



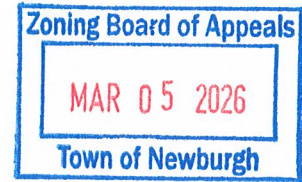
TOWN OF NEWBURGH

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: March 03, 2026

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

I (WE) Larry Rothstein and Gina Mazzarelli PRESENTLY
RESIDING AT NUMBER 739 Hewitt Lane New Windsor, N Y 12553
TELEPHONE NUMBER 914-447-4568

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:

121-1-16 (TAX MAP DESIGNATION)
11 Anchor Drive (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Table of Use and Bulk Requirements

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:
February 05, 2026

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

4. DESCRIPTION OF VARIANCE SOUGHT: Area variance to allow a 40.8' building height where 35.0' building height is the maximum allowed.

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:

The home is consistent with the character of other homes in the neighborhood and the height differential will not affect the viewshed from any other property.

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

It is not feasible to bring in fill to raise the elevation in the front of the residence due to the topography of the lot and the requirements for access to utility services.

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

The request is not substantial because it is only 16% higher than the requirement and does not affect living space. The steep roof pitch renders the peak of the roof over the required height limit.

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

Access to the residence is not compromised by the increased height, the dwelling meets the height requirement on the easterly side, and the space within the roof peak that exceeds the height requirement is occupied only by vacant attic space. No environmental impacts are present in current construction or will be created by the granting of this variance.

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

The applicant relied upon his contractor, who was relieved of his duties mid-way through the project, to ensure all construction was performed in accordance with applicable rules and regulations.

7. ADDITIONAL REASONS (IF PERTINENT):

The contractor was under impression that the height could be measured from the top of the retaining wall and not the natural ground below the landscaping walls. The current landscaping is aesthetically pleasing and it would negatively impact the viewshed of neighbors to fill the entire frontage to an acceptable grade. The filling would also place an unacceptable depth of fill over the existing underground utility service.

An opinion letter has been requested from the fire chief to ensure the fire department has the necessary equipment to safely provide access to all windows where ingress and egress to the dwelling would be required. The residence meets or exceeds all applicable building fire and safety codes with a fully fireproofed attic space.

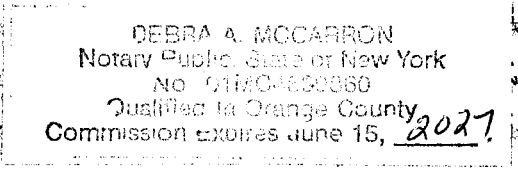
Central Hudson Gas & Electric Corporation has access requirements as outlined on the attached specification sheet requiring "access to the pad area by vehicle must be possible at all times". Additional fill material in front of the house would preclude access; the existing access way is shown on the photographs submitted.



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4 DAY OF MARCH 20 26


Debra A. McCarron
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)

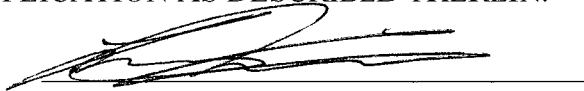
TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Larry Rothstein, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 739 Hewitt Lane New Windsor, NY 12553
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 11 Anchor Drive

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

DATED: March 03, 2026



OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4 DAY OF MARCH 20 26

DEBRA A. MCCARRON
Notary Public, State of New York
No. 0160480580
Qualified in Orange County
Commission expires June 15, 2027


NOTARY PUBLIC

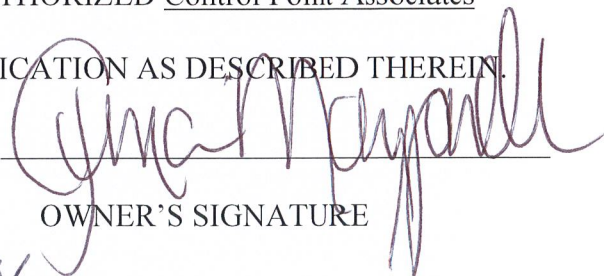
**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

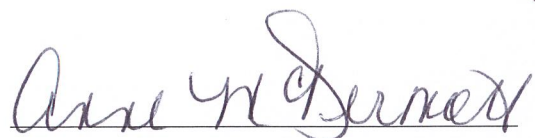
PROXY

Gina Mazzarelli, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 739 Hewitt Lane New Windsor, NY 12553
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 11 Anchor Drive

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

DATED: March 03, 2026


OWNER'S SIGNATURE


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4 DAY OF MARCH 2026

DEBRA A. MCCARRON
Notary Public, State of New York
No. 01MC4890860
Qualified in Orange County
Commission expires June 15, 2027


NOTARY PUBLIC

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: Area Variance for lands of Gina Mazzarelli and Larry Rothstein				
Project Location (describe, and attach a location map): 11 Anchor Drive, Town of Newburgh Tax Parcel 121-1-16				
Brief Description of Proposed Action: Applicants seek an area variance to permit an existing dwelling with a maximum building height of 40.8 feet to obtain a certificate of occupancy. The dwelling exceeds the required maximum height of 35 feet as measured from the average elevation of the finished grade along the side of the structure fronting on the nearest street to the highest point of said structure. No new construction, revisions, or alterations are proposed as part of this application.				
Name of Applicant or Sponsor: Control Point Associates		Telephone: 845-691-7339 E-Mail: pbrooks@cpasurvey.com		
Address: 11 Main Street				
City/PO: Highland		State: New York	Zip Code: 12528	
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh Building Department Certificate of Occupancy			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.99 acres		
b. Total acreage to be physically disturbed?		N/A acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.99 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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: This new construction meets or exceeds all applicable energy code requirements	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 type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? 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: _____ The parcel is in proximity to the Hudson River but there will be no impact on any water resource	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 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? Indiana Bat, Northern Long...	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	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 type="checkbox"/>	YES <input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Control Point Associates by Patricia P. Brooks, L.S.</u> Date: <u>March 03, 2026</u> Signature: <u><i>Patricia P. Brooks</i></u> Title: <u>Land Surveyor & Agent</u>		

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

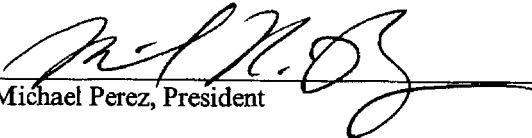
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat, Northern Long-eared Bat, Atlantic Sturgeon, Shortnose Sturgeon, Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

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.

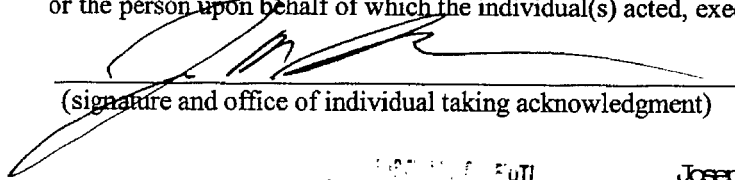
HUDSON LANDINGS CORPORATION


Michael Perez, President

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

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

On the 4th day of February in the year 2008, before me, the undersigned, personally appeared MICHAEL PEREZ, 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 executed the same in his capacity(ies), and that by his 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)

JOSEPH M. SAFFIOTI
Notary Public State of New York
No. 02544985013 Orange County
Commission Expires Aug. 5, 2009

Joseph M. Saffioti
Notary Public State of New York
No. 02544985013 Qualified in Orange County
Commission expires August 5, 2009

**DESCRIPTION OF PROPERTY
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK**

**MAINTENANCE EASEMENT
PROJECT NO. 06001007A
JANUARY 30, 2008**

All that certain lot, tract or parcel of land situate, lying and being in the Town of Newburgh, in the County of Orange and the State of New York and being a 10' wide maintenance easement for drainage on lot 17 in favor of lot 16, said lots are shown on a plan entitled "Subdivision Plat Prepared for Anchorage-On-Hudson", dated December 17, 1999 and last revised October 10, 2001, prepared by Dennis E. Walden, Land Surveyor, and filed in the Orange County Clerks Office as map number 216-02 and being bounded and described as follows, to wit:

BEGINNING at a point located at the southerly bounds of Anchor Drive (50' R.O.W.) as shown on aforementioned map and said point being N 51° 20' 55" E a distance of 8.64' from the northeasterly corner of lot 16, and proceeding:

1. N 51° 20' 55" E, 10.00 feet, along aforesaid southerly bounds of Anchor Drive to a point, thence-
2. S 38° 44' 46" E, 10.22 feet through the aforesaid Lot 17 to a point, thence-
3. S 51° 20' 55" W, 10.00 feet continuing through the aforesaid Lot 17 to a point, thence-
4. N 38° 44' 46" W, 10.22 feet, continuing through the aforesaid Lot 17 to the Point and Place of **BEGINNING**.

CONTAINING 102 square feet of land more or less.

The foregoing description was prepared by the undersigned surveyor for the firm of Maser Consulting P.A. and is based on the aforesaid map by Maser Consulting P.A.



January 31, 2008

RICHARD W. CARLSON, Jr.
New York Land Surveyor Lic. No. 50595

DATE

**Town of Newburgh
Code Compliance Department**

21 Hudson Valley Professional Plaza
Newburgh, NY 12550
845.564.7801 Phone
845.564.7802 Fax

February 5, 2026

Darrin J. Scalzo, Chairman
Town of Newburgh Zoning Board of Appeals
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

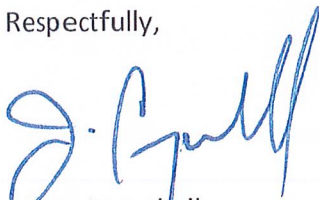
Re: House Under Construction – Building Height
Area Variance Required
11 Anchor Drive
SBL: 121-1-16

Dear Honorable Scalzo,

The single-family residence under construction at 11 Anchor Drive, SBL: 121-1-16, was found to exceed the allowable building height. The residence is in the R-1 District and per the Table of Use and Bulk Requirements the allowable building height is 35'. It has been determined by Patricia Brooks, LS, projects land surveyor, that the building height using the Town's definition is 40.8 feet in height, exceeding the 35' allowable height by 5.8 feet or 16.5% over the allowable height.

If you have any questions, do not hesitate to call.

Respectfully,



James Campbell
Building Inspector

Cc: Patricia Brooks, LS (via email)

Rothstein & Mazzarelli Residence



11 Anchor
Drive

East Side

10/27/25



East Side

02/06/26

Rothstein & Mazzarelli Residence



11 Anchor
Drive

Front View

02/06/26



Front View

02/13/26

121-1-16

2.13.2026

Rothstein & Mazzarelli Residence



11 Anchor
Drive

Front View
to North

02/06/26



Front View
to South

02/06/26



10/27/2025

Rothstein & Mazzealli Residence
Under Construction



11 Anchor
Drive

Front View

02/21/24



Front View

02/25/25

121-1-16
02/25/2025

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Ian Garland, being duly sworn, depose and say that I did on or before
March 12, 2026, post and will thereafter maintain at
11 Anchor Dr 121-1-16 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.

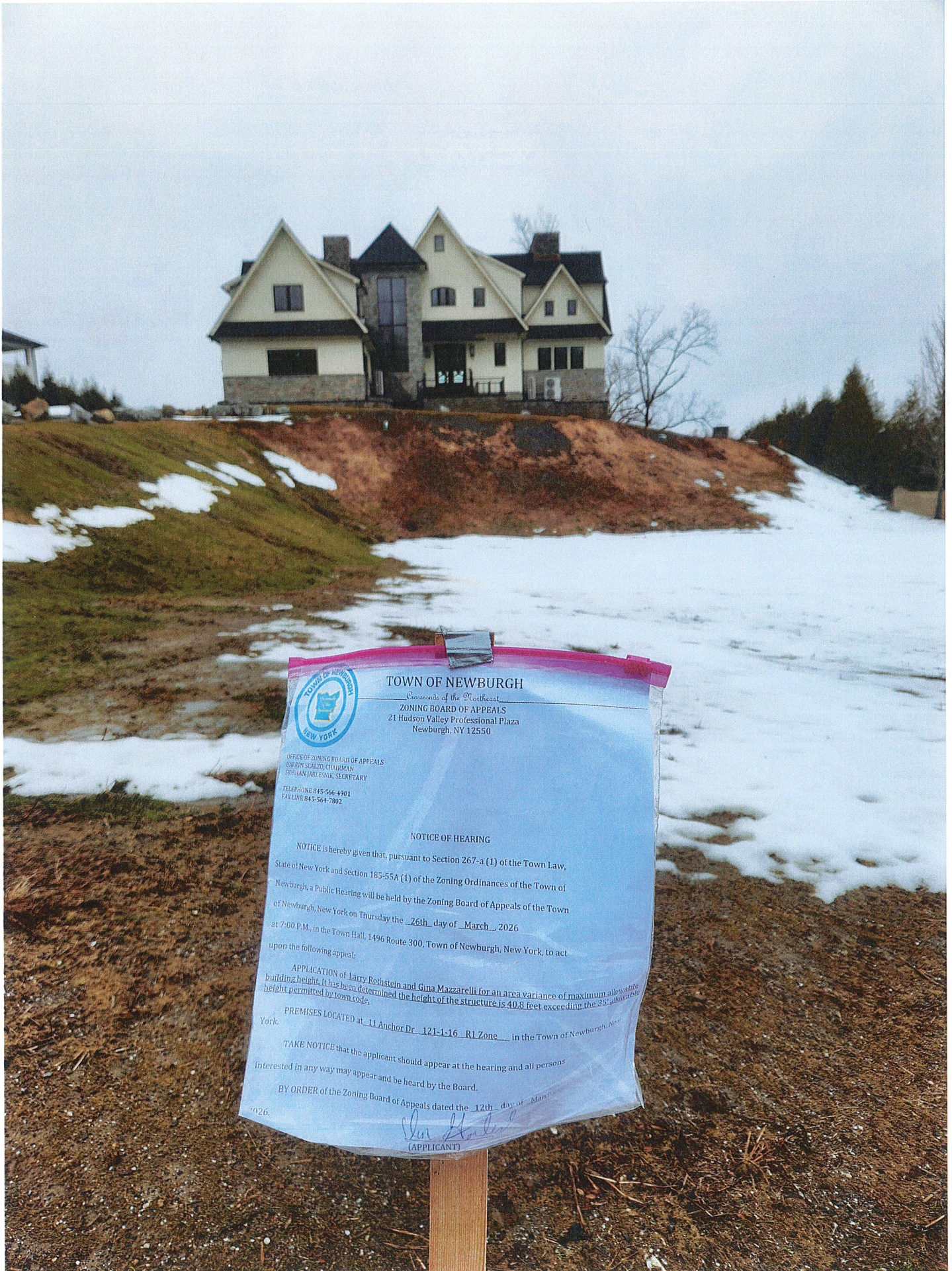
Ian Garland

Sworn to before me this 6th
day of March, 2026.

[Signature]

Suzanne Demskie
Notary Public, State of New York
Reg. No. 01DE6240448
Qualified in Ulster County
Commission Expires May 02, 2027





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

OFFICE OF ZONING BOARD OF APPEALS
 GURFIN SZALZO, CHAIRMAN
 JOSEPHAN JADLESNIK, SECRETARY
 TELEPHONE 845-566-4901
 FAX LINE 845-564-7802

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, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 26th day of March, 2026 at 7:00 P.M. in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Larry Rothstein and Gina Mazzarelli for an area variance of maximum allowable building height. It has been determined the height of the structure is 40.8 feet exceeding the 35' allowable height permitted by town code.

PREMISES LOCATED at 11 Anchor Dr. 121-1-16 R1 Zone in the Town of Newburgh, New York.

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

BY ORDER of the Zoning Board of Appeals dated the 12th day of March, 2026.

[Signature]
 (APPLICANT)