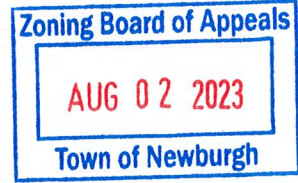




TOWN OF NEWBURGH

Crossroads of the Northeast
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

3057-23 A.
(roof.)



OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 8-1-2023

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

I (WE) Jennifer Gnecco PRESENTLY
RESIDING AT NUMBER 15 O'DELL CIRCLE, NEWBURGH, NY
TELEPHONE NUMBER 718-440-4337

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:

51-2-1.1 (TAX MAP DESIGNATION)
15 O'DELL CIRCLE (STREET ADDRESS)
R1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-C-1

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:
7-20-2023
- 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: INCREASE DEGREE OF non-conformity - ROOF > front yard

N/A

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:

will not be any closer to front yard or other
properties. It's within spirit of 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:

there isn't another area to
create front stoop. & will replace current-
structurally failing front stoop. Covered porch
will create safer area for entry/exit from home - from
weather elements.

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

it extends further along length of house
but is closer to house than current
front stoop. THEREFORE, less encroaching upon property line.

- 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 more aesthetically pleasing, it
won't impede anyone's views or
utilization. New porch encroaches less than
currently failing front
stoop.

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

I Bought the house this way.

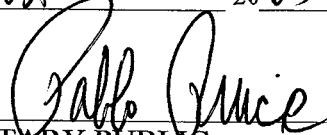
7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2nd DAY OF August 2023



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)

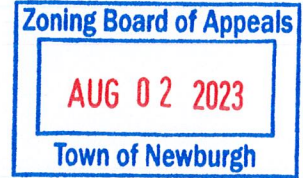


TOWN OF NEWBURGH

Crossroads of the Northeast
ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

3057-23 (B)
(COV. FRONT YRCH)

OFFICE OF ZONING BOARD
TELEPHONE 845-566-4901
FAX LINE 845-564-7802



APPLICATION

DATED: 8-1-2023

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

I (WE) Jennifer Gnecco PRESENTLY
RESIDING AT NUMBER 15 O'DEU circle, Newburgh, NY
TELEPHONE NUMBER 718-440-4339

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:

51-2-101 (TAX MAP DESIGNATION)
15 O'DEU CIR (STREET ADDRESS)
R1 (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).

BULK 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:

7-20-2023

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: 19' (38%) VARIANCE
to 50' minimum for front yard (proposed 31' to front yard)

N/A

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:

Will not be any closer to front yard or other properties. It is also within spirit of 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:

THERE ISNT ANOTHER AREA TO CREATE A FRONT stoop & will replace current front stoop that is structurally failing and an eyesore. Covered porch will also create safer entry to/exit from home, from weather & elements.

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

It extends along a wider section of house front but is closer to house than front stoop. Therefore, less encroaching upon property line.

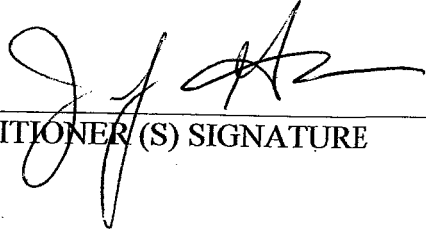
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It will be more aesthetically pleasing. It will not impede anyone's views or utilization. New porch encroaches less upon property line than current failing front stoop.

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

I bought the house this way.

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2nd DAY OF August 20 23



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

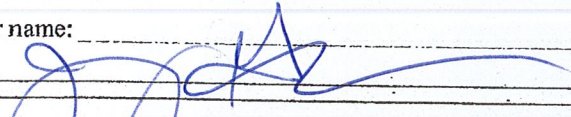
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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>Homeowner - Gnecco - 15 Odell Circle</u>							
Project Location (describe, and attach a location map): <u>Residential Home Renovation</u>							
Project Location (describe, and attach a location map): <u>15 Odell Circle, Newburgh</u>							
Brief Description of Proposed Action: <u>Replace front stoop with covered front porch.</u>							
Name of Applicant or Sponsor: <u>Jennifer Gnecco</u>		Telephone: <u>718-440-4337</u>					
		E-Mail: <u>mymarianna@aol.com</u>					
Address: <u>15 Odell Circle</u>							
City/PO: <u>Newburgh, NY 12550</u>		State: <u>NY</u>	Zip Code: <u>12550</u>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.			<table border="1" style="width:100%; text-align:center;"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width:100%; text-align:center;"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<u>0.98</u> acres					
b. Total acreage to be physically disturbed?		<u>10 x 20 deck</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		" _____ acres					
4. Check all land uses that occur on, adjoining and 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 type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

3

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<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? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: _____</p> <p>Signature: </p>	<p>Date: <u>8/1/2023</u></p>	

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

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.

- 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

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)



ORANGE COUNTY – STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14350 / 469
 INSTRUMENT #: 20180004851

Receipt#: 2435621
 Clerk: KP
 Rec Date: 01/19/2018 09:51:49 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 5
 Rec'd Frm: JT ABSTRACT

Party1: HERSCHEL JOAN
 Party2: GNECCO JENNIFER
 Town: NEWBURGH (TN)
 51-2-1.1

Recording:	
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00
Sub Total:	195.00
Transfer Tax	
Transfer Tax - State	1440.00
Sub Total:	1440.00
Total:	1635.00
**** NOTICE: THIS IS NOT A BILL ****	

***** Transfer Tax *****	
Transfer Tax #: 5761	
Transfer Tax	
Consideration: 360000.00	
Transfer Tax - State	1440.00
Total:	1440.00

Payment Type: Check ___
 Cash ___
 Charge ___
 No Fee ___

Comment: _____

RECORDED WITH PRE-DATED ACKNOWLEDGMENT

Ann G. Rabbitt
 Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

LISA M GIGLIOTTI
 109 ROUTE 376 SUTE C
 HOPEWELL JCT, NY 12533

Record & Return to:
The Law Offices of Lisa M. Gigliotti, Esq.
109 Route 376, Suite C
Hopewell Jct., NY 12533

Bargain and Sale Deed, with Covenant against Grantor's Acts - Individual or Corporation

DEED

J.E.H.

AS OF
THIS INDENTURE made the 16th day of November, 2017, between JOAN E. HERSCHEL fka JOAN DWYER residing at 15 Odell Circle, Newburgh, New York 12550, party of the first part and, JENNIFER GNECCO, residing at 243 Horseshoe Circle, Ossining, New York 10562, party of the second part;

WITNESSETH:

That the party of the first part, in consideration of TEN (\$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 for the party of the second part forever.

51

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, more particularly bounded and described as follows:

2

SEE SCHEDULE "A" DESCRIPTION ATTACHED HERETO AND MADE PART HEREOF

1.1

Subject to covenants, easements and restrictions of record.

BEING and intended to be the same premises conveyed to Joan Dwyer by Deed dated February 27, 1979, made by Mary Elizabeth Kretz and Thomas J. Byrne and recorded in the Office of the Orange County Clerk in Liber 2126 of Deeds at Page 503;

AND ALSO BEING and intended to be the same premises conveyed to Joan E. Herschel by Deed dated December 15, 1993, made by George J. Backofen and Francis A. Backofen and recorded in the Office of the Orange County Clerk in Liber 3952 of Deeds at Page 229.

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 rights of the party of the first part in and to said premises,

Schedule A Description

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being a portion of Lot #87, Lot #89 and a portion of Lot #90 on a map entitled "Map of Land of Orange Lake Park", dated September 1940, revised June 12, 1951, Filed in the Orange County Clerk's Office on June 26, 1961 as Map # 1746, being more particularly bounded and described as follows:

Beginning at the point of the intersection of the southeasterly line of Odell Circle with the southerly line of said Odell Circle said point being the northwesterly corner of Lot #89 of the above filed map; thence along the foresaid southerly line of said Odell Circle South 81 degrees 14 minutes East 118.24 feet to a point on the division line between the lands now or formerly of Dwyer on the east and the parcel herein described on the west; thence along the last said division line South 2 degrees 21 minutes 8 seconds east 139.09 feet to a point on the division line between this individual lands now or formerly of Squires and Kalici, respectively, on the south and the parcel herein described on the north; thence along the last said division line North 81 degrees 39 minutes 06 seconds West 99.61 feet to a point on the division line between lands now or formerly of Kalici on the southeast and southwest and the parallel herein described on the northwest and northeast; thence along the last said division line South 50 degrees 16 minutes West 25.00 feet and North 39 degrees 44 minutes West 125.00 feet to a point in the southeasterly line of the aforesaid Odell Circle; thence along the last said line North 50 degrees 16 minutes East 97.61 feet to the point or place of beginning.

AND ALSO All that certain plot, piece or parcel of land, situate, lying and being in the Town of Newburgh, Orange County, New York, at Orange Lake and described as follows:

BEGINNING at a point in the westerly line of Odell Circle (East Section) at the southwesterly corner of lot number 91 as shown and designated on Map of Lands of Orange Lake Park dated September 1940 and revised on June 12, 1951 by Nial Sherwood P.E. of Liberty, NY, both original and revision having been duly filed in the Office of the Clerk of Orange County, and runs thence from said point of beginning along said line of Odell Circle North 1 degree East 60 feet to a point; thence North 10 degrees 15 minutes West 81.97 feet to a point; thence continuing along the southerly line of Odell Circle where said line runs westerly North 81 degrees 14 minutes West 75 feet to a point; thence diagonally through lot #90 South 1 degree 27 minutes East 139.81 feet to a point in the southerly line of Lot #91 of said Map; thence along the southerly line of Lot #91 South 81 degrees 41 minutes East 85.01 feet to the point or place of beginning.

Schedule A Description - continued

Title Number JT-9788OR

Page 2

The said parcel as hereby described being part of Lot #91 and a triangular easterly portion of Lot #90 of said map.

TOGETHER with an undivided 6/51 interest in and to lots numbers 12 and 13 on the aforesaid map to be held and enjoyed by the parties of the second part hereto in common with all other owners of interior lots numbers 28 to 91, inclusive, on the aforesaid map, as an appurtenance to the lots hereby conveyed and to run with the title thereto whether or not specifically mentioned in subsequent deeds thereof.

ALSO DESCRIBED in accordance with a survey dated November 3, 2017 made by Robert V. Oswald, NYS Licensed Surveyor, as follows:

All that certain plot, piece or parcel of land, situated in the Town of Newburgh, County of Orange and the State of New York, as shown on a certain map entitled Orange Lake Park and filed in the Orange County Clerk's Office as filed map no. 1476:

Beginning at a point along the westerly of Odell Circle and said point being the southeasterly corner of the herein described parcel with the northwesterly corner of Lot no. 62 as shown on a certain map entitled Orange Lake Park and filed in the Orange County Clerk's Office as filed map no. 1476, thence in a westerly direction along the northerly line of Lot no. 62 and 63 the following courses and distances, NORTH 81-41-00 WEST 82.84 feet to a point, thence NORTH 81-39-06 WEST 99.61 feet to a point, thence SOUTH 50-16-00 WEST 25.00 feet to the southwesterly corner of the herein described parcel with the southeasterly corner of Lot no. 86, thence in a northerly direction along the easterly line of Lot no. 86, NORTH 39-44-00 WEST 125.00 feet to point along the southerly line of Odell Circle, thence in a easterly and southerly direction along Odell Circle the following courses and distances, NORTH 50-16-00 EAST 97.61 feet to a point, thence SOUTH 81-14-00 EAST 193.29 feet to a point, thence SOUTH 10-15-00 EAST 81.97 feet to a point, thence SOUTH 01-00-00 WEST 58.87 feet to the point of beginning. Containing 0.78 acres of land more or less.

The above description is a portion of Lot no. 87, Lot no.89, Lot no. 90 and Lot no. 91 as shown on a certain map entitled Orange Lake Park and filed in the Orange County Clerk's Office as filed map no. 1476

J T Abstract Co Inc
717 Broadway
Newburgh New York 12550
845-562-8855 fax 845-562-0056
JTAbstract@hotmail.com

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 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 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" wherever 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:

aejahl, witness

Joan E Herschel FKA Joan Dwyer
Joan E. Herschel fka Joan Dwyer

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

On the ^{3rd} day of November, 2017, before me, the undersigned, personally appeared Joan E Herschel fka Joan Dwyer, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

aejahl

NOTARY PUBLIC

ALAN J. AXELROD
Notary Public, State of New York
Qualified in Orange County
No. 02AX4520750
Commission Expires November 30, 20 *18*

R.E.R.

Jennifer Gnecco
15 Odell Circle
Newburgh, NY
12550



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

3057-23 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/20/2023

Application No. 23-0595

To: Jennifer Gnecco
15 Odell Circle
Newburgh, NY 12550

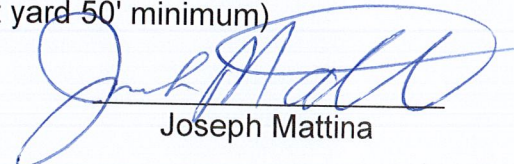
SBL: 51-2-1.1
ADDRESS: 15 Odell Cir

ZONE: R1

PLEASE TAKE NOTICE that your application dated 05/25/2023 for permit to raising the roof on an existing non-conforming structure on the premises located at 15 Odell Cir is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-19-C-1: Shall not increase the degree of non-conformity. (Front yard 50' minimum)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION **BUILT WITH OUT A PERMIT** YES / **NO**

NAME: _____ Jennifer Gnecco **Application #** _____ **23-0595**

ADDRESS: _____ 15 O'Dell Circle Newburgh NY 12550 _____

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: _____ **Raising the roof on a non-conforming structure.** _____

SBL: _____ 51-2-1.1 **ZONE:** _____ R-1 **ZBA Application #** 3057-23(A)

TOWN WATER: YES / NO **TOWN SEWER:** YES / NO N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'		Increasing the degree non-conformity		
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

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 / 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:
Has front yard on 3 sides.

REVIEWED BY: _____ Joseph Mattina **DATE:** _____ 20-Jul-23



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

3057-23-(15)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 07/20/2023

Application No. 23-0596

To: Jennifer Gnecco
15 Odell Circle
Newburgh, NY 12550

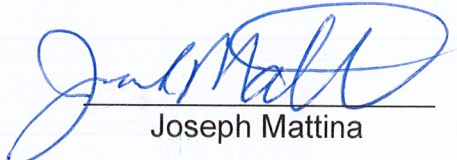
SBL: 51-2-1.1
ADDRESS: 15 Odell Cir

ZONE: R1

PLEASE TAKE NOTICE that your application dated 05/25/2023 for permit to build a 10' x 28' covered front porch on the premises located at 15 Odell Cir is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 3: Requires a 50' minimum front yard setback


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION **BUILT WITH OUT A PERMIT** YES / **NO**

NAME: _____ Jennifer Gnecco **Application #** 23-0596

ADDRESS: _____ 15 O'Dell Circle Newburgh NY 12550 _____

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: _____ 10' X 28' Covered front porch _____

SBL: 51-2-1.1 **ZONE:** R-1 **ZBA Application #** 3057-23-(B)

TOWN WATER: YES / NO **TOWN SEWER:** YES / NO N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	50'		31'	19'	38.00%
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

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 / 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:
Has front yard on 3 sides.



REVIEWED BY: _____ Joseph Mattina _____ **DATE:** _____ 20-Jul-23 _____





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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Jennifer Ghecco, being duly sworn, depose and say that I did on or before

August 10, 2023, post and will thereafter maintain at

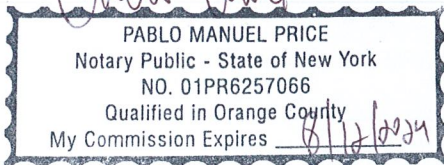
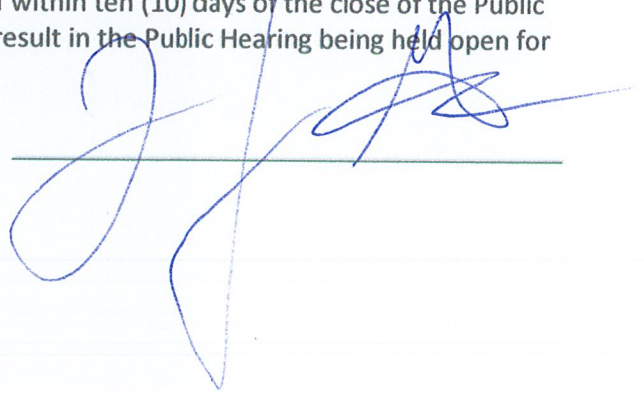
15 O'Dell Circle 51-2-1.1 R1 Zone in the Town of Newburgh, New York, at or near the front

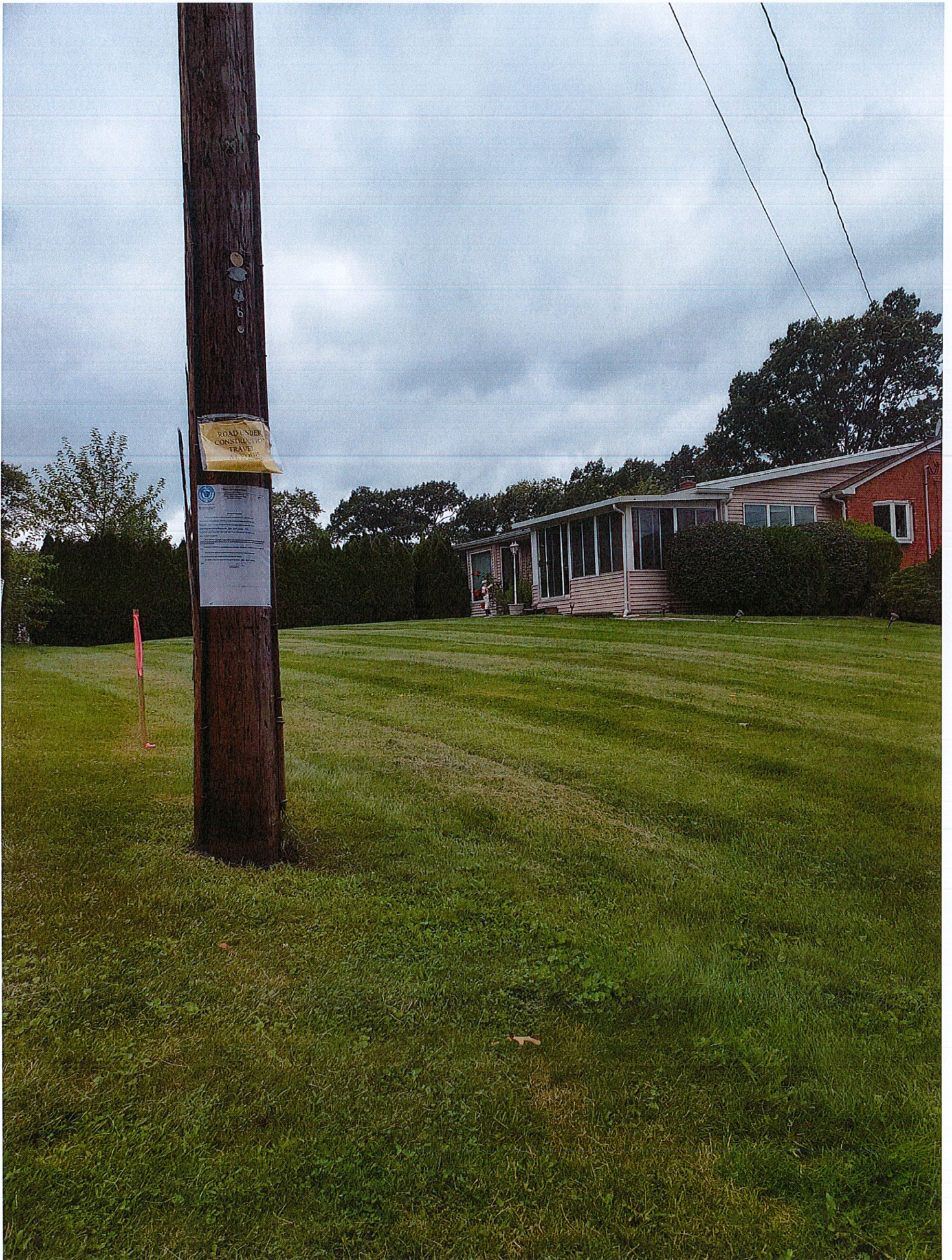
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 4th

day of August, 2023.

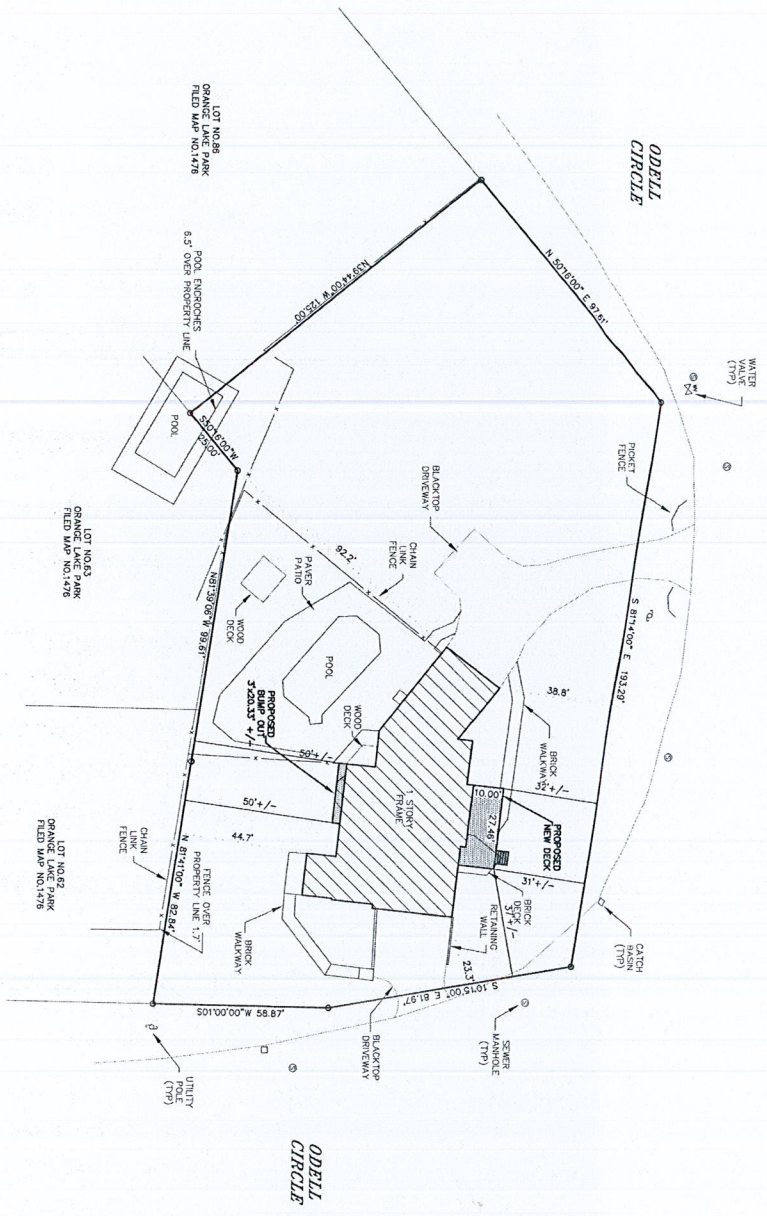








- CERTIFIED TO:
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AREA = 0.78 ACRES +/-



MAP OF SURVEY
 FOR
 THE LANDS OF
 JENNIFER GNECCO
 TOWN OF NEWBURGH
 DRAPER COUNTY
 NOVEMBER 3, 2017

PROPOSED ADDITIONS: JULY 18, 2023

SCALE: 1" = 20'

ROBERT V. OSWALD
 LAND SURVEYING
 175 MAIN ROAD, LISBURNVILLE, NEW YORK 12906
 (518) 258-8435 FAX (518) 258-1315

NOV 18 2023

