

## TOWN OF NEWBURGH

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

OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901 FAX LINE 845-564-7802

#### APPLICATION

DATED: MAY21,2021

TO: THE ZONING BOARD OF APPEALS THE TOWN OF NEWBURGH, NEW YORK 12550 I (WE) Mr. Joseph PelleGRIDOJa PRESENTLY RESIDING AT NUMBER 17- HUFF ROAd TELEPHONE NUMBER 914- 474-1333 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: 20-6-1) (TAX MAP DESIGNATION) 17-HUFFROAD (STREET ADDRESS) AR (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

3. II	F 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:
,	b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH • OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:
4. DE	SCRIPTION OF VARIANCE SOUGHT: PRED VARIA
5. IF A	USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD
	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 UNDESTRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:  Of the beautiful pachitecture  And attenctive symmetry and Cenftmonship  With the current surrounding homes and conclusionspec
	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:
	of the Existing Location of the Home and Deck.
(	because of Lot size of the poopenty.
(	THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:  The part of an existing bear fix the existing borne on the consent to the existing borne of the existing borne.
e	THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:  BECAUSE OF the CURRENT ZONING CANS  AND Set BACK REQUIREMENTS.

THE PARTY OF THE PROPERTY OF T	America America and America
	West eller is I
PE	TITIONER (S) SIGNATURI
STATE OF NEW YORK: COUNTY OF O	RANGE:
SWORN TO THIS 215t DAY OF	May 21
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SWORN TO THIS 215t DAY OF	May Public
SWORN TO THIS 21 <sup>5t</sup> DAY OF	NOTARY PUBLIC  JENNIFER CAVANAUGH
SWORN TO THIS 21 <sup>51</sup> DAY OF	NOTARY PUBLIC  JENNIFER CAVANAUGH NOTARY PUBLIC - STATE OF NY
SWORN TO THIS 215t DAY OF	JENNIFER CAVANAUGH NOTARY PUBLIC - STATE OF NY Qualified in Orange County
SWORN TO THIS 21 <sup>51</sup> DAY OF	NOTARY PUBLIC  JENNIFER CAVANAUGH NOTARY PUBLIC - STATE OF NY

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

AATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR W NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE 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			9 8
LA Paridal by 331 - 16			
to Build A 22'x26' Deck Ano Name of Action or Project:	und NottuB.		-
APRA VARIA			
Project Location (describe, and attach a location map):			
Men (D. lel - de le			
Brief Description of Proposed Action: To Attache A Za	SEREAR RIGHT	Back	Consen
Brief Description of Proposed Action: TO Attache A Z	2'x26'Ft New	Pec	4
to An existing Deck, so that I	he une of La	6	10.
to An existing Deck, so that I will be in close proximity	to Ben the	LH	Othe
			-
NT. CA 1			
Name of Applicant or Sponsor:	Telephone: 914-474.	123	3
Midoseph Relleaning In.	E-Mail: Joe Pella A	me	2 (00
Address: HVFF Road		/******	es com
O' NOT ROAD			
Newbur EH	AUX	p Code: 25ろ	70
1. Does the proposed action only involve the legislative adoption of a plan le	ocal law, ordinance,	NO	YES
administrative rule, or regulation?  If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and the proposed action are proposed action and the proposed action and the proposed action and the proposed action			
may be affected in the municipality and proceed to Part 2. If no, continue to	the environmental resources that guestion 2.	X	-
2. Does the proposed action require a permit, approval or funding from any of	other governmental Agency?	NO	MEG
if it es, list agency(s) name and permit or approval:	Bo , ominoritat rigoticy;	NO	YES
Building Dust			4
3.a. Total acreage of the site of the proposed action?	72 -acres JQFL		
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	BOTTOS TO FI AC	un	
or controlled by the applicant or project sponsor?	acres		
	40103		-
4. Check all land uses that occur on, adjoining and near the proposed action.	1 500	***************************************	
Commo	reial Lakesidential (suburban)		
☐Forest ☐Agriculture ☐Aquatic ☐Other (s	pecity):	T. Children and Control of the Contr	

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO YES N/A
b. Consistent with the adopted comprehensive plan?	
6. Is the proposed action consistent with the predominant character of the existing builtor natural landscape?	NO YES
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
If Yes, identify: If Yes, identify:	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO YES
b. Are public transportation service(s) available at or near the site of the proposed acton?	Y
c. Are any nedestrian accommodations and	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action  9. Does the proposed action meet or exceed the state energy code requirements?  If the proposed action will exceed requirements?	?
If the proposed action will exceed requirements, describe design features and technologies:	NO YES
describe design features and technologies:	
10. Will the proposed action connect to an existing public/private water supply?	-   -     -     -
proposed detroit connect to an existing public/private water supply?	NO YES
If No, describe method for providing potable water: from the home	N D
11. Will the proposed action connect to existing wastewater utilities?	NO YES
If No, describe method for providing wastewater treatment:	THE LESS
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO YES
b. Is the proposed action located in an archeological sensitive area?	W
	MI
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO YES
b. Would the proposed action physically after or granted int.	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	
4. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that	oppoler.
Li Agricultural/grasslands Li Early mid-successional	appty:
Duotii Daii	
5. 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
	V
6. Is the project site located in the 100 year flood plain?	NO YES
7. Will the proposed action create storm water discharge, either from point or non-point sources?	NO
a. Will storm water discharges flow to adjacent way (1)	NO YES
a. Will storm water discharges flow to adjacent properties?	ШШ
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? Yes, briefly describe:	
	1 - 1

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond words).	NO	YES
water or other liquids (e.g. retention pond, waste lagoon, dam)?  If Yes, explain purpose and size:	1.0	I III
		$1\Box$
19. Has the site of the proposed action or an adjoining property been the location of anactive or closed solid waste management facility?	NO	YES
If Yes, describe:	Tar	
		Ш
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
	X	口
AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE	BEST OF	MY
pplicant/sponsonname: Olseph Relleganto Ja 5-21	205	(
ignature: Date: 21,		

Agenc	y Use Only [If applicable]
Project:	- Control of the Cont
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 I 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?"

1.	Will the proposed action greate a material conflict with	No, or small impact may occur	Moderate to large impact may occur
	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		- Committee Comm
2.	Will the proposed action result in a change in the use or intensity of use of land?	X	
3.	Will the proposed action impair the character or quality of the existing community?	X	
·4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	, Prince and
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?	X	
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?	X	
7.	Will the proposed action impact existing: a. public / private water supplies?	X	
	b. public / private wastewater treatment utilities?	X	
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11.	Will the proposed action create a hazard to environmental resources or human health?	X	

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.				
	ormation and analysis above, and any supporting documentation, 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)			



#### 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

# 2923-21

#### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/17/2021

Application No. 21-0414

To: Joseph Pellegrino 17 Huff Rd Newburgh, NY 12550

SBL: 20-6-11

**ADDRESS:17 Huff Rd** 

**ZONE: AR** 

PLEASE TAKE NOTICE that your application dated 04/21/2021 for permit to build a 22' x 26' deck around a hot tub on the premises located at 17 Huff Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 2: Requires a 30' minimum side yard setback.

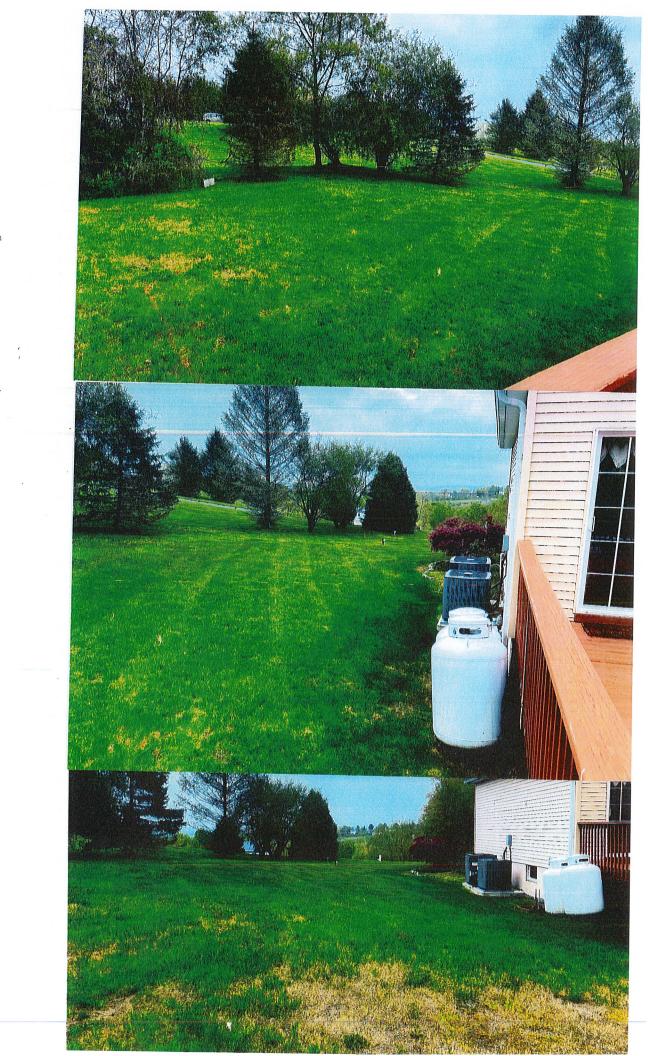
Joseph Mattina

Cc: Town Clerk & Assessor (500')

File

## Town of Newburgh Code Compliance

OWNER INFORMATIO	N <i>BUIL</i>	T WITH OUT	T A PERMIT	YES	/ NO			
NAME: JC	SEPH PELLE	GRINO		Application	Application #		1-0414	
ADDRESS:	17	HUFF RD NE	WBURGH N	Y 12550			_	
PROJECT INFORMATI	ON:	AREA VA	ARIANCE	<u>us</u>	E VARIANO	Œ		
TYPE OF STRUCTURE:		22' X 2	26' SIDE YA	RD DECK				
<b>SBL</b> : 20-6-11	ZONE:	AR	ZE	BA Applicatio	n# 292	3-21		
TOWN WATER: YES /						N/A		
	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE			
LOT AREA	1							
LOT WIDTH	1							
LOT DEPTH	1							
FRONT YARI								
REAR YARI					Annual Committee of the			
SIDE YARI	30'		14'	16'	53.30%			
MAX. BUILDING HEIGH	Г					7		
BUILDING COVERAGE								
SURFACE COVERAGE						7		
INCREASING DEGREE OF 2 OR MORE FRONT YARDS CORNER LOT - 185-17-A ACCESSORY STRUCT GREATER THEN 1000 S.F. FRONT YARD - 185-15-A STORAGE OF MORE THEN HEIGHT MAX. 15 FEET - 18 10% MAXIMUM YARD COV	S FOR THIS P   URE:  OR BY FORM  VEHICLE	PROPERTY	5-A-4			YES / YES /	NC NC NC NC	
NOTES:		DECK ARC	OUND A HOT	TUB				
REVIEWED RV:	Joseph Me	attina	D	ΔTF·	5_17202	1		





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

STATE OF NEW YORK: COUNTY OF ORANGE:
being duly sworn, depose and say that I did on or before
June 10, 2021, post and will thereafter maintain at
17 Huff Rd 20-6-11 AR 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 8 th
day of <u>Jule</u> 2021.
BRIAN P McFARLANE Notary Public - State of New York No. 01MC6369833 Qualified in Dutchess County My Commission Expires Jan. 22, 20 27



\* \* \* RECEIPT \* \* \*

Date: 05/21/21

Receipt#:

84405

Quantity 1

**Transactions** 

Reference

Subtotal \$50.00

Public Hearing

\$250.00

Zba Applic. & Advertising 1

**Total Paid:** 

\$300.00

Notes:

**Payment Type** 

Amount

Paid By

CK #1336

\$300.00

Pellegrino Jr., Joseph

JOSEPH P. PEDI, TOWN CLERK **TOWN OF NEWBURGH** 1496 ROUTE 300 NEWBURGH, N.Y. 12550

Name:

Pellegrino Jr., Joseph

17 Huff Rd.

Newburgh, NY 12550

Clerk ID:

COUNTER

Internal ID:

