TOWN OF NEWBURGH

Crossroads of the Mortheast

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 Gardnertown Road Newburgh, New York 12550

APPLICATION

OFFICE OF ZONING BOARD (845) 566-4901

13 DATED:

1

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

1201 prrAd I (WE) PRESENTLY ewburgh, NY 10 STINOOC **RESIDING AT NUMBER** TELEPHONE NUMBER

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

A USE VARIANCE
AN AREA VARIANCE
INTERPRETATION OF THE ORDINANCE
SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

(TAX MAP DESIGNATION) ind wood (STREET ADDRESS) (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW). But TABLE Schedule 3

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 4/4/2013
- 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: SIDE AND Front yard

as well as Area

- 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:

UNABLE TO PURCHASE LOAN WITH ONE VARIANCE Due to Existing Size of Home

(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:

ZUNINA WAS

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

Have THE Some ADD Nilmeears Hanes SPOKIAG AM

d)	THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:
•	My FAMILY 3 EXDANDING AND I WERD MORE Porm
	unex quechosing three Many other Humes Haid some
	ADDINIAN, I DID NOT MANGE THE CODE.
	THIS IS A PTZ-EXISTING NON CONFREMING HOUSE

- 6. IF AN AREA VARIÀNCE IS REQUESTED:
 - a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE: MANU OTHER PROPERTIES BECAUSE: MANU OTHER PROPERTIES BECAUSE: MANU OTHER PROPERTIES BECAUSE: MANUE OTHER PROPERTIES BECAUSE MANUE AND AREA
 - 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: <u>I</u> CANE GO UP AND I CANE GO OF THE SHOE SIDE
 - c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Before CHANGES ZONING Sind With in The Building VARIENCE of 15 fort WHITCH IS NTON 30 Left

- 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. CAUSE with completion of ADDI-101 THE Home will cosk like many offers in The NEIGHBOR HOD.
- e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE: Same as Section 5-D Stated Abre

3

7. ADDITIONAL REASONS (IF PERTINENT) Noon 2

ETITIONER (8) SIGNATURE

STATE OF NEW YORK: COUNTY OR ORANGE:

SWORN TO THIS EICHTH DAY OF APRIL 20 I NOTARY PUBLIC

ANDREW J. ZARUTSKIE Notary Public, State of New York No. 01ZA4502524 Qualified in Orange County Commission Expires Nov. 30, 2013

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.

TOWN OF NEWBURGH ZONING BOARD OF APPEALS

PROXY DEPOSES AND SAYS THAT HE/SHE RESIDES AT IN THE COUNTY OF PRANGE AND STATE OF AND THAT HE/SHE IS THE OWNER IN FEE OF 13 WINDWA 2550 WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-TION AND THAT HE/SHE HAS AUTHORIZED LAWRENCE Lubkert TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN. APR - 0 2013 DATED; LOU 0 **OWNER'S SIGNATURE**

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS Ellittle DAY OF AARIC 20/3

ANDREW J. ZARUTSKIE Notary Public, State of New York No. 01ZA4502524 Qualified in Orange County Commission Expires Nov. 30, 2013

NOTARY PUBLIC

617.20 Appendix C State Environmental Quality Review SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)
1. APPLICANT/SPONSOR 2. PROJECT NAME
CAROL SERVAD
3. PROJECT LOCATION:
Municipality 13 Wind wood Dr. county DrANGE
4. PRECISE LOCATION (Street address and road Intersections, prominent landmarks, etc., or provide (hep)
5. PROPOSED ACTION IS:
6. DESCRIBE PROJECT BRIEFLY:
ADDIFIZEN
Initially acres Uttimately acres 16 × 36
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
Yes No If No, describe briefly
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
Residential Industrial Commercial Agriculture Park/Forest/Open Space Other
Dozeline.
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY
(FEDERAL, STATE OR LOCAL)?
Yes No If Yes, list agency(s) name and permit/approvals:
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
Yes X No If Yes, list agency(s) name and permit/approvals:
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
provide a second s
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Date: 24/7/13
Signature: act felle
If the action is in the Operated Area and here is the
If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment
OVER 1 WARDEN TAKEN AND AND AND AND AND AND AND AND AND AN
Reset

PART II - IMPACT ASSESSMENT (To be completed by	Lead Agency)
A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, F	ART 617.4? If yes, coordinate the review process and use the FULL EAF.
Yes X No	FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIAT C1. Existing air quality, surface or groundwater quality or quantity, n potential for erosion, drainage or flooding problems? Explain br	
C2. Aesthetic, agricultural, archaeological, historic, or other natural o	or cultural resources; or community or neighborhood character? Explain briefly:
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant	habitats, or threatened or endangered species? Explain briefly:
C4. A community's existing plans or goals as officially adopted, or a char	nge in use or intensity of use of land or other natural resources? Explain briefly:
C5. Growth, subsequent development, or related activities likely to be	e induced by the proposed action? Explain briefly:
C6. Long term, short term, cumulative, or other effects not identified i	n C1-C5? Explain briefly:
C7. Other impacts (including changes in use of either quantity or type	of energy)? Explain briefly:
WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL ENVIRONMENTAL AREA (CEA)? Yes X No If Yes, explain briefly:	CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL
IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED	TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
geographic scope; and (f) magnitude. If necessary, add attachm sufficient detail to show that all relevant adverse impacts have been yes, the determination of significance must evaluate the potential im	nine whether it is substantial, large, important or otherwise significant. Each ban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) ents or reference supporting materials. Ensure that explanations contain a identified and adequately addressed. If question D of Part II was checked pact of the proposed action on the environmental characteristics of the CEA
	r significant adverse impacts which MAY occur. Then proceed directly to the FULL
L Check this box if you have determined, based on the information and NOT result in any significant adverse environmental impacts AND	d analysis above and any supporting documentation, that the proposed action WILL provide, on attachments as necessary, the reasons supporting this determination
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Tifle of Responsible Officer





TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801 FAX LINE 845-564-7802



NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Application No. 13.0248

To: Carol Serrao 98 Westwood Dr Newburgh, NY 12550 Date: 04/04/2013

SBL: 90-6-14 ADDRESS:13 Windwood Dr

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/02/2013 for permit to Construct a 16' x 36' side addition on the premises located at 13 Windwood Dr is returned herewith and disapproved on the following grounds:

Bulk table schedule 3 requires a front yard setback of 50', one side yard setback of 30', combined side yard setback of 80' and maximum allowed building coverage of 10%.

Joseph Mattina

Cc: Town Clerk & Assessor (300') File

	2350-13						
Town of	New	burgh	Cod				
OWNER INFORMATION							****
NAME:	CAROL SERF	RAO	• .				
ADDRESS:	98 WES	STWOOD DF	R NEWBURG	H NY 12550			
PROJECT INFORMATIC	N:				-	<u>Environingen environingen environ</u>	
TYPE OF STRUCTURE:	ADDITIO	V @ 13 WIN	idwood di	RNEWBURG	3H NY 1255()	
SBL: 90-6-14	ZONE:	R-1					
TOWN WATER:		TOW	N SEWER:	YES			
	MINIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE	· ·	
LOT AREA	N/A						
LOT WIDTH	N/A						
LOT DEPTH	N/A						
FRONT YARD	50'		32.5'	17.5'	35.0%		
ONE SIDE YARD	30'		16.1'	13.9'	46.3%		
COMBINED SIDE YARDS	80'		48.5'	31.5'	39.3%		
MAX. BUILDING HEIGHT	OK ·			n fallandi fan fin fin fin fin fin fin fin fin fin fi			
BUILDING COVERAGE	10%=1312.5		1776 S.F.	463.5 S.F.	35.3%		
SURFACE COVERAGE	О́К						
INCREASING DEGREE OF N 2 OR MORE FRONT YARDS CORNER LOT - 185-17-A	on-confor For this pf	MITY - 185-1 ROPERTY	I9-C-1		YE	ES / ES / ES /	NO NO 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: ADDING A 16')							
an an a an a an an an an an an an an an	(-98689 8-989-898 8 8 4	ora' ratar tsia	ik-i 20ne u	rigingally 2	jome k	(a.J
VARIANCE(S) REQUIRE	De						
1 BULK TABLE SCHEDULE	3 REQUIRES	A FRONT Y	ARD SET BA	CK OF 50'			
2 BULK TABLE SCHEDULE 3 REQUIRES ONE SIDE YARD OF 30' MINIMUM							
3 BULK TABLE SCHEDULE 3 REQUIRES COMBINED SIDE YARDS OF 80' MINIMUM.							

4 BULK TABLE SCHEDULE 3 ALLOWS A MAXIMUM OF 10% BUILDING LOT COVERAGE.

REVIEWED BY:

JOSEPH MATTINA

DATE:

4-Apr-13

	K'S OFFICE RECORDING PAGE E INSTRUMENT – DO NOT REMOVE SECTION 90 BLOCK 6 LOT 14 RECORD AND RETURN TO: (name and address)	
Carol Serrao		Jerry all's
THIS IS PAGE ONE OF THE RECORD.		
ATTACH THIS SHEET TO THE FIRST PA RECORDED INSTRUMENT ONI	OF EACH WRITE BELOW THIS LINE	(A)
INSTRUMENT TYPE: DEEDMORT PROPERTY LOCATION 2089 BLOOMING GROVE (TN) 2001 WASHINGTONVILLE (VLG) 2003 SO. BLOOMING GROVE (VLG) 2289 CHESTER (TN) 2201 CHESTER (VLG) 2489 CORNWALL (TN) 2401 CORNWALL (VLG) 2600 CRAWFORD (TN) 2800 DEERPARK (TN) 3089 GOSHEN (VLG) 3001 GOSHEN (VLG) 3003 FLORIDA (VLG) 3005 CHESTER (VLG) 3005 CHESTER (VLG) 3005 CHESTER (VLG) 3005 CHESTER (VLG) 3401 MAYBROOK (VLG) 3689 HIGHLANDS (TN) 3601 HIGHLAND FALLS (VLG) 3889 MINISINK (TN) 3801 UNIONVILLE (VLG) 4089 MONROE (VLG)	4289 MONTGOMERY (TN) NO. PAGES 3 CROSS	K-REF E E JULL 1%

Orina S. Derson

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DONNA L. BENSON ORANGE COUNTY CLERK

Received From Tacohowitz

Bargain and Sale Deed With Covenants Against Grantors Acts

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

THIS INDENTURE, made the <u>17th</u> day of <u>February</u>, two thousand twelve

BETWEEN Ricky Serrao and Carol Serrao, who resides at 98 Westwood Drive, Newburgh NY 12550, party of the first part,

and

Carol Serrao, who resides at 98 Westwood Drive, Newburgh NY 12550, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and No/100 (\$10.00) Dollars lawful money of the United States, and other good and 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 and State of New York, described as follows:

See Schedule "A" attached.

Property: 13 Windwood Drive, T/O Newburgh SBL: 90-6-14

BEING the same premises conveyed by Debbie M. Zimmerman, as Trustee of the Taureillo Family Irrevocable Trust to Ricky Serrao and Carol Serrao by deed dated June 28th, 2011 and recorded in the Orange County Clerk's Office in Liber 13198 of Deeds at Page 1259.

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 and said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

err

BY:

errad Attornev-in-Fact

Carol Serrao

State of New York

County of Orange)

SS.:

On February 17, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Carol Serrao**, individually and **Carol Serrao** as attorney-in-fact for Ricky Serrao, 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/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

7.30

Notary/Public, State of New York

Record & Return to:

Sanford R. Altman, Esq. POB 367 Walden NY 12586 File #: 10507-001 SANFORD R. ALTMAN, ESQ. Notary Public, State of New York No. 02AL4923825 Qualified in Orange County Commission Expires February 22, 20

T:\DOCS\10507\001\1CK4818.WPD





, C. O.

GENERAL

- I. Do Not Scale Drawings.
- All materials and methods of construction not specifically addressed in these drawings and specifications shall comply with the minimum standards of the Building Code of New York State, Town of Newburgh and the NYS Board of Fire Underwriters.
- 3. The contractor is required to notify and apply to various regulatory agencies for the issuance of all permits required for the construction. The contractor shall arrange for all inspections of construction work-in-progress as required by the Town of Milan for the issuance of a Certificate of Occupancy
- 4. It is understood that the contractors will be working with existing conditions, that the contract documents do not attempt to show each and every condition that will be encountered. Contract documents are intended to establish typical details and procedures, it is understood that adjustments and variations will result from existing conditions and that good workmanship and attention to detail are required throughout.
- 5. The proposed use will be classified as : "R-3", Residential occupancy.
- Maintain building security and weather tightness at work site during the course of the project.

General Notes:

The contractor shall obtain and pay for all necessary permits, licenses and legal fees required to complete all work as shown on the drawaings unless otherwise specified.

The contractor shall be responsible for posting a Building Permit on the site and providing coverage for routine inspections and a Certificate of Occupancy.

All materials shall be installed per the manufactures epecifications and instructions. Substitutions for structural materials specified may be made only if approved and certified by the Engineer.

Anything not epecifically shown on the drawings, but which is reasonably implied, shall be furnished as though set forth in the drawings.

All written notes and dimensions shall take precedence over any drawn figures. Do not scale prints. Any questions or discrepancies regarding the drawings or dimentsions shall be reported to the Engineer for interpretation before proceeding.

The Engineer has not been retained to provide periodic job inspections or job administration, and shall not be responsible for changes made in the field without written or graphic authorization.

Subcontractors not covered by the Contractor's Insurance shall obtain all insurance required by the contract.

The Contractor shall perform all work in a professional workmanship manner, guaranteeing all work and materials against defects for a period of one year.

The Contractor is responsible for laying out his own work, or employ at his expense a competent person to do all necessary layout, measuring and leveling.

The contractor shall be responsible for complying with all applicable Codes and Standards, including but not limted to: The New York State Building Code, Occupational Safety an Health Act, National Electric Code, etc. FRAI IING INVIED

All framing lumber shall be as specified on the drawings, No 2 kiln dried No. 2 Spruce Pin Fir, No. 2 Hem-Fir or otherwise as specified. Load bearing dimesional lumber shall be identified by a grade mark on the lumber.

Use lumber without defects affecting strength, durability, and appearance of applied finishes.

Lumber in contact with concrete or masonry shall be pressure preservative treated.

Double all joists under parallel partitions. Double rim joists which run parallel to floor joists.

Provide blocking, wood or metal bridging for joists at a minimum of 8 foot intervals, midepan, or whichever is less, to provide lateral restraint.

Headers shall be 2 - 2x10's with 2x6 Nailer unless noted otherwise."

Minimum posts under each end of headers and beams called out in plans shall be (2) 2x6 unless noted otherwise.

Provide fireblocking to stop draft openings at joist supports between stories, and per Section 602.8 of the NYS Building Code.

Provide galvanized joist hangers for all joists bearing on the face of a flush beam or girder.

Use framing anchors to tie diaphram to walls above and below floors.

Sheathing to lap rim joists and walls to form a continuous connection between the walls, floor diaphram and roof.

Use metal connectors at Truss/Rafter-wall junction to strengthen connection.

All fastening and nailing to conform to Table 602.3(1) of the NYS Building Code.

Minimum bearing for joists shall not be less than 1.5 inches on Wood or Steel, and not be less than 3.0 inches on Concrete or Masonry.

Joist framing from opposite sides over a bearing support shall overlap a minimum of 3 inches and nailed together with a minimum of 4 IOd nails.

Decks where supported by the exterior wall shall be positively anchored to the primary structure by bolting.

Structural Members shall be notched or drilled in accrdance with Figures 502.8 and 602.6(1) per the NYS Building Code.

	2 of the New York State Education Law
Larry & Heather Lubkert Residence 13 Windwood Drive Town Of Newburgh, Orange County, N.Y. Plan and Details for Addition	
To Existing Residence	Date: March 31, 2013
	Revisions:
David Rider, P.E., PLLC	
	Date: March 18, 2013
II Woodward Road Roughhappagia Now Xaula 124.02	Scale : As Shown
Poughkeepsie, New York 12603 (914)204-0980	Project No.: 13-03-18 Sheet 3 of 4

Unauthorized alteration or addition to a plan bearing a licensed engineer's seal is a violation of Section 1203, subdivision 2 of the New York State Education Law

