



Orange County Department of Planning  
Application for Mandatory County Review of Local Planning Action  
(Variances, Zone Changes, Special Permits, Subdivisions)

To be completed by Local Board having jurisdiction.  
To be signed by Local Official.

TONZBA Town of Newburgh  
MUNICIPALITY: ZONING BOARD of Appeals

TAX MAP ID: 4-2-39,33  
(Section-Block-Lot)

Local File #: 2303-12

Project Name: \_\_\_\_\_

Applicant: Stephen D'Alatri

Address: 186 Mill Street, Wallkill NY 12589

Attorney, Engineer, Architect: \_\_\_\_\_

Location of Site: 4 Mill Street NYS Route 32  
(Street, highway, nearest intersection)

Size of Parcel: 1.2 acres Existing Lots: \_\_\_\_\_ Proposed Lots/Units \_\_\_\_\_

Present Zoning District: R/R

TYPE OF REVIEW:

Special Use Permit\* (SUP): \_\_\_\_\_

Variance\* USE (VU): NO MORE THAN 4 VEHICLE STORAGE ALLOWED -  
AREA (AV): MAXIMUM 1000 SF ACCESSORY BUILDINGS

Zone Change\* FROM: \_\_\_\_\_ TO: \_\_\_\_\_

Zoning Amendment\*\* To Section: \_\_\_\_\_

Subdivision Major \_\_\_\_\_ Minor \_\_\_\_\_

Sketch

Preliminary

Final

DATE: 7/17/12

Shane Cardone

CHAIRPERSON, Signature and Title  
ZONING BOARD of Appeals

\*Cite Section of Zoning Regulations where pertinent.

FOR COUNTY USE ONLY

County ID # \_\_\_\_\_

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD  
(845) 566-4901

## APPLICATION

DATED: 2/17/12

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

I (WE) Stephen D'Alatri PRESENTLY WALKER  
RESIDING AT NUMBER 186 Mill St.  
TELEPHONE NUMBER 845- 566 5638

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

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE

1. LOCATION OF THE PROPERTY:

4-2-39.33 (TAX MAP DESIGNATION)  
186 Mill St. (STREET ADDRESS)  
R/R (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW)

Bulk Table - Schedule - Column A  
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: 7/12/12
- 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

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:

There is A garage There ALREADY

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:

Need more ROOM For 2 SUV'S  
& 1-PICK UP TRUCK,

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Allows The STORAGE of NOT MORE Than  
4 Vehicles  
MAX 1000 SF

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 garage

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

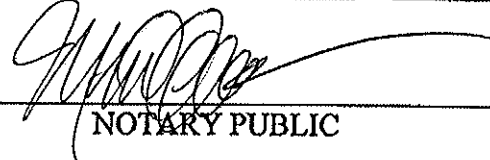
7. ADDITIONAL REASONS (IF PERTINENT):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK; COUNTY OR ORANGE:

SWORN TO THIS 16<sup>TH</sup> DAY OF JULY 20 12

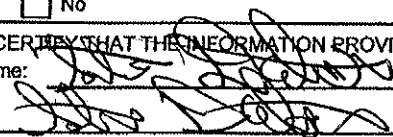
  
\_\_\_\_\_  
NOTARY PUBLIC

MICHAEL J GIAMMARCO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01G16236061  
Qualified In Orange County  
My Commission Expires February 22, 2015

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.

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 <b>Stephen D'Alatri</b>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County <b>Orange</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>186 Mill Street Walkkill, NY 12589</b> <b>Rt. 32 + Mill St.</b>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:  <b>3 CAR GARAGE</b>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres      Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: _____	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: _____	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: _____	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <b>Stephen D'Alatri</b> Date: _____ Signature: 	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**



**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4?  Yes  No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural 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 change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- 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 AND provide, on attachments as necessary, the reasons supporting this determination.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

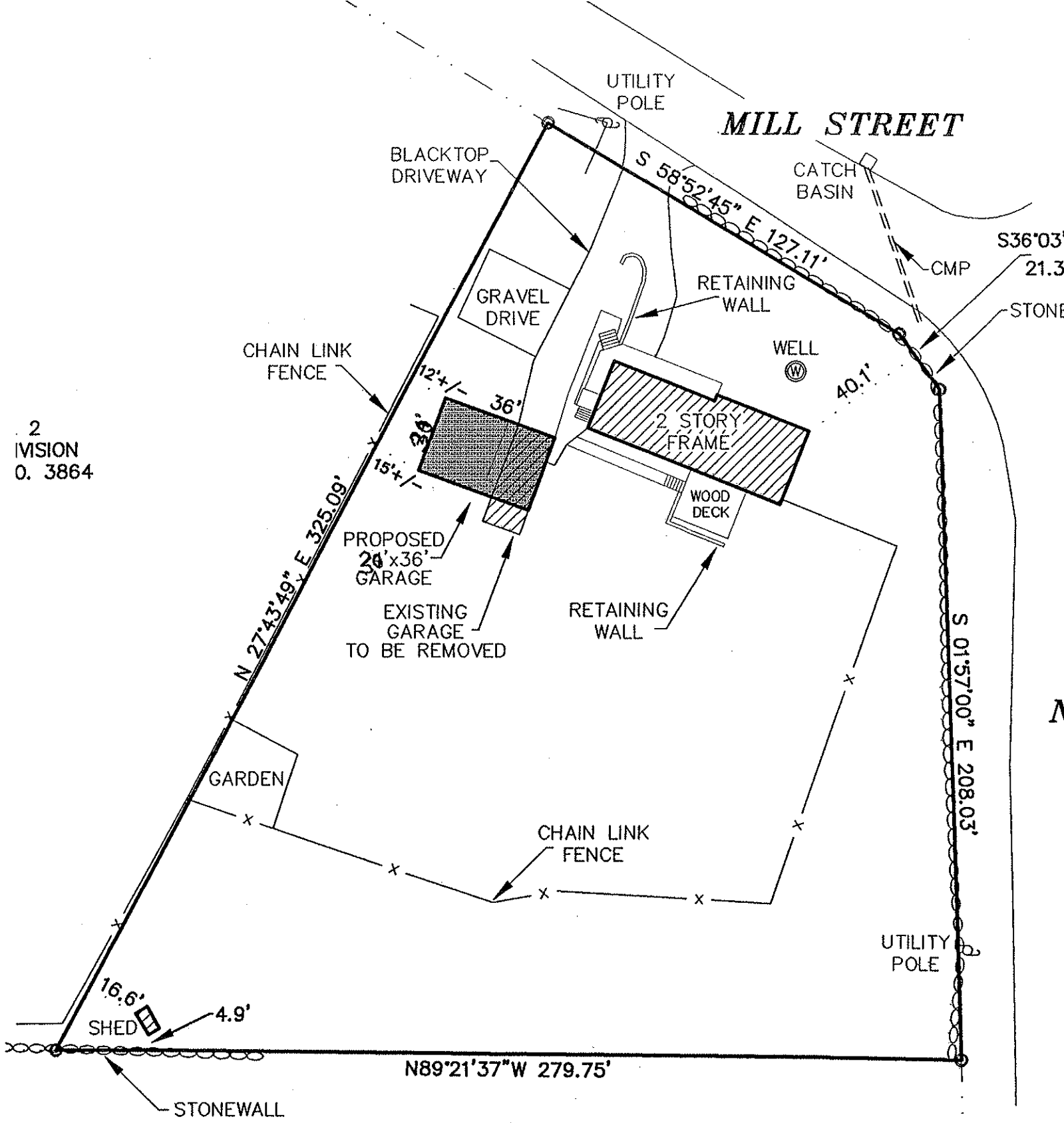
\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

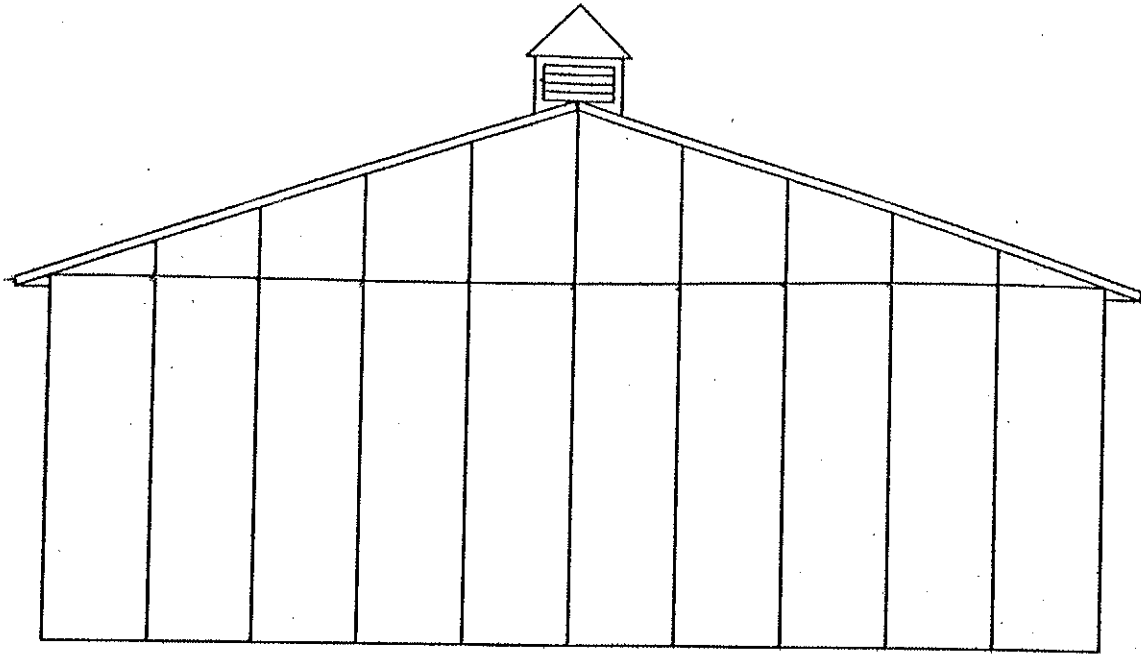
Reset



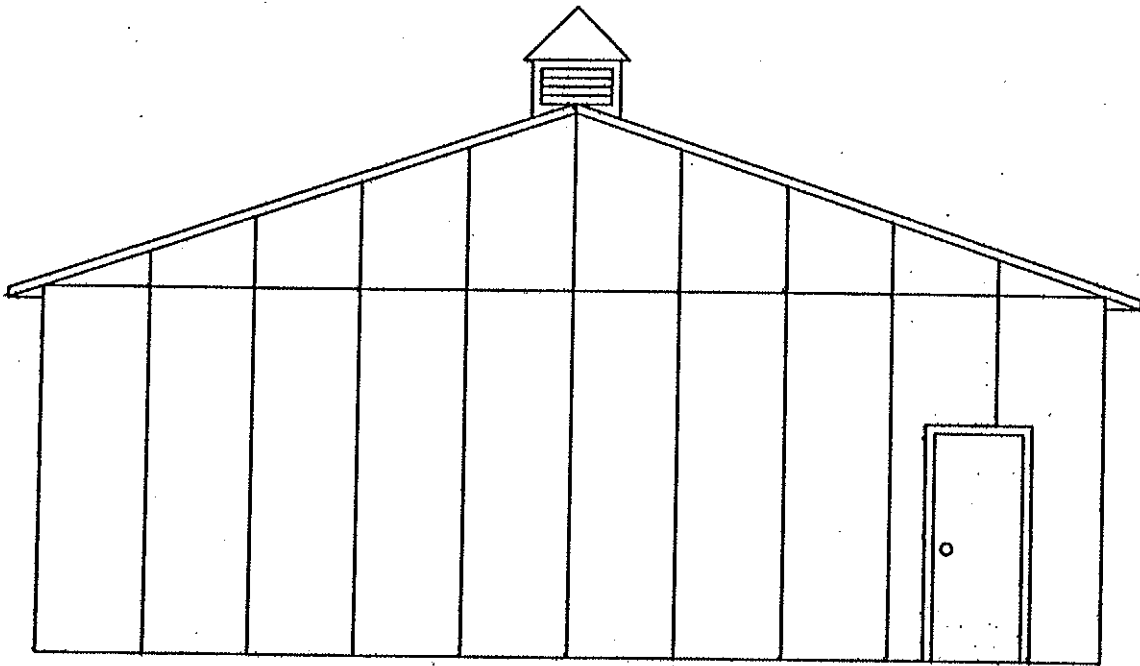
2  
 DIVISION  
 0. 3864

LOT NO. 1  
 TERRIZZI SUBDIVISION  
 FIELD MAP NO. 381-10





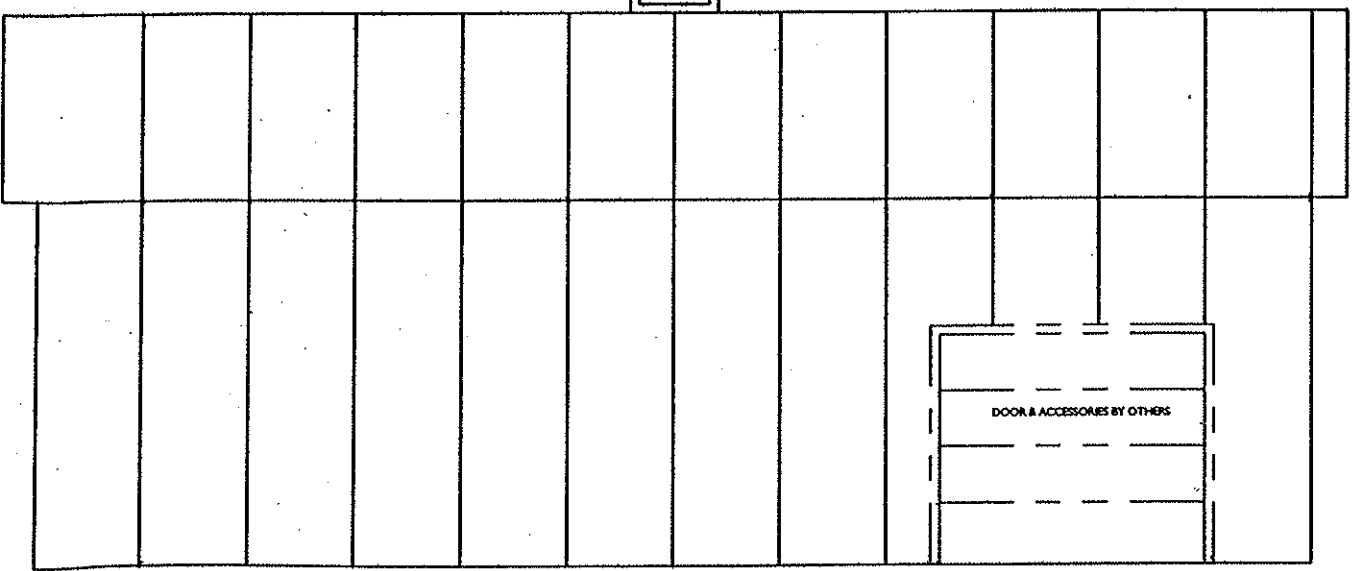
GABLE #1



GABLE #2



EAVE #2



EAVE #1

**PPB. Inc.**  
 Pioneer Pole Buildings, Inc.  
 716 South Rt. 183  
 Schuylkill Haven, PA 17972  
 1-888-448-2505 Toll Free

JOB SITE ADDRESS:  
 SAME

CUSTOMER ADDRESS:  
 STEPHEN D'ALATRI  
 186 MILL STREET  
 WALKILL, NY 12589  
 845-566-5638

ENGINEER APPROVALS 304 LOGAN AVENUE WYOMISSING, PA 19610 JAMES A. KOPPENHAVER, P.E.	DATE 6-18
BUILDING SIZE 30x36x10'-4"	SHEET: ELEVATION
DRAWN BY: HEIDI KLOCK	Job Number:
CHECKED BY:	D'ALATRI

MISSION.

TOWN OF NEWBURGH

*Crossroads of the Northeast*  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550  
(845)564-7801

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. 2303-12

Date: July 12, 2012

To: STEPHEN D'ALATRI  
186 MILL STREET  
WALKKILL, N Y 12589

SBL 4-2-39.33  
ADD: 186 Mill Street, Walkkill  
ZONE R/R

PLEASE TAKE NOTICE that your application dated July 9,  
20 12 for permit to build an accessory building (30 x 36 x 15)  
At the premises located at 186 Mill Street, Walkkill

Is returned herewith and disapproved on the following grounds:

**BULK TABLE - SCHEDULE 1 - COLUMN A -**  
**ALLOWS FOR THE STORAGE OF NOT MORE THAN (4) FOUR VEHICLES.**  
**185 - 15 - A - 4 -**  
**ALLOWS A MAXIMUM OF 1000 SQ. FT. TOTAL OF ACCESSORY BUILDINGS.**

  
JOSEPH MATTINA

Cc: Town Clerk & Assessor (300')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**      *BUILT WITH OUT A PERMIT*

2303-12

NAME: STEPHEN D'ALATRI

ADDRESS: 186 MILL ST WALLKILL NY 12589

**PROJECT INFORMATION:**

TYPE OF STRUCTURE: 30' X 36' X 15' ACCESSORY BUILDING

SBL: 4-2-39.33      ZONE: R/R

TOWN WATER:  YES  NO      TOWN SEWER:  YES  NO

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
ALLOWED ACCESSORY SF	1000 SF		1120 SF	120 SF	12.0%
STORAGE OF VEHICLES	4.00		7.66	3.66	

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 ..... YES / NO  
 2 OR MORE FRONT YARDS FOR THIS PROPERTY ..... YES / NO  
 CORNER LOT - 185-17-A .....  YES

**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  
 HEIGHT MAX. 15 FEET - 185-15-A-1 ..... YES / NO  
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 ..... YES / NO

**NOTES:**    **1080 SF GARAGE + 40 SF SHED = 1120 SF / 9 X 18 = 162 SF PER CAR 1080 SF BUILDING**  
                   **1080 DIVIDED BY 162 = 6.66 + 1 CAR IN DWELLING = 7.66 CARS**

**VARIANCE(S) REQUIRED:**

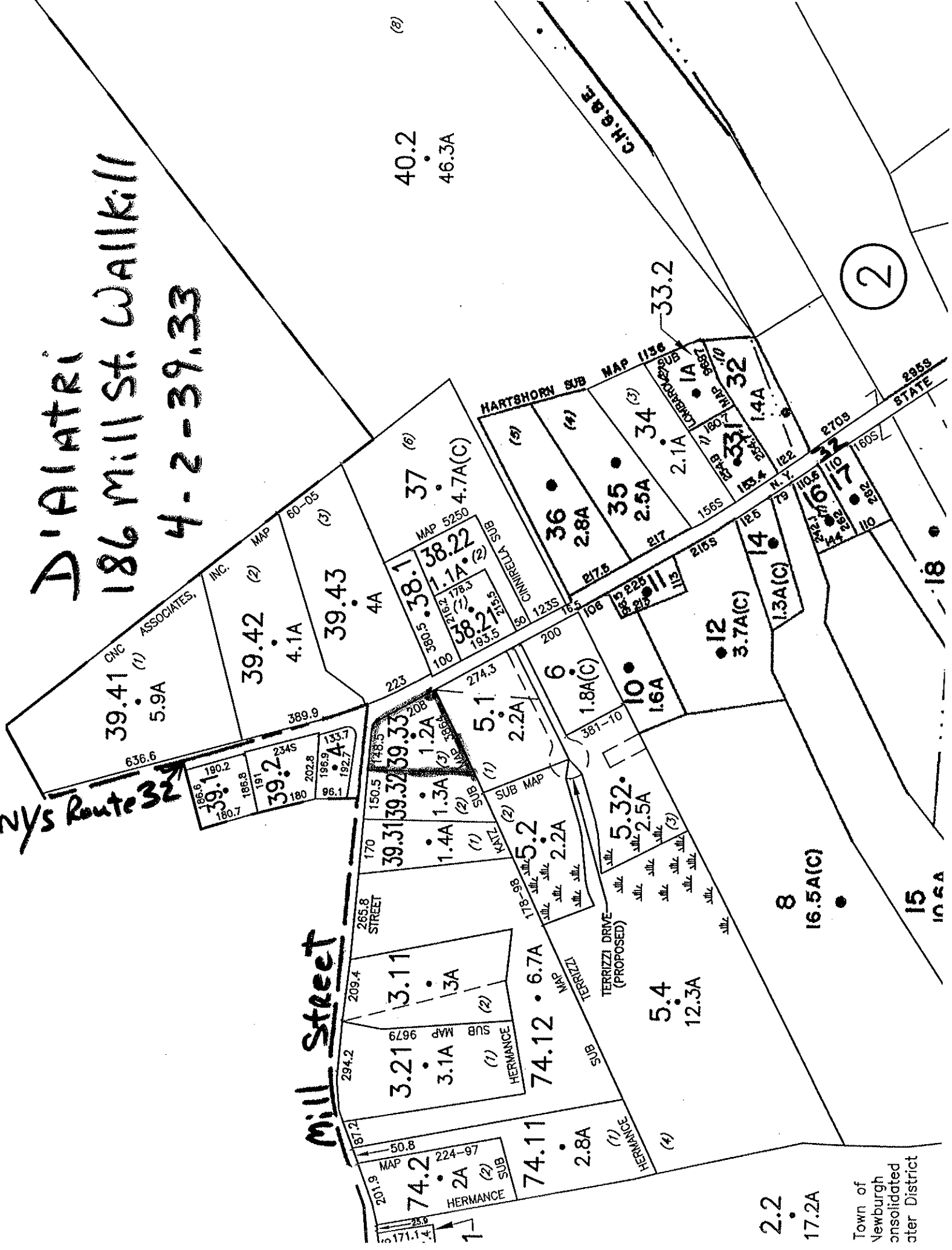
- 1 BULK TABLE SCHEDULE 1 COLUMN (A) ALLOWS THE STORAGE OF NOT MORE THEN 4 VEHICLES
- 2 185-15-A-4 ALLOWS A MAXIMUM OF 1000 SF TOTAL ACCESSORY BUILDINGS.
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: JOSEPH MATTINA      DATE: 9-Jul-12

**D'Alatri**  
**186 Mill St. Walkkill**  
**4-2-39.33**

**NYS Route 32**

**Mill Street**



(8)  
 40.2  
 46.3A

2

2.2  
 17.2A

Town of  
 Newburgh  
 consolidated  
 water District