



# 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: 7/7/25

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

I (WE) Darby & Simone Jones PRESENTLY  
RESIDING AT NUMBER 117 N. Dix Ave Newburgh, NY 12550  
TELEPHONE NUMBER 414-739-3682

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

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

73-6-19.20.21 (TAX MAP DESIGNATION)  
117 North Dix Ave (STREET ADDRESS)  
R-3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

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

1. 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:  
\_\_\_\_\_ Yes \_\_\_\_\_

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

2. DESCRIPTION OF VARIANCE SOUGHT: \_\_\_\_\_

\_\_Rebuild 1 – Story extension that encroaches on minimum required front yard \_\_\_\_\_

3. 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:

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

4. 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:

\_\_\_ There is no proposed increase in existing building's footprint. The change in the building's view from the street is negligible.

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

\_\_\_ The extension, which is currently unfinished must be maintained since it contains the the connecting stairs to the existing cellar. An extension connecting to any other portion of the existing house would at least partially encroach on one of the two required front yards.

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

\_\_\_ The proposed rebuild of the extension comprises only 103 SF and is the minimum required to accommodate the existing cellar steps and proposed powder room.

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

\_\_\_ The existing extension is more than 30 FT from the nearest neighbor

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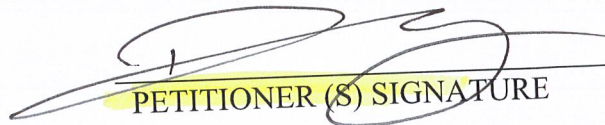
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- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

Current ownership purchased the house with the existing extension \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


5. ADDITIONAL REASONS (IF PERTINENT):

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

  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8<sup>th</sup> DAY OF July 2025

  
NOTARY PUBLIC  
BONNY ALGOZZINE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01AL6394009  
QUALIFIED IN DUTCHESS COUNTY  
MY COMMISSION EXPIRES 7/1/2027

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

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

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

**TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS**

PROXY

Darby Jones, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 117 N. Dix Ave, Newburgh, NY

IN THE COUNTY OF Orange AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

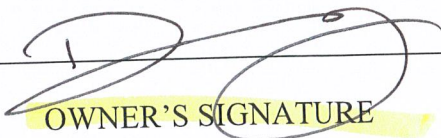
117 N. Dix Ave, Newburgh, NY 12550

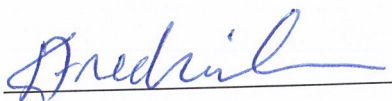
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Rileway Renovations

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 7/8/25

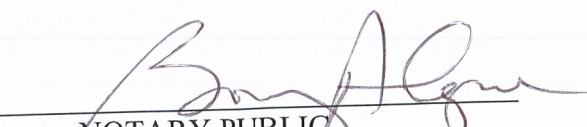
  
OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8<sup>th</sup> DAY OF July 2025

  
NOTARY PUBLIC

BONNY ALGOZZINE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01AL6394009  
QUALIFIED IN DUTCHESS COUNTY  
MY COMMISSION EXPIRES 7/1/2027

**ENCLOSURES: SUBMIT ALL ITEMS TOGETHER**

- \* RECEIPT(S) ISSUED BY THE TOWN CLERK  
(SEE 1-1-2017 FEE SCHEDULE) ( )
- BUILDING INSPECTOR'S DISAPPROVAL  
OR REFERRAL LETTER FROM PLANNING BOARD ( )
- PLOT PLAN, ELEVEN (11) COPIES DRAWN  
TO SCALE ( )
- PLANS, ELEVEN (11) COPIES (IF APPLICABLE) ( )
- \* DEED OR CERTIFIED COPY THEREOF ( )
- \* ASSESSOR'S LIST OF PROPERTY OWNERS  
WITHIN 500 FEET OF PROPERTY ( )
- FOUR PHOTOGRAPHS TAKEN AT DIFFERENT  
ANGLES ( )
- \* ZONING BOARD APPLICATION WITH SHORT  
ENVIRONMENTAL ASSESSMENT FORM ( )
- \* PROXY OR STATEMENT FOR REPRESENTATION  
THEREOF ( )
- SEPTIC DESIGN BY P.E. (IF APPLICABLE) ( )
- PERCULATION TEST (IF APPLICABLE) ( )

**\* ORIGINALS ARE REQUIRED.**

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 (IN PERSON) 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, PLEASE CALL AHEAD TO MAKE SURE SOMEONE IS HERE TO ACCEPT YOUR APPLICATION).**

# 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>			
Mabel Cataldo Hudson Valley Permits 43 Osborne Hill Rd. Fishkill, NY 12524			
Name of Action or Project: Jones Residence - Rebuild Rear Extension			
Project Location (describe, and attach a location map): 117 N. Dix Avenue Newburgh NY 12550			
Brief Description of Proposed Action: Rebuild Extension, Replace Walls, Floor, Ceiling and Roof. Foundation Walls & Footings to Remain. Plumbing and Electrical work for Powder Room. No work proposed in remainder of house.			
Name of Applicant or Sponsor: Mabel Cataldo, Hudson Valley Permits		Telephone: 845-764-0257 E-Mail: brianna@hvpermits.com	
Address: 43 Osborne Hill Rd.			
City/PO: Fishkill		State: NY	Zip Code: 12524
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 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:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 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, 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 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			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	<input type="checkbox"/>	<input type="checkbox"/>	
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?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	<input type="checkbox"/>	<input type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____			
10. Will the proposed action connect to an existing public/private water supply?	<input type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: _____			
11. Will the proposed action connect to existing wastewater utilities?	<input type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____			
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?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input 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:

- Shoreline    Forest    Agricultural/grasslands    Early mid-successional  
 Wetland    Urban    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  
     

16. Is the project site located in the 100-year flood plan?      NO      YES  
     

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?      NO      YES  
        
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
If Yes, briefly describe:              
\_\_\_\_\_

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?  
If Yes, explain the purpose and size of the impoundment:      NO      YES  
        
\_\_\_\_\_

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  
        
\_\_\_\_\_

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  
        
\_\_\_\_\_

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Mabel Cataldo, Hudson Valley Permits      Date: 3/2/26  
Signature: Mabel Cataldo      Title: owner

**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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]	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: 15027 / 859  
 INSTRUMENT #: 20210053863

Receipt#: 2928996  
 Clerk: PM  
 Rec Date: 08/10/2021 09:12:31 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 4  
 Rec'd Frm: GreenAcre Abstract LLC

Party1: SCARRY CHRISTOPHER J  
 Party2: PRINGLE JONES SIMONE  
 Town: NEWBURGH (TN)  
 73-6-21.2

Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 200.00

Transfer Tax	
Transfer Tax - State	660.00

Sub Total: 660.00

Total: 860.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 337  
 Transfer Tax  
 Consideration: 165000.00

Transfer Tax - State	660.00
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Total: 660.00

Payment Type: Check   
 Cash   
 Charge   
 No Fee

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

STATE OF NEW YORK, COUNTY OF ORANGE ss:  
 I, Kelly A. Eskew, County Clerk and Clerk of the Supreme  
 and County Courts, Orange County, do hereby certify that I  
 have compared this copy with the original thereof filed or  
 recorded in my office 8/10/2021 and the same is a correct  
 transcript thereof in witness whereof, I have hereunto set my  
 hand and affixed my official seal 02/09/2026.

*Kelly A. Eskew*  
 County Clerk & Clerk of the Supreme County Courts  
 Orange County

*Ann G. Rabbitt*

Ann G. Rabbitt  
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE made on the 01<sup>st</sup> day July Two Thousand Twenty-One  
BETWEEN, Christopher J Scarry, of 72 Creek Run Rd Newburgh NY 12550, party of  
the first part, and Darby Jones and Simone Pringle-Jones of 2 Herbert Howe Drive New  
party of the second part as Husband and wife 12553

WITNESSETH the party of the first part, in consideration of TEN DOLLARS (\$10.00),  
lawful money of the United States, and other good and valuable consideration paid by the  
party of the second part, does hereby grant and release unto the party of the second part,  
the heirs or successors and assigns of the party of the second part forever,

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND situate, lying and being  
in the Town of Newburgh County of Orange and State of New York and more  
particularly described on Schedule "A" attached hereto and made a part hereof.

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 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 had 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.

BEING and intended to be the same premises conveyed to Christopher J Scarry by deed  
from Geneen Seal and Shawn Seal dated 8-11-09 and recorded 8-27-09 in the Orange  
County Clerk's office in Liber 12889 page 101

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

section 73 block 6 lot 21.2

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# Stewart Title Insurance Company

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## OWNER'S POLICY OF TITLE INSURANCE

### SCHEDULE A

#### LEGAL DESCRIPTION

Title No.: GA-21-10629-O

Policy No.: Owner Policy: 154235211

#### PARCEL I:

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 and State of New York, being shown and designated as Lot Nos. 541 and 542 on a certain map entitled, "Newburgh Gardens", filed in the Orange County Clerk's Office on October 14, 1912; no filed map number was assigned to said map.

#### PARCEL II:

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 and State of New York, being shown and designated as Lot No. 543 on a certain map entitled, "Newburgh Gardens", filed in the Orange County Clerk's Office on October 14, 1912; no filed map number was assigned to said map, bounded and described as follows:

BEGINNING at a point at the intersection of the northerly street boundary of Woodlawn Avenue and the westerly street boundary of Dix Avenue, running North 10 degrees 00' 00" West, 70.00 feet to the point of beginning;

RUNNING THENCE along Dix Avenue, North 10 degrees 00' 00" West, 30.00 feet to the lands now or formerly of Elliot;

THENCE along the lands now or formerly of Elliot, South 80 degrees 00' 00" West, 100.00 feet to a point;

THENCE South 10 degrees 00' 00" East, 30.00 feet to a point in Lot No. 542 on the aforementioned filed map;

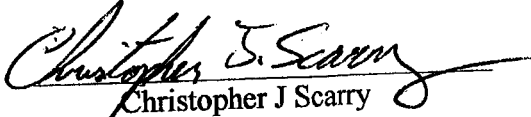
THENCE North 80 degrees 00' 00" East, 100.00 feet to the point or place of BEGINNING.

For Information Only:

Said Premise being known as 117 North Dix Avenue, Newburgh, NY.

Section: 73 Block: 6 Lot: 21.2

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

  
Christopher J Scarry

Section 73  
Block 6  
Lots 21.2

STATE OF NEW YORK

) ss:

COUNTY OF ORANGE

On the <sup>6<sup>th</sup></sup> 7<sup>th</sup> day of July in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared Christopher J Scarry displaying 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 persons upon behalf of which individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

CHRISTOPHER M. SHUST  
Notary Public, State of New York  
No. 02SH5056428  
Qualified in Orange County  
Commission Expires March 4, 2022

RECORD RETURN TO:  
Richard Forbes Esq.  
372 Fullerton Ave  
Suite 5  
Newburgh NY  
10550



# 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

#2025-27

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/25/2025

Application No. 25-0011

To: Simone Jones  
117 N. Dix Ave  
Newburgh 12550, NY

SBL: 73-6-21.2  
ADDRESS: 117 N Dix Ave

ZONE: R3

PLEASE TAKE NOTICE that your application dated 01/07/2025 for permit to build a 7.58' x 13.58' rear addition on the premises located at 117 N Dix Ave 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 setback)

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# TOWN OF NEWBURGH ZONING CHART

NAME: Jones ADDRESS: 117 N. Dix Ave  
Newburgh NY 12550

STRUCTURE: 7.58' x 13.58' Addition TYPE OF VARIANCE: AREA

S:B:L: 73-6-21.2 ZONE: R-3 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	EXISTING	VARIANCE	%
Front yard	185-19-C-1	40'	8.9'	Increasing the degree of non-conformity	

COMMENTS: Corner lot / Two front yards / Existing non-conforming for front yard setback on Woodlawn Terrace

REVIEWED BY: JOSEPH MATINA DATE: 6-25-2025 APPLICATION: 25-0011  
250A-2025-27

# **THIS IS NOT A BUILDING PERMIT**

**Submit all items listed below at the same time, partial submittals will not be reviewed.**

## **APPLICATION #25-0011** **117 N Dix Ave** **Town of Newburgh** **Code Compliance Department**

21 Hudson Valley Professional Plaza Newburgh, NY 12550  
845-564-7801 Phone 845-564-7802 Fax

MAILED TO: Simone Jones, 117 N. Dix Ave , Newburgh12550, NY - 845-329-7224

PROJECT: Addition to back of home.

SBL: 73-6-21.2

APPLICATION DATE: 01/07/2025

REVIEW DATE: 1-8-2025

**Residential:** All smoke and co alarms shall be upgraded.  
**ORANGE COUNTY REQUIRES ALL ELECTRICIANS TO BE LICENSED**

1. Supply an original copy of the survey.
- A variance will be required for increasing the degree of a non-conforming building.
2. The workers compensation waiver submitted from your contractor is not acceptable.
- Supply proof of NYS workers compensation.
3. Supply the contractors orange county electrical license.
4. The plans do not include any plumbing schematics or details. *SEE PLUMBING PLAN A-003*
5. The plans do not include any electrical schematics or details. *SEE ELEC. PLAN A-004*
6. Show mechanical details and certification the existing system can handle the new load demands. *SEE NOTES*
7. Supply the windows specification sheet. Display clear opening & u-values. *SEE SCHEDULE A-003*
8. Show tempered glazing where required. *SEE SCHEDULE A-003*
9. All smoke and co detectors must be upgraded to comply with 2020 RCNYS appendix (J) and 2020 PMCNYS. *SEE T-002 NOTE #32*
10. Water testing is required on all plastic waste / vent / drain pipes P2503.5.1
11. Doors to unconditioned space must be insulated. (Cellar) *SEE SCHEDULE A-003*

*Joseph Mattina*  
Code Compliance

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Darby Jones, being duly sworn, depose and say that I did on or before  
March 12, 2026, post and will thereafter maintain at  
117 N Dix Ave 73-6-21.2 R3 Zone in the Town of Newburgh, New York, at or near the front  
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which  
notice was in the form attached hereto.

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

Sworn to before me this 9<sup>th</sup>

day of March, 2026.

Bonny Algozzine

BONNY ALGOZZINE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01AL6394009  
QUALIFIED IN DUTCHESS COUNTY  
MY COMMISSION EXPIRES 2/1/2027

[Signature]



**TOWN OF NEWBURGH**

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

OFFICE OF ZONING BOARD OF APPEALS  
DARRIN DEGAZIO, CHAIRMAN  
SIOBHAN JABLESHNIK, SECRETARY  
TELEPHONE 845-564-4901  
FAX LINE 845-564-7902

**NOTICE OF HEARING**

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-53A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 26th day of March, 2026 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 Darby and Simone Jones for an area variance of increasing the degree of non-conformity of the front yard to build a 7.50' x 13.50' rear addition.

PREMISES LOCATED at 117 N Dix Ave. 73-6-21-2, R3 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 12th day of March, 2026.

*Muel Antodo*  
(APPLICANT)



**TOWN OF NEWBURGH**

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

OFFICE OF ZONING BOARD OF APPEALS  
DARIN SCALZO, CHAIRMAN  
SIBHAN JABLECHKA, SECRETARY  
TELEPHONE 845-566-4961  
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 105-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 26th day of March, 2026 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 Darby and Simone Jones for an area variance of increasing the degree of non-conformity of the front yard to build a 7'50" x 11'50" rear addition.

PREMISES LOCATED at 117 N Dix Ave 71-6-212 R-1 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 12th day of March, 2026.

*Neil Roberto*  
(APPLICANT)