOT 2211

RECORD AND RETURN TO:  
(name and address)



MR & MRS Nicky DILEMME  
POB 10355  
Newburgh NY 12550

THIS IS PAGE ONE OF THE RECORDING

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

## PROPERTY LOCATION

2089 BLOOMING GROVE (TN)  
2001 WASHINGTONVILLE (VLG)  
2289 CHESTER (TN)  
2201 CHESTER (VLG)  
2489 CORNWALL (TN)  
2401 CORNWALL (VLG)  
2600 CRAWFORD (TN)  
2800 DEERPARK (TN)  
3089 GOSHEN (TN)  
3001 GOSHEN (VLG)  
3003 FLORIDA (VLG)  
3005 CHESTER (VLG)  
3200 GREENVILLE (TN)  
3489 HAMPTONBURGH (TN)  
3401 MAYBROOK (VLG)  
3689 HIGHLANDS (TN)  
3601 HIGHLAND FALLS (VLG)  
3889 MINISINK (TN)  
3801 UNIONVILLE (VLG)  
4089 MONROE (TN)  
4001 MONROE (VLG)  
4003 HARRIMAN (VLG)  
4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)  
4201 MAYBROOK (VLG)  
4203 MONTGOMERY (VLG)  
4205 WALDEN (VLG)  
4489 MOUNT HOPE (TN)  
4401 OTISVILLE (VLG)  
4800 NEWBURGH (TN)  
4800 NEW WINDSOR (TN)  
5089 TUXEDO (TN)  
5001 TUXEDO PARK (VLG)  
5200 WALLKILL (TN)  
5489 WARWICK (TN)  
5401 FLORIDA (VLG)  
5403 GREENWOOD LAKE (VLG)  
5405 WARWICK (VLG)  
5600 WAWAYANDA (TN)  
5889 WOODBURY (TN)  
5801 HARRIMAN (VLG)

## CITIES

0900 MIDDLETOWN  
1100 NEWBURGH  
1300 PORT JERVIS  
9999 HOLD

NO PAGES 3 CROSS REF.  
CERT. COPY ☐ ADD'L X-REF.  
MAP# ☐ PGS. ☐

PAYMENT TYPE: CHECK ☒  
CASH ☐  
CHARGE ☐  
NO FEE ☐

Taxable  
CONSIDERATION \$ 127,000  
TAX EXEMPT ☐  
Taxable  
MORTGAGE AMT. \$ ☐

## MORTGAGE TAX TYPE:

☐ (A) COMMERCIAL/FULL  
☐ (B) 1 OR 2 FAMILY  
☐ (C) UNDER \$10,000  
☐ (E) EXEMPT  
☐ (F) 3 TO 6 UNITS  
☐ (I) NAT.PERSON/CR. UNION  
☐ (J) NAT.PER-CR.UN/1 OR 2  
☐ (K) CONDO

*Donna L. Benson*

DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM: H-N-D

RECORDED/FILED  
10/10/2006/ 09:28:31  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
FILE # 20060108925  
DEED C / BK 12275 PG 0992  
RECORDING FEES 204.00  
TTX# 002296 T TAX 488.00  
Receipt#641230 juls

STATE OF NEW YORK, COUNTY OF ORANGE ss:  
I, Kelly A. Eskew, County Clerk and Clerk of the Supreme  
and County Courts, Orange County, do hereby certify that I  
have compared this copy with the original thereof filed or  
recorded in my office 10/10/2006 and the same is a correct  
transcript thereof in witness whereof, I have hereunto set my  
hand and affixed my official seal 03/05/2025

*Kelly A. Eskew*

County Clerk & Clerk of the Supreme County Courts  
Orange County



HN 37326

## EXECUTOR'S DEED (INDIVIDUAL OR CORPORATION)

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

THIS INDENTURE, made the 4<sup>th</sup> day of October, 2006

between DIANE M. KELLEY, AS EXECUTRIX, of the Last Will and Testament of ATTILIO A. CASUCCI, late of 8 DEER RUN ROAD, NEWBURGH, New York, who died on the eleventh day of April, Two Thousand Six, party of the first part,  
*aka Dianne M. Kelley*  
and NICKY G. DILEMME & JENNIFER M. DILEMME of PO BOX 10355, NEWBURGH, New York 12550, party of the second part; *as husband and wife* *2201 At 300*

WITNESSETH, that the party of the first part, to whom letters testamentary were issued by the Surrogate's Court, ORANGE County, New York on June 5, 2006, and by virtue of the power and authority given in and by said last will and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of \$122,000.00 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 distributees or successors and assigns of the party of the second part forever;

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

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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

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 costs 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.

*Diane M. Kelley*  
DIANE M. KELLEY, EXECUTRIX  
*aka Dianne M. Kelley*

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

On the 4<sup>th</sup> day of October, 2006, before me, the undersigned, personally appeared DIANE M. KELLEY, 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 she executed the same in her capacity(ies), and that by her signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument. *aka Dianne M. Kelley*

*[Signature]*  
(signature and office of individual taking acknowledgment)

JOSEPH M. SAFFIOTI  
Notary Public, State of New York  
No. 4985013  
Qualified in Orange County  
Commission Expires August 5, 2009

## **SCHEDULE A**

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, being designated as Lot No. 1. on a certain map entitled, "Lot Line Change Map Lands of Casucci", as surveyed by Vincent J. Doce, LLS dated 7/24/00 and filed in the Office of the Orange County Clerk on 11/2/00 as Filed Map No. 214-00.

TOGETHER with a right of way in common with others over a certain private roadway known as Deer Run Road from the premises to NYS Rt 32; TOGETHER WITH AND SUBJECT TO the terms of the private road maintenance agreement for DEER RUN ROAD filed in the Office of the Orange County Clerk.

TOGETHER WITH AND SUBJECT TO the COMMON DRIVEWAY MAINTENANCE AGREEMENT for the Common Driveway providing access from DEER RUN ROAD to the premises being recorded simultaneously herewith in the Office of the Orange County Clerk.

**HILL-N-DALE ABSTRACTERS, INC.**  
20 SCOTCHTOWN AVENUE  
P.O. BOX 547  
GOSHEN, NEW YORK 10924  
(845) 294-5110  
FAX (845) 294-9581



## 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: 03/06/2025**

**Application No. 25-0126**

**To: Nicky DiLemme**  
**12 Deer Run Road**  
**Newburgh, NY 12550**

**SBL: 14-3-22.11**  
**ADDRESS: 12 Deer Run Rd**

**ZONE: R1**

PLEASE TAKE NOTICE that your application dated 02/18/2025 for permit to build a 42' x 48' x 30.75' accessory building on the premises located at 12 Deer Run Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-15-4: Accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula: (1000 sf)
- 2) 185-15-A-1: Such building, except for farm purposes, shall not exceed 15 feet in height.
- 3) Bulk table schedule 3: Maximum allowed 4 stored vehicles.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



TOWN OF NEWBURGH ZONING CHART

NAME:

NICKY DILEMMIE

ADDRESS:

12 DEER RUN RD

STRUCTURE:

42' X 48' X 30.75' ACCESSORY BLDG

TYPE OF VARIANCE:

AREA

NEWBURGH NY 12550

S:B:L: 14-3-22.11

ZONE: R-1

TOWN WATER: NO

TOWN SEWER: NO

VARIANCE DISCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
SQUARE FOOTAGE	185-15-A-4	1000 SF	2506 SF	1506 SF	150.6%
BUILDING HEIGHT	185-15-A-1	15'	30.75'	15.75'	105%
VEHICLE STORAGE	BULK TABLE SCHEDULE 3	4	11 TOTAL	7	175.00%

COMMENTS:

REVIEWED BY:

JOSEPH MATINA

DATE: 2-19-2025

APPLICATION: 25-0126























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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Nick DiLemme, being duly sworn, depose and say that I did on or before  
April 10, 2025, post and will thereafter maintain at

12 Deer Run Rd 14-3-22.11 R1 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.

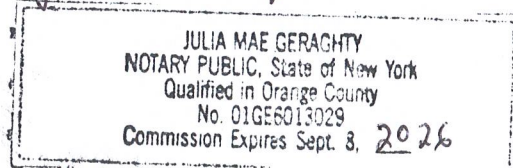
State of New York  
County of Orange

*Nick DiLemme*

Sworn to before me this 9th

day of April, 2025.

*Julia Mae Geraghty*











## TOWN OF NEWBURGH

*Councils of the Northeast*  
ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

OFFICE OF ZONING BOARD OF APPEALS  
DARRIN SCALZO, CHAIRMAN  
SIOBHAN JABLESNIK, SECRETARY  
TELEPHONE 845-564-4901  
FAX LINE 845-564-7802

### NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 24th, day of April, 2025 at 7:00 P.M., in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Nick D'Elmme for area variances of maximum height, maximum square footage and maximum storage of vehicles to build a 42' x 48' x 30.75' accessory building on the property.

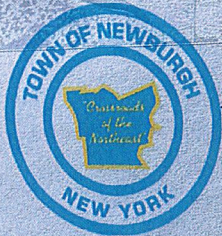
PREMISES LOCATED at 12 Deer Run Rd. 14-3-22-11 R1 Zone in the Town of Newburgh, New York.

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

BY ORDER of the Zoning Board of Appeals dated the 10th, day of April, 2025.

*Nick D'Elmme*  
(APPLICANT)





## TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

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

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

### NOTICE OF HEARING

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APPLICATION of Nick Dilemme for area variances of maximum height, maximum square footage and maximum storage of vehicles to build a 42' x 48' x 30.75' accessory building on the property.

PREMISES LOCATED at 12 Deer Run Rd 14-3-22-11 R1 Zone in the Town of Newburgh, New York.

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

BY ORDER of the Zoning Board of Appeals dated the 10th day of April, 2025.

Nick Dilemme  
(APPLICANT)





## TOWN OF NEWBURGH

*Chairs of the Northeast*  
ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

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

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

### NOTICE OF HEARING

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APPLICATION of Nick DiLemme for area variances of maximum height, maximum square footage and maximum storage of vehicles to build a 42' x 48' x 30.75' accessory building on the property.

PREMISES LOCATED at 12 Deer Run Rd 14-3-22-11 R1 Zone in the Town of Newburgh, New York.

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

BY ORDER of the Zoning Board of Appeals dated the 10th day of April, 2025.

Nick DiLemme  
(APPLICANT)





## TOWN OF NEWBURGH

*Gateway of the Northeast*

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

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

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

### NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 24th day of April, 2025 at 7:00 P.M., in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Nick DiLemmo for area variances of maximum height, maximum square footage and maximum storage of vehicles to build a 42' x 48' x 30.75' accessory building on the property.

PREMISES LOCATED at 12 Deer Run Rd 14-3-22-11 R1 Zone in the Town of Newburgh, New York.

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

BY ORDER of the Zoning Board of Appeals dated the 10th day of April, 2025.

*Nick DiLemmo*  
(APPLICANT)