



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: 1/8/24

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

I (WE) Mona & Ian Rieger PRESENTLY
RESIDING AT NUMBER 560 Grand Ave, Newburgh
TELEPHONE NUMBER 914-447-4293

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:

121-1-1 (TAX MAP DESIGNATION)
2 Mariners Court (STREET ADDRESS)
R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

A - Zoning Regulations - Bulk Table Schedule 1
8 Maximum Building Height 35'

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:

1/8/24

- 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: Request to exceed
maximum building height

☒ 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:

A single family home will be built in keeping with the character of the neighborhood

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

The architectural style requires a steeply pitched roof that makes the highest point of the structure over 35'

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

The additional height will not impede any other property owner's view

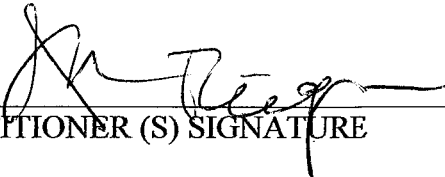
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

The lot declines significantly from River Road and the home will not appear tall from that vantage point.

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


The lot topography requires this architectural design because otherwise, the home would appear to far below River Road.

7. ADDITIONAL REASONS (IF PERTINENT):


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8th DAY OF January 20 24


NOTARY PUBLIC
JEANINE M. O'LEARY
NOTARY PUBLIC-STATE OF NEW YORK
No. 0106217913
Qualified in Orange County
My Commission Expires February 22, 2014 2026

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)

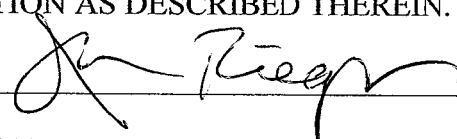
**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

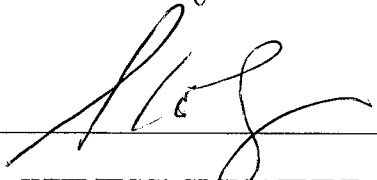
PROXY

Ian Rieger, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 560 Grand Ave, Newburgh
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 2 Mariners
Court (vacant lot)

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

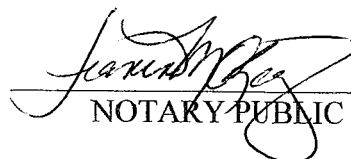
DATED: 4/8/24


OWNER'S SIGNATURE


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8th DAY OF January 2024


NOTARY PUBLIC

JEANINE M OLEARY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OL6217913
Qualified in Orange County
My Commission Expires February 22, 2024

2026

ENCLOSURES: SUBMIT ALL ITEMS TOGETHER

* RECEIPT(S) ISSUED BY THE TOWN CLERK
(SEE 1-1-2017 FEE SCHEDULE) ()

BUILDING INSPECTOR'S DISAPPROVAL ()
OR REFERRAL LETTER FROM PLANNING BOARD

PLOT PLAN, ELEVEN (11) COPIES DRAWN
TO SCALE ()

* DEED OR CERTIFIED COPY THEREOF ()

* * ASSESSOR'S LIST OF PROPERTY OWNERS
WITHIN 500 FEET OF PROPERTY ()

FOUR PHOTOGRAPHS TAKEN AT DIFFERENT
ANGLES ()

* ZONING BOARD APPLICATION WITH SHORT
ENVIRONMENTAL ASSESSMENT FORM ()

* PROXY OR STATEMENT FOR REPRESENTATION
THEREOF ()

SEPTIC DESIGN BY P.E. (IF APPLICABLE) ()

PERCULATION TEST (IF APPLICABLE) ()

*** ORIGINALS ARE REQUIRED.**

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

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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			
Mona & Ian Rieger			
Name of Action or Project: Single Family Home			
Project Location (describe, and attach a location map): 2 Mariners Court, (Lot 1, Anchorage-on-Hudson)			
Brief Description of Proposed Action: Requesting variance to permit a residence taller than 35'			
Name of Applicant or Sponsor: Mona & Ian Rieger		Telephone: 914-447-4293	
Address: 500 Grand Ave		E-Mail: IRieger@riegerhomes.com	
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.08 acres	
b. Total acreage to be physically disturbed?		1/2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.08 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 <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 levels?	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>Private Well</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: <u>Septic System</u>	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 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 <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: <u>storm water will be directed to a catch basin adjacent to the property</u> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input checked="" 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>Ian Rieger</u> Date: <u>4/0/24</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 – STATE OF NEW YORK
KELLY A. ESKEW, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

GA-23-13241-O

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 15400 / 784
INSTRUMENT #: 20230021091

Receipt#: 3145779
Clerk: SS
Rec Date: 03/30/2023 11:22:51 AM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: GreenAcre Abstract LLC

Party1: ANCHORAGE HOLDINGS LLC
Party2: RIEGER IAN M
Town: NEWBURGH (TN)
121-1-1

Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 315.00

Transfer Tax
Transfer Tax - State 636.00

Sub Total: 636.00

Total: 951.00

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

***** Transfer Tax *****
Transfer Tax #: 7475
Commercial Transfer Tax
Consideration: 159000.00

Transfer Tax - State 636.00

Total: 636.00

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

Comment: _____

Kelly A. Eskew
Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

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

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 the 23rd day of March, 2023,

BETWEEN Anchorage Holdings LLC, with an address of 142 Route 17K, Newburgh, New York 12550,
party of the first part, and

Ian M. Rieger and Mona R. Rieger, ^{as husband and wife} with an address of 560 Grand Avenue, Newburgh, NY 12550

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00) 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 Town of Newburgh, County of Orange, State of New York, more particularly described in Schedule A attached hereto;

BEING a portion of the same premises as conveyed by a deed from Hudson Landings Corporation to Anchorage Holdings LLC dated May 11, 2009 and recorded June 1, 2009 and recorded in Liber 12835 page 695 in the office of the Orange County Clerk.

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.

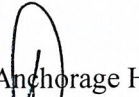
AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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.

SBL:121111

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

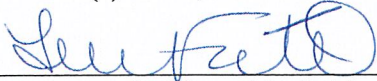

Anchorage Holdings LLC

By: Paul Hoffner, Member

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

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

On the 23rd day of March in the year 2023, before me, the undersigned, personally appeared **Paul Hoffner**, 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 they executed the same in their capacity(ies), and that by their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


(signature and office of individual taking acknowledgment)
Record and Return to:

Kieger Homes Inc.
Attn: Steven E. Kieger Esq.
6 Old North Hank Road
Newburgh, NY 12550



Stewart Title Insurance Company

OWNER'S POLICY OF TITLE INSURANCE

SCHEDULE A

LEGAL DESCRIPTION

Title No.: GA-23-13241-O

Policy No.: Owner Policy: O-0000-080175808

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being shown and designated as Lot No. 1 on a certain map entitled, "Subdivision Plat Prepared for Anchorage-On-Hudson", which map was filed on June 1, 2009 in the Orange County Clerk's Office as Filed Map No. 216-02.

For Information Only:

Said premise(s) being known as:

Mariners Court, Newburgh, NY 12550 (Section: 121 Block: 1 Lot: 1)



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

2024-03

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 01/08/2024

Application No. 23-0693

To: Reiger Homes Inc.
6 Old North Plank Rd
Newburgh, NY 12550

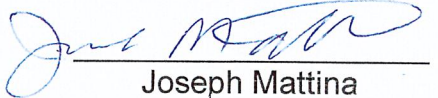
SBL: 121-1-1
ADDRESS: 2 Mariners Ct

ZONE: R1

PLEASE TAKE NOTICE that your application dated 06/12/2023 for permit to construct a single-family dwelling with a building height of 42.33' on the premises located at 2 Mariners Ct is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 1: Allows a maximum building height of 35'


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: IAN RIEGER Application # 23-0693

ADDRESS: 560 GRAND AVE NEWBURGH NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 2 MARINERS CT. NEWBURGH NY 12250

SBL: 121-1-1 ZONE: R-1 ZBA Application # 2024-03.

TOWN WATER: YES / **NO** TOWN SEWER: YES / **NO** N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT	35'		42.33'	7.33'	20.94%
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 _____ YES / NO

2 OR MORE FRONT YARDS FOR THIS PROPERTY _____ YES / NO

CORNER LOT - 185-17-A _____ YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 _____ YES / NO

FRONT YARD - 185-15-A _____ YES / NO

STORAGE OF MORE THEN 4 VEHICLES _____ YES / NO

HEIGHT MAX. 15 FEET - 185-15-A-1 _____ YES / NO

10% MAXIMUM YARD COVERAGE - 185-15-A-3 _____ YES / NO

NOTES:

REVIEWED BY: Joseph Mattina

DATE: 8-Jan-24

Shows house across River Road



Looking South East from Mariners Court

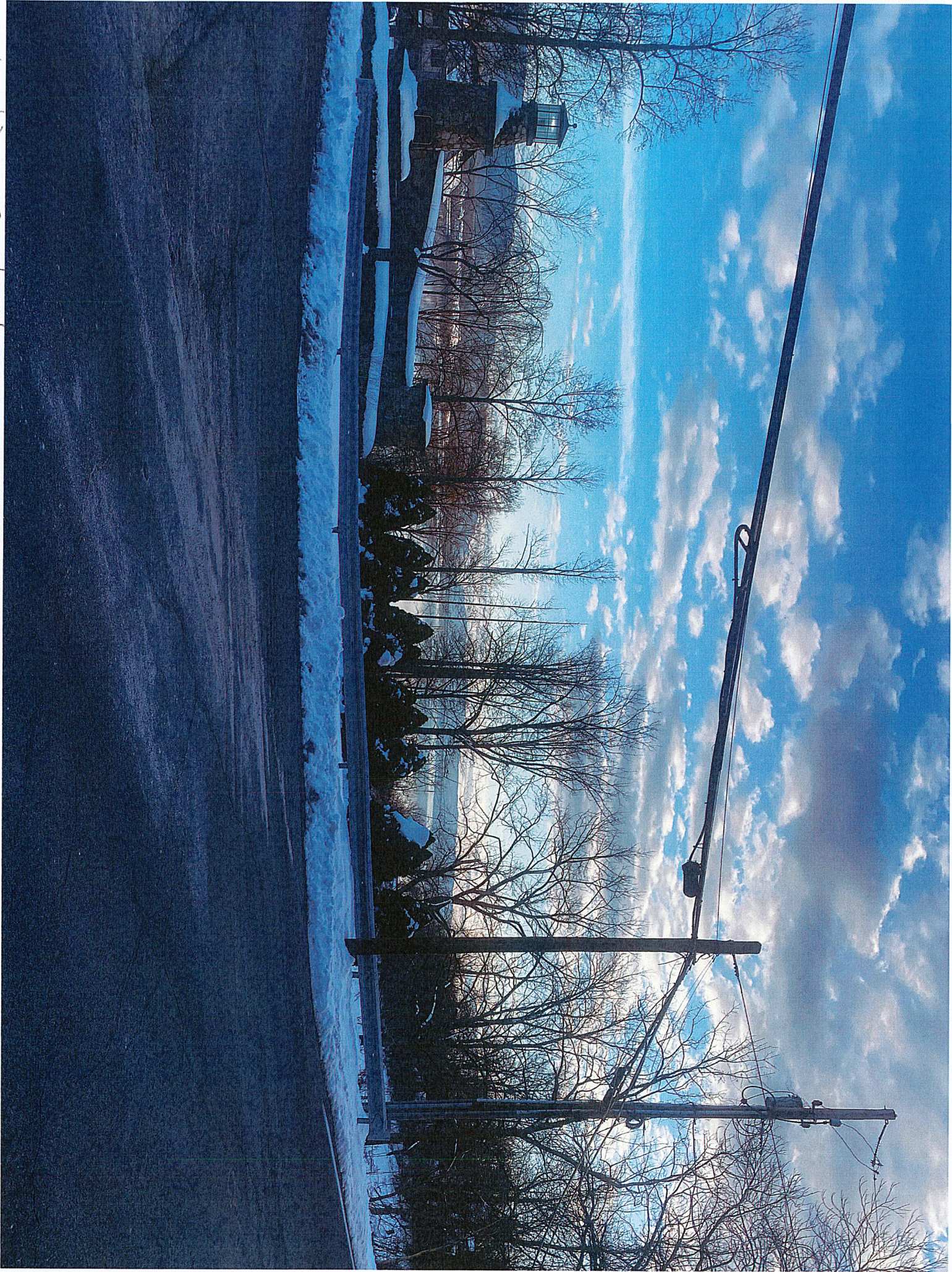


Looking Northeast from River Road

Looking Northwest from Mariners Court



Looking South from River Road



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

STATE OF NEW YORK: COUNTY OF ORANGE:

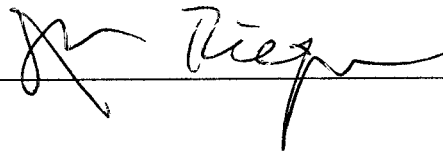
I Jan Rieger, being duly sworn, depose and say that I did on or before

January 11, 2024, post and will thereafter maintain at

2 Mariners Ct 121-1-1 R1 Zone in the Town of Newburgh, New York, at or near the front

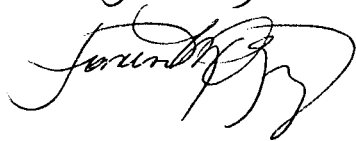
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 10th

day of January, 2024.



JEANINE M OLEARY
NOTARY PUBLIC-STATE OF NEW YORK
No. 010L6217913
Qualified in Orange County
My Commission Expires February 22, 2024
2026



TOWN OF NEWBURGH

Consists of the following:
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD
TELEPHONE 845-544-4901
FAX LINE 845-544-7802

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, New York, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 25th day of January, 2024 at 7:00 P.M. in the Town Hall, 1490 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Robert Homan, Inc. for an area variance of maximum building height to construct a new single family residence on the property.


PREMISES LOCATED at 2 Martins Ct., 174-1-1, Rt. 300 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 13th day of January, 2024.

St. Remy
(OFFICIAL)




 **TOWN OF NEWBURGH**
County of the State of New York
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

NOTICE OF PUBLIC HEARING
The Town of Newburgh, New York, is hereby giving notice that pursuant to Section 261-a(2) of the Town Law, State of New York and Section 160-15a(1) of the Existing 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 22nd, day of January, 2014 at 7:00 P.M. in the Town Hall, 1000 Route 208, Town of Newburgh, New York, to and receive testimony from the public regarding the following:

AMENDMENT of Article 10, Section 10, to an area restriction of residential building height to construct a new single family residence on the property.
Proposed by the Board of Appeals of the Town of Newburgh, New York.

THE 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 22nd, day of January, 2014.
Don Hays
Chairman

 **TOWN OF NEWBURGH**
JOURNAL BOARD OF APPEALS
11 Knapton Valley Farmhouse Road
Newburgh, NY 12550

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 242-a (2) of the Town Law of New York and Section 86-1.1 (1) of the Town Code of the Town of Newburgh, a Public Hearing will be held on the 11th day of January, 2018, at 7:00 PM, at the Town Hall, 10th Street, Newburgh, New York, to consider the following application:

APPLICATION of Robert Smith, Inc. for an area variance of conditions building height to construct a new single family residence on the property.

PROPOSED LOCATION: at 2 Madison St., 111.5 S. 22.5 Ave., in the Town of Newburgh, New York.

DATE: 11/11/18

THESE NOTICES shall be published in the Town of Newburgh, New York, and in any other place or places as may be determined by the Town of Newburgh, New York, and in any other place or places as may be determined by the Town of Newburgh, New York.

BY ORDER of the Town Board of Appeals, dated the 11th day of January, 2018.

[Signature]
TOWN CLERK

