



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: April 21, 2025

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

I (WE) Thomas and Catherine McElligott PRESENTLY
RESIDING AT NUMBER 492 Lakeside Road, Newburgh
TELEPHONE NUMBER 845-443-1150

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:

SBL: 14-3-12 (TAX MAP DESIGNATION)

492 Lakeside Road (STREET ADDRESS)

R1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1
Bulk table schedule 3

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:

4/10/25

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: Front yard
Combined side yard

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

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

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

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

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

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

Variance will enhance the visual appearance

- 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:

Both existing structures need to be replaced.

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

It does not interfere with the neighbors views.


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

It will not adversely effect the physical appearance because we are only removing existing decks and stairs.

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

Existing deck and stairs need to be replaced due to wear and tear and years of use.

7. ADDITIONAL REASONS (IF PERTINENT):


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 28 DAY OF April 20 25




NOTARY PUBLIC

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

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

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>New front porch and side deck</i>			
Project Location (describe, and attach a location map): <i>492 Lakeside Road, Newburgh</i>			
Brief Description of Proposed Action: <i>To replace front porch and build new side deck.</i>			
Name of Applicant or Sponsor: <i>Thomas + Catherine McElligott</i>		Telephone: <i>845-443-1150</i>	
Address: <i>492 Lakeside Road</i>		E-Mail: <i>TCMCE@Me.com</i>	
City/PO: <i>Newburgh</i>		State: <i>N.Y.</i>	Zip Code: <i>12550</i>
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 governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>0.8689</i> acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present level?	NO	YES	
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	YES	
	<input type="checkbox"/>	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	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? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Thomas McElligott</u>		Date: <u>4/31/25</u>
Signature: <u>[Signature]</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 CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE: BLACK INK ONLY

Chemical Bank, as
trustee
TO
Thomas D. McElligott
Catherine D. McElligott

RD33-
SECTION 14 BLOCK 1 LOT 94

RECORD AND RETURN TO:
(Name and Address)

David Bloomer Esq
PO 4323
New Windsor NY 12553

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 58666 DATE 6-17-93 AFFIDAVIT FILED 19

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

BG20 Blooming Grove	SERIAL NO. _____	
CH22 Chester		
CO24 Cornwall	Mortgage Amount \$ _____	CHECK <input checked="" type="checkbox"/> CASH <input type="checkbox"/> CHARGE _____
CR26 Crawford	Exempt Yes _____ No _____	
DP28 Deepark		MORTGAGE TAX \$ _____
GO30 Goshen	3-6 Cooking Units Yes _____ No _____	TRANSFER TAX \$ <u>476-</u>
GR32 Greenville	Received Tax on above Mortgage	
HA34 Hamptonburgh	Basic \$ _____	ED. FUND \$ <u>5.00</u>
HI36 Highlands	MTA \$ _____	RECORD. FEE \$ <u>14-</u>
MK38 Minisink	Spec. Add. \$ _____	REPORT FORMS \$ <u>30-</u>
ME40 Monroe	TOTAL \$ _____	CERT. COPIES \$ _____
MY42 Montgomery		
MH44 Mount Hope		
NT46 Newburgh (T)		
NW48 New Windsor		
TU50 Tuxedo		
WL52 Walkkill		
WK54 Warwick		
WA56 Wawayanda		
WO58 Woodbury		
MN09 Middletown		
NC11 Newburgh		
PJ13 Port Jervis		
9999 Hold		

MARION S. MURPHY
Orange County Clerk

by: JS

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on JUL 28 1993

at 3:16 O'Clock P M.

in Liber/Film 3857 deeds

at page 163 and examined.

Marion S. Murphy
County Clerk

RECEIVED
\$ 476-
REAL ESTATE
JUL 28 1993
TRANSFER TAX
ORANGE COUNTY

LIBER 3857 PAGE 163

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 7/28/1993 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 04/22/2025.

Kelly A. Eskew

County Clerk & Clerk of the Supreme County Courts
Orange County

ORG 07/28/93 03:16:59 36619 44.00

***** EDUCATION FUND: 5.00 *****

DEED CONTROL NO: 58666 476.00 *

***** SERIAL NUMBER: 008483 *****

ts.

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

THIS INDENTURE, made the 17th day of June, nineteen hundred and ninety three
BETWEEN CHEMICAL BANK, AS TRUSTEE

55 WATER ST, Rm 606
6th FLR, NY NY 10041

party of the first part, and THOMAS D. McELLIGOTT and CATHERINE A. McELLIGOTT
HUSBAND & WIFE

280 Lakeside Road
Newburgh NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars 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 certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE "A", ANNEXED HERETO

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

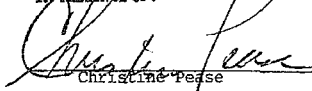
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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

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

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

IN PRESENCE OF:


Christine Pease

CHEMICAL BANK, AS TRUSTEE

By: 
Louis Branz, VP

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me
personally came

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
executed the same.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me
personally came

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
executed the same.

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

On the 17th day of June 19 93 , before me
personally came Louie Branez
to me known, who, being by me duly sworn, did depose and
say that he resides at No. 55 Water Street New
York NY 10041
that he is the VP
of Chemical Bank

, the corporation described
in and which executed the foregoing instrument; that he
knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so
affixed by order of the board of directors of said corpora-
tion, and that he signed his name thereto by like order.

SHIRLEY MAN
Notary Public, State of New York
No. 43-4995376
Qualified in Richmond County
Commission Expires Sept. 11, 1993

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me
personally came
the subscribing witness to the foregoing instrument, with
whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he resides at No.

that he knows

to be the individual
described in and who executed the foregoing instrument;
that he, said subscribing witness, was present and saw
execute the same; and that he, said witness,
at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

CHEMICAL BANK, AS TRUSTEE

TO

THOMAS D. McELLIGOTT and CATHERINE A.
McELLIGOTT

STANDARD FORM OF
NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



A Member of The Continental Insurance Companies

SECTION

BLOCK

LOT

COUNTY OR TOWN

Recorded At Request of American Title Insurance Company

RETURN BY MAIL TO:

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

LIBER 3857 PAGE 165

SCHEDULE "A"

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 more particularly bounded and described as follows:

BEGINNING at a point in the center of Lakeside Road said point being the Southwesterly corner of the herein described lot, thence;

1. North 0 degrees 43' 00" E, 125.00 feet along the center of Lakeside Road, thence;
2. South 87 degrees 02' 00" E, passing over an iron pipe at 19.55 feet for a total distance of 297.80 feet along lands now or formerly of Ricatti to an iron pipe in a stone wall, thence;
3. S 5 degrees 27' 00" E, 125.00 feet along a stone wall and lands now or formerly of Tersillio, thence;
4. N 87 degrees 15' 45" W, passing over an iron pipe at 295.00 feet for a total distance of 311.20 feet along lands now or formerly of Krupp to the point of beginning.

Containing 0.869 acres of land as surveyed by Patrick T. Kennedy, L.S.



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

2025-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/10/2025

Application No. 25-0230

To: Thomas McElligott
492 Lakeside Road
Newburgh, NY 12550

SBL: 14-3-12
ADDRESS: 492 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 03/17/2025 for permit to build a new front porch and side deck on the premises located at 492 Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 3: Requires a 50' minimum front yard setback.
- 2) 185-19-C-1: Shall not increase the degree of non-conformity. (Combined side yards)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

TOWN OF NEWBURGH ZONING CHART

NAME: THOMAS MCELLIGOTT ADDRESS: 492 LAKESIDE RD
NEWBURGH NY 12550

STRUCTURE: 10' X 27' FRONT PORCH / 14.2' X 16' SIDE DECK TYPE OF VARIANCE: AREA

S:B:L: 14-3-12 ZONE: R-1 TOWN WATER: TOWN SEWER:

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
FRONT YARD	BULK TABLE SCHEDULE 3	50'	38.94'	11.06	22%
COMBINED SIDE YARD	185-19-C-1	80'	70.46	INCREASING DEGREE OF NON-CONFORMITY	

COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 4-10-2025 APPLICATION: 25-0230
ZNA-2025-15

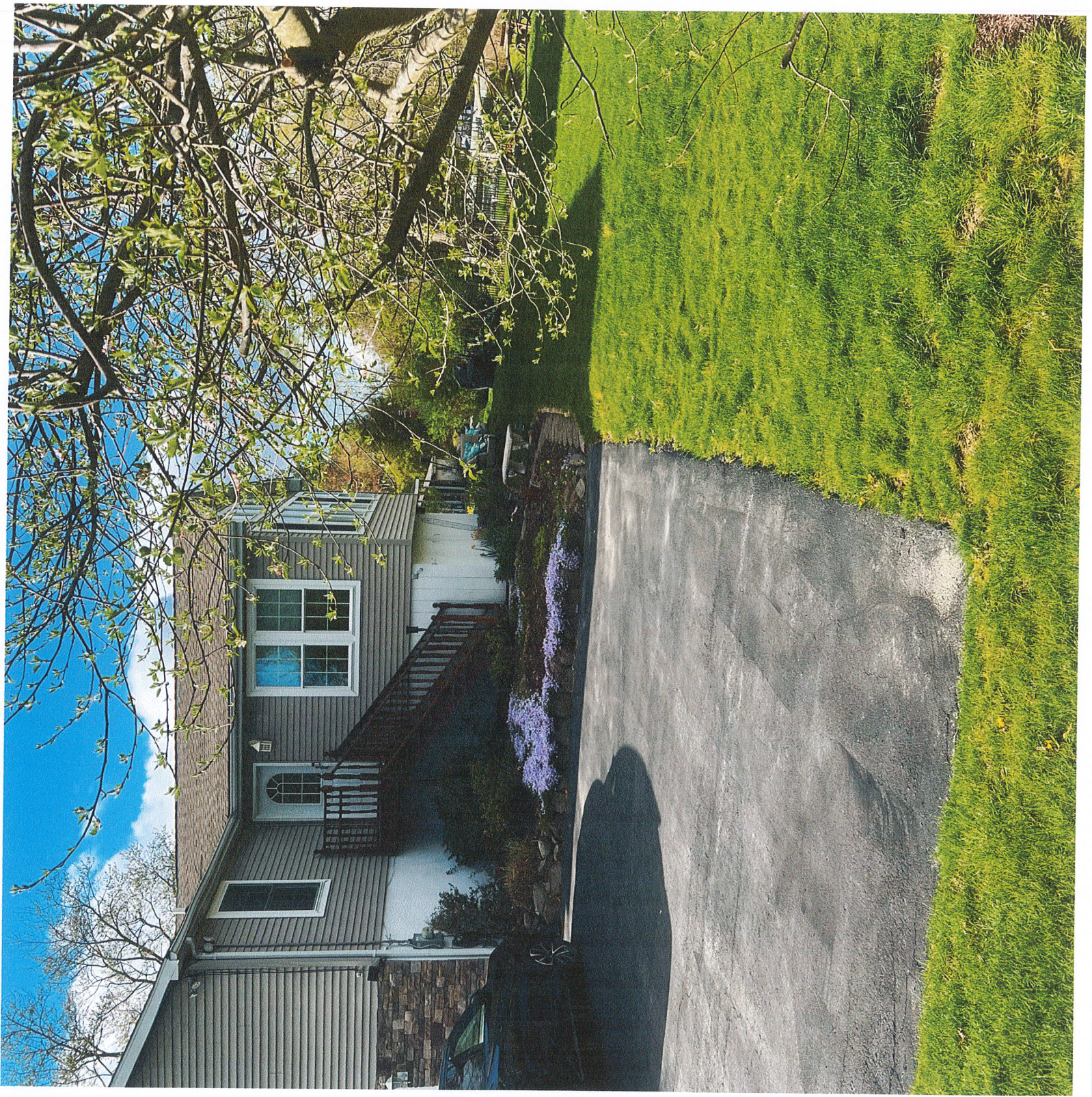






















AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY

STATE OF NEW YORK: COUNTY OF ORANGE:

I Thomas D. McElligott, being duly sworn, depose and say that I did on or before

May 8, 2025, post and will thereafter maintain at

492 Lakeside Rd 14-3-12 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 29th

day of April, 2025.





TOWN OF NEWBURGH
Office of the Town Clerk
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD OF APPEALS
DANIEL J. LAZZI, CHAIRMAN
DANIEL J. LAZZI, SECRETARY
TELEPHONE: 845-564-4971
FAX LINE: 845-564-7302

NOTICE OF HEARING

State of New York and Section 267-1 of the Town Law, Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 22nd day of May, 2025 at 7:00 P.M. in the Town Hall, 1499 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION OF THOMAS AND CATHARINE MATHIAS FOR A VARIANCE OF THE MINIMUM FRONT YARD SETBACK AND SIDE YARD SETBACK TO BUILD A LONG DRIVE

PREMISES LOCATED AT: 492 Lakeside Rd., 143-12, B1 Zone in the Town of Newburgh, New York.

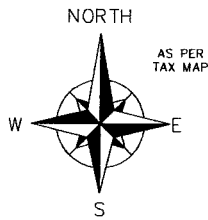
TAKES NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

If notice of the Zoning Board of Appeals, dated the 20th day of May, 2025.

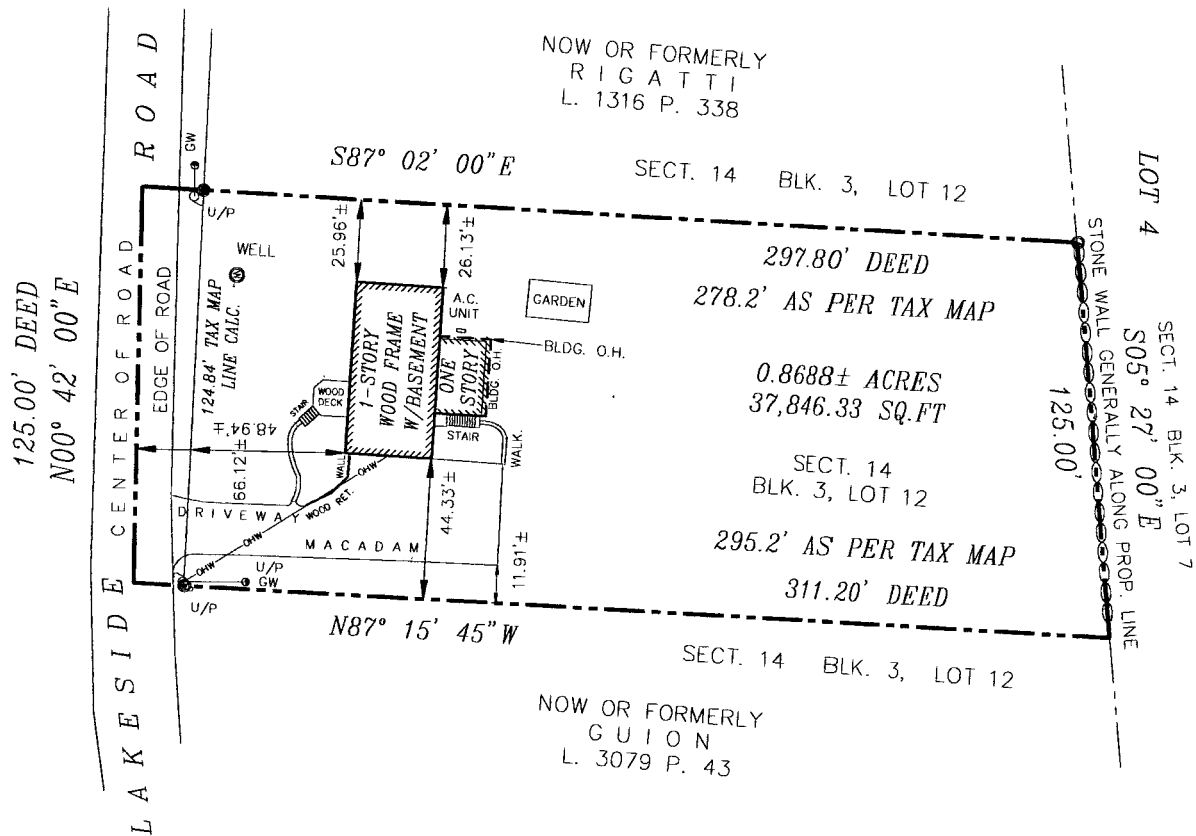
(Signature)
(APPLICANT)



RAMSAY LAND SURVEYING, P.C.
PROFESSIONAL LAND SURVEYORS-PLANNERS



TAX MAP DESIGNATION
SECT. 14, BLOCK 3, LOT 12
TOTAL AREA
37,846.33 Total Sq.Ft.
0.8688± Total Acres



SCALE 1" = 40'



RAMSAY LAND SURVEYING, P.C.
PROFESSIONAL LAND SURVEYORS-PLANNERS

3024 RADCLIFF AVENUE
BRONX, NEW YORK 10469
PH. # 718 601 9753
FAX : 718 796 9203
MOBILE # 917 544 8174
OFFICE # 718 884 2763

THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR NATURAL WATER COURSES ACROSS THE PROPERTY AS SHOWN ON THIS SURVEY.

CERTIFICATIONS:

1. THOMAS D MCELLIGOTI
CATHERINE A MCELLIGOTI
2. TOWN OF NEWBURGH BUILDING DEPARTMENT

**TITLE SURVEY
OF**

492 LAKESIDE ROAD
SITUATED IN THE
TOWN OF NEWBURGH
ORANGE COUNTY

DATE OF SURVEY MAR 28, 2025
DATE DRAFTED APRIL 03, 2025

STATE OF NEW YORK

THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON AND OR THE ORGANIZATION FOR WHOM THIS SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENT AGENCY AND LENDING INSTITUTION LISTED HEREON AND TO THE SUCCESSORS AND OR ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE.

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NEVILLE V. RAMSAY, PROFESSIONAL LAND SURVEYOR
NEW YORK STATE LICENSE No. 050294-1

125.00' DEED
N00° 42' 00"E

LAKESIDE CENTER OF ROAD ROAD

