



# TOWN OF NEWBURGH

Crossroads of the Northeast

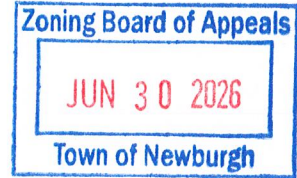
ZONING BOARD OF APPEALS

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: 6/29/26

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

I (WE) Eric Johnson PRESENTLY

RESIDING AT NUMBER 12 Flamingo Dr. Newburgh, NY 12550

TELEPHONE NUMBER 845-742-1515

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:

90-4.7 (TAX MAP DESIGNATION)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:  
6/18/26
- 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

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

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_

**(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)**

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

The addition will match the  
House in color, style and look of 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:

No other option for location of  
addition

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

It is a logical design that will return  
to current surrounding houses.

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

where located the addition will  
match homes in area.

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

N/A

7. ADDITIONAL REASONS (IF PERTINENT):

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PETITIONER (S) SIGNATURE



STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30 DAY OF June 2026

  
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

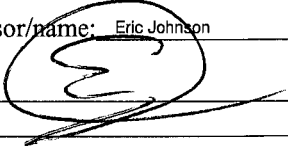
### Instructions for Completing

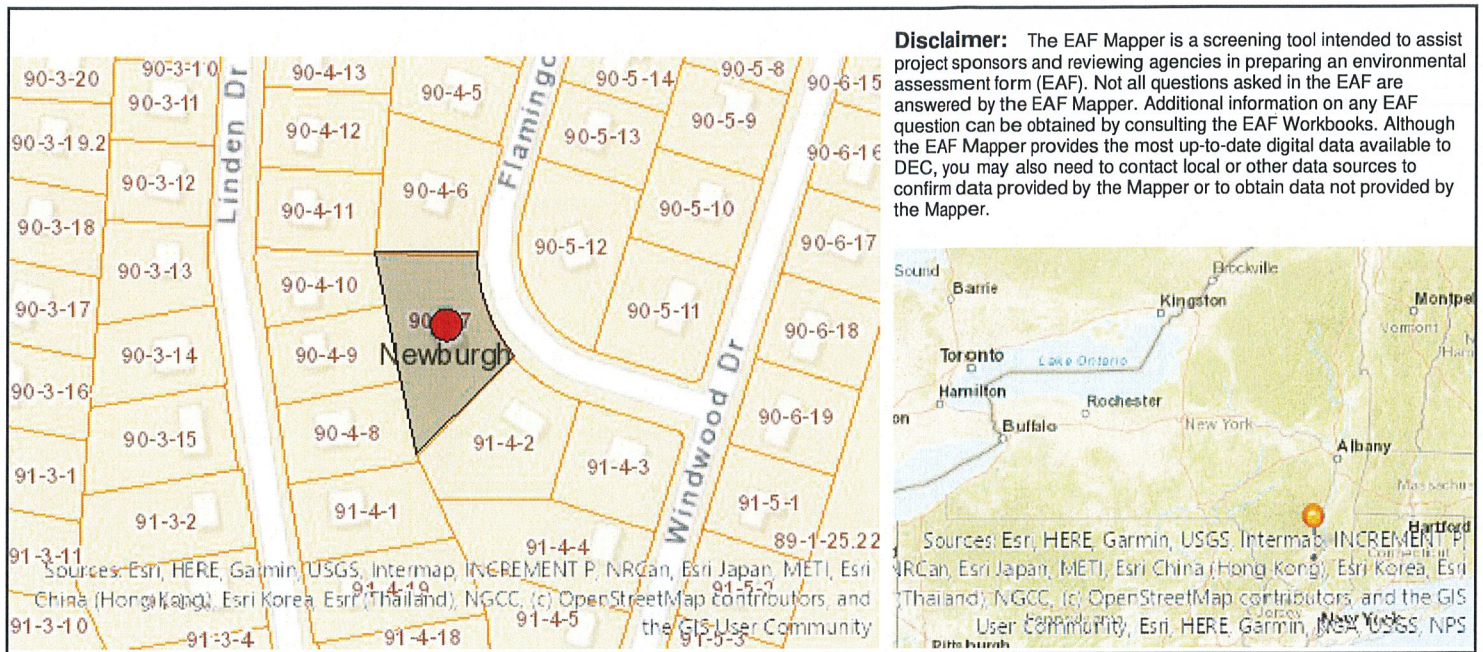
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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 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>                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                              |                                            |
| Addition to existing home                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                              |                                            |
| Name of Action or Project:<br>Addition to existing home                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                              |                                            |
| Project Location (describe, and attach a location map):<br>Addition to existing home                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                              |                                            |
| Brief Description of Proposed Action:<br>construction of a 20x20 addition to existing home.                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                              |                                            |
| Name of Applicant or Sponsor:<br><br>Eric Johnson                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | Telephone: 845-742-1515<br><br>E-Mail: mgc.johnson@yahoo.com |                                            |
| Address:<br>12 Flamingo Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                              |                                            |
| City/PO:<br>Newburgh                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | State:<br>NY                                                 | Zip Code:<br>12550                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input checked="" type="checkbox"/>                    | YES<br><input type="checkbox"/>            |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval: Town Of Newburgh BD                                                                                                                                                                                                                                                                                                                |  | NO<br><input type="checkbox"/>                               | YES<br><input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action?                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | 0.46 acres                                                   |                                            |
| b. Total acreage to be physically disturbed?                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | 0 acres                                                      |                                            |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?                                                                                                                                                                                                                                                                                                                                                                        |  | 0.46 acres                                                   |                                            |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:<br><input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):<br><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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?                                                                                                                                                                                                                                                                                                               | NO                                  | YES                                 |                          |
| If No, describe method for providing wastewater treatment: _____                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input checked="" 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:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><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?<br>Indiana Bat                                                                                                                                                                                                                                                                                                              | NO<br><input type="checkbox"/>                                                                    | YES<br><input checked="" type="checkbox"/>                                                                    |
| 16. Is the project site located in the 100-year or 500-year flood plain?                                                                                                                                                                                                                                                                                                                                                                                                                           | NO<br><input checked="" type="checkbox"/>                                                         | YES<br><input type="checkbox"/>                                                                               |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,<br>a. Will storm water discharges flow to adjacent properties?<br>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe:<br>house gutters, adding to existing                                                                                                                                             | NO<br><input type="checkbox"/><br><input checked="" type="checkbox"/><br><input type="checkbox"/> | YES<br><input checked="" type="checkbox"/><br><input type="checkbox"/><br><input checked="" 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)?<br>If Yes, explain the purpose and size of the impoundment:                                                                                                                                                                                                                                                        | NO<br><input checked="" type="checkbox"/>                                                         | YES<br><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?<br>If Yes, describe:                                                                                                                                                                                                                                                                                                                                    | NO<br><input checked="" type="checkbox"/>                                                         | YES<br><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?<br>If Yes, describe:                                                                                                                                                                                                                                                                                                                                  | NO<br><input checked="" type="checkbox"/>                                                         | YES<br><input type="checkbox"/>                                                                               |
| 21. Is the project located within, or within ½ mile of, a disadvantaged community?<br>If No, could impacts from the project affect a disadvantaged community?<br>If Yes to either question in 21, answer the following question.<br>a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):<br>N/A | NO<br><input type="checkbox"/><br><input type="checkbox"/>                                        | YES<br><input checked="" type="checkbox"/><br><input type="checkbox"/>                                        |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br>Applicant/sponsor/name: Eric Johnson Date: 6/30/26<br>Signature:  Title: Owner                                                                                                                                                                                                                         |                                                                                                   |                                                                                                               |



|                                                                                               |                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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]                                        | Yes                                                                                                                                                    |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name]                                 | Indiana Bat                                                                                                                                            |
| Part 1 / Question 16 [100 or 500 Year Floodplain]                                             | No                                                                                                                                                     |
| Part 1 / Question 20 [Remediation Site]                                                       | No                                                                                                                                                     |
| Part 1 / Question 21 [Disadvantaged Community]                                                | Yes                                                                                                                                                    |



ORANGE COUNTY – STATE OF NEW YORK  
ANN G. RABBITT, COUNTY CLERK  
255 MAIN STREET  
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE  
\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 14027 / 1353  
INSTRUMENT #: 20160018962

Receipt#: 2099042  
Clerk: LM  
Rec Date: 03/22/2016 01:31:09 PM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 4  
Rec'd Frm: LEVINE & LEVINE PC

Party1: WILSON EARLE  
Party2: HAWVER STEPHANIE  
Town: NEWBURGH (TN)  
90-4-7

Recording:

|                           |        |
|---------------------------|--------|
| Recording Fee             | 40.00  |
| Cultural Ed               | 14.25  |
| Records Management - Coun | 1.00   |
| Records Management - Stat | 4.75   |
| TP584                     | 5.00   |
| RP5217 Residential/Agricu | 116.00 |
| RP5217 - County           | 9.00   |

Sub Total: 190.00

Transfer Tax  
Transfer Tax - State 640.00

Sub Total: 640.00

Total: 830.00  
\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 6332  
Transfer Tax  
Consideration: 159794.00

Transfer Tax - State 640.00

Total: 640.00

Payment Type: Check \_\_\_\_  
Cash \_\_\_\_  
Charge \_\_\_\_  
No Fee \_\_\_\_

Comment: \_\_\_\_\_

Ann G. Rabbitt  
Orange County Clerk

Record and Return To:

TODD A. KELSON PC  
542 UNION AVE  
NEW WINDSOR, NY 12553

90-4-7

A 291 - Standard N.Y. B.T.U. F.. 8007

Bargain & sale deed, with covenant against grantor's acts - Ind. or Corp., 11-98.

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT -  
THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY**

THIS INDENTURE, made on March 14, 2016

**BETWEEN**

**EARLE WILSON & AUNITA WILSON, RESIDING AT 12 FLAMINGO  
DRIVE, NEWBURGH, NEW YORK, 12550, party of the first part, and**

**STEPHANIE HAWVER, residing at 201 SARA LANE, NEWBURGH, NEW YORK,  
12550, AND ERIC M. JOHNSON, RESIDING AT 69 ROCKY RIDGE ROAD,  
WARRENSBURG, NEW YORK, 12885, party of the second part, *As Joint Tenants with  
Right of Survivorship***

**WITNESSETH**, that the party of the first part, in consideration of

TEN AND XX/XX----- dollars, good and lawful

consideration of the United States, paid by the party of the second part, does hereby grant and  
release unto the party of the second part, the heirs or successors and assigns of the party of the  
second part forever,

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

Being and intended to be the same premises conveyed by deed from Beverly Wilson,  
dated 9/10/98, recorded 9/24/98 in Liber 4877 page 228 in the Orange County Clerk's  
Office.

Being same premises commonly known as 12 Flamingo Drive, Newburgh, New York.

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

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

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

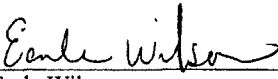
**AND** the party of the first part covenants that the party of the first part has not done or  
suffered anything whereby the said premises have been encumbered in any way whatever, except  
as aforesaid.

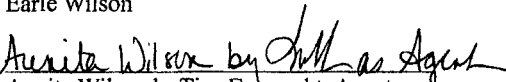
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

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

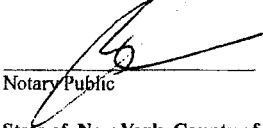
IN PRESENCE OF:

  
Earle Wilson

  
Aunita Wilson by Tina Fassnacht, Agent

State of New York, County of Orange ss.:

On the 14 day of March 2016, before me personally came Earle Wilson, 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 he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed this instrument.

  
Notary Public

MARC KERCHMAN  
Notary Public, State of New York  
No. 02-4763908  
Qualified in Dutchess County  
Commission Expires October 31, 2018

State of New York, County of ORANGE ss.:

On the 4th day of March 2016, before me personally came Tina Fassnacht, 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 he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed this instrument.

  
Notary Public

ROBIN J. KEELER  
Notary Public, State of New York  
NYS Reg. No. 01KE6008257  
Qualified in Orange County  
Commission Expires June 8, 2018

~~Bargain and Sale Deed~~

WITH COVENANT AGAINST GRANTOR'S ACTS  
Title Number WC-5447 by Mid-Hudson Abstract, Inc.

Section 90  
Block 4  
Lot 7

COUNTY OF ORANGE  
Town of Newburgh

EARLE WILSON & AUNITA WILSON

TO

STEPHANIE HAWVER

RETURN BY MAIL TO:

Todd A. Kelson, Esq.  
542 Union Avenue  
New Windsor, New York, 12553

**WESTCOR LAND TITLE INSURANCE COMPANY  
MID-HUDSON ABSTRACT, INC.  
TITLE NO.: WC-5447  
SCHEDULE A**

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

**BEGINNING at a point in the westerly line of the existing Flamingo Drive, said point being on the division line between the lands now or formerly of McCourt on the southeast and the parcel herein described on the northwest, thence, along the last mentioned division line, South 56 degrees 30 minutes West 154.00 feet to a point on the division line between the individual lands now or formerly of Falkenberg, Rosetta and Coe, respectively, on the west and the parcel herein described on the east, thence, along the last mentioned division line, North 3 degrees 30 minutes West 227.00 feet to a point on the division line between the lands now or formerly of Prisco on the north and the parcel herein described on the south, thence along the last mentioned division line, South 81 degrees 00 minutes East 116.70 feet to a point on the aforementioned westerly line of Flamingo Drive, thence along the last mentioned line, on a curve to the left having a radius of 175.00 feet and an arc length of 129.16 feet to the point or place of beginning.**



## 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: 07/13/2026**

**Application No. 26-0565**

**To: Eric Johnson**  
**12 Flamingo Drive**  
**Newburgh, NY 12550**

**SBL: 90-4-7**  
**ADDRESS: 12 Flamingo Dr**

**ZONE: R1**

PLEASE TAKE NOTICE that your application dated 06/03/2026 for permit to build a 20' x 20' side yard addition

on the premises located at 12 Flamingo Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh municipal Code:

- 1) 185-19-C-1: Shall not increase the degree of non-conformity. (Front yard requires 50': existing dwelling is 42': addition is at 46')
- 2) Bulk table schedule 3: 40' Minimum rear yard setback. (Rear deck) Existing 27', Requires 40': Variance 13': 32.5%

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File











# 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: 7/6/26

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

I (WE) Eric Johnson PRESENTLY

RESIDING AT NUMBER 12 Flamingo Dr. Newburgh NY 12550

TELEPHONE NUMBER 845-742-1515

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:

90.4.7 (TAX MAP DESIGNATION)

12 Flamingo Dr. (STREET ADDRESS)

RI (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).

195.

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:

Bldg Dept.

- 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: Rear Deck setback

\_\_\_\_\_

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:

Structure isn't visible by near by  
properties

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

Deck was built & approved by Bldg dept.  
set back was measured by owner and  
property markers were mistaken until actual property  
survey was performed 8 years later.

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

Structure was approved by Bldg Dept in 2018

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

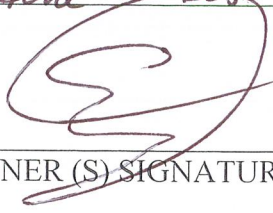
surrounding area were not disrupted

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

property marker was accurate

7. ADDITIONAL REASONS (IF PERTINENT):

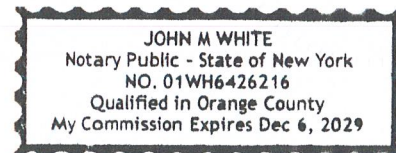
This wasn't an issue until  
land servicing was performed. Measuring  
done in 2018 was done to best of knowledge.

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

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8<sup>th</sup> DAY OF July 2026

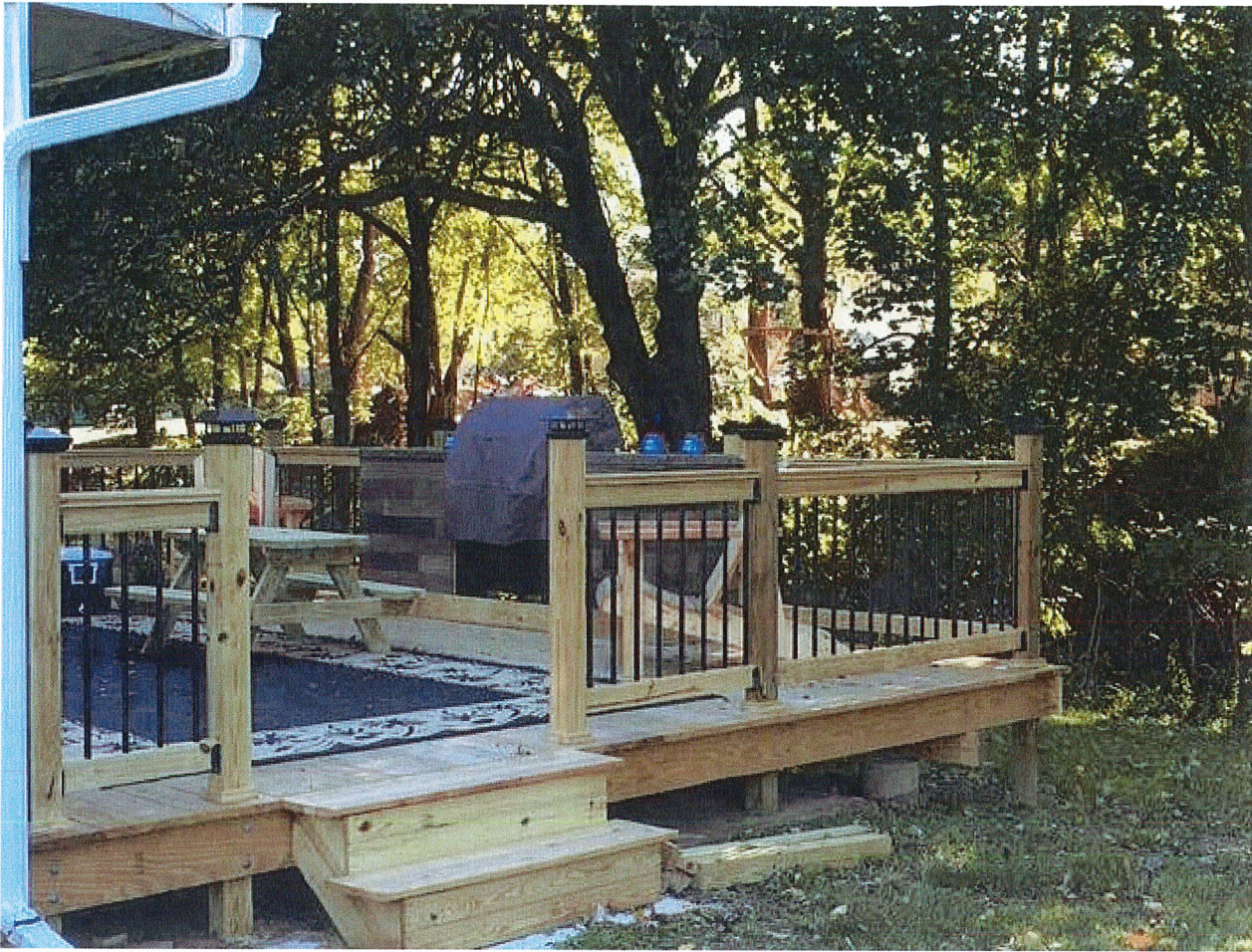
  
\_\_\_\_\_  
NOTARY PUBLIC



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.

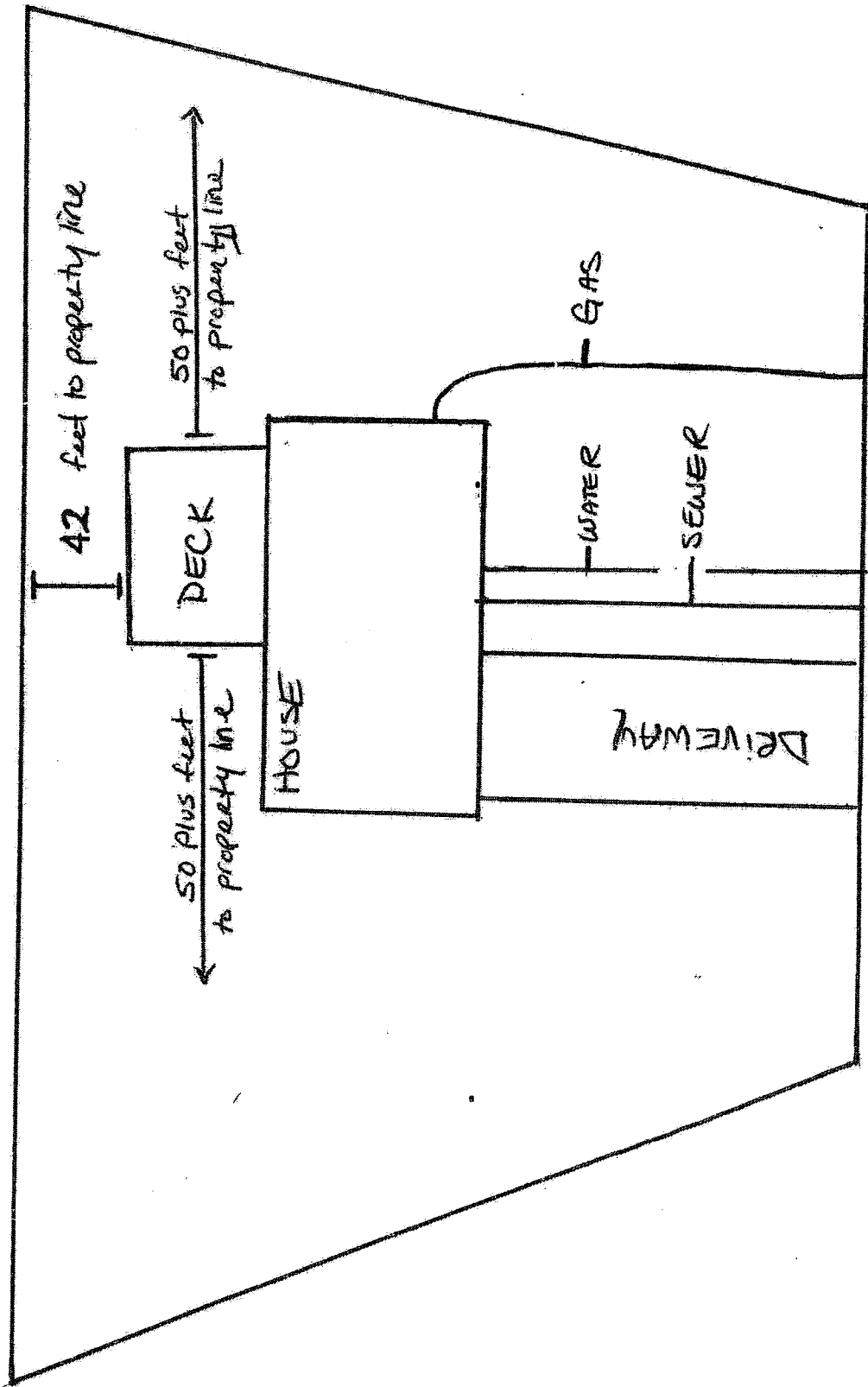
(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

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

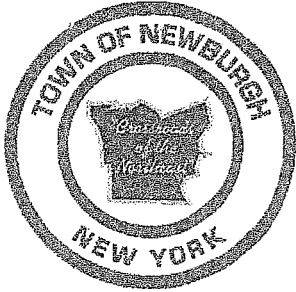


JUL 09 2018

Sign X  
*[Signature]*



12 FIAMINGO DR.  
NEWBURGH, NY 12550



## TOWN OF NEWBURGH

*~Crossroads of the Northeast~*

**CODE COMPLIANCE DEPARTMENT**  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

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

### CERTIFICATE OF COMPLIANCE

**Location:** 12 Flamingo Dr Newburgh , NY 12550

**Sec-Blk-Lot:** 90-4-7

**Building Permit No.:** 18-0718

**Cert. No:** 18-0718

**Cert. Date:** October 23, 2018

**THIS CERTIFIES** that the structure described herein conforms substantially to the approved plans and specifications heretofore filed in this office with the Application for Building Permit dated: 07/10/2018, pursuant to which a Building Permit was issued, and conforms to all the requirements of the applicable provisions of the law.

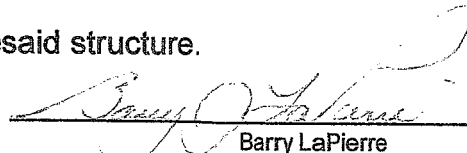
The structure for which this certificate is issued is as follows:

|                                 |                         |                                      |
|---------------------------------|-------------------------|--------------------------------------|
| <b>Material:</b> Wood           | <b>No. Stories:</b> 0   | <b>No. Families:</b> 0               |
| <b>Dim. of Stru.:</b> 16' x 20' | <b>No. Bedrooms:</b> 0  | <b>No. Toilets:</b> 0                |
| <b>Use of Stru.:</b>            | <b>Dim. of Lot:</b>     |                                      |
| <b>Census Code:</b> 434         | <b>No. Bathrooms:</b> 0 | <b>Heating Plant:</b> Not Applicable |

**Description of Work:**  
16' x 20' rear deck

**Receipt(s):** 12370

This certificate is issued to: Eric Johnson for the aforesaid structure.

  
\_\_\_\_\_  
Barry LaPierre  
Code Compliance Department

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Eric Johnson, being duly sworn, depose and say that I did on or before

July 9, 2026, post and will thereafter maintain at

12 Flamingo Dr 90-4-7 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 6

day of July, 2026.

