



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: 8/19/26

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

I (WE) WCI Enterprise II LLC PRESENTLY

RESIDING AT NUMBER

TELEPHONE NUMBER 914-388-7193

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:

7-1-46 (TAX MAP DESIGNATION)

205 Candlestick (STREET ADDRESS)

Hill Rd (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4

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:

X

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: second Aux. Bldg

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:

single family home without
a garage

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:

it will be consistent with other neighboring home
styles and match the home. It also will meet
all code compliances

- 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:

no additional space available for a garage.

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

its a small garage consistent with homes
in the neighborhood, meets all setbacks
and codes

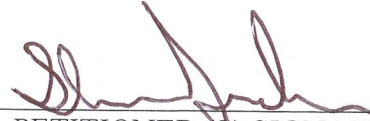
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It is a small garage consistent with
traditional construction & code

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

the barn and property was subdivided
prior to me owning it and is a very old
farm property.

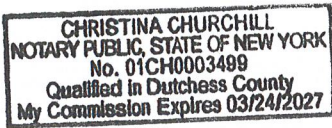
7. ADDITIONAL REASONS (IF PERTINENT):

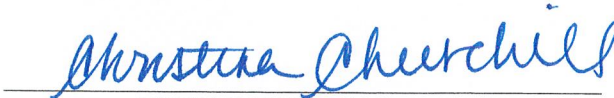


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 19 DAY OF August 20 24




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)

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: <u>New Detached Garage</u>			
Project Location (describe, and attach a location map): <u>SBL: 7-1-46 205 Candlestick Hill Rd</u>			
Brief Description of Proposed Action: <u>New Detached Garage</u>			
Name of Applicant or Sponsor: <u>WCI Enterprises II LLC</u>		Telephone: <u>914-388-2193</u>	
Address: <u>P.O. Box 321</u>		E-Mail:	
City/PO: <u>Marlboro, NY</u>		State: <u>NY</u>	Zip Code: <u>12542</u>
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.		☒	☒
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:		☒	☐
3.a. Total acreage of the site of the proposed action?		<u>2.518</u> acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1000 sq ft.</u>	
4. Check all land uses that occur on, adjoining and near the proposed action.			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland			

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 ☐
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 ☐
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 ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Shawn Jackson</u> Date: <u>8/19/26</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?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
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?	☒	☐
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?	☒	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

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.

No answers were checked as "moderate to large impact"
So no additional information is provided

- ☐ 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

Shawn Jackson
Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

[Signature]
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

FOOTPRINT PROPERTIES INC

SECTION 7 BLOCK 1 LOT 46

RECORD AND RETURN TO:
(name and address)

TO
SHAWN JACKSON

SHAWN JACKSON
PO BOX 321
MARLBORO NY 12542

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED / MORTGAGE / SATISFACTION / ASSIGNMENT / OTHER /

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)
2001 WASHINGTONVILLE (VLG)
2289 CHESTER (TN)
2201 CHESTER (VLG)
2489 CORNWALL (TN)
2401 CORNWALL (VLG)
2600 CRAWFORD (TN)
2800 DEERPARK (TN)
3089 GOSHEN (TN)
3001 GOSHEN (VLG)
3003 FLORIDA (VLG)
3005 CHESTER (VLG)
3200 GREENVILLE (TN)
3489 HAMPTONBURGH (TN)
3401 MAYBROOK (VLG)
3689 HIGHLANDS (TN)
3601 HIGHLAND FALLS (VLG)
3889 MINISINK (TN)
3801 UNIONVILLE (VLG)
4089 MONROE (TN)
4001 MONROE (VLG)
4003 HARRIMAN (VLG)
4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)
4201 MAYBROOK (VLG)
4203 MONTGOMERY (VLG)
4205 WALDEN (VLG)
4489 MOUNT HOPE (TN)
4401 OTISVILLE (VLG)
4600 NEWBURGH (TN)
4800 NEW WINDSOR (TN)
5089 TUXEDO (TN)
5001 TUXEDO PARK (VLG)
5200 WALLKILL (TN)
5489 WARWICK (TN)
5401 FLORIDA (VLG)
5403 GREENWOOD LAKE (VLG)
5405 WARWICK (VLG)
5600 WAWAYANDA (TN)
5889 WOODBURY (TN)
5801 HARRIMAN (VLG)

CITIES

0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO PAGES 4 CROSS REF. /
CERT. COPY / ADD'L X-REF. /
MAP# / PGS. /

PAYMENT TYPE: CHECK /
CASH /
CHARGE /
NO FEE /

Taxable
CONSIDERATION \$ 212500
TAX EXEMPT /
Taxable
MORTGAGE AMT. \$ /

MORTGAGE TAX TYPE:

/ (A) COMMERCIAL/FULL 1%
/ (B) 1 OR 2 FAMILY
/ (C) UNDER \$10,000
/ (E) EXEMPT
/ (F) 3 TO 6 UNITS
/ (I) NAT.PERSON/CR. UNION
/ (J) NAT.PER-CR.UN/1 OR 2
/ (K) CONDO

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: *Shawn Jackson*

**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 29th day of June, 2010,

BETWEEN

Footprint Properties, Inc., of PO Box 7149, Newburgh, New York 12550,
party of the first part, and

Sharon Jackson of PO Box 321, Marlboro, New York 12542,
party of the second part;

305 Candlestick Hill Rd

*305 Candlestick Hill Rd
Newburgh NY 12550*

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, 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, bounded and described as Lot No. 2 on a Map entitled, "Subdivision for Double D"., made by Richard G. Barger, P.E. & L.S., last dated June 18, 2001 and filed in the Orange County Clerk's Office on August 30, 2001 as Filed Map No. 188-01.;

BEING AND INTENDED to be the same premises conveyed to FOOTPRINT PROPERTIES, INC. who acquired title by deed from DOUBLE D DEVELOPMENT CORP., dated February 14, 2002 and recorded on March 7, 2002 in the Orange County Clerk's Office in Liber 5809 at page 98.

THIS CONVEYANCE DOES NOT CONSTITUTE ALL OR SUBSTANTIALLY ALL OF THE ASSETS OF THE GRANTOR CORPORATION AND TAKES PLACE WITHIN THE NORMAL COURSE OF BUSINESS.

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.

**Section: 7
Block: 1
Lot: 46**

STATE OF NEW YORK)
)
) *ORANGE*) ss.:
COUNTY OF ~~DUTCHESS~~)

(signature and office of individual taking acknowledgment)

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

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

(signature and office of individual taking acknowledgment)

JOSEPH M. SAFFIOTI
Notary Public - State of New York
No. 4985013
Qualified in Orange County
Commission Expires August 05, 2013



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

2026-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/27/2026

Application No. 26-0568

To: WCI Enterprises II LLC
P.O. Box 321
Marlboro, NY 12542

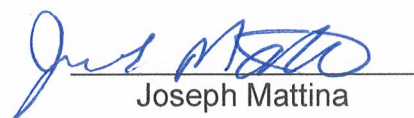
SBL: 7-1-46
ADDRESS: 205 Candlestick Hill Rd

ZONE: AR

PLEASE TAKE NOTICE that your application dated 06/03/2026 for permit to Construct a 26' x 34' x 14.7' accessory building on the premises located at 205 Candlestick Hill Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-A-4: An accessory use to a principal residential use, as listed in Article IV, Schedules of District a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH ZONING CHART

NAME:

WCI

ADDRESS:

205 Candlish Hill Rd.

STRUCTURE:

Accessory Building

TYPE OF VARIANCE: AREA / USE

S:B:L: 7-1-46

ZONE: AR

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

VARIANCE DISCRPTION	CODE SECTION	MAXXIMUM	REQUESTED	VARIANCE	%
square footage	185-15-A-4	1000 SF	4259 SF	3259 SF	326%

COMMENTS:

Existing 3375 sf

REVIEWED BY:

JOSEPH MATINA

DATE: 7-27-2026

APPLICATION: 26-0568

202A-2026-21



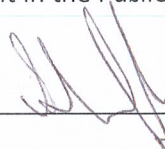


AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY

STATE OF NEW YORK: COUNTY OF ORANGE:

I Shawn Jackson, being duly sworn, depose and say that I did on or before
September 10, 2026, post and will thereafter maintain at
205 Candlestick Hill Rd 7-1-46 AR Zone in the Town of Newburgh, New York, at or near the front
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which
notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to
the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The
Notice must then be removed and property disposed of within ten (10) days of the close of the Public
Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for
additional time.



Sworn to before me this 26th

day of August, 2026.

Christina Churchill

