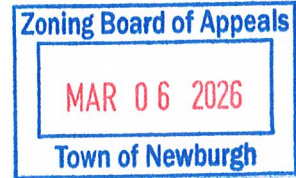




TOWN OF NEWBURGH

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: 03/05/2026

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

I (WE) *Lars Kielhorn* PRESENTLY

RESIDING AT NUMBER *750 Columbus Ave, Apt. 9G, New York, NY, 10025*

TELEPHONE NUMBER *917-275-4003*

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:

SBL: 52-5-13.2 (TAX MAP DESIGNATION)

3 Mace Circle, Newburgh, NY, 12550 (STREET ADDRESS)

R1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

- *185-15-B*
- *185-15-A-2*

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:
X _____
- 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 to build accessory structure (Pergola) with solar thermal collectors on the roof to heat the pool at the originally proposed locations*

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

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

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

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

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:
N/A _____

- d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:
N/A _____

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:
- i. It's an extension of a previously permitted pergola – a common structure in the neighborhood - within the existing fenced in area of the in-ground pool*
 - ii. There is no building (other than 3 Mace Cir) within 120+ ft of the pergola including on the Clarino property (51-5-8) which is closest to the pergola*
 - iii. Trees mostly cover the pool area and proposed pergola both from the street and the adjacent Clarino property*
- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:
- i. The pergola with the thermal solar collectors needs to be adjacent to the existing in-ground pool and therefore its location is determined by the pool.*
 - ii. The size of the pergola is significantly determined by surface area needed for the solar thermal collectors needed to adequately heat the pool*
 - iii. Hiding the solar panels on top of the pergola will least impact the character of the neighborhood (compared to installing them on separate visible racks on the ground of the property)*
 - iv. Currently proposed location allows for re-use of the existing pergola which will save us thousands of dollars and is therefore also environmentally conscious.*
- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:
- i. It is an extension of an existing pergola within the already fenced-in area of the existing in-ground pool.*
 - ii. Majority (~75%) of the proposed pergola is not located in the front yard.*
 - iii. While a portion of the pergola extends into what technically is considered front yard, it is off to the side behind trees.*
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:
- i. This is a simple, open, wooden structure with roof for the pergola that is common in the neighborhood.*
 - ii. Simple but environmentally friendly and safe pool heating solution: Thermal solar collectors divert part of the circulating pool water to hoses and pipes hidden on the roof of the pergola for heating.*
- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:
- i. In-ground pool and current pergola we want to reuse existed when we bought the property in Oct 2024.*

7. ADDITIONAL REASONS (IF PERTINENT):

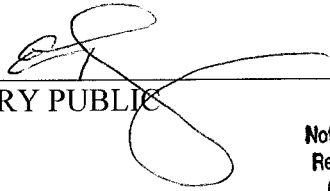
It may not matter to this board, but we are willing to invest in a renewable energy solution for heating our pool because we believe in renewable energy to reduce climate change. We do this despite the construction cost being several times the cost of a conventional solution such as propane heating, which would not only add to greenhouse gases, but also has a higher environmental risk e.g. due to leakage. We believe that the proposed solution of hiding the solar panels on the roof of the pergola is the least intrusive yet most environmentally friendly solution and we are hoping that this board supports our effort to use renewable energy.



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 6th DAY OF March 2026



NOTARY PUBLIC

ERIKA R. BROWNLEY
Notary Public, State of New York
Registration No. 04BR6397611
Qualified in Orange County
My Commission Expires September 9, 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)

Short Environmental Assessment Form

Part 1 - Project Information

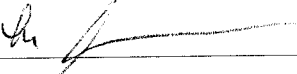
Instructions for Completing

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: Pergola with Solar Thermal Collectors for Heating Existing Pool				
Project Location (describe, and attach a location map): 3 Mace Cir, Newburgh, NY, 12550				
Brief Description of Proposed Action: Proposal to build a 10.5'x39.85' wooden pergola with a flat roof to mount an array of solar thermal collectors adjacent to an existing in-ground pool. Part of the circulating water, using the existing pool pump, will be diverted to the thermal solar collectors hereby heating the pool. The solar thermal collectors will be mounted flat on the roof and will not be visible from the ground.				
Name of Applicant or Sponsor: Lars Kielhorn		Telephone: 917-275-4003 E-Mail: lkielhorn@yahoo.com		
Address: 750 Columbus Ave Apt. 9G				
City/PO: New York		State: NY	Zip Code: 10025	
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 checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh -Zoning Board of Appeals			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ <0.01 acres		
b. Total acreage to be physically disturbed?		_____ <0.01 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.55 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If the proposed action will exceed requirements, describe design features and technologies: Fully renewable (solar): thermal solar collectors mounted on the roof through which pool water will be pumped to be heated by the sun.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If No, describe method for providing potable water: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If No, describe method for providing wastewater treatment: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
Indiana Bat	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Lars Kielhorn</u> Date: <u>03/05/2020</u> Signature: <u></u> Title: <u>Owner</u>		



ORANGE COUNTY – STATE OF NEW YORK
 KELLY A. ESKEW, 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: 15644 / 947
 INSTRUMENT #: 20240066181

Receipt#: 3332199
 Clerk: SM
 Rec Date: 11/05/2024 10:55:40 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 5
 Rec'd Frm: ASSURANCE ABSTRACT & TITLE SERVICES LLC

Party1: MATIKIEWICZ MICHAEL J
 Party2: BARRY TRACY LEE
 Town: NEWBURGH (TN)
 51-5-13.2

Recording:
 Recording Fee 45.00
 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: 205.00

Transfer Tax
 Transfer Tax - State 3000.00

Sub Total: 3000.00

Total: 3205.00
 **** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 2630
 Transfer Tax
 Consideration: 750000.00

Transfer Tax - State 3000.00

Total: 3000.00

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 11/5/2024 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 03/06/2026.

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

Kelly A. Eskew

Kelly A. Eskew
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

Section 51 Block 5 Lots 13.2 & 9.2

24AAT7826

Bargain and Sale Deed, with Covenant against Grantor's Acts – Individual
Title no.: 24-AAT-7826 (Assurance Abstract & Title Services LLC)

DEED made this 28 day of OCTOBER 2024 between

MICHAEL J. MATIKIEWICZ, residing at 3 Mace Circle, Newburgh, NY 12550

party of the first part, and

TRACY LEE BARRY & LARS KIELHORN, residing at 750 Columbus Ave Apt. 9G
New York, NY 10025, as Joint Tenants with the Right of Survivorship

party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar lawful money of the United States and other 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 land with the buildings and improvements thereon situate in the Town of Newburgh, County of Orange, State of New York, commonly known as:

3 Mace Circle, Newburgh, NY 12550 (s/b/l: 51 – 5 – 13.2) & Mace Circle, Newburgh, NY (s/b/l: 51 – 5 – 9.2)

AND being more particularly described in an attachment marked "SCHEDULE A".

SUBJECT to all agreements, covenants, restrictions, conditions, and easements of record.

BEING and intended to be the same premises conveyed to the grantor Michael J. Matikiewicz, by the following two (2) deeds:

As to Section 51 Block 5 Lot 13.2

Deed from: Michael J. Matikiewicz and Lori I. Matikiewicz, dated 2/11/02 and recorded 3/1/02 in Liber 5800 page 223 in the Orange County Clerk's Office;

As to ½ interest to Section 51 Block 5 Lot 9.2

Deed from: Joseph Dileo and Eileen Dileo, dated 7/18/16 and recorded 7/19/16 in Liber 14078 page 1656 in the Orange County Clerk's Office.

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,

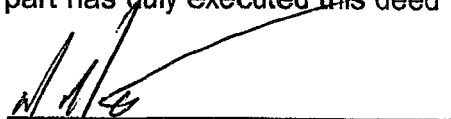
TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, the heirs or successors and assigns of the parties of the second part forever.

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 New York 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.

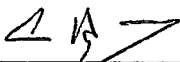
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


MICHAEL J. MATKIEWICZ

STATE OF NEW YORK)
COUNTY OF ORANGE)

ss.:

On the 25 day of OCTOBER 2024 before me, the undersigned, a Notary Public in and for said State, personally appeared **MICHAEL J. MATKIEWICZ** 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, and that by his/her/their signature on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.



Notary Public, State of New York

CARL DARRIGO
Notary Public, State of New York
Reg. No. 02DA5069651
Qualified in Orange County
Commission Expires 11/25/20 26

R & R to:

Bruce C. Dunn, Jr., Esq.
67 South Plank Road
Newburgh, NY 12550

SCHEDULE A

Section 51 Block 5 Lot 13.2

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

BEGINNING at a point lying on the westerly side of Mace Circle, said point being the northeasterly corner of lands now or formerly of Eschbacher and the southeasterly corner of the parcel herein intended to described.

THENCE South 78 degrees 53 minutes 00 seconds West for a distance of 145.22 feet along lands now or formerly of Eschbacher to an iron pin found;

THENCE North 2 degrees 46 minutes 00 seconds East for a distance of 55.50 feet along lands now or formerly Footprint Properties, Inc. to a point;

THENCE North 40 degrees 52 minutes 50 seconds West for a distance of 158.00 feet along lands now or formerly of Footprint Properties, Inc. to a point;

THENCE South 75 degrees 05 minutes 18 seconds East for a distance of 94.16 feet partially along lands now or formerly of Clarino to a point;

THENCE North 63 degrees 29 minutes 10 seconds East for a distance of 50.00 feet to a point lying on the westerly side of Mace Circle;

THENCE South 26 degrees 30 minutes 50 seconds East for a distance of 10.00 feet along the westerly side of Mace Circle to a point;

THENCE South 40 degrees 53 minutes 00 seconds East for a distance of 96.00 feet continuing along the westerly side of Mace Circle to a point;

THENCE on a curve to the right having a radius of 253.33 feet and an arc length of 75.39 feet continuing along the westerly side of Mace Circle to the point or place of beginning. Said parcel contains 19,541.91 square feet or 0.449 acres more or less.

AND

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange, State of New York as shown on a map entitled "Map of Lot Line Revision Prepared for Michael Matikiewicz" filed in the Orange County Clerk's Office on May 20, 2009, as Map #187-09 being more particularly bounded and described as follows:

BEGINNING at a point, said point being located South 88 degrees 39 minutes 57 seconds East, a distance of 180.43 feet from an iron pin found lying on the easterly side of O'Dell Circle at the northwesterly corner of lands now or formerly of DiLeo. Said point also being the northwesterly corner of the parcel herein intended to be described.

THENCE South 88 degrees 39 minutes 57 seconds East for a distance of 17.31 feet through lands now or formerly of Matikiewicz to an iron pin found.

THENCE South 40 degrees 52 minutes 50 seconds East a distance of 63.59 feet continuing through lands now or formerly of Matikiewicz to an iron pin found.

CONTINUED

THENCE South 02 degrees 48 minutes 23 seconds West for a distance of 102.03 feet continuing through lands now or formerly of Matikiewicz and also lands now or formerly of Eschbacher to an iron pin found.
THENCE North 71 degrees 26 minutes 57 seconds West for a distance of 16.89 feet along lands now or formerly of Pina to a point.

THENCE North 14 degrees 38 minutes 26 seconds West for a distance of 149.91 feet along lands now or formerly of DiLeo to the point or place of beginning. Said parcel contains 4,589.66 square feet more or less.

Premises known as 3 Mace Circle, Newburgh, NY 12550

AND a 1/2 interest in and to the following parcel:

Section 51 Block 5 Lot 9.2

BEGINNING at a point lying on the westerly side of Mace Circle, said point being located the following courses and distances for the northeasterly corner of the aforementioned Parcel I:

North 26 degrees 30 minutes 50 seconds West a distance of 40.00 feet, and;

On a curve to the right having a radius of 151.29 feet and an arc length of 50.72 feet;

Said point also being the northeasterly corner of lands now or formerly of Eschbacher and the southeasterly corner of the parcel herein intended to be described.

THENCE North 21 degrees 55 minutes 50 seconds West for a distance of 42.61 feet along lands now or formerly of Eschbacher to a point lying on the shore of Orange Lake;

THENCE North 21 degrees 07 minutes 00 seconds East for a distance of 81.70 feet to a point;

THENCE South 88 degrees 17 minutes 07 seconds East for a distance of 36.36 feet along lands now or formerly of Dubois to a point;

THENCE on a curve to the left having a radius of 151.29 feet and an arc length of 128.89 feet along the westerly side of Mace Circle to the point or place of beginning. Said parcel contains 2,167 square feet or 0.050 acres more or less.



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

2026-05

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 02/11/2026

Application No. 25-0914

To: David Fried
27 Oriole Circle
Newburgh, NY 12550

SBL: 51-5-13.2
ADDRESS: 3 Mace Cir

ZONE: R1

PLEASE TAKE NOTICE that your application dated 08/26/2025 for permit to build an accessory structure with solar thermal collectors on the roof to heat the pool. on the premises located at 3 Mace Cir is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-15-B: No such building shall project closer to the fronting street than the front of the main building.
- 2) 185-15-A-2: Such building shall be set back at least five feet from any side lot line. (Requires 5' / 0.9 actual / variance 4.1' = 82%)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

CODE COMPLIANCE
DEPARTMENT

JAN 27 2026

Sign X

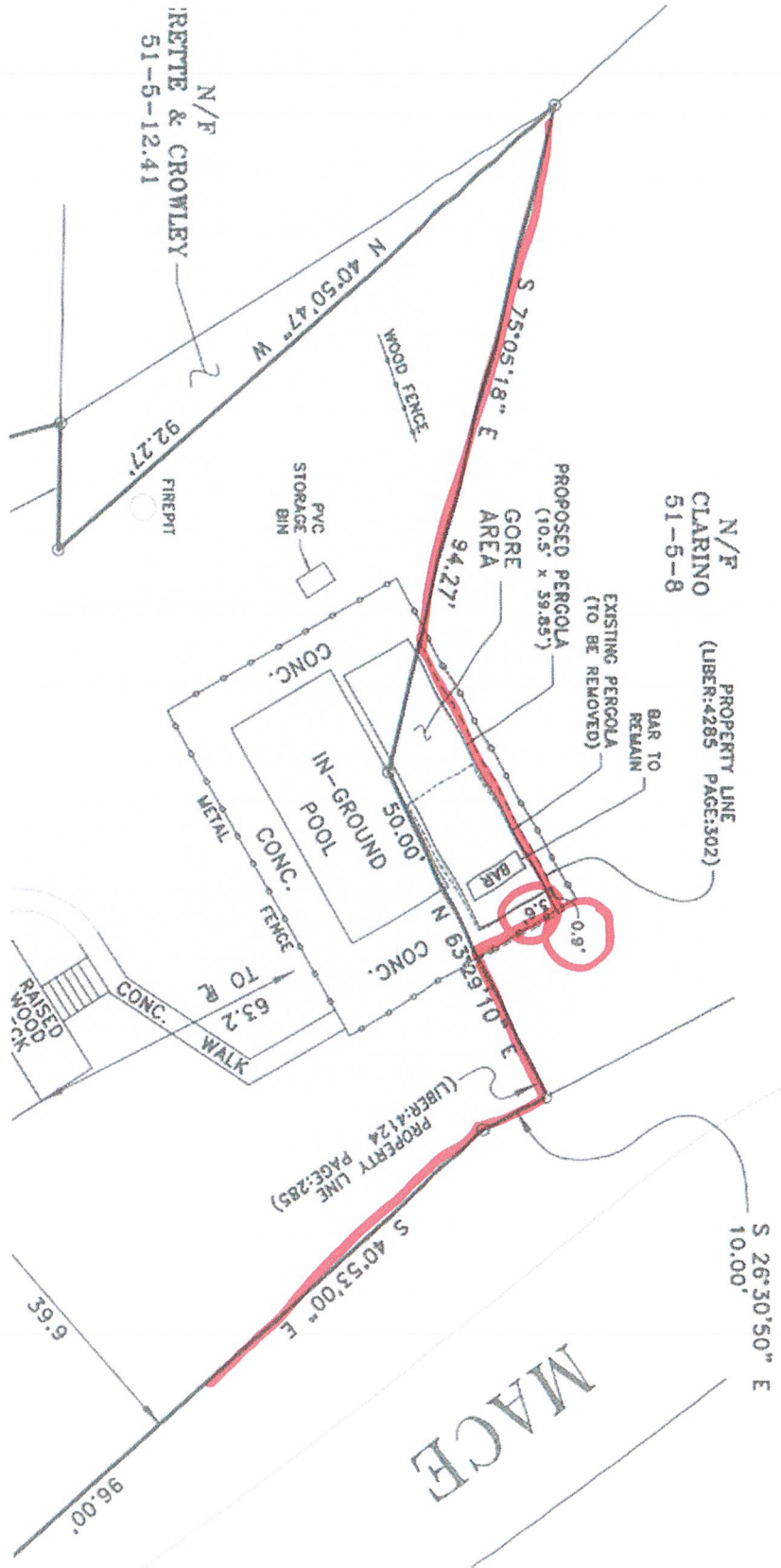




Photo 1: View of existing pergola and fenced pool area. Proposed pergola would reuse existing pergola and extend it to the left to the end of the pool. Right side of the proposed extended pergola will end where existing pergola ends today.



Photo 2: Street view from Mace Circle. Clarino Property (SBL: 51-5-8) is to the right of the line of trees. Pergola extension will be mostly hidden by trees.

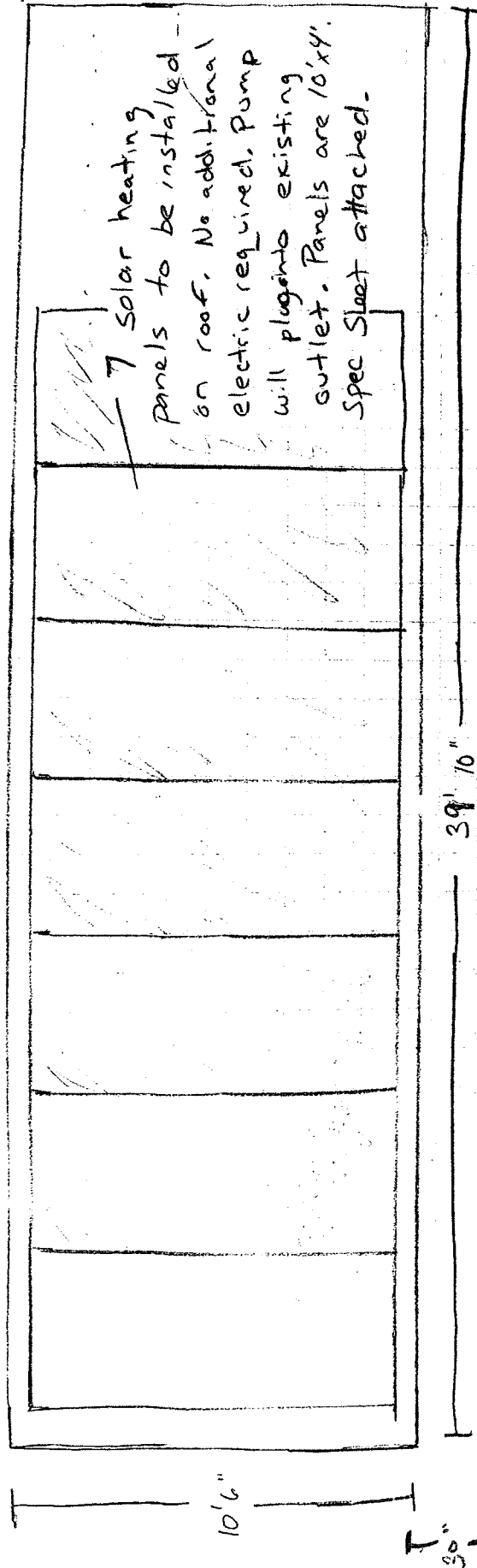


Photo 3: Fenced pool area and existing pergola in relation to 3 Mace Circle residence. Right side of the proposed extended pergola will end where existing pergola ends today. New extended part of proposed pergola will not be in the front yard.

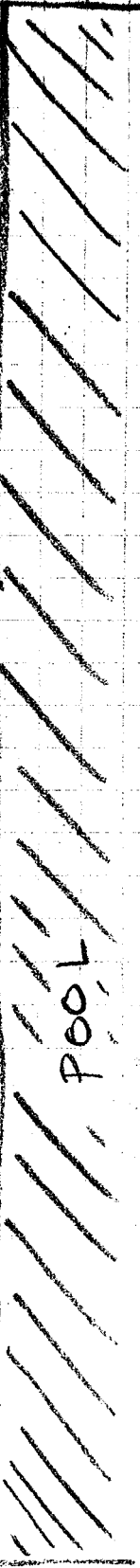


Photo 4: Street view from Mace Circle with existing pergola. Proposed pergola will be mostly hidden by trees.

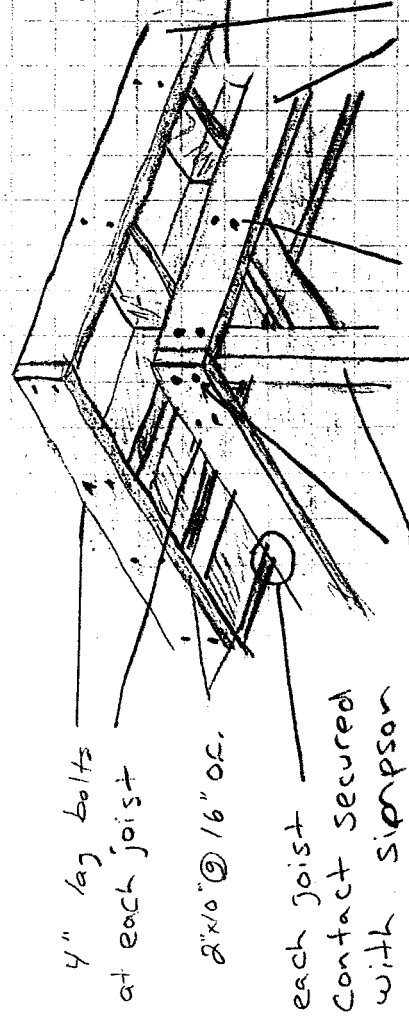
Aerial View



36" between Pool and existing Posts. will keep same distance



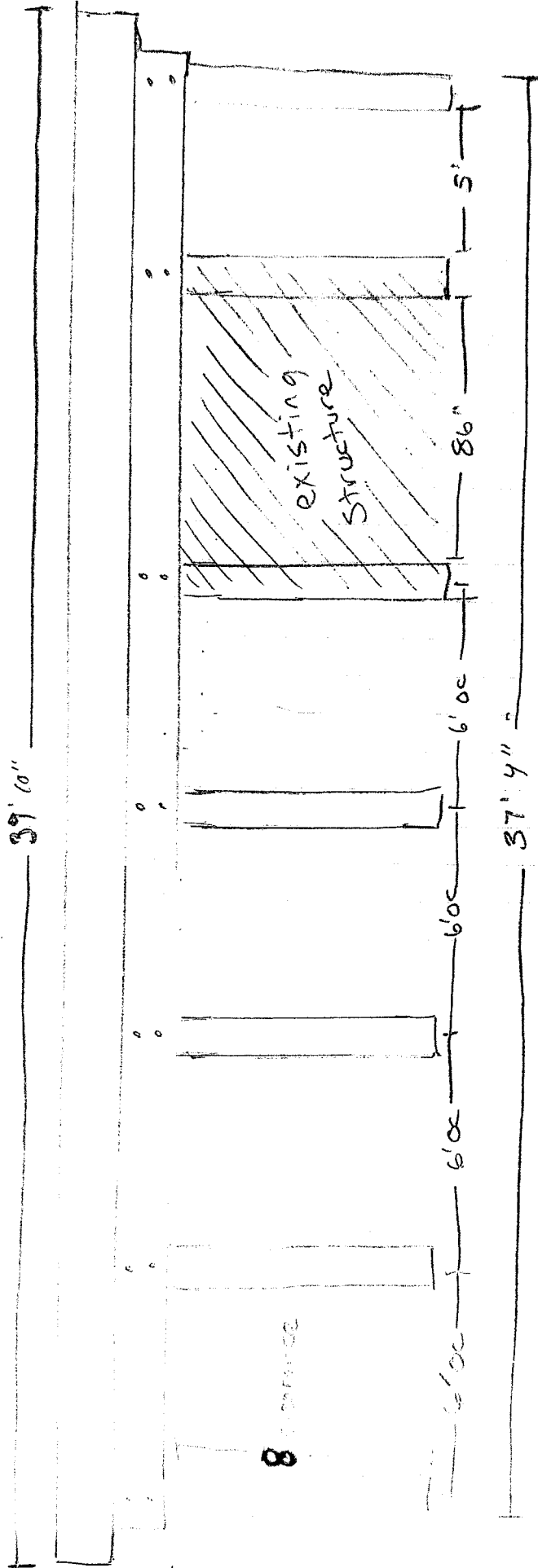
Side View



CODE COMPLIANCE
DEPARTMENT
COPY
RECEIVED

3 Mace Circle
Newburgh, NY 12550
Owner: Lars Kielhorn
917 275 4003
Contractor: David Fried
917 526 6515

Front View



4 3x10 double header will be installed at rear of base structure to give an approx. pitch 1/2" / 10' for nesting panels and epdm roof.

3 mace circle
 Newburgh, NY 12550
 Owner: Lars Kiehlhorn
 917 275 4003
 Contractor: David Fried
 917 526 6515

COPY

IRACE ARCHITECTURE P.C.

15 Elm St.

iracearchitecture.com

P. 845-988-0198

Warwick, New York 10990

iraceAIA@yahoo.com

C. 845-798-2430

October 24, 2025

Town of Newburgh
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

RE: New Solar Panel Roof Structure

Lars Kielhorn residence
3 Mace Circle
Newburgh, NY 12550

Dear Building Department,

I am in receipt of the floorplan and elevation drawings for the proposed structure that will support new solar hot water heating panels, provided by contractor David Frieol.

I understand the structure is approximately 10'-6" wide by 40' long. It will have a flat roof constructed of 2 x 10 @ 16" oc sitting on double 2 x 10 headers on each side, supported by two rows of 4" x 6" pressure treated posts approximately 6 feet apart.

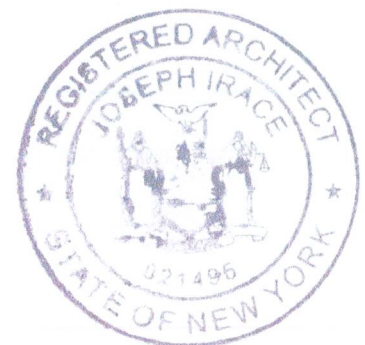
The roof will be low pitch membrane roofing over plywood. All structural members will be lag bolted, and thru bolted at each post. Diagonal bracing will be installed on all corners and hurricane ties will be installed on each rafter.

This roof will support seven 48" x 120" solar hot water heating panels. The weight of the panels when filled with water will be approximately 1.3 pounds per square foot.

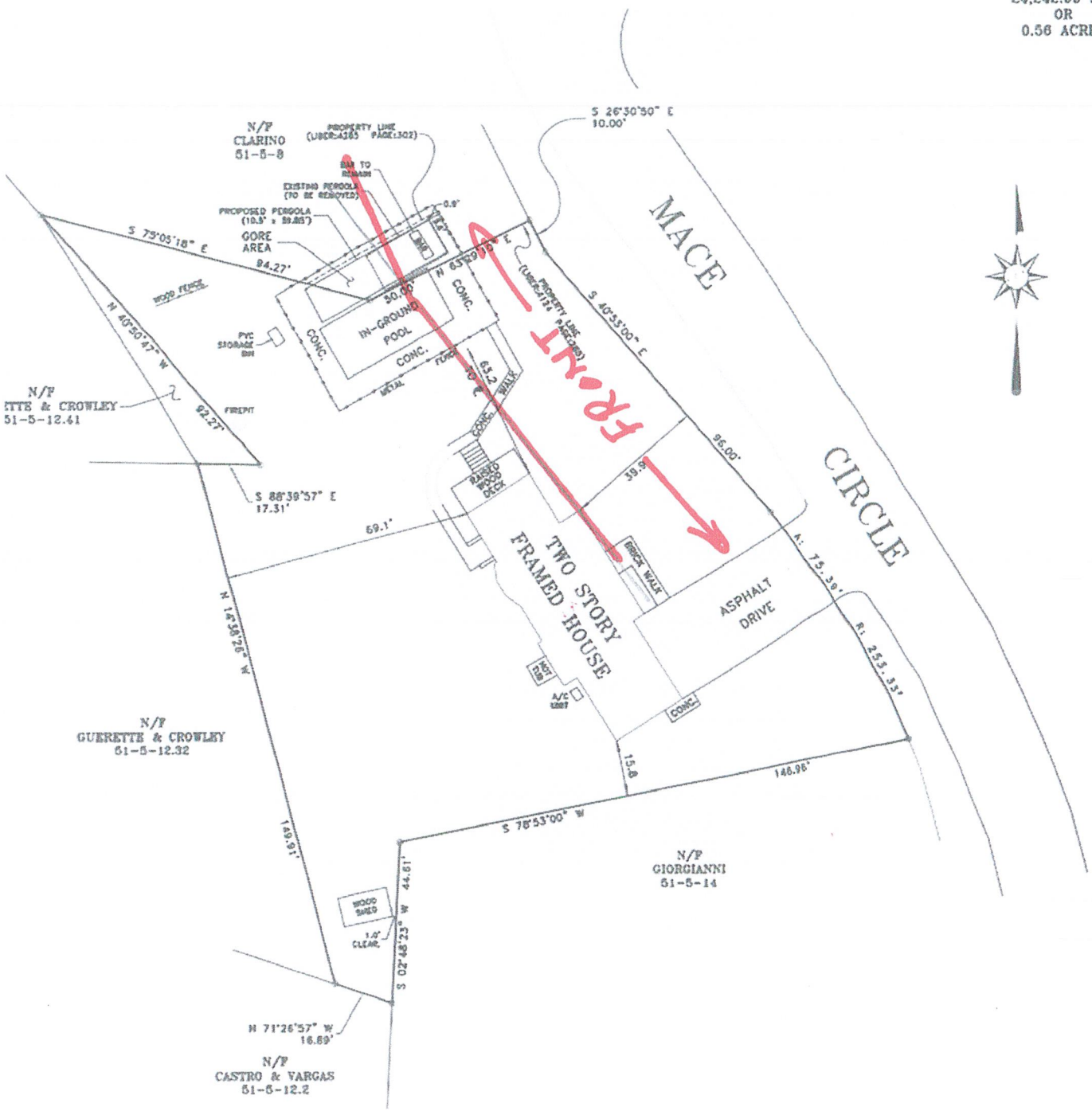
This roof structure can adequately support a snow load of 50 pounds per sq. ft., 15 pound per sq. ft. dead load and 1.3 pounds per sq. ft. roof panel load. My recommendation is to provide diagonal bracing in both directions on all four corners.

Please do not hesitate to contact me if you have concerns or questions regarding this project


Joseph Irace AIA LEED AP



LOT AREA
24,242.00 S.F.
OR
0.56 ACRES



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

STATE OF NEW YORK: COUNTY OF ORANGE:

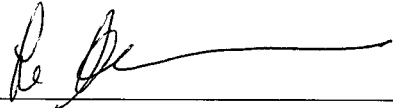
I Lars Kielhorn, being duly sworn, depose and say that I did on or before

March 12, 2026, post and will thereafter maintain at

3 Mace Cir 51-5-13.2 R1 Zone in the Town of Newburgh, New York, at or near the front

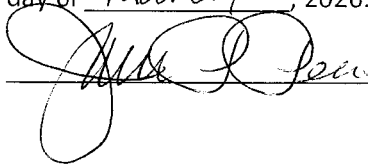
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

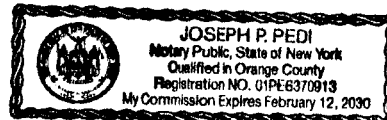
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the 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 March, 2026.







TOWN OF NEWBURGH

55 South St. Mt. Pleasant
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD OF APPEALS
DOROTHY WALSH, CHAIRMAN
SIOBHAN JARLEMAN, SECRETARY
TELEPHONE 845-566-9801
FAX LINE 845-566-9088

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 2474 (3) of the Town Law, State of New York and Section 145-554 (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 12th, day of March, 2026

at 7:00 P.M. in the Town Hall, 1496 Route 206, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Cary Richerson for area 14-554(a) of the Zoning Ordinance to the applicant to build an accessory structure with solar thermal collectors on the roof to heat the pool.

PREMISES LOCATED at 115-132 Rt. 206A, 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.

[Signature]
(OFFICIAL)