



# 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

(Rev. 9-16-21)

## **INSTRUCTIONS FOR APPLICATIONS TO THE ZONING BOARD OF APPEALS**

1. UPON **DISAPPROVAL OF ANY APPLICATION FOR A BUILDING PERMIT, BY THE BUILDING INSPECTOR OR BEING SENT (REFERRED) TO ZBA BY THE TOWN OF NEWBURGH PLANNING BOARD FOR AN AREA OR USE VARIANCE(S) OR FOR A SPECIAL PERMIT : HOME OCCUPATION USE, AN APPEAL FROM SUCH DISAPPROVAL (REFERRAL) MAY BE MADE TO THE ZONING BOARD OF APPEALS.**
2. EVERY APPLICATION FOR AN APPEAL WILL BE PREPARED ON **"OFFICIAL FORMS" (with Addendum if necessary)** THAT ARE AVAILABLE AT THE **OFFICE OF THE ZONING BOARD OF APPEALS, 308 GARDNERTOWN ROAD, TOWN OF NEWBURGH, COUNTY OF ORANGE AND STATE OF NEW YORK. (845) 566-4901. (NOW ALSO AVAILABLE ON-LINE AT [www.townofnewburgh.org](http://www.townofnewburgh.org) - Form Center)**
3. COPIES OF THE **ZONING LAW ARE AVAILABLE AT THE OFFICE OF THE TOWN CLERK, 1496 ROUTE 300, FOR REFERENCE OR PURCHASE BY APPLICANTS FOR THEIR INFORMATION. (or at [www.townofnewburgh.org](http://www.townofnewburgh.org) - Town Codes & Ordinances)**
4. THERE IS A **FEE FOR THE PUBLIC HEARING AND ALSO FOR THE 'NOTICE OF HEARING' THAT WILL BE PUBLISHED IN THE LOCAL NEWSPAPERS. THESE FEE(S) ARE PAYABLE TO 'THE TOWN OF NEWBURGH' AND PAID AT THE TOWN CLERK'S OFFICE AT TOWN HALL, 1496 ROUTE 300 (564-4554). A RECEIPT(S) WILL BE ISSUED BY THE TOWN CLERK AND THE 'ORIGINAL' OF THIS RECEIPT(S) MUST BE SUBMITTED WITH THE APPLICATION. (SEE 1-1-2017 FEE SCHEDULE)**
5. **ALL PORTIONS OF THE APPEAL APPLICATION THAT ARE PERTINENT TO THE PARTICULAR APPLICATION MUST BE COMPLETED BY THE APPLICANT.**
6. THERE SHALL BE **ELEVEN (11) COPIES OF A PLOT PLAN DRAWN TO SCALE SUBMITTED WITH THE APPLICATION. THE PLOT PLAN MUST CONTAIN ALL INFORMATION PERTINENT TO THE APPLICATION, AS REQUIRED BY ARTICLE VIII, SECTION 185-55 (F) OF THE ZONING LAW. (THE PLOT PLAN SUBMITTED TO THE BUILDING INSPECTOR WILL BE ACCEPTABLE IF CONFORMING TO THE ABOVE REQUIREMENTS.) PLOT PLANS THAT ARE INCOMPLETE OR MERE FREEHAND SKETCHES WILL NOT BE ACCEPTED.**

7. THE APPLICANT MUST ALSO SUBMIT THE **ORIGINAL DEED** TO THE PROPERTY (A COPY WILL BE MADE AT OUR OFFICE AND ORIGINAL WILL BE RETURNED TO APPLICANT), OR AN **ORIGINAL CERTIFIED COPY** THEREOF.

8. THE APPLICANT WILL BRING THE “NOTICE OF DISAPPROVAL OF A BUILDING PERMIT” OR A PLANNING BOARD “REFERRAL LETTER” TO THE TOWN OF NEWBURGH ASSESSOR, 1496 ROUTE 300 (564-4550), TOWN OF NEWBURGH TO OBTAIN FROM THEM A LIST OF ALL PROPERTY OWNERS WITHIN FIVE HUNDRED (500) FEET FROM THE EXTERIOR BOUNDARIES OF THE LAND INVOLVED. (THE ORIGINAL COPY OF THIS LIST IS TO BE SUBMITTED WITH THEIR COMPLETED APPLICATION.)

9. THE APPLICANT SHALL ALSO SUBMIT **FOUR (4) PHOTOGRAPHS** OF FOUR DIFFERENT ANGLES OF THE **SUBJECT PROPERTY** WITH THIS APPLICATION.

10. THE APPEAL APPLICATION MUST BE PREPARED AND ‘SIGNED BY THE APPLICANT BEFORE A NOTARY PUBLIC’. IF APPLICANT WILL NOT BE REPRESENTING HIS OR HER SELF, A PROXY STATEMENT THAT IS INCLUDED IN THE APPLICATION, MUST BE FILLED OUT AND SIGNED BY THE APPLICANT. (THE ORIGINAL NOTARIZED APPLICATION AND PROXY ARE REQUIRED.)

11. WHEN THE COMPLETE APPLICATION AND REQUIRED MATERIALS INCLUDING THE LIST OF PROPERTY OWNERS ARE SUBMITTED AND ACCEPTED THE SECRETARY OF THE ZONING BOARD OF APPEALS WILL SCHEDULE ON AN AGENDA, PROVIDE THE “NOTICE OF HEARING” AND THE NOTICE(S) FOR POSTING ON THE PROPERTY WITH THE DATE OF THE SCHEDULED HEARING ALONG WITH THE MAILING LIST AND FURTHER INSTRUCTIONS.

12. SUBMIT YOUR APPLICATION AND ALL REQUIRED MATERIALS FOR REVIEW AND FURTHER ACTION AS PRESCRIBED IN SECTION 185-55 OF THE ZONING ORDINANCE OF THE TOWN OF NEWBURGH. **(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 BUSINESS 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)

**FURTHER INSTRUCTIONS FOR**  
**AFTER YOUR APPLICATION IS ACCEPTED**  
**AND PLACED ON AN AGENDA**

When the Complete ZBA Application and required materials along with everything on the Checklist including the list(s) from the Assessor's Office(s) for all of the neighboring properties WITHIN 500 FEET of the exterior boundaries of the land involved in the appeal or application (as the names of such owners appear on the last completed Assessment Roll of the Town) are submitted and accepted and you are placed on an Agenda, the Secretary of the Zoning Board of Appeals will prepare and give you the Notice(s) of Hearing and Affidavit.

~**THE APPLICANT SHALL PROVIDE TO THE SECRETARY OF THE ZONING BOARD OF APPEALS THE (TYPED OR LEGIBLY WRITTEN) UNSEALED, ADDRESSED ENVELOPES WITH A COPY OF THE NOTICE ENCLOSED ON WHICH FIRST CLASS POSTAGE HAS BEEN AFFIXED. (WE WILL AFFIX OUR RETURN ADDRESS)**

~**THE APPLICANT SHALL POST THE 11 INCH X 17 INCH COPY(S) OF THE NOTICE OF HEARING AT THE PROPERTY FOR WHICH THE APPLICATION IS MADE. THE NOTICE MUST BE POSTED ON OR NEAR A FRONT PROPERTY LINE WITHIN VIEW OF THE NEAREST ADJACENT STREET RIGHT OF WAY. IF THE PROPERTY FRONTS ON TWO OR MORE STREETS, NOTICES SHALL BE POSTED ON ALL THE FRONT PROPERTY LINES. THE NOTICE MUST NOT OBSTRUCT TRAFFIC VISIBILITY. SINCE THE APPLICANT IS REQUIRED TO MAINTAIN THE NOTICES FOLLOWING POSTING IT IS ADVISABLE THAT YOU (THE APPLICANT) INSERT THEM IN PLASTIC LAMINATION BEFORE POSTING.**

~**THE APPLICANT SHALL SUBMIT THE NOTARIZED AFFIDAVIT OF POSTING AND PHOTOGRAPH(S) OF THE POSTING(S) TO THE SECRETARY OF THE ZONING BOARD OF APPEALS PRIOR TO OR ON THE TENTH (10) BUSINESS DAY PRIOR TO THE PUBLIC HEARING DATE.**

**~AT LEAST TEN (10) BUSINESS DAYS PRIOR TO THE HEARING DATE THE MAILINGS AND POSTING MUST BE COMPLETED AND THE AFFIDAVIT ALONG WITH THE PHOTOGRAPH OF POSTING SUBMITTED~**

~**THE APPLICANT SHALL MAINTAIN AND UPDATE NOTICE(S) WITH AMENDED INFORMATION IF THERE IS ANY CHANGE TO THE INFORMATION CONTAINED IN THE ORIGINAL NOTICE 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.**