

TOWN OF NEWBURGH

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: 11.25.2025

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

I (WE) James Saffioti PRESENTLY

RESIDING AT NUMBER 20 Jennifer Rose Way, Wallkill, NY 12589

TELEPHONE NUMBER 845-541-8096

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:

5-1-14 (TAX MAP DESIGNATION)

20 Jennifer Rose Way (STREET ADDRESS)

RR - Reservoir Residence District (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW)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 Attachment 5 - Table of Use and Bulk Requirements RR District - Schedule 1

Rear Yard Setback and Lot Surface Coverage

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:

- 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: Rear Yard Setback: Req=100', Requested=98.6'

Lot Surface Coverage: Max=10% , Requested = 17.6%

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 deck addition is located at the rear of the residence, not visible from the road.

Design is consistent 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:

Existing deck is non-conforming. Aligning the deck addition with the existing deck inevitably leads to a rear-yard encroachment.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

A setback variance of 1.4' is requested, less than the existing deck encroaches into the rear yard setback. Only 36 square feet are being added to the lot surface coverage.

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

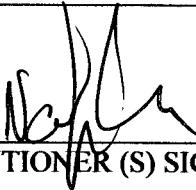
No grading changes or tree removal are proposed. Site conditions will remain the same.

The footprint of deck has been minimized to avoid impacting the existing septic tank.

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

The lot is legally non-conforming and undersized under current code. Any addition to the deck would require variances.

7. ADDITIONAL REASONS (IF PERTINENT):



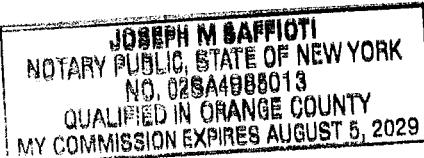
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 25 DAY OF November 2025



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

James Saffioti , DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 20 Jennifer Rose Way, Wallkill, NY 12589

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 20 Jennifer Rose Way

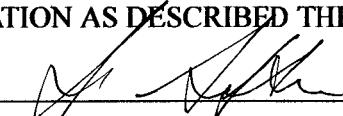
Wallkill, NY 12589

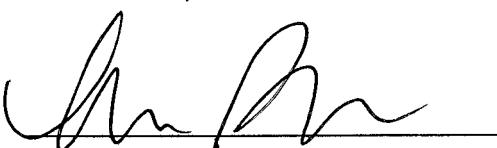
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Nils Fredriksen - Fredriksen Architecture

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11/25/2025

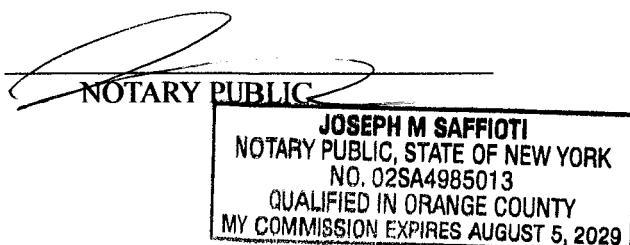

OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 25 DAY OF November 2025



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

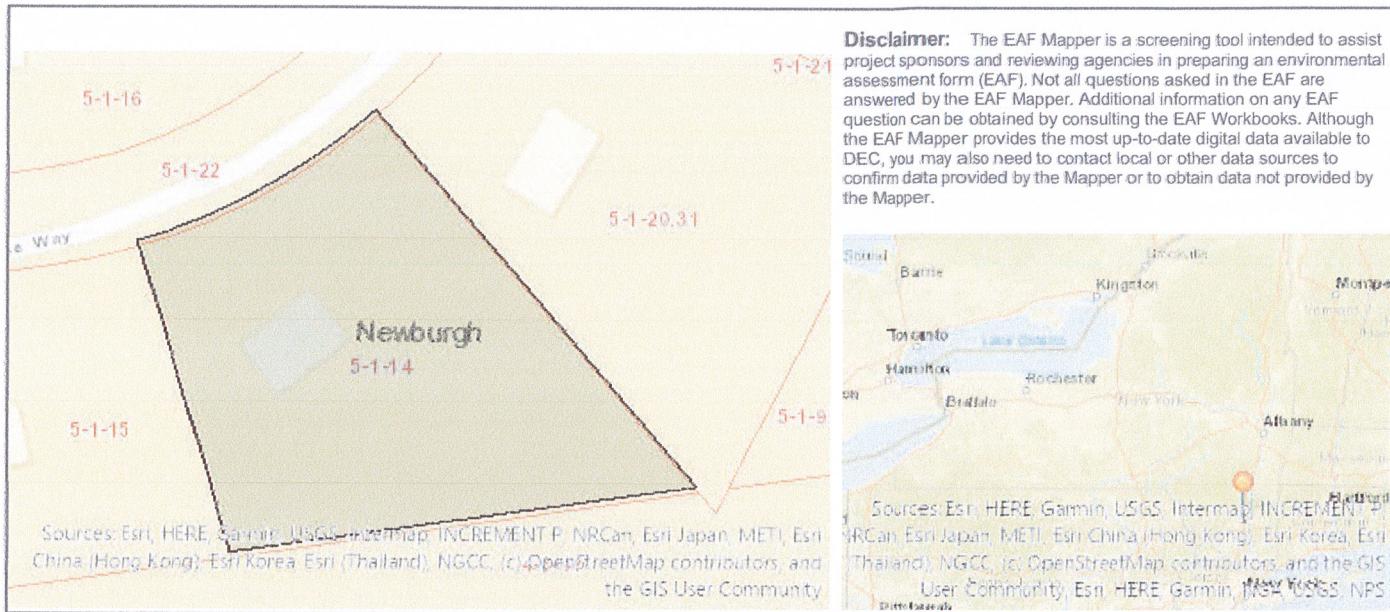
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Saffiotti Residence Deck Addition			
Project Location (describe, and attach a location map): 20 Jennifer Rose Way, Wallkill, NY 12589			
Brief Description of Proposed Action: Approximate 4'x10' rear deck extension is proposed.			
Name of Applicant or Sponsor: Nils Fredriksen - Fredriksen Architecture PLLC		Telephone: 607-435-5111 E-Mail: nils@fredriksenarch.com	
Address: 45 1/2 Henry Avenue			
City/PO: Newburgh		State: New York Zip Code: 12550	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> 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.			
2. Does the proposed action require a permit, approval or funding from any other government Agency?			
<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
If Yes, list agency(s) name and permit or approval: Town of Newburgh building permit			
3. a. Total acreage of the site of the proposed action? 0.93 acres b. Total acreage to be physically disturbed? 0.002 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.93 acres			
4. Check all land uses that occur on, are adjoining or 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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	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? , Reason:Development threat to public health, Agency:Newburgh, Town of, Date:5-21-87 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 levels?	NO	YES	
b. Are public transportation services 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 the 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?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____ _____			<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____ _____	<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?	NO	YES	
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?	<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?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Near Quassaic Creek, 66 SF deck addition _____ _____	<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?		
<input checked="" type="checkbox"/> <input type="checkbox"/>		
16. Is the project site located in the 100-year flood plan?		
<input checked="" type="checkbox"/> <input type="checkbox"/>		
17. Will the proposed action create storm water discharge, either from point or non-point sources?		
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> <input type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <hr/> <hr/>		
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)?		
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, explain the purpose and size of the impoundment: <hr/> <hr/>		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?		
<input checked="" type="checkbox"/> <input type="checkbox"/> If Yes, describe: <hr/> <hr/>		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?		
<input checked="" type="checkbox"/> <input type="checkbox"/> If Yes, describe: <hr/> <hr/>		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Nils Fredriksen - Fredriksen Architecture PLLC</u> Date: <u>12.19.2025</u> Signature: <u>Nils</u> Title: <u>Architect</u>		



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	, Reason:Development threat to public health, Agency:Newburgh, Town of, Date:5-21-87
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.

<input type="checkbox"/> 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.	
<input checked="" type="checkbox"/> 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.	
Fredriksen Architecture PLLC Print or Type Name of Lead Agency Nils Fredriksen Signature of Responsible Officer in Lead Agency	12.19.2025 Date Architect Title of Responsible Officer 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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/03/2025

Application No. 25-0812

To: James A. Saffioti
20 Jennifer Rose Way
Wallkill, NY 12589

SBL: 5-1-14
ADDRESS: 20 Jennifer Rose Way

ZONE: RR

PLEASE TAKE NOTICE that your application dated 08/04/2025 for permit to 4' x 10' rear deck extension on the premises located at 20 Jennifer Rose Way is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

Bulk table schedule 1: Requires a 100' Rear yard setback: exiting deck is 91.4': New deck is 98.6.
1) 185-19-C-1: Shall not increase the degree of or create any new nonconformity with such regulations in such buildings.

A handwritten signature in blue ink that reads "Joseph Mattina".

Joseph Mattina

Cc: Town Clerk & Assessor (500')
File











SCHEDULE A
LANDS OF JEGAMONT REALTY CORP.

ALL that certain piece or parcel of land together with the buildings and improvements erected thereon, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being designated as Lot No. 9 on a map entitled, "Plan of Subdivision, Section A, of Plattekill Heights", dated February 3, 1978, last revised October 4, 1978 and filed in the Orange County Clerk's Office September 9, 1979 as Map No. 4968, said parcel and aforesaid filed map also being referenced on a map entitled, "Subdivision Plan for Land Investment Group of Newburgh", dated January 29, 1986, revised February 15, 1986 and filed in the Orange County Clerk's Office March 27, 1986 as Map No. 7547, being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of an existing 50 foot right of way known as Jennifer Rose Way, a private road, said point being on the division line between the lands now or formerly of Maxson on the northeast and Lot No. 9 herein described on the southwest; thence, along the last mentioned division line S28 degrees-26'19" E 271.29 feet to a point on the division line between the lands now or formerly of Buchalter on the south and Lot No. 9 herein described on the north; thence, along the last mentioned division line, N85 degrees-42'20" W 251.71 feet to a point on the division line between Lot No. 10, of the above mentioned filed map, lands now or formerly of Jegamont Realty Corp., on the west and Lot No. 9 herein described on the east; thence, along the last mentioned division line, N04 degrees-23'53" W 180.66 feet to a point in the aforementioned southerly line of Jennifer Rose Way; thence, along the last mentioned line on a curve to the left having a radius of 335.00 feet and an arc length of 142.32 feet to the point or place of beginning, containing 0.93 acres of land more or less.

TOGETHER WITH AND SUBJECT TO the rights of ingress and egress as well as the right to run utilities over the 50 foot right of way known as Jennifer Rose Way, a private road as shown on the aforesaid filed Map no. 7547 as filed in the Office of the Orange County Clerk, and subject to the terms of the Private Road Maintenance Agreement for Jennifer Rose Way duly filed in the Office of the Orange County Clerk.

SUBJECT to covenants, grants, easements and restrictions of record, if any.

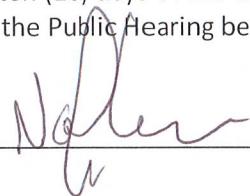
BEING a portion of the premises conveyed by Land Investment Group of Newburgh to Jegamont Realty Corp. by a deed dated December 31, 1986 and duly recorded in the Office of the Orange County Clerk on February 10, 1987 in Liber 2658 of Deeds at Page 185.

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

STATE OF NEW YORK: COUNTY OF ORANGE:

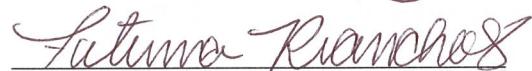
I Nils Frepriksen, being duly sworn, depose and say that I did on or before January 8, 2026, post and will thereafter maintain at 20 Jennifer Rose Way 5-1-14 RR Zone in the Town of Newburgh, New York, at or near the front property line(s) and within view of each fronting street a copy(ies) of the Notice 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 properly 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 December, 2025. RE



FATIMA RIANCHOS
Notary Public, State of New York
Reg. No. 01RI0011870
Qualified in Orange County
Commission Expires August 9, 2027

