



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

2025-11 (A)
8x10

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

TELEPHONE 845-566-4901

FAX LINE 845-564-7802



APPLICATION

DATED: 3/14/25

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

I (WE) Peter Carlos Martinez PRESENTLY

RESIDING AT NUMBER 23 Pommel DR Newburgh NY. 12550

TELEPHONE NUMBER 619-844-7481

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:

57-3-25 (TAX MAP DESIGNATION)

23 Pommel DR Newburgh NY. 12550 (STREET ADDRESS)

R2 Zone (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 3/6/25
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: _____

4. DESCRIPTION OF VARIANCE SOUGHT: I would like a variance for a tool shed 8x10 located on the LANCER DR side of the home (considered the front yard)
The shed is already installed

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:

The variance would not alter the character of the neighborhood because it adds storage space for landscape tools making the home look more organized. IT ADDS to the home value increasing the neighbors values
The style and location on the property blend in and complement the home

- 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 variance will not produce an undesirable change in the character of the neighborhood because it is located behind the fence and blends in with the home

- 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 am benefiting from the ^{shed} tool shed because I will have room to store and protect my patio furniture, pool equipment and some hand tools from the elements. My garage is too small to put these things inside and have room to park a car

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

the tool shed is located behind the fence and only the roof shows over the fence

- 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 variance will not have an adverse effect or impact on the physical or environmental conditions because it is relatively small and has a small foot print and blends in with other sheds located on Pommel Dr.

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

My catalytic converter was stolen in my driveway about 6 months ago and I am trying to protect my cars / tools and patio furniture.

7. ADDITIONAL REASONS (IF PERTINENT):

Peter C. MacLennan Jr
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 17 DAY OF March 2025

[Signature]
NOTARY PUBLIC



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

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

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

**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

PROXY

_____, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT _____
IN THE COUNTY OF _____ AND STATE OF _____
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED _____
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20____

NOTARY PUBLIC



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

2025-11(A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/06/2025

Application No. 25-0163

To: Peter Carlos Martinez
23 Pommel Drive
Newburgh, NY 12550

SBL: 57-3-25
ADDRESS: 23 Pommel Dr

ZONE: R2

PLEASE TAKE NOTICE that your application dated 02/28/2025 for permit to keep a 8' x 10' accessory building on the premises located at 23 Pommel Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-43-F: No garden house, tool shed, pool or tennis court shall be located in a front yard.
- 2) 185-15-A-4: An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH ZONING CHART

NAME: PETER CARLOS MARTINEZ ADDRESS: 23 POMMEL DR
NEWBURGH NY 12550

STRUCTURE: 8' X 10' ACCESSORY BUILDING TYPE OF VARIANCE: AREA

S:B:L: 57-3-25 ZONE: R-2 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
ACCESSORY SQUARE FT	185-15-A-4	340 SF	630 SF	290 SF	58%
FRONT YARD	185-43-F	No garden house, tool shed shall be located in a front yard.			

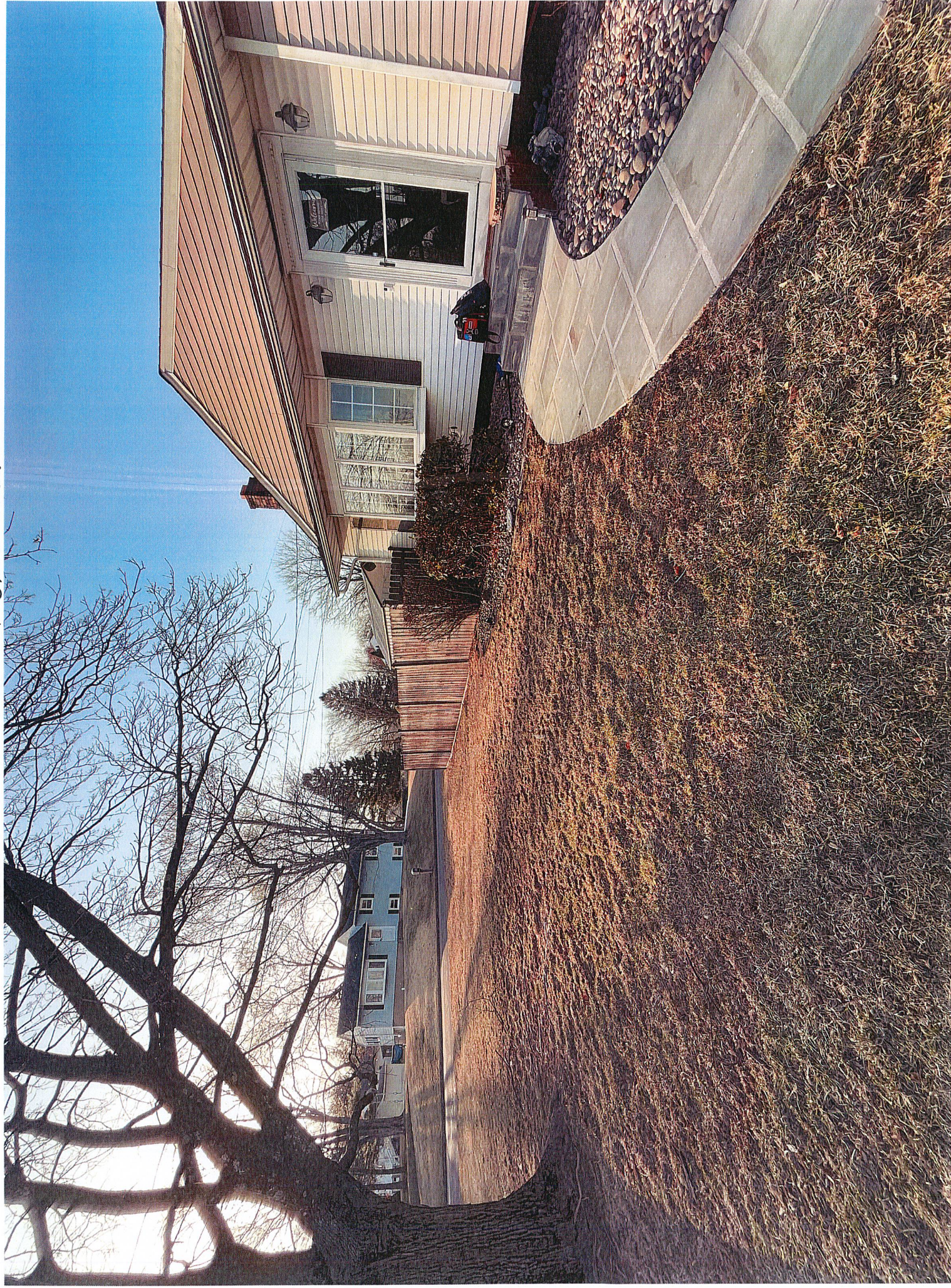
COMMENTS: ALSO SEE APPLICATION 25-0099

REVIEWED BY: JOSEPH MATINA DATE: 3-6-2025 APPLICATION: 25-0163

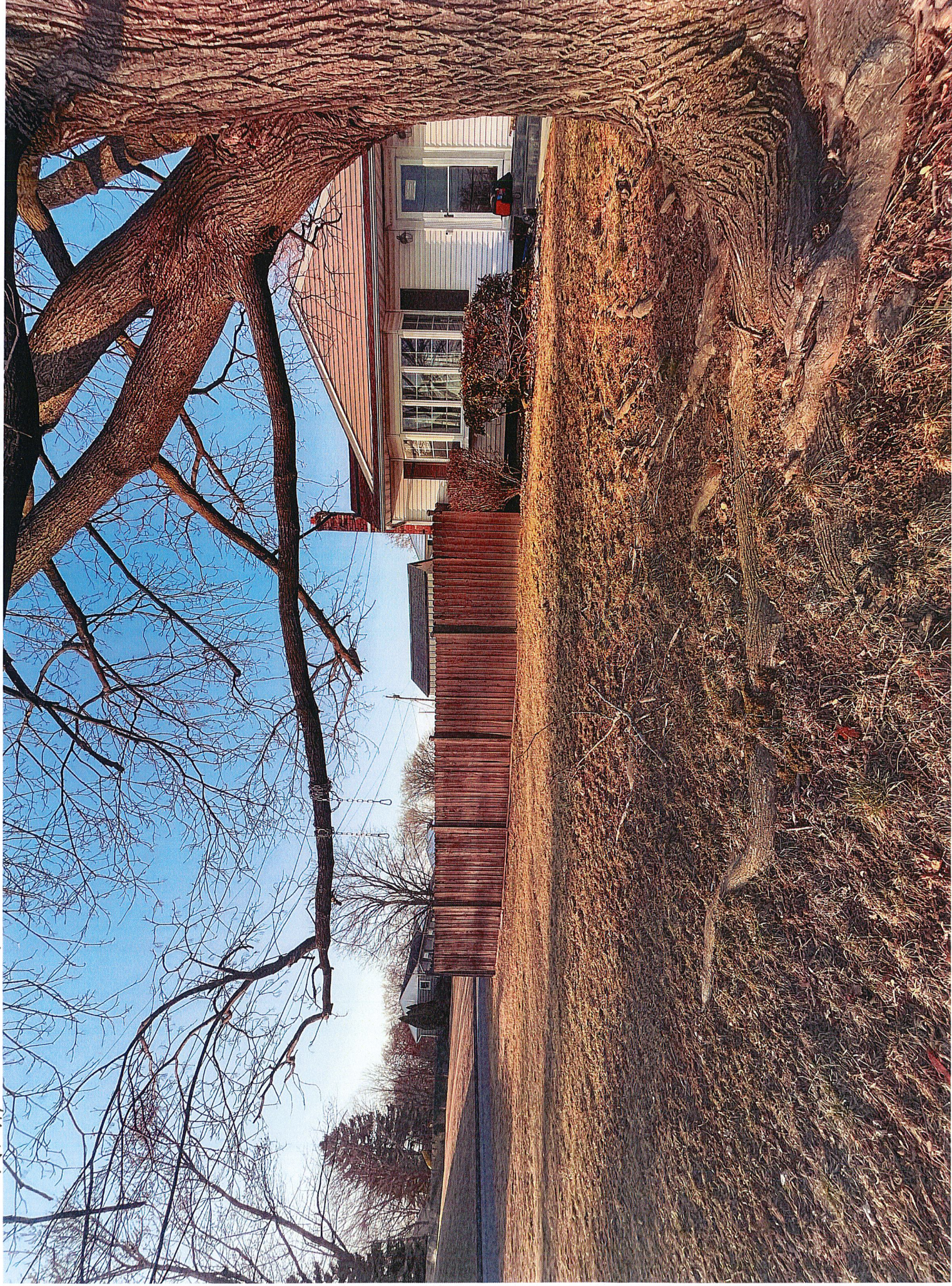
LEFT SIDE EXISTING SHED



RIGHT SIDE EXISTING 8x10 shed



RIGHT SIDE FUTURE GARAGE





TOWN OF NEWBURGH

Crossroads of the Northeast
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

2025-11 (15)
22425

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

TELEPHONE 845-566-4901

FAX LINE 845-564-7802



APPLICATION

DATED: 3/17/25

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

I (WE) Peter Carlos Martinez PRESENTLY

RESIDING AT NUMBER 23 Pommel DR Newburgh NY 12550

TELEPHONE NUMBER 619-844-7481

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

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

1. LOCATION OF THE PROPERTY:

57-3-25 (TAX MAP DESIGNATION)

23 Pommel DR . Newburgh NY. 12550 (STREET ADDRESS)

R2 ZONE (ZONING DISTRICT)

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

185-15-A-A

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:
3/6/25
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: I would like to apply for a variance

to install a metal garage the size is 22x25 I am needing a variance of 290 sq feet

☒ 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:

The size of the building and style conform to the homes in the neighborhood. The color windows and doors and trim color match the home and add to the curb appeal. The garage adds to nice looking neighborhood.

- 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 building will add ^{off street} parking increase property values and blend in well with the home and overall look good.

- 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 am building the garage to park both my cars. My current garage is not big enough for my SUV and only big enough for one car. The new garage will also be wider protecting the cars when opening the doors. The existing garage will house my utility trailer and riding lawn mower

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

The area is located in a part of the property that has grass and a large tree that is diseased. The garage will be the focal point and we plan to improve rain water run off plant 2 trees and several shrubs.

- 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 garage is being built on a grassy part of the property where a diseased tree was removed giving room for 2 new trees to be planted along with other shrubs.

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

My catalytic converter was stolen a few months ago and I would like to protect my cars

7. ADDITIONAL REASONS (IF PERTINENT):

Pete Cade Minter
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 17 DAY OF March 2025

Dawnmarie Busweiler
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.

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

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

_____, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT _____
IN THE COUNTY OF _____ AND STATE OF _____
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED _____
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20____

NOTARY PUBLIC



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~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

2025-11 (b)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/06/2025

Application No. 25-0099

To: Peter Carlos Martinez
23 Pommel Drive
Newburgh, NY 12550

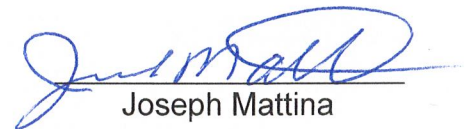
SBL: 57-3-25
ADDRESS: 23 Pommel Dr

ZONE: R2

PLEASE TAKE NOTICE that your application dated 02/06/2025 for permit to build a 22' x 25' accessory building on the premises located at 23 Pommel Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

185-15-A-4: An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

TOWN OF NEWBURGH ZONING CHART

NAME: PETER CARLOS MARTINEZ ADDRESS: 23 POMMEL DR
NEWBURGH NY 12550

STRUCTURE: GARAGE 22' X 25' TYPE OF VARIANCE: AREA

S:B:L: 57-3-25 ZONE: R-2 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
ACCESSORY SQUARE FT	185-15-A-4	340 SF	630 SF	290 SF	58%

COMMENTS: ALSO SEE APPLICATION 25-0163

REVIEWED BY: JOSEPH MATINA DATE: 2025 APPLICATION: _____



FRONT FUTURE GARAGE



LEFT SIDE FUTURE GARAGE



BACK SIDE FUTURE GARAGE



RIGHT SIDE FUTURE GARAGE



FRONT EXISTING SHED



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							
Peter Carlos Martinez							
Name of Action or Project:							
23 Pommel DR Newburgh NY. 12550							
Project Location (describe, and attach a location map):							
Brief Description of Proposed Action: I would like to apply for a variance to keep an existing tool shed in its current location. I would also like to apply for a variance to install a 22x25 metal Garage.							
Name of Applicant or Sponsor:		Telephone: 619-844-7481					
Peter Carlos Martinez		E-Mail: carlossells123@gmail.com					
Address:							
23 Pommel DR							
City/PO:		State:	Zip Code:				
Newburgh		NY	12550				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			<table border="1" style="width: 100%;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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.							
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			<table border="1" style="width: 100%;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
If Yes, list agency(s) name and permit or approval:							
3.a. Total acreage of the site of the proposed action?		125.92 acres					
b. Total acreage to be physically disturbed?		_____ acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input checked="" 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							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present level?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near 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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>NONE will be needed because its a garage</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <u>The storm water will be able to run down the existing drive way to the street and into the city street.</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Peter Carlos Martinez</u> Date: <u>3/16/25</u> Signature: <u>Pd. Carlos</u>		

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



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: 15561 / 740
INSTRUMENT #: 20240025510

Receipt#: 3270399
Clerk: SS
Rec Date: 04/25/2024 01:26:16 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 6
Rec'd Frm: HILL N DALE ABSTRACTERS INC

Party1: VALENTIN NANCY
Party2: MARTINEZ PETER CARLOS
Town: NEWBURGH (TN)
57-3-25

Recording:

Recording Fee	50.00
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: 210.00

Transfer Tax
Transfer Tax - State 1780.00

Sub Total: 1780.00

Total: 1990.00

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

***** Transfer Tax *****

Transfer Tax #: 7074
Transfer Tax
Consideration: 445000.00

Transfer Tax - State 1780.00

Total: 1780.00

Payment Type: Check ___
Cash ___
Charge ___
No Fee ___

Comment: _____

Kelly A. Eskew
Orange County Clerk

Record and Return To:

BLUSTEIN, SHAPIRO, FRANK & BARONE LL
WILLIAM E DUQUETTE JR ESQ
10 MATTHEWS STREET
GOSHEN NY 10924

HN76409
**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S
ACTS (INDIVIDUAL OR CORPORATION)**

57-3-25
FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made as of the 19th day of April, 2024

BETWEEN Nancy Valentin of 23 Pommel Drive, Newburgh, New York 12550

party of the first part, and

Peter Carlos Martinez and Elizabeth G. Martinez, Husband and Wife of 132 Greenwood Road N,
Wurtsboro, New York 12790

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money 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 State of New York, Town of Newburgh, County of Orange, more particularly described in Schedule A attached hereto, more commonly known as 23 Pommel Drive, Newburgh, New York, Orange County, Section 57 Block 3 Lot 25. Being the same as granted to grantor by deed dated 11/16/2021 and recorded 1/26/2022 in Orange County Clerk's Office in Liber 15144 Page 264.

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.


Nancy Valentin

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

CINDY L. PRINCE O'SHEA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PR4850352
Qualified in Orange County
Commission Expires April 24, 2027

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK)
)
) ss.:
COUNTY OF RICHMOND)

(signature and office of individual taking acknowledgment)

CINDY L. PRINCE O'SHEA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PR4950352
Qualified in Orange County
Commission Expires April 24, 2027

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of _____, County of _____ ss:

On the _____ day of _____ in the year 2023, before me, the undersigned personally appeared _____ 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), 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 the instrument, and that such individual make such appearance before the undersigned in the _____ (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

NOTARY PUBLIC

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of _____, County of _____ ss:

On the _____ day of _____ in the year 2023, before me, the undersigned personally appeared _____ 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), 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 the instrument, and that such individual make such appearance before the undersigned in the _____ (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

NOTARY PUBLIC

Deed

Title No. HN76409

Nancy Valentin

To

Peter Carlos Martinez

District

Section 57

Block 3

Lot 25

County or Town ORANGE

Street Address 23 Pommel Drive

Schedule A

THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

ALL that certain plot, piece or parcel of land, known and shown as Lot No. 14, block "J", Map of Meadow Hill Subdivision, Town of Newburgh, Orange County, New York, dated July 25, 1963, made by Herbert L. Kartiganer, P.E., L.S., revised April 16, 1964, and filed April 27, 1964 as Map No. 2043, Orange County Clerk's Office, said lot being more particularly bounded and described as follows:

BEGINNING at a point of intersection of the northerly line of Pommel Drive and easterly line of Lancer Drive;

RUNNING THENCE along said easterly line of Lancer Drive, North 01 degree 36 minutes 08 seconds East 93.07 feet to a point on the division line between lots 14 and 15 in Block J as shown on the aforesaid filed map;

RUNNING THENCE along same, South 88 degrees 23 minutes 52 seconds East 166.72 feet to a point on the division line between lots 13 and 14 in Block J as shown on the aforesaid filed map;

RUNNING THENCE along same, South 10 degrees 51 minutes 53 seconds West 102.96 feet to a point on the northerly line of Pommel Drive;

RUNNING THENCE along same, in a general westerly direction on a curve to the left having a radius of 720.00 feet a distance of 150.66 feet to the point and place of BEGINNING.

HILL N DALE ABSTRACTERS, INC.

PO BOX 547

GOSHEN, NY 10924

845-294-5110

845-294-9581 FAX

Elizabeth G. Martinez

Newburgh, NY 12550

Return By Mail To:

William E. Duquette, Jr., Esq.
Blustein, Shapiro, Frank & Barone, LLP ✓
10 Matthews Street
Goshen, New York 10924

Reserve This Space For Use Of Recording Office

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Peter C. Martinez, being duly sworn, depose and say that I did on or before

April 10, 2025, post and will thereafter maintain at

23 Pommel Dr 57-3-25 R2 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.

Peter C. Martinez

Sworn to before me this 18

day of March, 2025.

Dawnmarie Busweiler





