



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS

21 Hudson Valley Professional Plaza
Newburgh, NY 12550

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

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 11-4-25

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

I (WE) Maria Hanley PRESENTLY

RESIDING AT NUMBER 29 Dandelion Lane, Wallkill, NY 12589

TELEPHONE NUMBER 347 209 9752

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:

2-1-94 (TAX MAP DESIGNATION)

29 Dandelion Lane (STREET ADDRESS)

section 185 (ZONING DISTRICT)

AR Zone

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

section 185

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:

10-17-25

- 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: _____

To keep 2 family residence

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:

All properties in the community are multi-family. We are not changing the footprint

- 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:

No the present footprint of a 2 family needs to be legalized. There are no other options.

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

Present footprint falls slightly short of zone requirements

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

Because it's a 2 family community

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

I purchased the property as a 2 family

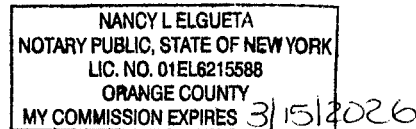
7. ADDITIONAL REASONS (IF PERTINENT):


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 24th DAY OF November 2025


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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Land Variance</i>			
Project Location (describe, and attach a location map): <i>29 Randalion Lane, Wallkill, NY 12589</i>			
Brief Description of Proposed Action: <i>I am requesting 2 family status for the property due to alterations done that conflict with the present status of Newburgh Dept of Buildings.</i>			
Name of Applicant or Sponsor: <i>Maria Hanley</i>		Telephone:	
Address: <i>29 Randalion Lane, Wallkill, NY 12589</i>		E-Mail:	
City/PO: <i>Wallkill</i>		State: <i>NY</i>	Zip Code: <i>12589</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: <i>Newburgh Town Buildings Dept</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <i>2</i> acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <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?	<input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input 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: _____	<input type="checkbox"/>	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?	<input type="checkbox"/>	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 type="checkbox"/>	<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 type="checkbox"/>	<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: _____	<input type="checkbox"/>	NO <input checked="" 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: _____	<input type="checkbox"/>	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: _____	<input type="checkbox"/>	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?	<input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" 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?	<input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	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 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 type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Maria Hanley</u>	Date: <u>11/6/25</u>	
Signature: <u>Maria Hanley</u>		



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

± 2005-42

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 10/17/2025

Application No. 25-1144

To: Maria Hanley
29 Dandelion Lane
Wallkill, NY 12589

SBL: 2-1-94
ADDRESS: 29 Dandelion Ln

ZONE: AR

PLEASE TAKE NOTICE that your application dated 10/14/2025 for permit to keep a two-family dwelling unit that was converted without permits or approvals on the premises located at 29 Dandelion Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule 2 column D-13: Lot area
- 2) Bulk table schedule 2 column D-13: Lot width
- 3) Bulk table schedule 2 column D-13: Front yard setback
- 4) Bulk table schedule 2 column D-13: Side yard setback


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH ZONING CHART

NAME: MARIA HANLEY ADDRESS: 29 DANDELION LANE
WALLKILL NY 12589

STRUCTURE: PRIOR BUILT 2 FAMILY TYPE OF VARIANCE: AREA

S:B:L: 2-1-94 ZONE: AR TOWN WATER: NO TOWN SEWER: NO

VARIANCE DISCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
LOT AREA	BULK TABLE SCHEDULE 2	100,000 SF	97304 SF	2696 SF	2.69%
LOT WIDTH	BULK TABLE SCHEDULE 2	200'	182'	18'	9%
FRONT YARD	BULK TABLE SCHEDULE 2	50'	42.8'	7.2'	14.40%
ONE SIDE YARD	BULK TABLE SCHEDULE 2	30'	25.8'	4.2'	14

COMMENTS: IF THE VARIANCES ARE GRANTED, WILL REQUIRE ARB REVIEW BY THE T.O.N. PLANNING BOARD.
T.O.N. MUNICIPAL CODE 185-48.2 TWO FAMILY DWELLING REQUIREMENTS

REVIEWED BY: JOSEPH MATINA DATE: 10-17-2025 APPLICATION: 25-1144
25A-2025-42









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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Maria Hanley, being duly sworn, depose and say that I did on or before
November 11, 2025, post and will thereafter maintain at

29 Dandelion Ln 2-1-94 AR 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 5th

day of October, 2025.

Alexander Rojo

Maria Hanley

ALEXANDER ROJO
Notary Public - State of New York
NO. 01RO0029252
Qualified in Dutchess County
My Commission Expires Sep 26, 2028



TOWN OF NEWBURGH
County of the City of Newburgh
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD OF APPEALS
DARWIN SCALZO, CHAIRMAN
SHOSHANA JARA-SHIV, SECRETARY
TELEPHONE 845-564-4981
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 Tuesday the 25th day of November, 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 Maria Hanley for area variances of lot area, lot width, front yard and side yard to keep a two-family dwelling unit that was converted without approvals.

PREMISES LOCATED at 24 Dandelion Ln., Z-1-94, AR 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 11th day of November, 2025.

Maria Hanley
(APPLICANT)

334600 2-1-5.13
Nickens, Ronald N
14 Dandelion Ln
Walkill NY, 12589

334600 2-1-86
Presler, William
24 Coventry Ln
Walkill NY, 12589

334600 2-1-12.3
O'Donnell, Edward T III
688 Fostertown Rd
Walkill NY, 12589

334600 2-1-93
Lang, Scott G
27 Dandelion Ln
Walkill NY, 12589

334600 2-1-15.1
Quaker Properties, LLC
235 Quaker St
Walkill NY, 12589

334600 2-1-94
Hanley, Maria
29 Dandelion Ln
Walkill NY, 12589

334600 2-1-15.2
Quaker Properties LLC
235 Quaker St
Walkill NY, 12589

334600 2-1-95
Robles, Maria I Guzman
18 Dandelion Ln
Walkill NY, 12589

334600 2-1-16.2
Afonso, Joseph
14 Marino Dr
Walkill NY, 12589

334600 2-1-22.43
Acevedo, Maria I
117 Old Mill Rd
Walkill NY, 12589

334600 2-1-23.1
NYS Dept of Transportation
Albany NY, 12201

334600 2-1-23.21
DiLemme, Nicky G
12 Deer Run Rd
Newburgh NY, 12550

334600 2-1-23.22
Afonso, Joseph P
14 Marino Dr
Walkill NY, 12589

334600 2-1-71
Coleman, Thomas A Jr
92A Cambridge Cir
Manchester NJ, 08759

**Town of Newburgh
Office of the Assessor
1496 Route 300
Newburgh, NY 12550**

Done 11/3/05

(11)

SEC 2 BLK 1 LOT 94

334600 2-1-5.13
Nickens, Ronald N
14 Dandelion Ln
Wallkill NY, 12589

334600 2-1-86
Presler, William
24 Coventry Ln
Wallkill NY, 12589

334600 2-1-12.3
O'Donnell, Edward T III
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Wallkill NY, 12589

334600 2-1-93
Lang, Scott G
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Wallkill NY, 12589

334600 2-1-15.1
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Wallkill NY, 12589

334600 2-1-94
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29 Dandelion Ln
Wallkill NY, 12589

334600 2-1-15.2
Quaker Properties LLC
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Wallkill NY, 12589

334600 2-1-95
Robles, Maria I Guzman-
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334600 2-1-16.2
Afonso, Joseph
14 Marino Dr
Wallkill NY, 12589

334600 2-1-22.43
Acevedo, Maria I
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Wallkill NY, 12589

334600 2-1-23.1
NYS Dept of Transportation
Albany NY, 12201

334600 2-1-23.21
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334600 2-1-71
Coleman, Thomas A Jr
92A Cambridge Cir
Manchester NJ, 08759

**Town of Newburgh
Office of the Assessor
1496 Route 300
Newburgh, NY 12550**

Done 11/3/25
(signature)

SEC 2 BLK 1 LOT 94