



# TOWN OF NEWBURGH

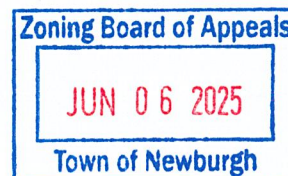
Crossroads of the Northeast A.

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: 6/05/2025

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

I JEFFREY T. GUION PRESENTLY

RESIDING AT NUMBER 490 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550

TELEPHONE NUMBER 845 392-3925

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

\_\_\_\_\_ USE VARIANCE  
\_\_\_\_\_ X \_\_\_\_\_ AREA VARIANCE (S)  
\_\_\_\_\_ INTERPRETATION OF THE ORDINANCE  
\_\_\_\_\_ SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

14-3-11 (TAX MAP DESIGNATION)

490 LAKESIDE ROAD (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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-B  
185-15-A-4

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:  
04/16/2025 (2025-17A)
- 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 APPROVAL TO BUILD A TWO CAR GARAGE AT THE END OF MY DRIVEWAY THAT PROJECTS CLOSER TO THE FRONTING STREET THAN THE FRONT OF THE MAIN BUILDING. ALSO SEEKING APPROVAL FOR A TOTAL AREA VARIANCE

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:

MY HOUSE IS SET BACK 100' FROM LAKESIDE ROAD, AND THE NEW GARAGE WILL STILL BE 70' FROM LAKESIDE ROAD. IT WILL LOOK VERY SIMILIAR TO MY HOUSE, WITH STATE OF THE ART CONSTRUCTION AND A MATCHING ROOF. THE GARAGE WILL ALSO BE PLACED IN AN OBVIOUS AND LIKELY LOCATION FOR A TYPICAL GARAGE; AT THE END OF MY EXISTING DRIVEAY, AND IN FRONT OF MY EXISTING STORAGE SHED.

- 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:

I CURRENTLY HAVE A 21x22 STORAGE SHED THAT WAS NOT BUILT TO HOUSE A VEHICLE. THE NEW GARAGE WILL PROVIDE MY FAMILY WITH THE ABILITY TO PARK TWO VEHICLES AND A LAWN TRACTOR OUT OF THE WEATHER AND OUT OF SIGHT, PROVIDING THE NEIGHBORHOOD WITH A CLEANER AND MORE APPROPRIATE LOOK FROM THE MAIN ROAD.

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

THE TOTAL AREA ONCE THE TWO CAR GARAGE IS COMPLETED WILL ONLY BE 1246 SQUARE FEET. THAT TOTAL INCLUDES THIS PROPOSED 24x30 TWO CAR GARAGE, MY EXISTING 21x22 STORAGE SHED AND A PROPOSED 8x8 GARDEN GREENHOUSE.

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

THIS NEW GARAGE WILL ACTUALLY PROVIDE A POSITIVE EFFECT ON THE NEIGHBORHOOD AND ENVIRONMENT BY HAVING BOTH OF MY FAMILY VEHICLES PARKED INSIDE A BEAUTIFUL NEW GARAGE, SHIELDED FROM THE ELEMENTS AND PREVENTING MY NEIGHBORS FROM VIEWING MY VEHICLES AND TRACTOR PARKED AT THE END OF MY DRIVEWAY, REMOVING A CURRENT EYE SORE. THE GARAGE WILL BE BUILT ON AN EXISTING DRIVEWAY AND WILL NOT CAUSE ANY ENVIRONMANTAL CONCERNS FOR WATER RUN-OFF OR DRAINAGE.

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

MY HOUSE WAS BUILT IN THE LATE 1800'S AND HAS VERY LITTLE SIZE AND/OR STORAGE AREA. THE EXISTING STORAGE SHED HOUSES MY FAMILY'S INCIDENTALS; LIKE EXTRA FURNATURE, BICYCLES, MECHANIC TOOLS, RAKES, SHOVELS, SKIS, IN ADDITION TO SEASONAL LAWN FURNATURE, COOLERS, UMBRELLAS AND TYPICAL ITEMS EVERY FAMILY STORES DURING OFF-SEASONS. THE NEW GARAGE WOULD PROVIDE SHELTER FOR VERY EXPENSIVE NECESSITIES; LIKE TWO VEHICLES, A LAWN TRACTOR, GENERATOR, COMPRESSOR, FLOOR JACKS AND VEHICLE MAINTENANCE ITEMS. MY DRIVEWAY IS 100 FEET LONG WITH AMPLE ROOM FOR A TWO CAR GARAGE, AND A STORAGE SHED, WHILE STILL PROVIDING 70' OF ROAD SET BACK AND A BEAUTIFUL NEW MODERN APPEARANCE WITH CONCEALED, CLEAN, ORGANIZED PROTECTION FOR MY VEHICLES FROM THE ENVIRONMENT.

7. ADDITIONAL REASONS (IF PERTINENT):

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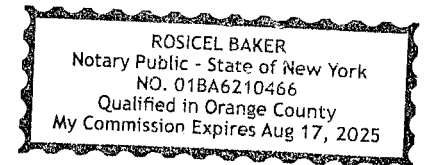
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PETITIONER(S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 6<sup>th</sup> DAY OF June 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.

**(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.

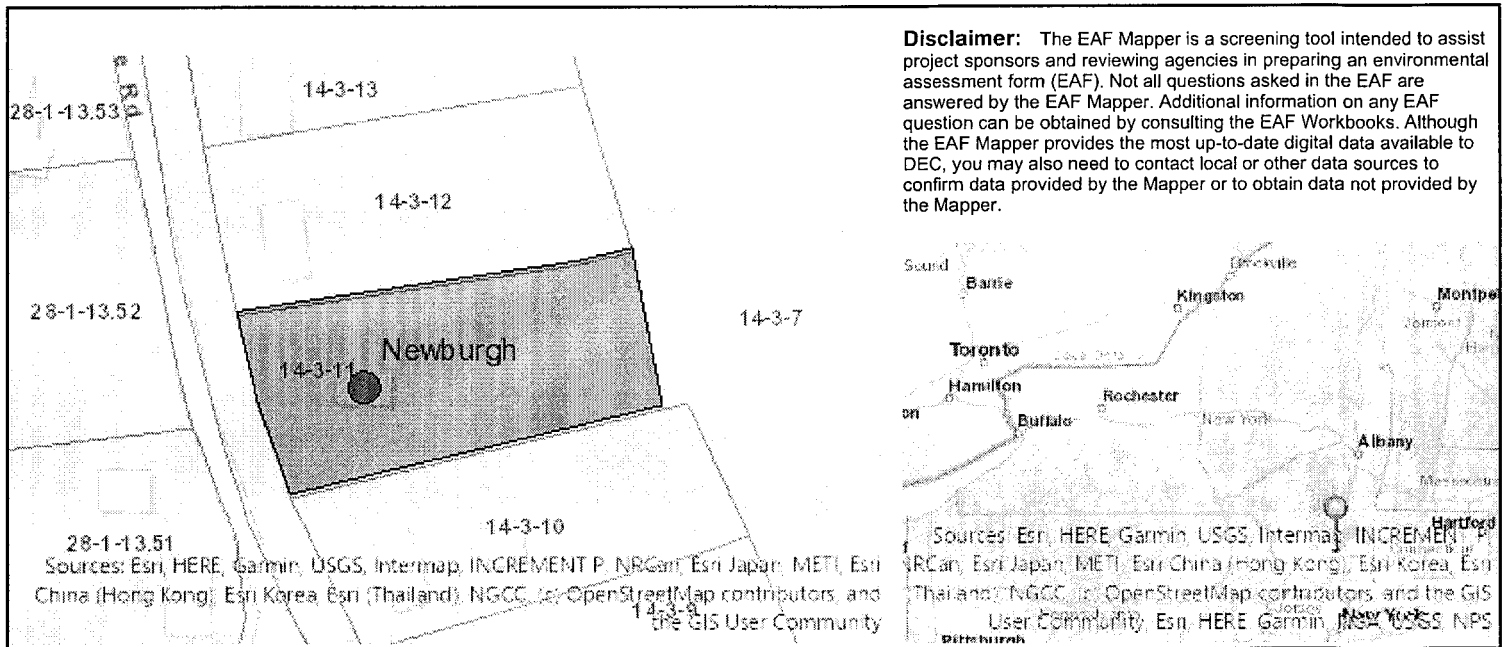
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
HOMEOWNER REQUEST TO BUILD 24X30 TWO CAR GARAGE, 8X8 GREENHOUSE, AND KEEP EXISTING 20X21 STORAGE SHED			
Name of Action or Project: JEFFREY T. GUION; HOMEOWNER; TOWN OF NEWBURGH ZONING BOARD VARIANCE REQUEST			
Project Location (describe, and attach a location map): 490 LAKESIDE ROAD, NEWBURGH, NY 12550			
Brief Description of Proposed Action: REQUESTING ZONING BOARD APPEAL, FOR A LOCATION AND AREA VARIANCE, TO BUILD A 24X30 TWO CAR GARAGE, IN ADDITION TO AN 8X8 GREENHOUSE, AND TO KEEP AN EXISTING 20X21 STORAGE SHED. NEW GARAGE TO BE BUILT ON A NEW FOUNDATION, ON EXISTING ASPHALT DRIVEWAY, IN FRONT OF EXISTING STORAGE SHED. GREENHOUSE TO BE BUILT ON EXISTING CONCRETE PAD (WITH STRUCTURAL IMPROVEMENTS), SURROUNDED BY FLOWER BEDS, IN BACKYARD.			
Name of Applicant or Sponsor: JEFFREY T. GUION		Telephone: 845 392-3925	
		E-Mail: RANGERGUION@GMAIL.COM	
Address: 490 LAKESIDE 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 DEPARTMENT AND ZONING BOARD OF APPEALS			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.8763 acres	
b. Total acreage to be physically disturbed?		0.0286042241 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.8763 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 type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	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	
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: _____ _____	<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: _____ _____	<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 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, <div style="margin-left: 40px;">           a. Will storm water discharges flow to adjacent properties?             b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?         </div> If Yes, briefly describe: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	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: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	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: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>JEFFREY T. GUION</u> Date: <u>6/04/2025</u></p> <p>Signature: <u>/S/ JEFFREY T. GUION</u> Title: <u>HOMEOWNER</u></p>		





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, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.

Part 1 / Question 15 [Threatened or Endangered Animal]

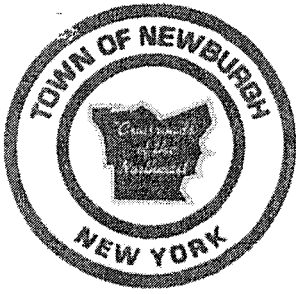
No

Part 1 / Question 16 [100 Year Flood Plain]

No

Part 1 / Question 20 [Remediation Site]

No



## 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

# 2025-17(a)

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/16/2025

Application No. 25-0301

To: Jeffrey T. Guion  
490 Lakeside Road  
Newburgh, NY 12550

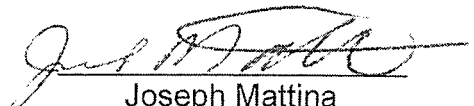
SBL: 14-3-11  
ADDRESS: 490 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/04/2025 for permit to build a 24' x 30' garage in a front yard on the premises located at 490 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code

- 1) 185-15-B: No such building shall project closer to the fronting street than the front of the main building
- 2) 185-15-A-4: An 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:

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

TOWN OF NEWBURGH ZONING CHART

NAME:

JEFFREY GUION

ADDRESS:

490 LAKESIDE RD

STRUCTURE:

24' X 30' GARAGE

TYPE OF VARIANCE:

AREA

NEWBURGH NY 12550

S:B:L: 14-3-11      ZONE: R-1      TOWN WATER: YES      TOWN SEWER: NO

VARIANCE DISCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
FRONT YARD	185-15-B		NOT PERMITTED IN A FRONT YARD		
SQUARE FOOTAGE	185-15-4	835 SF	1246 SF	411 SF	49.20%

COMMENTS:

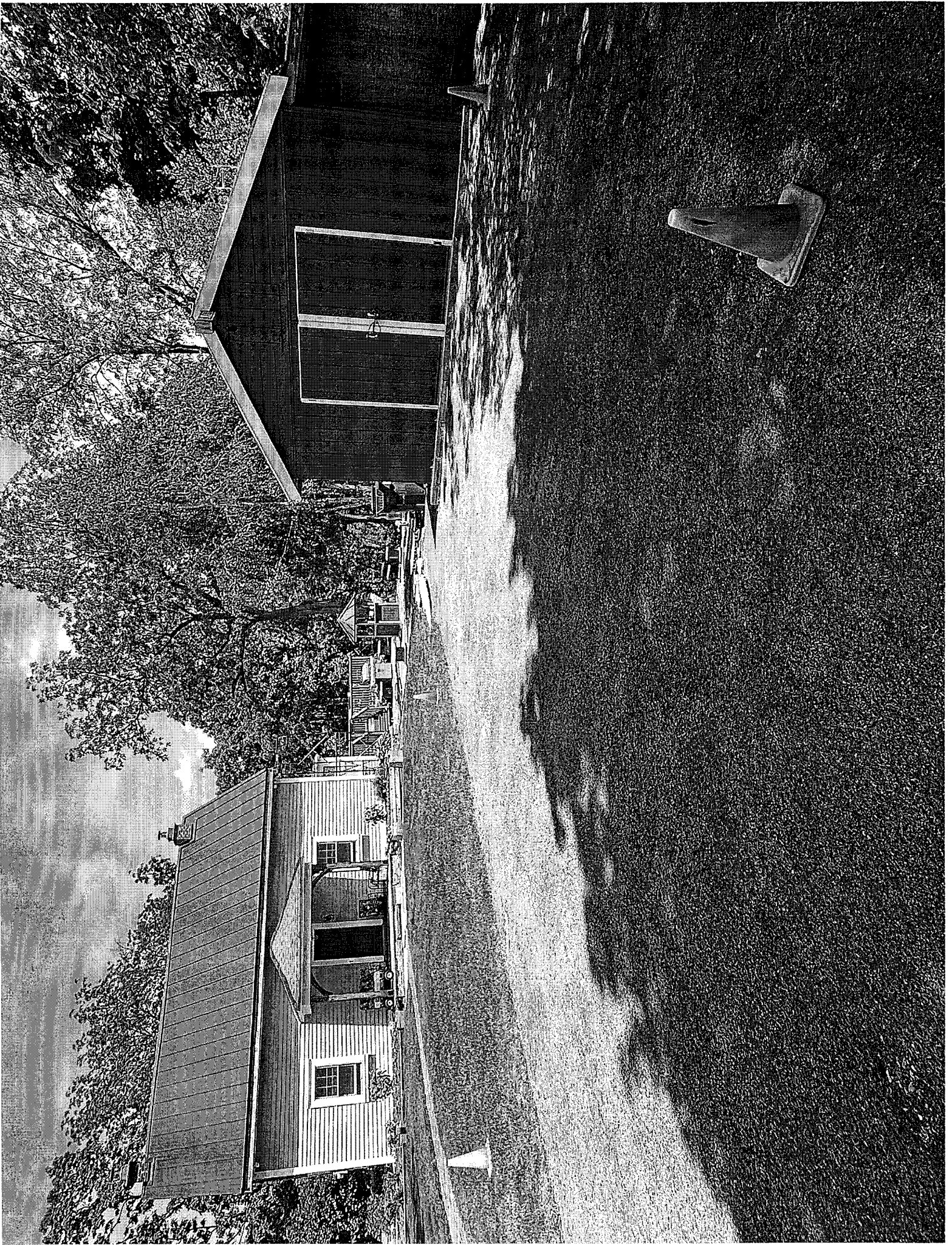
HAS 2 OTHER PRIOR BUILT STRUCTURES THAT REQUIRES VARIANCES

REVIEWED BY:

JOSEPH MATINA

DATE: 5-20-2025

APPLICATION: 25-0301













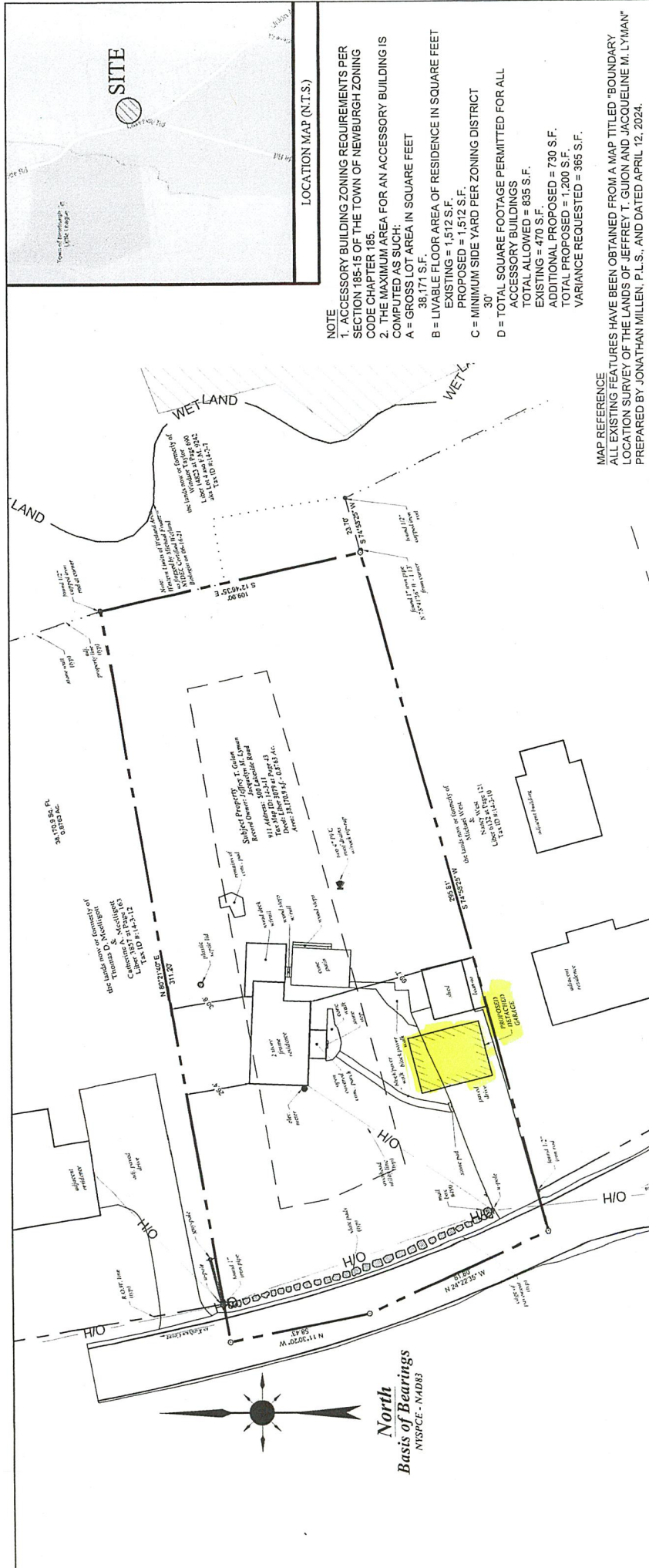












NOTES:  
1. PROPOSED CONSTRUCTION WILL NOT ALTER THE BEDROOM COUNT OF THE SUBJECT RESIDENCE.  
2. THE PROPOSAL IS FOR CONSTRUCTION OF A DETACHED GARAGE.

**ZONING INFORMATION:**  
R-1 SINGLE FAMILY RESIDENTIAL

MINIMUM REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	40,000 S.F.	38,171 S.F. ± 38,171 S.F. ±
LOT WIDTH (FEET)	150'	136' ±
LOT DEPTH (FEET)	150'	312' ±
FRONT YARD (FEET)	50'	97' ±
ONE SIDE YARD (FEET)	30'	26' ±
TOTAL SIDE YARD (FEET)	80'	96' ±
REAR YARD (FEET)	40'	149' ±
HABITABLE FLOOR AREA	1,500 S.F.	1,512 S.F. ± 1,512 S.F. ±
LOT BUILDING COVERAGE	10%	4% ± 6% ±
HEIGHT (FEET)	35'	< 35'
LOT SURFACE COVERAGE	20%	14% ± 15% ±

\*PRE-EXISTING NON-CONFORMING  
\*\* PER COUNTY RECORDS

**PLOT PLAN**

SCALE: 1" = 30'



**ACCESSORY BUILDING INFORMATION**

REQUIRED	EXISTING	PROPOSED
SIDE YARD SETBACK	5'	0'
REAR YARD SETBACK (FEET)	15'	83' ±
HEIGHT (FEET)	< 15'	14.67'
MAXIMUM PERMITTED ACCESSORY AREA	835 S.F.	835 S.F.
ACTUAL ACCESSORY AREA (S.F.)	N/A	1,200 S.F. ±
MAIN BUILDING SETBACK (FEET)	10'	24' ±

\*\*VARIANCE REQUIRED

- NOTE**
- ACCESSORY BUILDING ZONING REQUIREMENTS PER SECTION 185-15 OF THE TOWN OF NEWBURGH ZONING CODE CHAPTER 185.
  - THE MAXIMUM AREA FOR AN ACCESSORY BUILDING IS COMPUTED AS SUCH:  
A = GROSS LOT AREA IN SQUARE FEET  
38,171 S.F.  
B = LIVABLE FLOOR AREA OF RESIDENCE IN SQUARE FEET  
EXISTING = 1,512 S.F.  
PROPOSED = 1,512 S.F.  
C = MINIMUM SIDE YARD PER ZONING DISTRICT  
30'  
D = TOTAL SQUARE FOOTAGE PERMITTED FOR ALL ACCESSORY BUILDINGS  
TOTAL ALLOWED = 835 S.F.  
EXISTING = 470 S.F.  
ADDITIONAL PROPOSED = 730 S.F.  
TOTAL PROPOSED = 1,200 S.F.  
VARIANCE REQUESTED = 365 S.F.

**MAP REFERENCE**  
ALL EXISTING FEATURES HAVE BEEN OBTAINED FROM A MAP TITLED "BOUNDARY LOCATION SURVEY OF THE LANDS OF JEFFREY T. GUION AND JACQUELINE M. LYMAN" PREPARED BY JONATHAN MILLEN, P.L.S., AND DATED APRIL 12, 2024.

**PLOT PLAN FOR DETACHED GARAGE**

RESIDENTIAL SITE PLAN FOR:  
GUION AND LYMAN  
490 LAKESIDE ROAD (S/B/L: 14-3-11)  
TOWN OF NEWBURGH  
ORANGE COUNTY, NEW YORK

JONATHAN CELLA, P.E.  
51 HUNTER ROAD  
WALLKILL, NEW YORK 12589  
(845) 741-1353  
jonathancellaplanet.com

DATE: 01/16/2025  
SCALE: AS NOTED  
SHEET NO. 1 OF 1

REVISIONS:  
XXX: IN HOUSE REVISIONS

JONATHAN CELLA, P.E.  
N.Y.S. P.E. LIC. NO. 085069



GENERAL CONSTRUCTION NOTES:

CONSTRUCTION ACCORDING TO THE NEW YORK STATE  
2020 RESIDENTIAL BUILDING CODE (USE APPLICABLE NOTES)

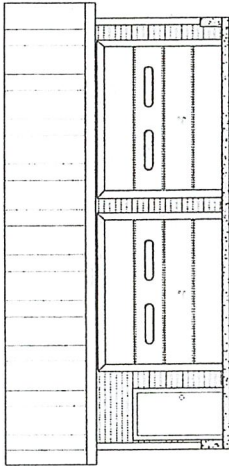
1. THE CONSTRUCTOR IS EXPECTED TO FAMILIARIZE HIMSELF WITH THE EXISTING SITE BEFORE STARTING WORK. ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD DO NOT SCALE DRAWINGS. USE DIMENSIONS GIVEN. ANY DISCREPANCIES OR CHANGES TO THESE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AT ONCE. IF ANY CONSTRUCTION MATERIALS OR EQUIPMENT IN THESE NOTES ARE INTENDED TO BE CHANGED BY THE CONTRACTOR THE ENGINEER SHALL BE NOTIFIED PRIOR TO THE CHANGES FOR APPROVAL.
2. ALL WORK TO BE COMPLETED SHALL CONFORM TO THE N.Y.S. UNIFORM BUILDING AND FIRE PREVENTION CODE, AND ANY OTHER APPLICABLE LOCAL CODES. THE OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN ANY REQUIRED CONSTRUCTION PERMITS BEFORE STARTING WORK AND SCHEDULING ANY APPLICABLE INSPECTIONS WITH THE BUILDING DEPARTMENT.
3. THE CONTRACTOR SHALL REMOVE ALL DEBRIS CREATED BY HIS SCOPE OF WORK.
4. THE DESIGN LOAD ARE AS FOLLOWS:

ITEM	LOADS P.S.F.		ITEM	LOADS P.S.F.	
	LIVE	DEAD		GROUND SNOW	DEAD
FLOOR	40	10	ROOF	55	10
ATTIC	20	10			
DECK	45	10			

5. ALL LUMBER SHALL BE CONSTRUCTION GRADE SPF (Pb = 1,200 PSI) OR EQUAL
6. DOUBLE UP ALL STUDS AT WINDOWS, DOORS, AND HEADERS. DOUBLE UP ALL FLOOR JOISTS, UNDER PARTITIONS PARALLEL TO THEM. ALL FLOOR JOISTS SHALL BE BRACED OR BLOCKED AT MIDSPAN. ALL PLYWOOD SUBFLOORING SHALL BE GLUED AND NAILLED DOWN. PROVIDE ALL FIRE STOPPING AS REQUIRED BY CODE. ANY LUMBER USED FOR DECKS OR EXTERIOR USE SHALL BE PRESSURE TREATED.
7. FOR ALL FOUNDATION AND CONCRETE WORK USE 3500 PSI OR GREATER. ALL REBAR SHALL BE GRADE 60. USE ONLY PRESSURE TREATED SILL PLATES. USE 1/2" X 12" ANCHOR BOLTS AT 6'-0", 12" FROM CORNERS OR SPLICES. FOR ALL CONCRETE BLOCK MASONRY USE DOWNSIZED REINFORCING BARS. ALL CONCRETE COURSE TO BE SOLID. MINIMUM SOIL BEARING CAPACITY SHALL BE 4000 P.S.F.
8. ALL FOOTINGS SHALL BE 16"x8" (GARAGE) OR 20"x10" HOUSE (UNLESS OTHERWISE NOTED ON PLANS) POURED CONCRETE ON UNDISTURBED SOIL WITH #4 (AMOUNT/SPACING DESIGNATED ON PLANS) AT FOOTING BOTTOM. ALL 4" FOOTING DRAINS SHALL BE BEDDED IN 3/4" SIZE STONE - MINIMUM W/FABRIC COVER. ALL POURED CONCRETE FOOTINGS TO BE FORMED, PLACED ON UNDISTURBED SOIL, 48" BELOW GRADE. FOOTING SHALL NOT TO BE PLACED ON FROZEN GROUND.
9. ALL OTHER NAILS, FASTENERS, HANGERS, ETC. SHALL MEET GENERALLY ACCEPTED BUILDING PRACTICES. ALL EXTERIOR DOORS AND WINDOWS SHALL BE FLUSH WITH BEAM. USE ONLY GALVANIZED ITEMS FOR EXTERIOR USE. PROVIDE CROSS BRACING OR SOLID BLOCKING BETWEEN ALL JOISTS. PROVIDE DOUBLE JOISTS UNDER COLUMNS THAT FALL ABOVE IT.
10. FOR EXTERIOR WORK USE ALUMINUM STEP FLASHING AT THE INTERSECTION OF ALL ROOFS AND WALLS. OVERLAP ROOF SHINGLES AT ALL VALLEYS AND HIPPS. FOR ALL VALLEYS AND EAVES, LINE WITH WEATHERGUARD (OR EQUIVALENT) NAILABLE ICE SHIELD BEFORE INSTALLING SHINGLES. VAPOR BARRIER SHALL BE PROVIDED WHERE INSULATION IS CAPABLE OF ABSORBING MOISTURE.
11. ALL ITEMS NOT SPECIFICALLY NOTED IN THESE PLANS INCLUDING FLOOR, PAINT, FINISH CARPENTRY, PLUMBING FIXTURES, ELECTRICAL LIGHT FIXTURES, ETC. SHALL BE DISCUSSED AND NOTED WITH THE OWNERS BEFORE BEGINNING WORK.
12. ALL ELECTRICAL WORK SHALL CONFORM TO THE NATIONAL ELECTRIC CODE. ALL ELECTRICAL WORK SHALL BE INSPECTED AT THE ROUGH AND FINAL STAGES OF THE CONSTRUCTION. ALL SHOCK DETECTIONS ARE TO BE HARD WIRED & INTERCONNECTED.
13. ALL PLUMBING WORK SHALL CONFORM TO THE N.Y.S. UNIFORM BUILDING CODE WITH REGARDS TO THE SIZING OF SUPPLY, VENT, AND WASTE LINES.
14. ALL EXTERIOR WINDOW AND DOOR HEADERS SHALL BE (2) 2" X 10" UNLESS NOTED OTHERWISE.

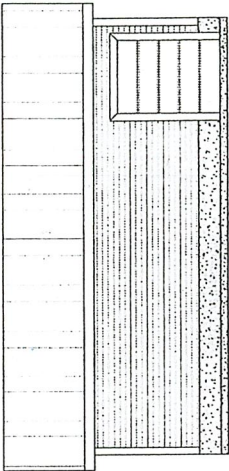
15. ALL INTERIOR WINDOW AND DOOR HEADERS SHALL BE (2) 2" X 10" UNLESS NOTED OTHERWISE.
16. 2" X 6" COLLAR TIES SHALL BE PROVIDED IN ALL AREAS WHERE STRUCTURAL RIDGE IS NOT NOTED.

NOTE: THESE PLANS MEET THE REQUIREMENTS AND CONFORM WITH THE 2020 NEW YORK STATE RESIDENTIAL CODE.  
THESE PLANS ARE NOT SUBJECT TO THE 2020 ENERGY CONSERVATION CODE OF NEW YORK STATE.



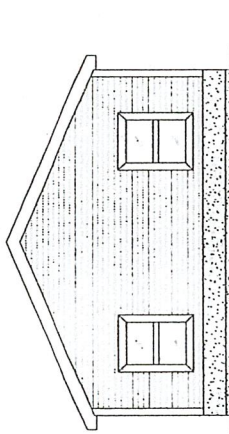
PROPOSED FRONT ELEVATION

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



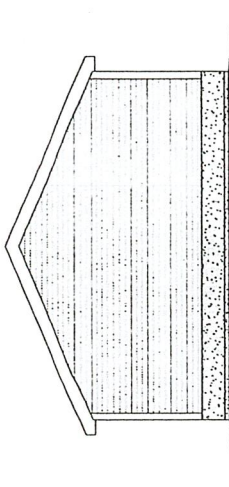
PROPOSED REAR ELEVATION

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



PROPOSED LEFT SIDE ELEVATION

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



PROPOSED RIGHT SIDE ELEVATION

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

Project Title:	GENERAL CONSTRUCTION NOTES AND ELEVATIONS	Designer/ Engineer:	Jonathan Cella, P.E. 51 Hunt Road Wallkill, New York 12589 (845) 741-0363 N.Y.S. P.E. License #: 085069
Sheet Title:	GENERAL CONSTRUCTION NOTES AND ELEVATIONS	Date:	01/16/2025
Project Title:	DETACHED GARAGE PLANS FOR: GUION AND LYMAN 490 LAKE SIDE ROAD (S/B/L: 14-3-11) TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK	Sheet No.:	A-1



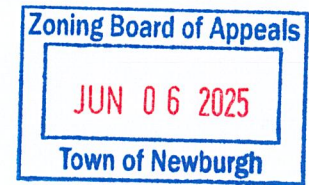




# TOWN OF NEWBURGH

*Crossroads of the Northeast* 6.

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: 6/05/2025

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

I JEFFREY T. GUION PRESENTLY

RESIDING AT NUMBER 490 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550

TELEPHONE NUMBER 845 392-3925

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

\_\_\_\_\_ USE VARIANCE  
\_\_\_\_\_ X \_\_\_\_\_ AREA VARIANCE (S)  
\_\_\_\_\_ INTERPRETATION OF THE ORDINANCE  
\_\_\_\_\_ SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

14-3-11 (TAX MAP DESIGNATION)

490 LAKESIDE ROAD (STREET ADDRESS)

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

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:  
05/20/2025 (2025-17B)
- 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 APPROVAL FOR A TOTAL AREA VARIANCE TO BUILD AN 8x8 GARDEN GREENHOUSE ON AN EXISTING CONCRETE SLAB IN MY BACKYARD

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:

THIS 8x8 GREENHOUSE WILL NOT BE VIEWABLE FROM LAKESIDE ROAD. THE ACTUAL GREENHOUSE WILL BE VERY PLEASING TO THE EYE FOR MY TWO ADJOINING NEIGHBORS. IT WILL BE AN APPEALING, MODERN LOOKING STRUCTURE FILLED WITH WINDOWS. INSIDE THE GREENHOUSE WILL BE FILLED WITH NEWLY PLANTED FLOWERS, AND IT WILL BE SURROUNDED BY MULTI-LEVEL FLOWER BEDS, GROWING PERENNIAL PLANTS AND FLOWERS. ALL PRESENTING A BEAUTIFUL AND NATURAL LANDSCAPE.

- 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:

I CURRENTLY HAVE A 21x22 STORAGE SHED AND A PROPOSED 24x30 TWO CAR GARAGE. THE AREA VARIANCE WILL PROVIDE ME PERMISSION FOR AN ADDITIONAL ACCESSORY STRUCTURE FOR MY FAMILY TO PLANT AND GROW FLOWERS THAT ADD TO THE BEAUTY OF MY PROPERTY.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:  
THE TOTAL AREA ONCE THE PROPOSED 8x8 GARDEN GREENHOUSE IS COMPLETED, WILL ONLY BE 1246 SQUARE FEET. THAT TOTAL INCLUDES A PROPOSED 24x30 TWO CAR GARAGE, IN ADDITION TO MY EXISTING 21x22 STORAGE SHED.

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

THIS NEW GREENHOUSE WILL BE BUILT ON AN EXISTING, NEWLY IMPROVED, CONCRETE PAD AND WILL NOT CAUSE ANY ENVIRONMENTAL CONCERNS FOR WATER RUN-OFF OR DRAINAGE. THE GREENHOUSE IS SURROUNDED BY MULTI-LEVEL FLOWER BED GARDENS AND ALL WATER SHED FROM THE STRUCTURE WILL BE ABSORBED BY THE TOPSOIL IN THE SURROUNDING GARDENS AND AID IN NATURAL WATER CONSERVATION, IN ADDITION TO BEING GOOD STEWARDS OF THE ENVIRONMENT.

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

MY HOUSE WAS BUILT IN THE LATE 1800'S AND HAS VERY LITTLE SIZE AND/OR STORAGE AREA. THE EXISTING STORAGE SHED HOUSES MY FAMILY'S INCIDENTALS; LIKE EXTRA FURNITURE, BICYCLES, MECHANIC TOOLS, RAKES, SHOVELS, SKIS, IN ADDITION TO SEASONAL LAWN FURNITURE, COOLERS, UMBRELLAS AND TYPICAL ITEMS EVERY FAMILY STORES DURING OFF-SEASONS. THE NEW GARAGE WOULD PROVIDE SHELTER FOR VERY EXPENSIVE NECESSITIES; LIKE TWO VEHICLES, A LAWN TRACTOR, GENERATOR, COMPRESSOR, FLOOR JACKS AND VEHICLE MAINTENANCE ITEMS. THIS AREA VARIANCE WOULD ENABLE ME TO BUILD A GREENHOUSE TO GROW FLOWERS AND PLANTS TO HELP BEAUTIFY MY PROPERTY.



7. ADDITIONAL REASONS (IF PERTINENT):

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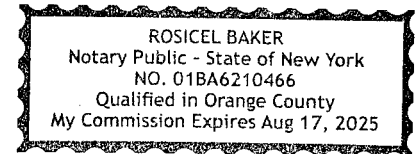
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*[Signature]*  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 6<sup>th</sup> DAY OF June 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

2025-17(b)

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/20/2025

Application No. 25-0440

To: Jeffrey T. Guion  
490 Lakeside Road  
Newburgh, NY 12550

SBL: 14-3-11  
ADDRESS: 490 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 05/09/2025 for permit to keep a 8' x 8' accessory building built without a permit on the premises located at 490 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-A-4: Shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# TOWN OF NEWBURGH ZONING CHART

NAME: \_\_\_\_\_ JEFFREY GUION \_\_\_\_\_ ADDRESS: \_\_\_\_\_ 490 LAKESIDE RD \_\_\_\_\_

NEWBURGH NY 12550

STRUCTURE: \_\_\_\_\_ 8' x 8' ACCESSORY BUILDING \_\_\_\_\_ TYPE OF VARIANCE: AREA

S:B:L: 14-3-11 \_\_\_\_\_ ZONE: R-1 \_\_\_\_\_ TOWN WATER: YES \_\_\_\_\_ TOWN SEWER: NO

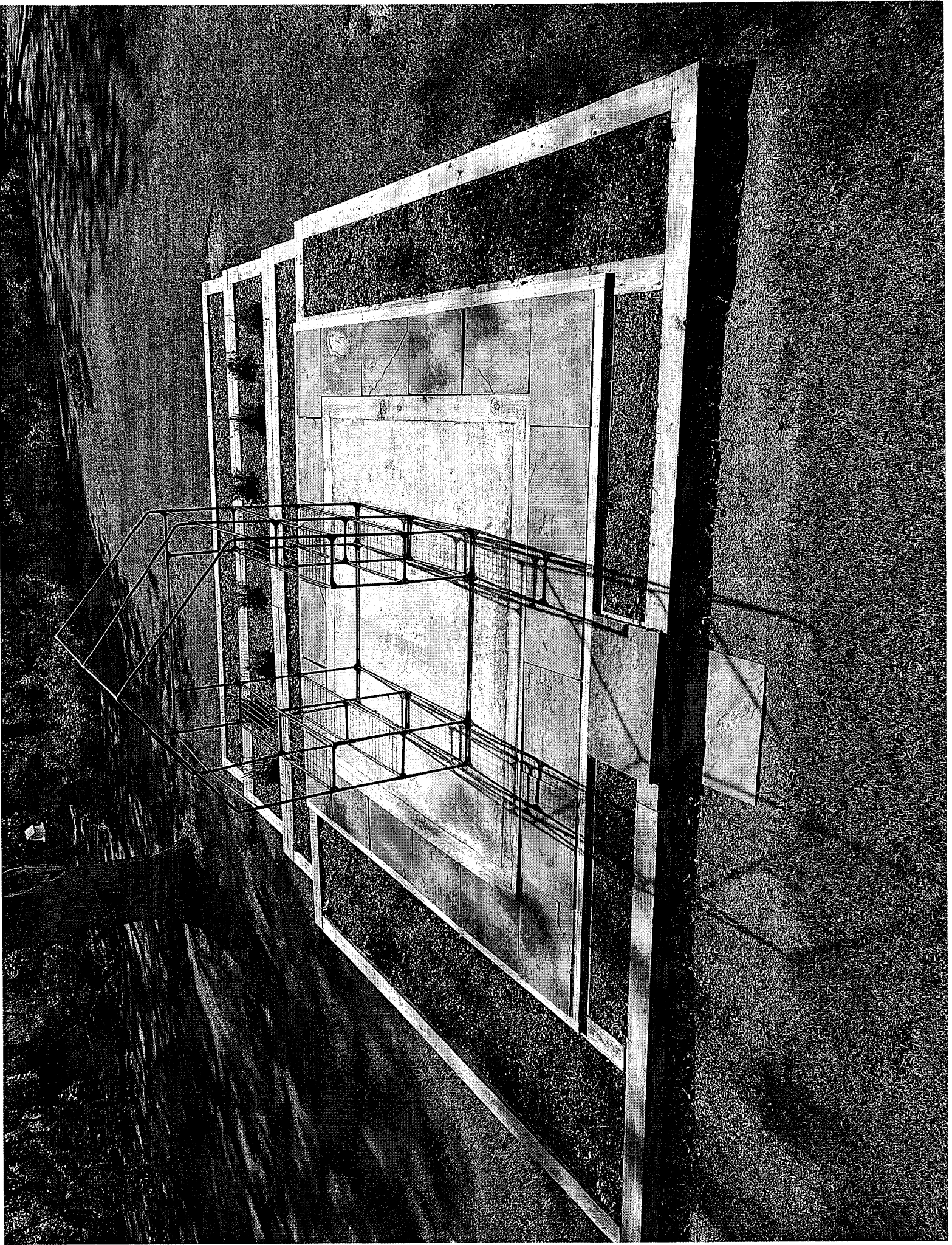
VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
SQUARE FOOTAGE	185-15-4	835 SF	1246 SF	411 SF	49.20%

COMMENTS: \_\_\_\_\_

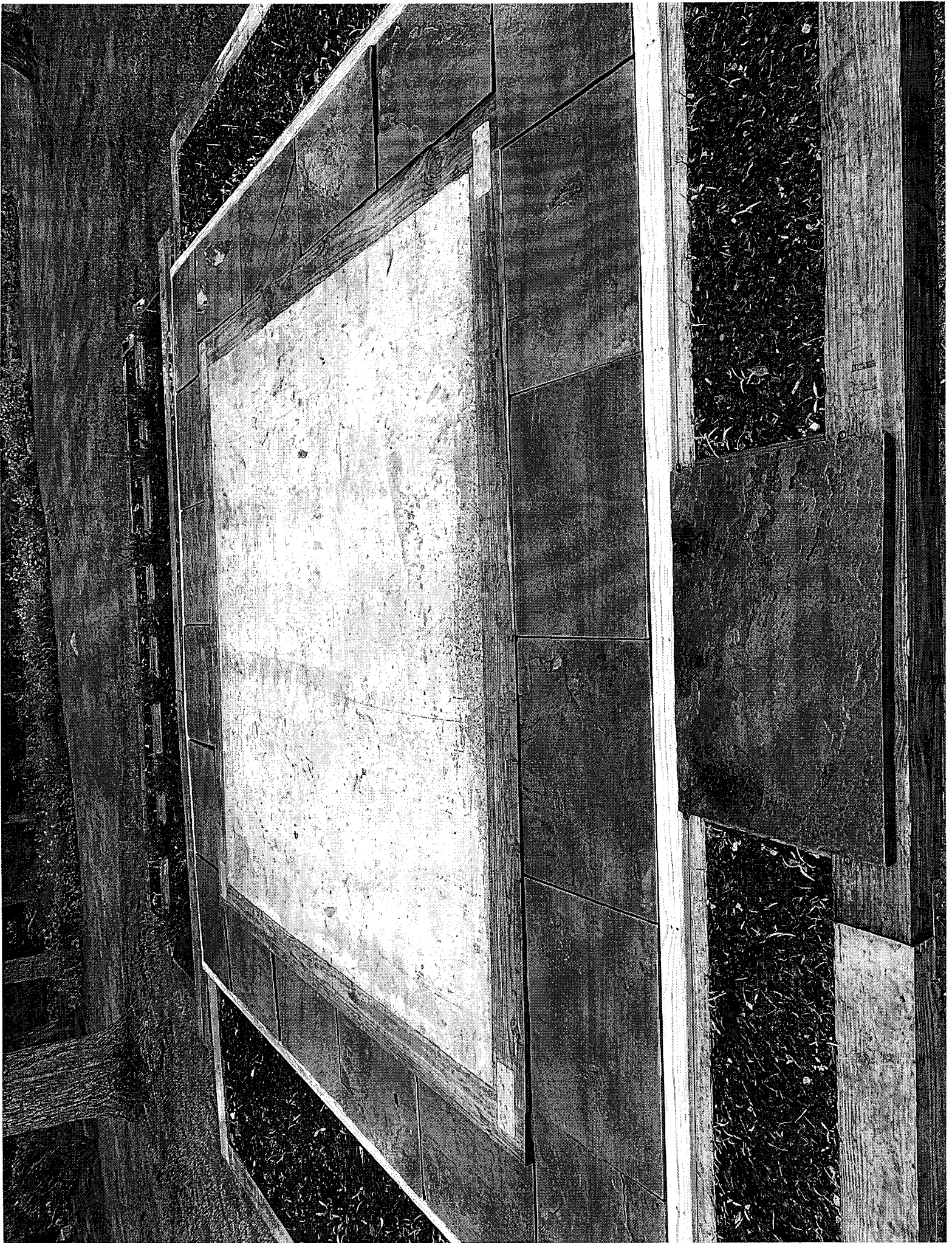
REVIEWED BY: \_\_\_\_\_ JOSEPH MATINA \_\_\_\_\_ DATE: 5-20-2025 \_\_\_\_\_ APPLICATION: 25-0440

28th - 2024-17(b)

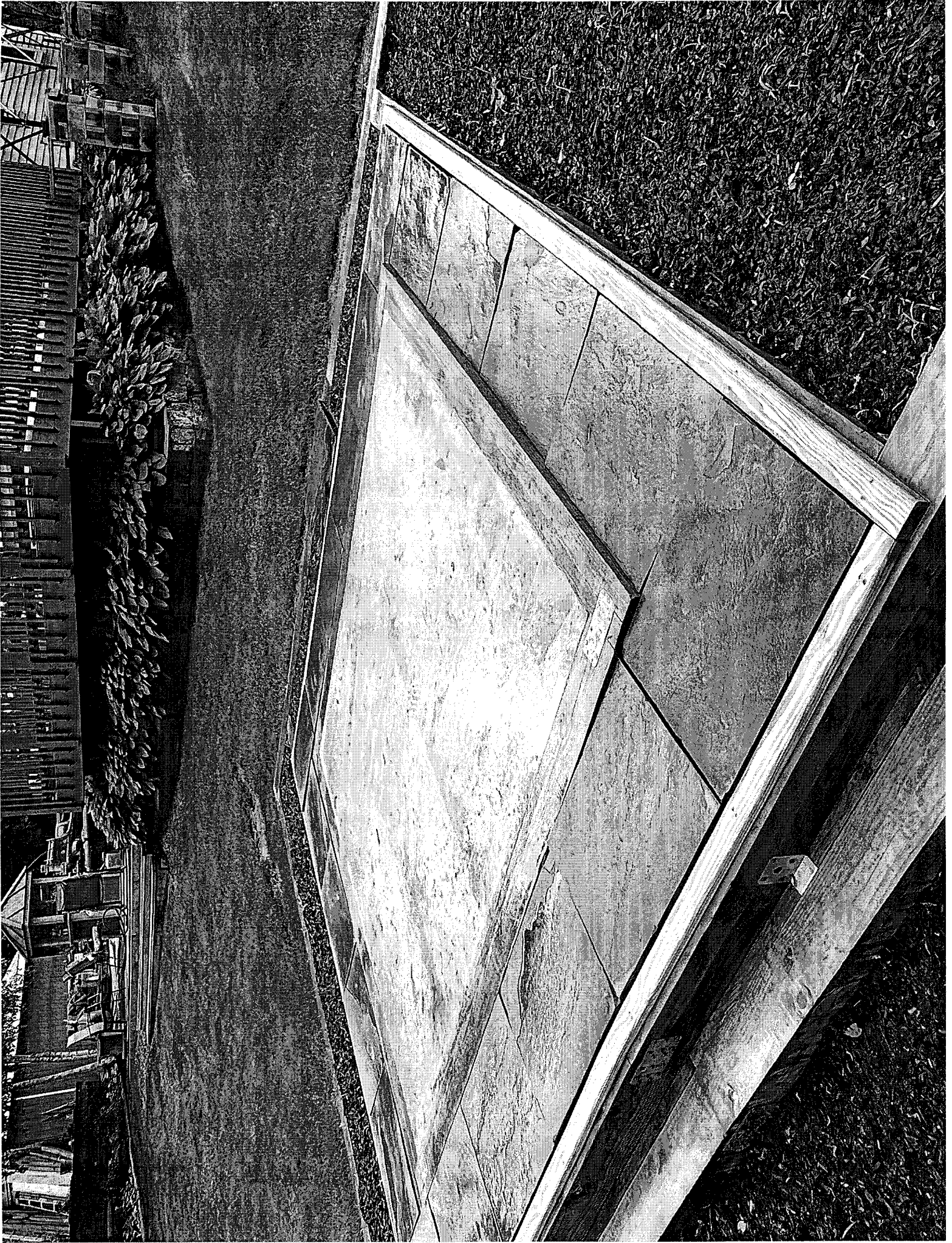




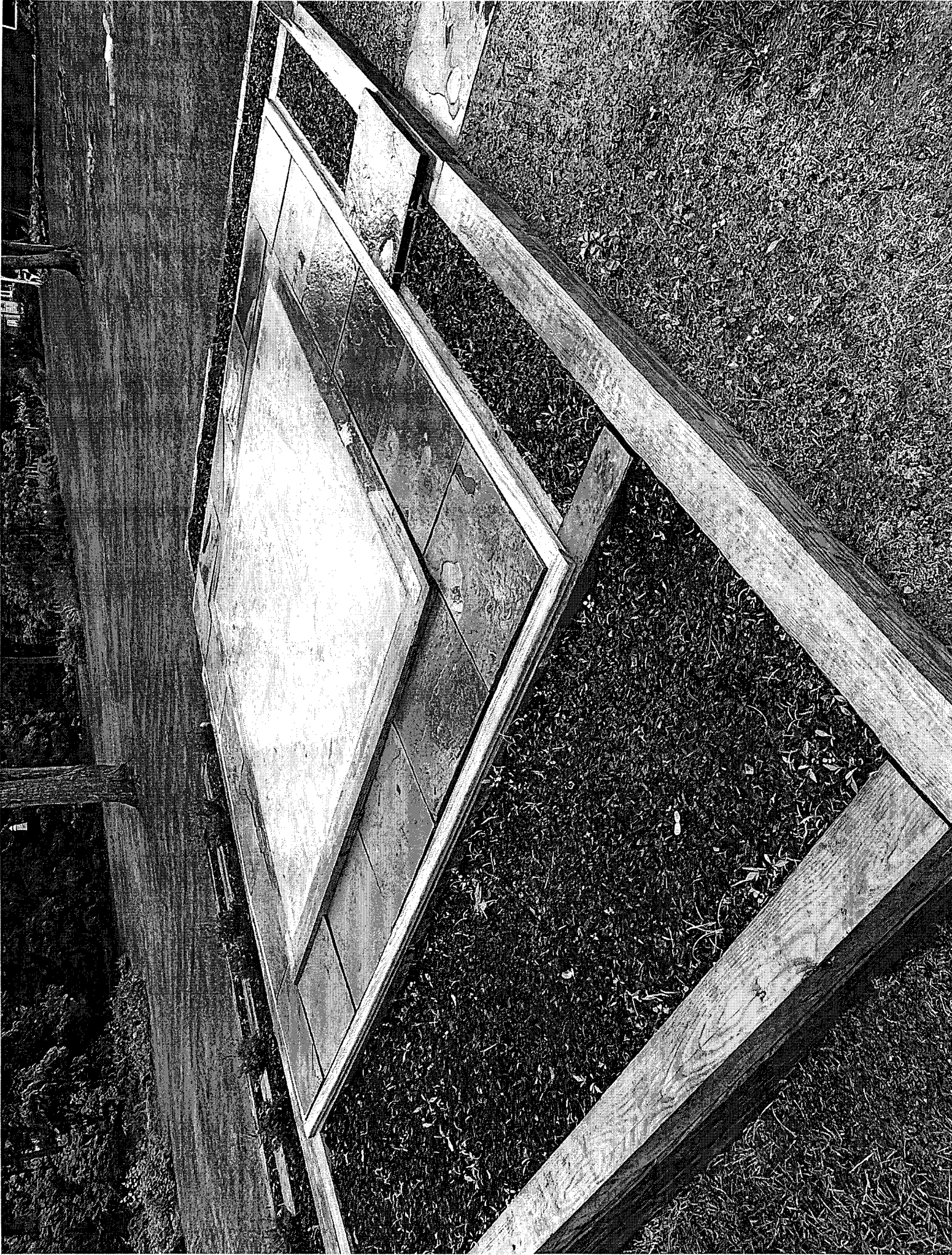












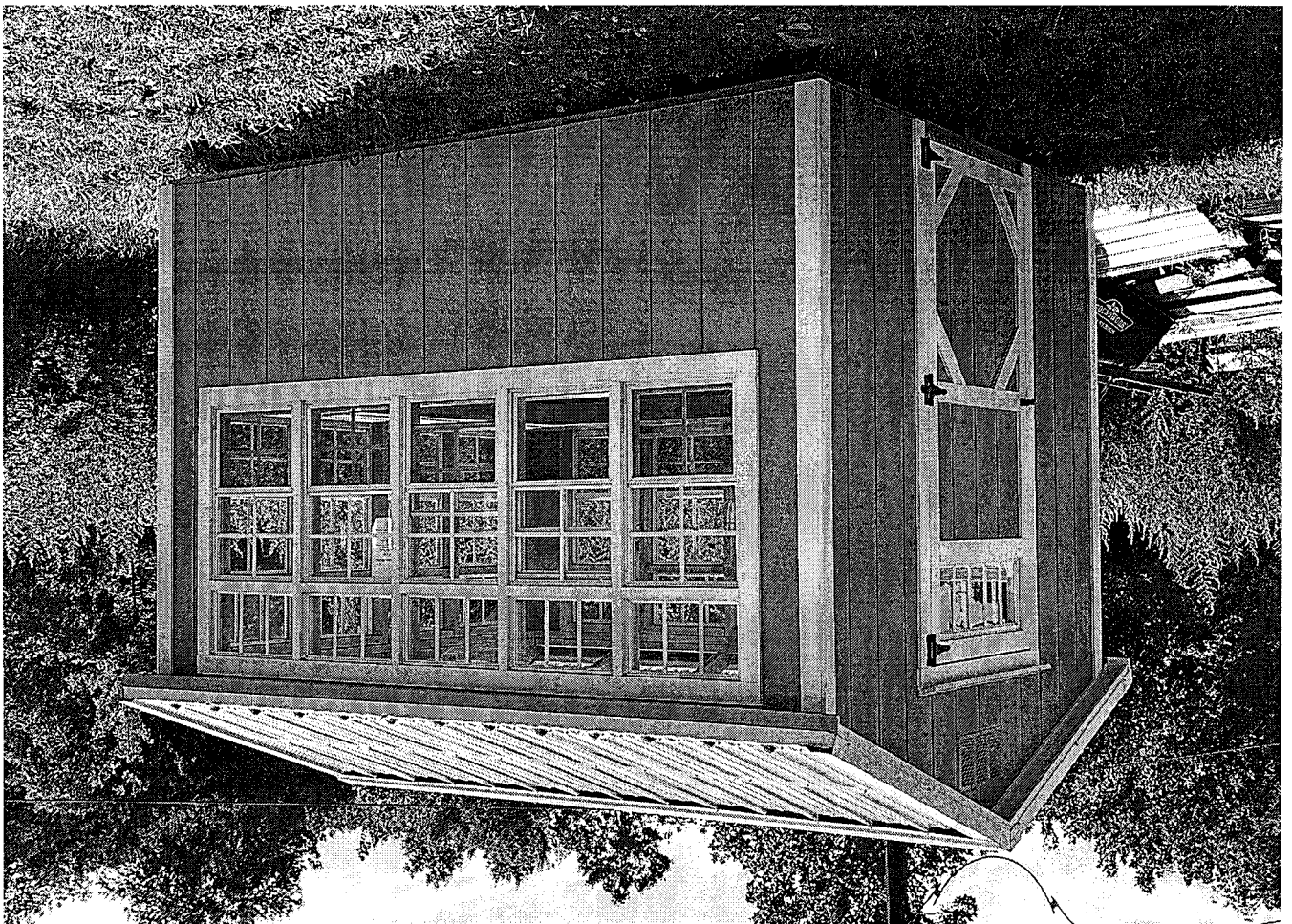




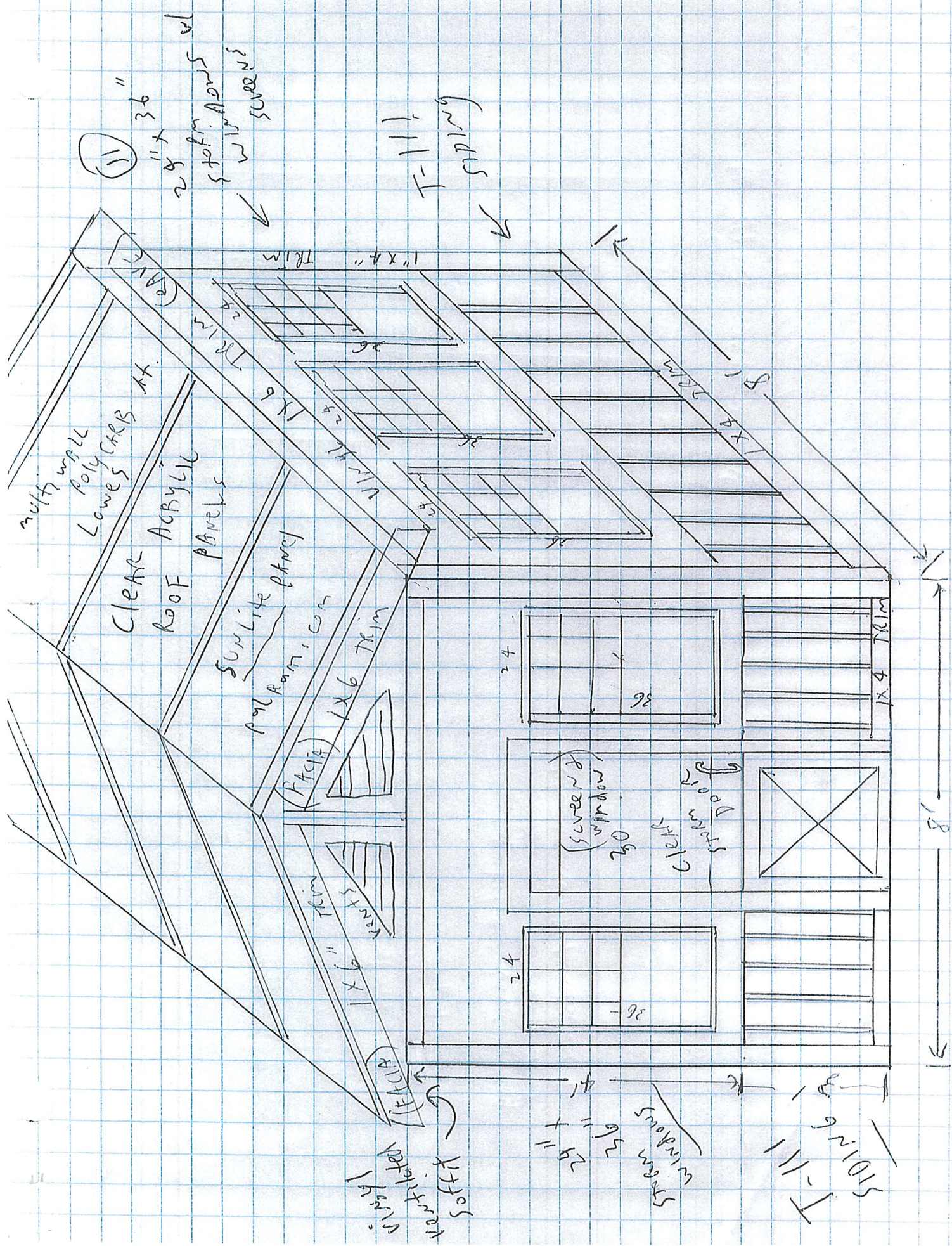


Similar  
construction

proposed greenhouse 8' x 8'







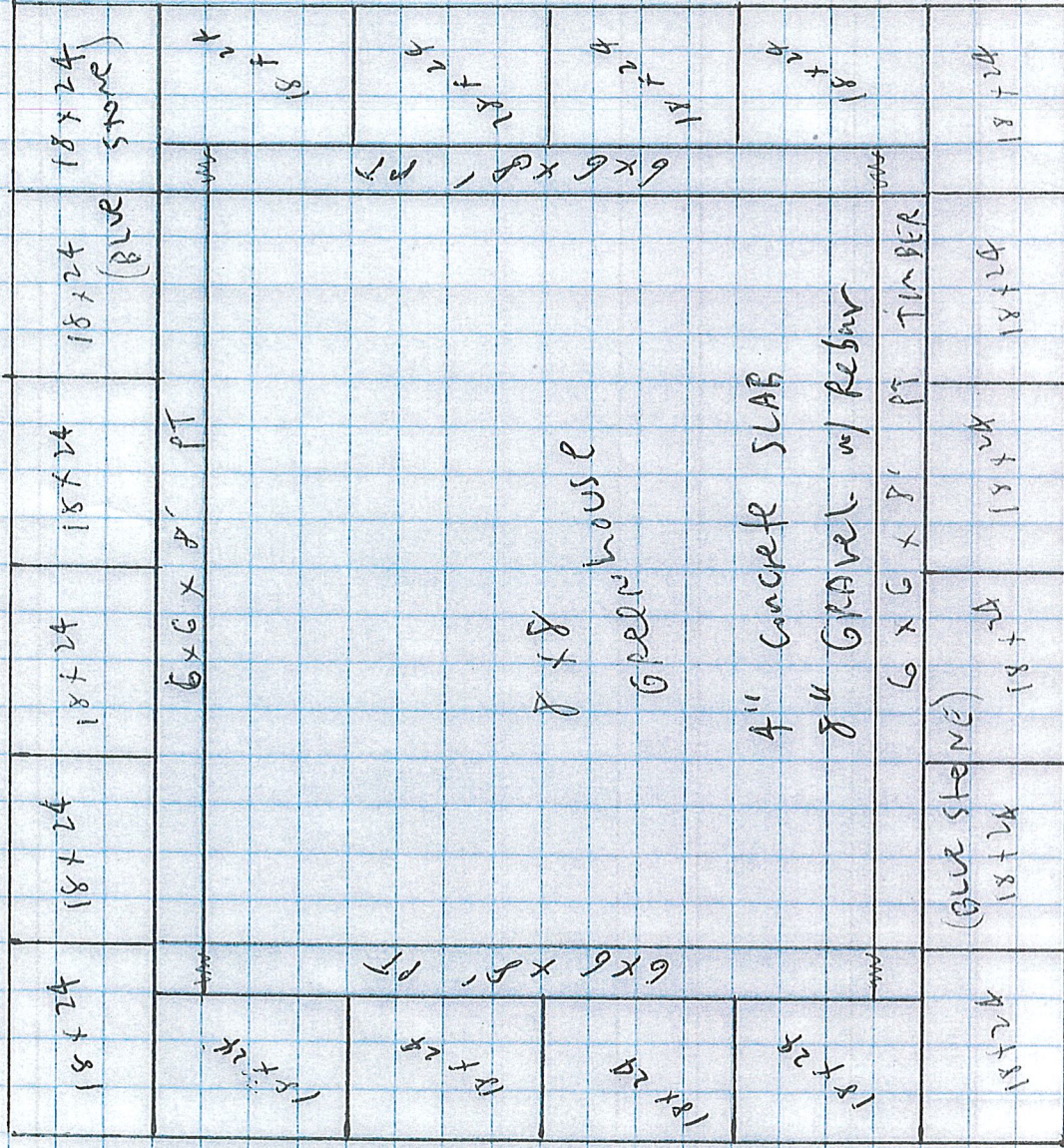


Surrounded by multilevel flower beds  
+ blue stone slabs

Gravel  
8' x 8' house

4" concrete  
P.H.D.

21  
18' x 24'  
Multicolor  
multilevel  
blue slabs



18 x 24

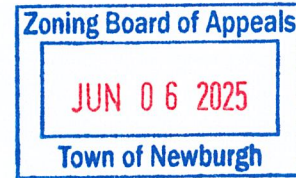




# TOWN OF NEWBURGH

Crossroads of the Northeast C.

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: 6/05/2025

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

I JEFFREY T. GUION PRESENTLY

RESIDING AT NUMBER 490 LAKESIDE ROAD, NEWBURGH, NEW YORK 12550

TELEPHONE NUMBER 845 392-3925

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

\_\_\_\_\_ USE VARIANCE  
\_\_\_\_\_ X \_\_\_\_\_ AREA VARIANCE (S)  
\_\_\_\_\_ INTERPRETATION OF THE ORDINANCE  
\_\_\_\_\_ SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

14-3-11 (TAX MAP DESIGNATION)

490 LAKESIDE ROAD (STREET ADDRESS)

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-2  
185-15-A-4

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:  
05/20/2025 (2025-17C)
- 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 APPROVAL FOR A TOTAL AREA, AND A SET BACK VARIANCE, TO KEEP AN EXISTING 21'x20' ACCESSORY BUILDING AT THE END OF MY DRIVEWAY AND PERMIT ME TO BUILD THE TWO ADDITIONAL STRUCTURES PROPOSED; GARAGE (2025-17A) AND GREENHOUSE (2025-17B).

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:  
THIS EXISTING STORAGE SHED WAS BUILT CLOSE TO THREE DECADES AGO, LOOKS BEAUTIFUL IN PLACE, AND I HAVE BEEN TAXED ON IT NEARLY AS LONG. I RECENTLY RE-PAINTED THE FRONT TWO SIDES OF THIS STRUCTURE AND JUST BUILT SOLID, INSULATED, NEW DOORS TO ADD STRUCTURAL INTEGRITY AND BEAUTY TO MY PROPERTY AND 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:  
I CURRENTLY HAVE THIS EXISTING 21x22 STORAGE SHED, AND I PROPOSED TO BUILD A 24x30 TWO CAR GARAGE FOR OUR VEHICLES AND AN 8x8 GREENHOUSE FOR PLANTING FLOWERS. THE AREA VARIANCE WILL PROVIDE ME PERMISSION TO KEEP THIS ACCESSORY STRUCTURE IN PLACE AND TO BUILD THE PROPOSED GARAGE AND GREENHOUSE AS REQUESTED.
- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:  
THE TOTAL AREA ONCE THE PROPOSED 24x30 TWO CAR GARAGE AND THE PROPOSED 8x8 GARDEN GREENHOUSE IS COMPLETED, WILL ONLY BE 1246 SQUARE FEET. THAT TOTAL INCLUDES KEEPING THIS EXISTING 21x22 STORAGE SHED. THIS MAIN STRUCTURE WAS BUILT 6 FEET FROM THE PROPERTY LINE, HOWEVER I ADDED A LEAN-TO ROOF OFF THE RIGHT SIDE TO STORE MY SNOWBLOWER, WHEEL-BARROW, SPREADER, TRIMMER, WEED WHACKER AND ALL MY LANDSCAPING POWER TOOLS. THIS LEAN-TO SITS ONLY A FOOT OFF THE PROPERTY LINE AND I REQUEST A VARIANCE TO KEEP IT IN PLACE.
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:  
THIS EXISTING STORAGE SHED HAS NOT CAUSED ANY ENVIRONMENTAL CONCERNS FOR WATER RUN-OFF FOR THE ENTIRETY OF IT'S EXISTANCE, AS IT SITS ON TOP OF A PAVED DRIVEWAY AND HAS NO DRAINAGE ISSUES. ADDITIONALLY, IT IS SHIELDED FROM VIEW BY A TALL ROW OF HEDGES THAT RUN RIGHT DOWN THE PROPERTY LINE.
- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:  
MY HOUSE WAS BUILT IN THE LATE 1800'S AND HAS VERY LITTLE SIZE AND/OR STORAGE AREA. THE EXISTING STORAGE SHED HOUSES MY FAMILY'S INCIDENTALS; LIKE EXTRA FURNATURE, BICYCLES, MECHANIC TOOLS, RAKES, SHOVELS, SKIS, IN ADDITION TO SEASONAL LAWN FURNATURE, COOLERS, UMBRELLAS AND TYPICAL ITEMS EVERY FAMILY STORES DURING OFF-SEASONS. THE NEW GARAGE WOULD PROVIDE SHELTER FOR VERY EXPENSIVE NECESSITIES; LIKE TWO VEHICLES, A LAWN TRACTOR, GENERATOR,

COMPRESSOR, FLOOR JACKS AND VEHICLE MAINTENANCE ITEMS. THE PROPOSED GREENHOUSE WOULD GIVE MY FAMILY THE ABILITY TO GROW PLANTS FOR OUR LANDSCAPE. THIS AREA VARIANCE WOULD ENABLE ME TO KEEP THIS STRUCTURE IN PLACE AND ADD THE OTHER TWO STRUCTURES PROPOSED. I RELY ON THIS SHED FOR STORAGE OF MY FAMILY'S ADDITIONAL ITEMS THAT DON'T FIT OR BELONG INSIDE MY MAIN RESIDENCE.

7. ADDITIONAL REASONS (IF PERTINENT):

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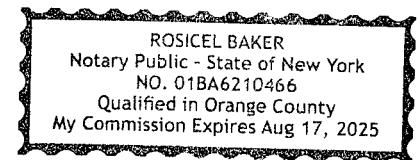
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\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 6<sup>th</sup> DAY OF June 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.

**(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

2025-17 (c)

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/20/2025

Application No. 25-0441

To: Jeffrey T. Guion  
490 Lakeside Road  
Newburgh, NY 12550

SBL: 14-3-11  
ADDRESS: 490 Lakeside Rd

**ZONE: R1**

PLEASE TAKE NOTICE that your application dated 05/09/2025 for permit to keep a 21' x 22' accessory building built without a permit on the premises located at 490 Lakeside Rd is returned herewith and disapproved on the following grounds:

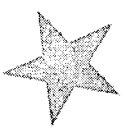
Town of Newburgh Municipal Code:

- 1) 185-15-A-2: Such building shall be set back at least five feet from any side or rear lot line.
- 2) 185-15-A-4: Shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File





TOWN OF NEWBURGH ZONING CHART

NAME: JEFFREY GUION ADDRESS: 490 LAKESIDE RD

NEWBURGH NY 12550

STRUCTURE: 21' X 22' ACCESSORY BUILDING TYPE OF VARIANCE: AREA

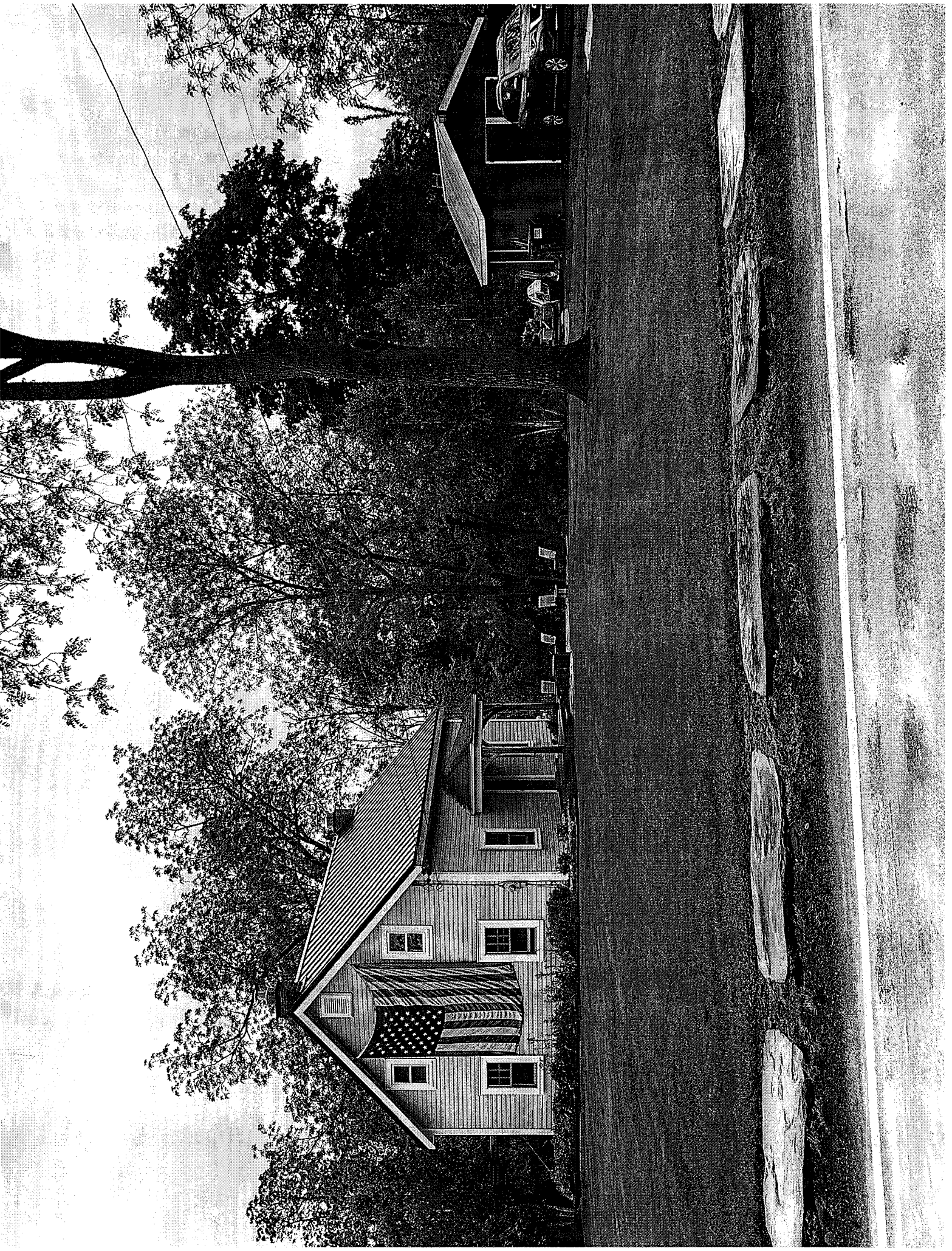
S:B:L: 14-3-11 ZONE: R-1 TOWN WATER: YES TOWN SEWER: NO

VARIANCE DESCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
LOT LINE SETBACK	185-15-A-2	Shall be set back at least five feet from any side lot line			
SQUARE FOOTAGE	185-15-4	835 SF	1246 SF	411 SF	49.20%

COMMENTS: ZERO SETBACK TO THE PROPERTY LINE

REVIEWED BY: JOSEPH MATINA DATE: 5-20-2025 APPLICATION: 25-0441

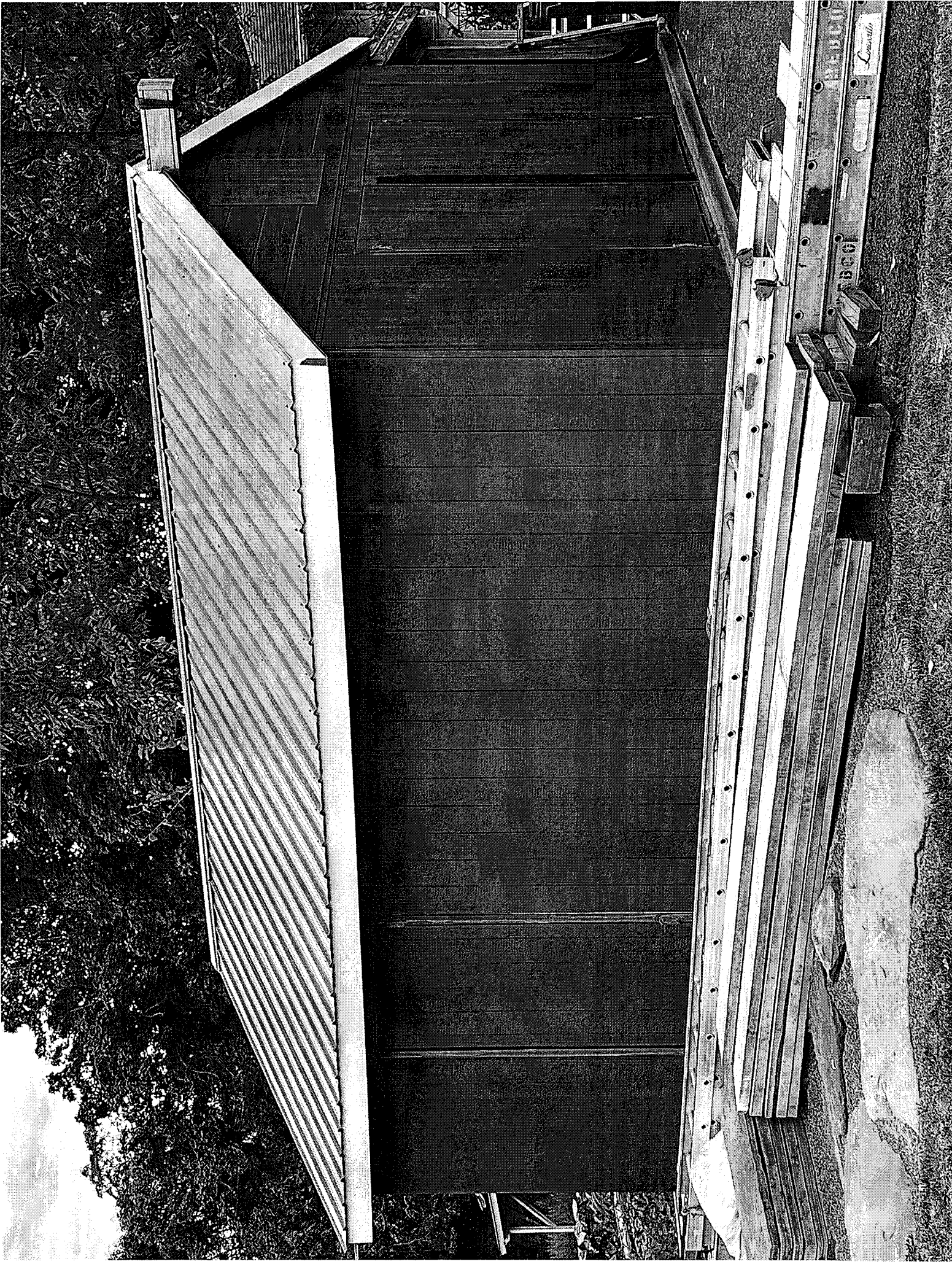
28th 2025-17(c)







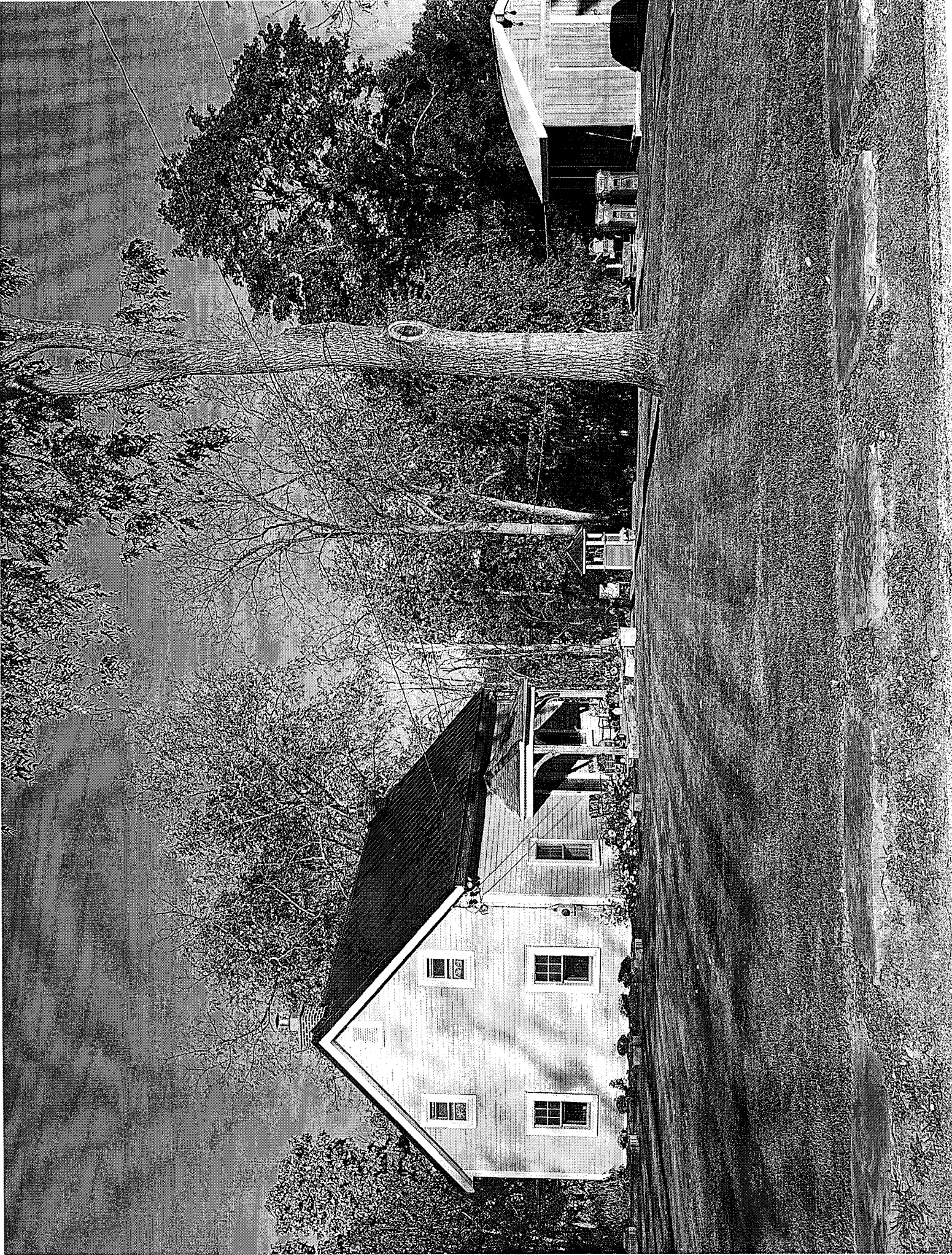






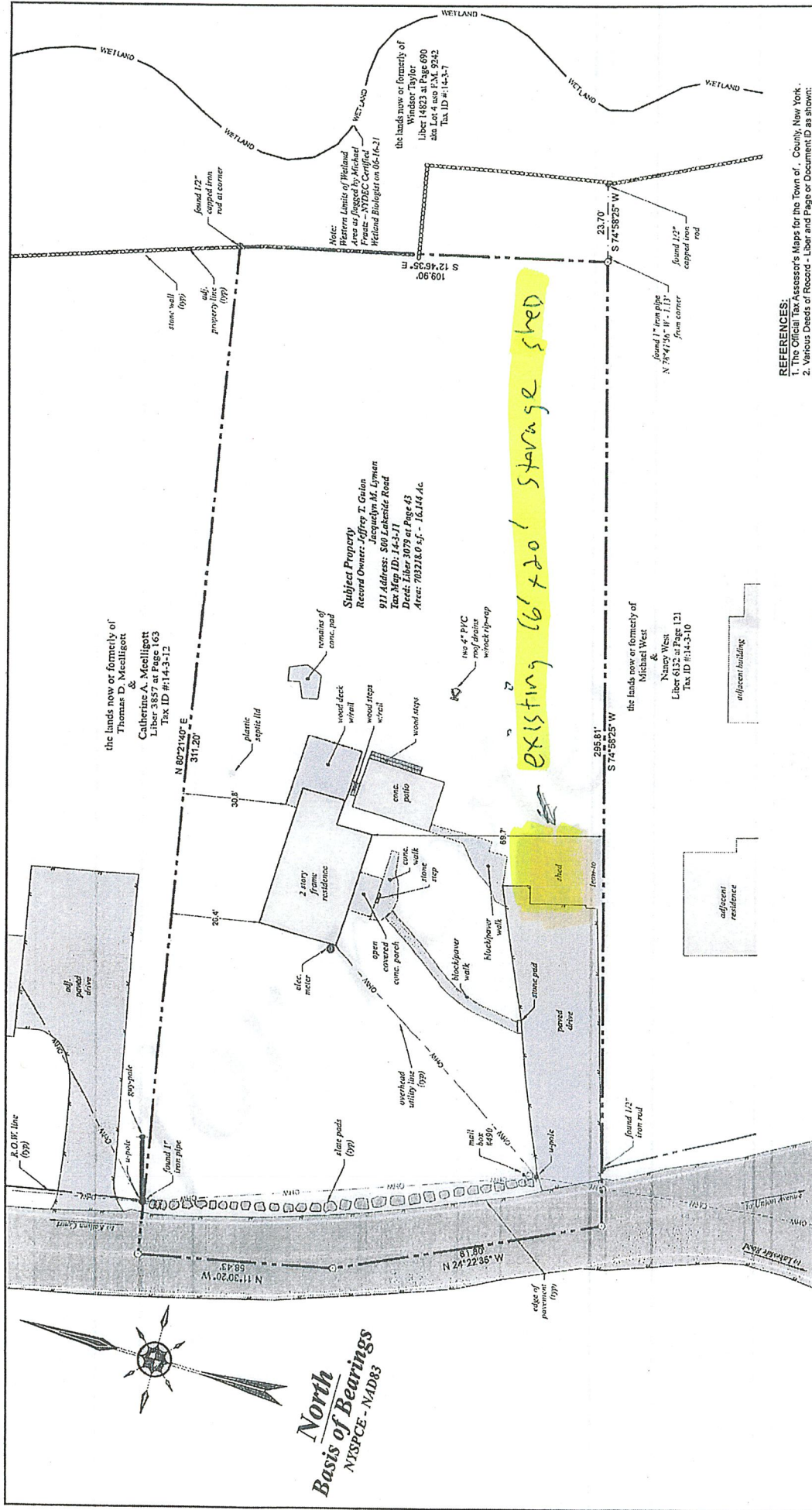








# North Basis of Bearings NAD83



- SURVEYOR'S NOTES:**
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  2. Unauthorized alteration of an item in any way, or addition to a survey map for any person, unless acting under the direction of a licensed land surveyor, is a violation of section 7209, subdivision 2, of the New York State Education Law.
  3. Only maps bearing the surveyor's signature overlaid with embossed seal are genuine true and correct copies of the surveyor's original work and opinion. Anything other than copies with an embossed seal and signature may contain unauthorized and undetectable modifications, deletions, additions, and changes, and are not to be relied upon. A copy of this document, whether in printed or electronic form, is not a true and correct copy of the original work and opinion.
  4. Certifications on this map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this map.
  5. The certifications herein are not transferable.
  6. If any ground improvements or encroachments are not always known and often must be estimated, the improvements or encroachments are not covered by this certificate.
  7. This survey is subject to the findings of a Title Report and or Title Search.
  8. Surveyed as per deeds, prior survey maps, filed maps and existing monumentation found at the site.
  9. Subject to any conditions, restrictions, covenants and/or right-of-way/easements of record, if any.

**CERTIFICATION NOTES:**  
This certification is made only to named parties for purchase and/or mortgage of herein delineated property by named purchaser. No responsibility or liability is assumed by surveyor of survey for any other purpose including, but not limited to, use of survey for survey affidavit, in connection with a deed, or in connection with a mortgage, either directly or indirectly, the setting of fences and/or any other structures in or near the property lines. Unless indicated otherwise, property corners were not set.

**SURVEYOR'S CERTIFICATION:**  
I hereby certify to the person listed parties that this survey was performed in accordance with the NYS Minimum Technical Standards Section 6 Suburban class and represents the results of an actual on the ground field survey, per record description, of the land shown hereon, located at 490 Lakeside Rd in Town of Newburgh, County of Orange, State of New York, completed on 04/12/2024, performed in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. I have the best knowledge, belief and information, accurate and correct. Except as shown herein, there are no other claims or interests in the property or lines, title lines and lines of actual possession are the same.

**CERTIFIED TO:**  
I hereby certify to:  
Jeffrey T. Gulon  
Jacquelyn M. Lyman

**Jonathan N. Millen, L.L.S.**  
PROFESSIONAL LAND SURVEYOR  
CERTIFIED TO BE CORRECT AND ACCURATE  
N.Y. LIC. No. 030746



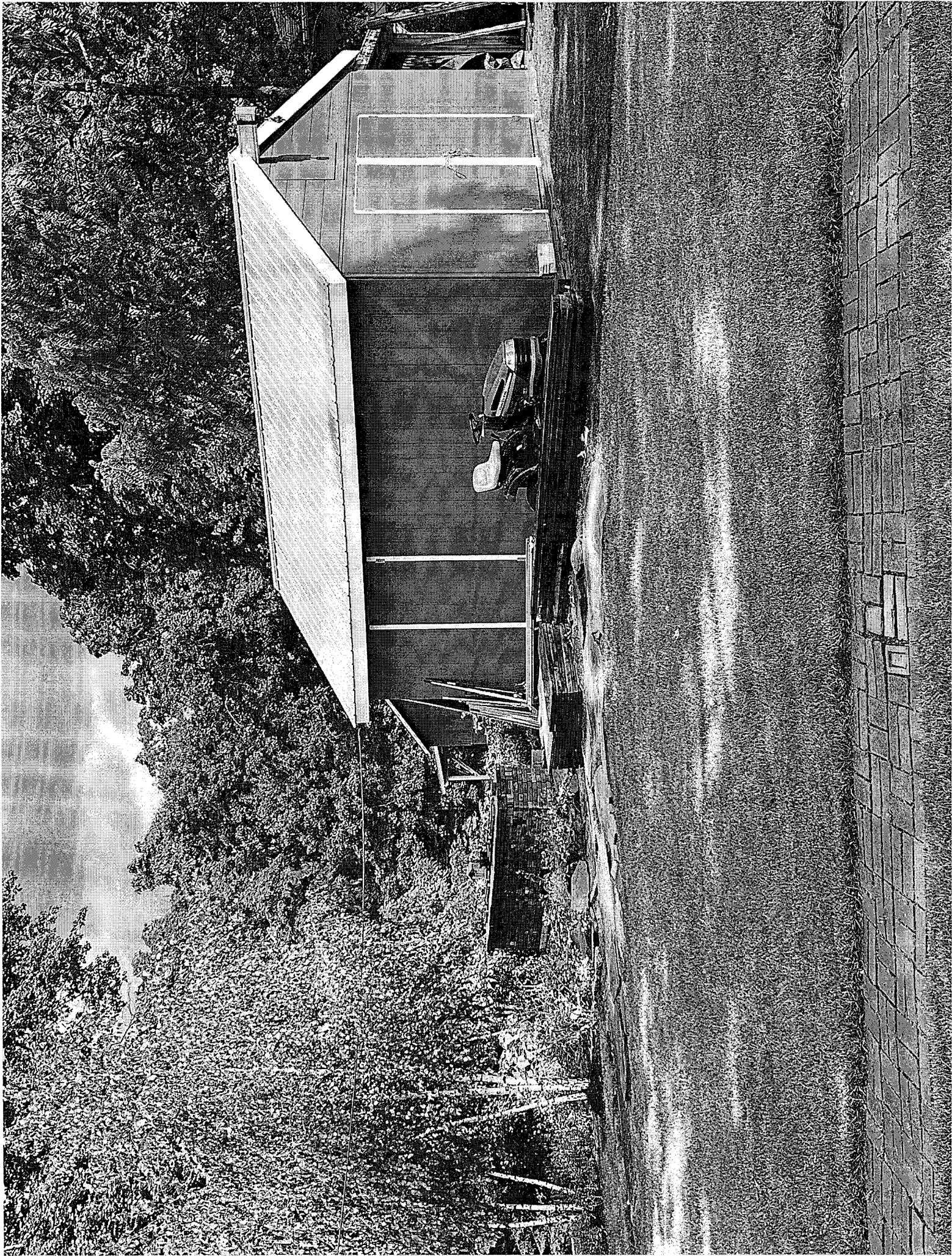
Jonathan N. Millen, L.L.S.  
1229 Route 300 - Suite 3  
Newburgh, NY 12550

- REFERENCES:**
1. The Official Tax Assessor's Maps for the Town of Orange, County, New York.
  2. The Official Tax Assessor's Maps for the Town of Orange, County, New York.
  3. Subject parcel being Lot 4, as shown on the Official Tax Assessor's Maps for the Town of Orange, County, New York, as of December 13, 1988.
  4. A.D. F. & J. Tessler, filed in the Orange County Clerk's Office on December 13, 1988 as Filed Map No. 9242.

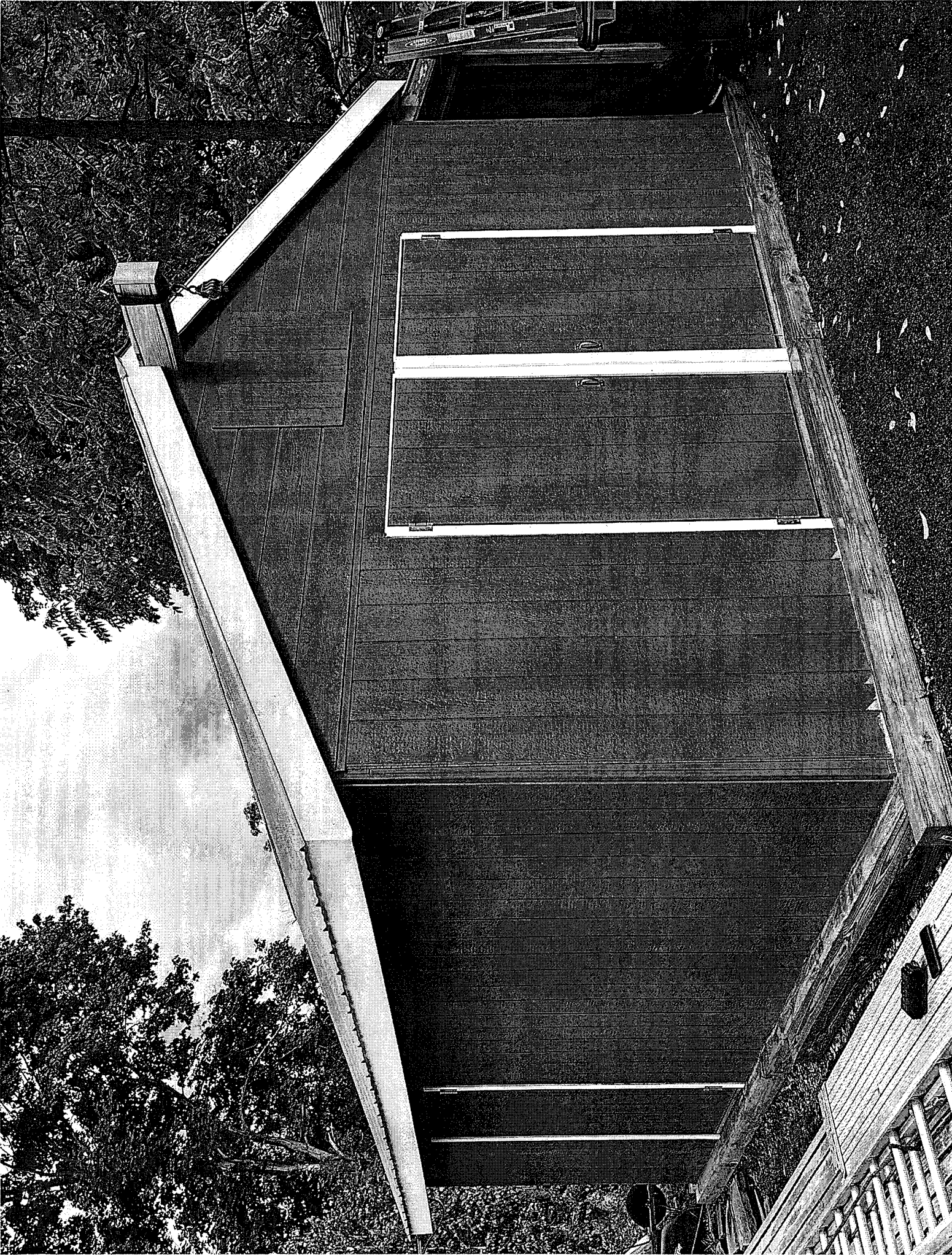
**Boundary Survey**  
of the lands of  
**Jeffrey T. Gulon & Jacquelyn M. Lyman**  
Automated Construction Enhanced Solutions, Inc.  
Professional Land Surveying  
1229 Route 300 - Suite 3 - Newburgh, NY 12550  
Office: 845-943-7198 Field: 914-906-8830 Web: accessurveying.com  
Prepared For Tax Map Parcel  
14-3-11  
also 490 Lakeside Rd  
situated in the  
Town of Newburgh  
County of Orange, New York 12550

DATE: 04/12/2024 | SCALE: 1"=20' | JOB No. 230765U | DRAWN BY: jfm





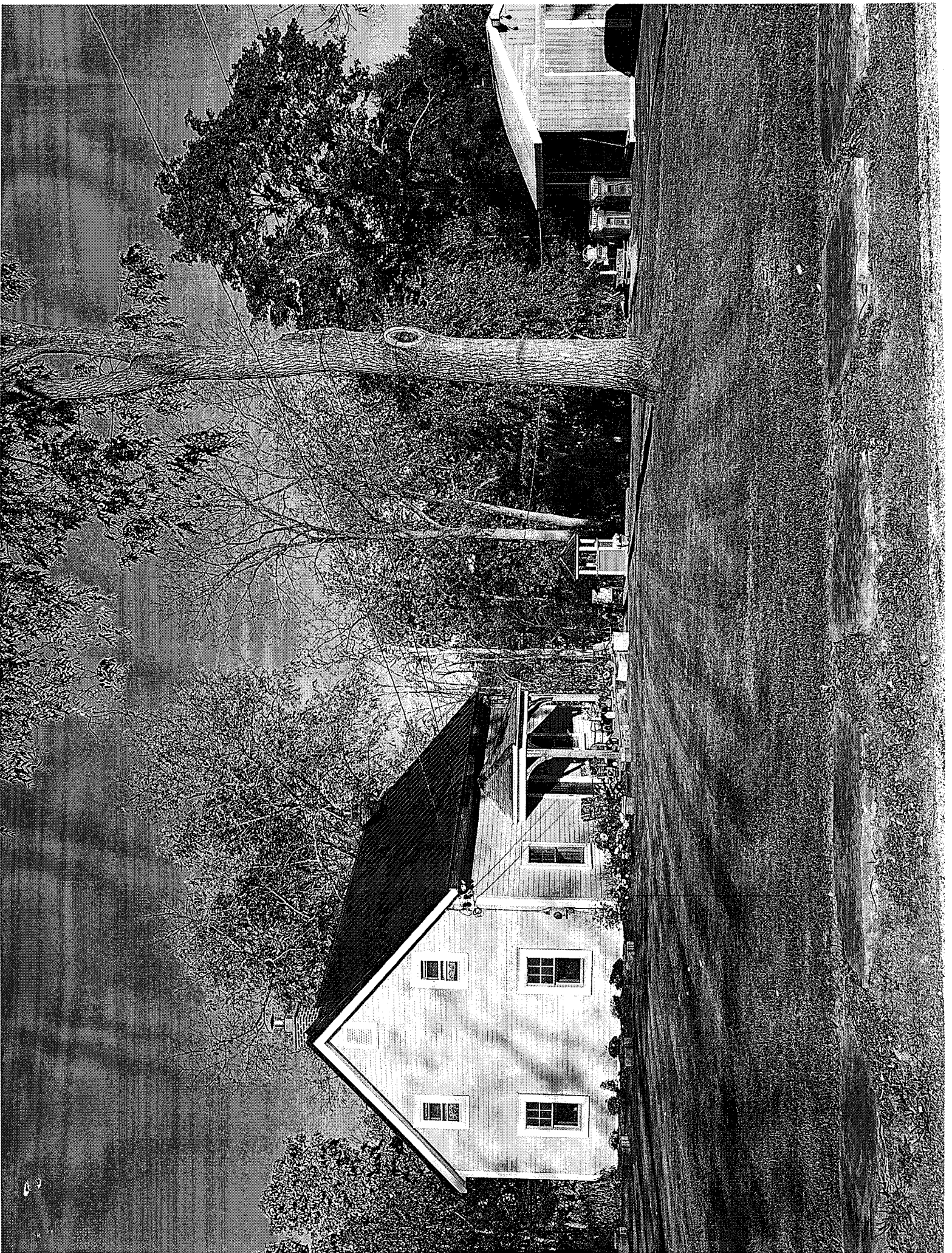














**AFFIDAVIT OF POSTING(S) OF  
NOTICE OF PUBLIC HEARING  
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I Jeffrey T. Gulton  
Jeffrey T. Gulton, being duly sworn, depose and say that I did on or before  
June 12, 2025, post and will thereafter maintain at

490 Lakeside Rd 14-3-11 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.

Sworn to before me this 9

day of June, 2025.

Jeffrey T. Gulton

Ruben Jesus Rodriguez

**RUBEN JESUS RODRIGUEZ**  
Notary Public - State of New York  
NO. 01RO0027090  
Qualified in Orange County  
My Commission Expires Jul 25, 2028







