



Richard A. Cortese
County Executive

Orange County Department of Planning

Submittal Form for Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-1(m), & n

Referral ID#
(County use only)

This form is to be completed by the local board having jurisdiction. Submittal form applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:

Town of Newburgh

Local Reviewing Board:

Zoning Board of Appeals

Applicant:

Antinori Enterprises

Project Name:

Location of Project Site:

5217 Route 9W

Tax Map #:

43-1-4

Tax Map #:

Tax Map #:

Local File No.:

Size of Parcel:

32.8 Acres

If more than one parcel, please include
sum of all parcels.

Reason for County
Review:

ON US Route 9W

Current Zoning
District (include
any overlays):

R-210

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

Site Plan

Sq. feet proposed (non-residential only): _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Subdivision

Number of lots proposed: _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Special Use Permit

Lot Line Change

Variance

AREA / USE (circle one) MAX. Allowed Sq Footage, MAX Height, _____

Other

MAX STORAGE OF (4) FOUR VEHICLES

Is this an update to a previously submitted referral? YES / NO (circle one)

Local board comments
or elaboration:

Shou Cardone

9/13/13

Chairperson,
Zoning Board of Appeals

Signature of local official

Date

Title

Municipal Contact Phone Number:

845 566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Cochen, NY 10824

Question or comments, call: 845-615-3840 or email: planning@orangecounty.gov

TOWN OF NEWBURGH

Crossroads of the Northeast

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

APPLICATION

OFFICE OF ZONING BOARD

(845) 566-4901

DATED: 9/12/13

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

I (WE) Andrew S. Antinori PRESENTLY

RESIDING AT NUMBER 5219 Route 9W

TELEPHONE NUMBER (914) 420-7186

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:

Section 43, Block 1, Lot 4 (TAX MAP DESIGNATION)

5219 Route 9W (STREET ADDRESS)

R-2 (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).

Town of Newburgh Municipal Code Section:

- 1) 185-15-A-4 - Allows a maximum of 1000 square feet for all accessory buildings.
- 2) 185-15-A-1 - Maximum allowed height is 15 feet.
- 3) Bulk table schedule 4; not more than 4 vehicles.

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: 9/13/13
- 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: see attached

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:

N/A

(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:

See attached

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:

See attached

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

See attached

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

See attached

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

See attached

4. DESCRIPTION OF VARIANCE SOUGHT:

I am proposing to build an accessory storage building that will be 16 feet high, the Zoning Law limits the building height to 15 feet high, therefore I am seeking a variance of one foot in height.

The Zoning law limits the size (square footage) of an accessory building to the LESSER of 1,000 square feet or the product of a formula which includes the size of the lot, dwelling and side yard. Primarily because the lot is over 33 acres, the formula dictates a 14,340 square foot accessory building can be built. Because the Zoning Law specifies "the lesser of," the 1,000 square foot limitation applies. There are currently two sheds on the property that were constructed prior to the Town of Newburgh adopting zoning laws. Those existing sheds total approximately 230 square feet which gets subtracted from the 1,000 square foot allowance, resulting in 770 square feet.

The proposed building measures 24 feet in wide by 48 feet in length which equals 1,152 square feet. As such, I am seeking a variance for 382 square feet (1,152 – 770).

Bulk table schedule 4 prescribed that no more than 4 vehicles can be parked in the accessory building. As discussed below, the primary storage for this building is anticipated to be tractors, a log splitter and power equipment, but the size of the building still dictates a variance regarding bulk table schedule 4.

5. IF A USE VARIANCE IS SOUGHT:

Not applicable

6. IF AN AREA VARAINCE IS REQUESTED:

- a. THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOB OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

The proposed building is being sited on a plateau area on the side of a hill in a heavily wooded area. The building should not be visible by any neighbors. The closest residential dwelling to the proposed building is approximately 1,500 feet away.

The need for the building arises out of recent theft and vandalism to equipment on my property. Recently a thief hiked through the woods and took a razor knife to cut an access into a temporary storage building and stole several pieces of power equipment. When the police investigated, they said, "It was likely one of the crack-heads living in one of the sleazy 9W motels" that was responsible. The police checked all the local pawn shops and never recovered the stolen equipment. I have also had the battery stolen out of my tractor and a tool box on the tractor stolen. I am hopeful that by investing the money in good secure storage the thieves will be deterred which can only be helpful to the neighborhood.

We enjoy living on a large piece of property and have a huge garden and heat our house with firewood harvested from the property. All this requires a lot of equipment. We have three tractors, a log splitter, two trucks, ATVs, a small 17 foot boat and two cars. The proposed building will offer much needed inside secured storage.

I need a 12 foot ceiling to accommodate a garage door that will be high enough for my tractor to fit in the building. The 12 foot ceiling combined with the standard pitch roof results in a building height that is 1 foot over the 15 foot high limit.

The primary storage for this building is anticipated to be tractors, a log splitter and power equipment, but the size of the ~~vehicle~~ ^{building} still dictates a variance regarding bulk table schedule 4.

- 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:

As discussed above, we have a substantial amount of equipment we use around our homestead and need secure storage to protect it from further theft and vandalism. Temporary storage buildings proved no match for the thieves.

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

Whether the building is 382 square feet larger or smaller is not substantial because of the inconspicuous area, in the middle of the woods 1500 feet from the nearest house, where the proposed building would be located.

Similarly, going from a 15 foot high to a 16 foot high building is not substantial because it is only one foot.

There are no plans to park more than 4 vehicles in the building, a log splitter, tractors and the like are what will be stored.

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

The site for the building is a cleared area, so there are no trees to take down. The property is 33.8 acres or 1,403,276 square feet in size, so an additional 382 square feet requested in the variance represents only one quarter of one percent of the size of the total property.

The additional height of 1 foot will have an inconsequential effect on the physical and environmental conditions.

e. THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

Historically there were two barns on the property which had to be demolished along with the original main house because of a fire and rotted conditions. This left the property with only 230 square feet of combined storage between two small sheds. Taking care of a large piece of property, having a very large garden and harvesting firewood to heat our home all requires equipment. Unfortunately we learned the hard way that thieves will steal and vandalize your equipment if you don't keep it in secure storage.

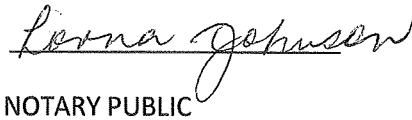


Andrew S. Antinori

STATE OF NEW YORK: COUNTY OF *Westchester*

SWORN ON THIS 12TH DAY OF SEPTEMBER, 2013

LORNA JOHNSON
NOTARY PUBLIC, State of New York
No. 01JO4961652
Qualified in Queens County
Commission Expires Feb. 5, 20*14*



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 the Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification of any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

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 <i>Andrew Antivari</i>	2. PROJECT NAME <i>Pole Building Accessory Storage</i>
3. PROJECT LOCATION: Municipality <i>Newburgh</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>5219 Route 9w just south of the 9w & Carter Ave intersection.</i>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Construct a 24 foot x 48 foot x 16 foot high accessory building for storage</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>50.25</i> acres Ultimately <i>0.5</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>Need a rezoning for</i> <i>① height ② size and ③ ability to park 24 vehicles</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <i>33 acre lot fronts on 9w where it is commercial land area mostly wooded area and some residential on other sides.</i>	
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>N/A</i>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <i>Andrew S. Antivari</i> Date: <i>9/12/13</i> Signature: <i>[Signature]</i>	

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? If yes, coordinate the review process and use the FULL EAF.
 Yes No

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)



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

James M. PARR JR
As Administrator
TO
ANTINORI Enterprises,
Inc

SECTION 43 BLOCK 1 LOT 4

RECORD AND RETURN TO:
(name and address)

Andrew S. Antinori, Esq.
15 Arrowhead Court
Newburgh N.Y. 12550



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) | ___ 4289 MONTGOMERY (TN) |
| ___ 2001 WASHINGTONVILLE (VLG) | ___ 4201 MAYBROOK (VLG) |
| ___ 2289 CHESTER (TN) | ___ 4203 MONTGOMERY (VLG) |
| ___ 2201 CHESTER (VLG) | ___ 4205 WALDEN (VLG) |
| ___ 2489 CORNWALL (TN) | ___ 4489 MOUNT HOPE (TN) |
| ___ 2401 CORNWALL (VLG) | ___ 4401 OTISVILLE (VLG) |
| ___ 2600 CRAWFORD (TN) | ___ 4600 NEWBURGH (TN) |
| ___ 2800 DEERPARK (TN) | ___ 4800 NEW WINDSOR (TN) |
| ___ 3089 GOSHEN (TN) | ___ 5089 TUXEDO (TN) |
| ___ 3001 GOSHEN (VLG) | ___ 5001 TUXEDO PARK (VLG) |
| ___ 3003 FLORIDA (VLG) | ___ 5200 WALLKILL (TN) |
| ___ 3005 CHESTER (VLG) | ___ 5489 WARWICK (TN) |
| ___ 3200 GREENVILLE (TN) | ___ 5401 FLORIDA (VLG) |
| ___ 3489 HAMPTONBURGH (TN) | ___ 5403 GREENWOOD LAKE (VLG) |
| ___ 3401 MAYBROOK (VLG) | ___ 5405 WARWICK (VLG) |
| ___ 3689 HIGHLANDS (TN) | ___ 5600 WAWAYANDA (TN) |
| ___ 3601 HIGHLAND FALLS (VLG) | ___ 5889 WOODBURY (TN) |
| ___ 3889 MINISINK (TN) | ___ 5801 HARRIMAN (VLG) |
| ___ 3801 UNIONVILLE (VLG) | |
| ___ 4089 MONROE (TN) | |
| ___ 4001 MONROE (VLG) | |
| ___ 4003 HARRIMAN (VLG) | |
| ___ 4005 KIRYAS JOEL (VLG) | |

NO PAGES 6 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$ 300,000.00
TAX EXEMPT
Taxable
MORTGAGE AMT. \$
DATE

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

CITIES
___ 0900 MIDDLETOWN
___ 1100 NEWBURGH
___ 1300 PORT JERVIS

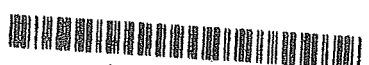
___ 9999 HOLD

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: Hall & Dale
STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, DONNA L. BENSON, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON 06/06/10 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Donna L. Benson
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY SEPTEMBER 12, 2013

RECORDED/FILED
06/06/2003/ 14:48:56
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20030082103
DEED / BK 11074 PG 1099
RECORDING FEES 98.00
2
ITX# 010278 TRANS TAX 1,200.
Receipt#123238 suemay



THIS INDENTURE, made the ²⁰⁰ day of June two thousand and three

HN 32219

BETWEEN JAMES M. PARR, JR., as Administrator de Bonis Non of the ESTATE OF JOHN G. PARR and Administrator of the ESTATE OF JAMES M. PARR, residing at 1490 Indian Springs, Pine Bush, New York 12566

party of the first part and

ANTINORI ENTERPRISES INC., having a principal place of business at 135 South Plank Road, Newburgh, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of **THREE HUNDRED THOUSAND and xx/100 (\$300,000.00) DOLLARS**, lawful money of the United States, and other valuable consideration, paid by the party of the second part, does hereby grant, convey and release unto the party of the second part, the heirs, 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, as more particularly set forth on **Schedule "A"** annexed hereto and made a part hereof.

BEING a portion of the same premises described in a deed from JOHN G. PARR and JAMES M. PARR to JOHN G. PARR and JAMES M. PARR dated March 26, 1962 and recorded in the Orange County Clerk's Office on April 4, 1962 in Liber 1613, page 760.

John G. Parr died a resident of Orange County on May 5, 1965. James M. Parr, Jr. was appointed Administrator de Bonis Non of his Estate by Surrogate's Court, Orange County, State of New York on October 31, 1991. James M. Parr died a resident of Orange County on June 26, 1987. James M. Parr, Jr. was appointed Administrator of his Estate by Surrogate's Court, Orange County on July 30, 1987.

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 line 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 the said premises have been encumbered in any way whatsoever, 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.

HILL-N-DALE ABSTRACTERS, INC.

20 SCOTCHTOWN AVENUE

P.O. BOX 547

GOSHEN, NEW YORK 10924

(845) 294-5110

FAX (845) 294-9581

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

IN PRESENCE OF:

ESTATE OF JAMES M. PARR

BY: James M. Parr Jr.
JAMES M. PARR, JR., Administrator

ESTATE OF JOHN G. PARR

BY: James M. Parr Jr.
JAMES M. PARR, JR., Administrator de Bonis Non

STATE OF NEW YORK : COUNTY OF ORANGE) ss:

On the ²⁰ day of June in the year two thousand and two before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES M. PARR, JR., 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 signatures on the instrument, the individuals, or person upon behalf of which the individual acted, executed the instrument.

Eugene J. Grillo
Notary Public
EUGENE J. GRILLO
Notary Public, State of New York
Qualified in Orange County
Commission Expires Nov. 30, 2005

ADMINISTRATOR'S DEED

=====

JAMES M. PARR, JR., EXECUTOR OF THE
OF THE ESTATE OF JAMES M. PARR

TO

ANTINORI ENTERPRISES INC.
=====

SECTION: 43
BLOCK: 1
LOT: 4
COUNTY OR CITY: Orange, Newburgh

RETURN BY MAIL TO:
ANDREW S. ANTINORI, ESQ.
Attorney at Law
15 Arrowhead Court
Newburgh, New York 12550

ALL that certain lot or parcel of land in the Town of Newburgh, Orange County, New York,

BEGINNING at a point in the middle of the "New Valley Road" leading from Newburgh to Middlehope, and in line of lands of Gilbert Bush, and runs thence along the middle of said road, north twenty-one degrees and forty-five minutes east, three hundred and seventy-three feet; thence north twenty-two degrees forty-five minutes east, three hundred and thirty-nine and five-tenths feet; thence north twenty-six degrees thirty-five minutes east one hundred and thirty-eight and fourth-tenths feet, to a point in line of Catherine A. Franklin's lands; thence north sixty-eight degrees thirty minutes west twenty-five feet to a post set on the west side of said road; thence north seventy-five degrees thirty minutes west, one hundred and seventy-five feet, to a point in a wall; thence along said wall, being along the division line between the lands of said Mrs. Franklin and the lands herein conveyed, north sixty-eight degrees forty minutes west eight hundred nine feet; thence north sixty-eight degrees west, seven hundred and forty-one feet, to the corner of two walls; thence along the lands of Andrew Bloomer, south nineteen degrees fifteen minutes west, eight hundred and forty-two feet, to the corner of two walls; thence along lands of Watson Bloomer, south sixty-eight degrees fifteen minutes east, eight hundred and fifty feet; thence along lands of said Bloomer and Gilbert Bush, south sixty-nine degrees east, eight hundred and thirty-three feet, to the place of beginning. Containing thirty-two acres and eighty-two hundredths of an acre of land.

ALSO the right to pass and repass at all times on foot, with horses, wagons, oxen and beasts of burden over a strip of land formerly occupied by J. Watson Bloomer of Abigail Bloomer, in the Town of Newburgh aforesaid, which strip of land is thirty-three feet in width, being sixteen feet and six inches on each side of a certain line which is described as follows:

BEGINNING at a point on the north side of the Newburgh and Plattekill turnpike two hundred and fifty feet south east of the gate entrance to said property and runs thence north fifty-seven degrees east, two hundred and sixty-four feet, to a rail fence, thence along the line of said rail fence, south sixty-seven degrees and thirty minutes east, five hundred and twenty-five feet, to an old stone wall; thence along the line of said old stone wall three hundred and fifty feet, to the lands of said J. Watson Bloomer and Abigail Bloomer. The said right of way is to be used in common with the owners, occupants of the land adjoining said strip of land formerly owned by J. Watson Bloomer and Abigail Bloomer, or any part thereof. The expense of making the road on said strip of land keeping the same in repair and of keeping maintaining a plain suitable fence on both sides of the same shall be borne equally between party of the second part and the owner and occupants of the land adjoining said right of way.

ALSO being described by Purchaser's engineer as follows:

ALL that piece or parcel of land, with buildings and improvements thereon, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described as follows:

BEGINNING at a point in the centerline of U.S. Route 9W, at the extension of the division line between the lands now or formerly of Wisely on the north and the parcel herein described on the south; thence, along the centerline of said U.S. Route 9W, South 41 degrees 04 minutes 15 seconds West 133.62 feet and South 34 degrees 53 minutes 12 seconds West 131.08 feet to a point; thence, leaving the centerline of U.S. Route 9W, North 58 degrees 15 minutes 00 seconds West 26.05 feet to a point in the northwesterly line of U.S. Route 9W; thence, along the last said line, the following three (3) courses,
(1) South 32 degrees 56 minutes 41 seconds West 102.23 feet,
(2) South 31 degrees 45 minutes 04 seconds West 201.61 feet and
(3) South 26 degrees 23 minutes 16 minutes West 249.56 feet to a point; thence, leaving the northwesterly line of U.S. Route 9W, South 61 degrees 23 minutes 43 seconds East 28.07 feet to a point in the centerline of U.S. Route 9W; thence, along the last said line, South 28 degrees 36 minutes 17 seconds West 47.76 feet to a point at the extension of the division line between the lands now or formerly of Piotrowski on the southwest and the parcel herein described on the northeast; thence, along the last said division line and the extension thereof, North 62 degrees 25 minutes 39 seconds West 347.71 feet and North 60 degrees 32 minutes 51 seconds West 248.13 feet to a point on the division line between the lands formerly Tourville on southwest and the parcel herein described on the northeast; thence, along the last said division line, North 62 degrees 30 minutes 43 seconds West 557.18 feet to a point on the division line between the lands now or formerly of Kahn on the southwest and the parcel herein described on the northeast; thence, along the last said division line, the following three (3) courses;
(1) North 61 degrees 05 minutes 15 seconds West 228.85 feet,
(2) North 58 degrees 41 minutes 18 seconds West 190.00 feet and
(3) North 60 degrees 21 minutes 15 seconds West 117.42 feet to a point on the division line between the lands now or formerly of Lander on the northwest and the parcel herein described on the southeast; thence, along the last said division line, North 26 degrees 16 minutes 32 seconds East 350.00 feet to a point on the division line between the lands now or formerly of Passenger on the northwest and the parcel herein described on the southwest; thence, along the last said division line, North 26 degrees 41 minutes 01 seconds East 492.28 feet to a point on the division line between the lands now or formerly of Davis on the northeast and the parcel herein described on the southwest; thence, along the last said division line, the following six (6) courses,
(1) South 61 degrees 31 minutes 33 seconds East 178.39 feet,
(2) South 58 degrees 35 minutes 24 seconds East 155.84 feet,
(3) South 63 degrees 34 minutes 58 seconds East 105.17 feet,

(4) South 60 degrees 05 minutes 02 seconds East 306.03 feet.
(5) South 62 degrees 04 minutes 43 seconds East 235.03 feet and
(6) South 60 degrees 50 minutes 33 seconds East 169.66 feet to a point on the division line between the lands now or formerly of Zocco, Inc. on the northeast, and the parcel herein described southwest; thence, along the last said division line, the following three (3) courses,

(1) South 61 degrees 36 minutes 28 seconds East 333.07 feet,
(2) South 64 degrees 00 minutes 16 seconds East 68.75 feet and
(3) South 66 degrees 41 minutes 24 seconds East 94.39 feet to a point on the division line between the aforementioned lands now or formerly of Wisley on the north and the parcel herein described on the south; thence, along the last said division line and the extension thereof, South 67 degrees 52 minutes 12 seconds East 42.66 feet and North 68 degrees 32 minutes 02 seconds East 82.64 feet to the point or place of beginning, containing 32.706 acres of land more or less.

SUBJECT TO any state of facts that may be revealed by an accurate, up to date, title abstract report.

TOGETHER WITH AND SUBJECT TO the rights to use a 33' wide strip of land as described in Liber 1613 of deeds at page 760.

SUBJECT TO that land within the bounds of U.S. Route 9W for use by the public as a public highway.

NOTE: A map entitled "Survey Map of Lands of John G. & James M. Parr" dated August 1993, by Mercurio, Norton & Tarolli, incorrectly calls out U.S. Route 9W as N.Y.S. Route 9W.



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

2379-13

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/12/2013

Application No. 13-0836

**To: Antinori Enterprises Inc
135 South Plank Rd
Newburgh, NY 12550**

**SBL: 43-1-4
ADDRESS: 5217 Route 9W**

ZONE: R-2

PLEASE TAKE NOTICE that your application dated 08/26/2013 for permit to construct a 24' x 48' x 16' pole barn on the premises located at 5217 Route 9W is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code section:

- 1) 185-15-A-4 Allows a maximum of 1000 square feet for all accessory buildings.
- 2) 185-15-A-1 Maximum allowed height is 15'
- 3) Bulk table schedule 4 Not more than 4 vehicles.


Joseph Mattina

**Cc: Town Clerk & Assessor (500')
File**

Town of Newburgh Code Compliance

OWNER INFORMATION *BUILT WITH OUT A PERMIT* NO

2379-13

NAME: ANDREW ANTINORI

ADDRESS: 135 SOUTH PLANK RD NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 24 X 48 X 16' POLE BARN @ 5217 RTE 9W NEWBURGH NY 12550

SBL: 43-1-4 ZONE: R-2

TOWN WATER: NO TOWN SEWER: NO

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	PERCENTAGE
SQUARE FOOTAGE	1000 SF	270 SF	1422 SF	422 SF	42.2%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT	15'		18'	1'	6.66%
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 2 existing accessory buildings build before zoning 10 x 12 & 10 x 15.

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 MAXIMUM TOTAL SQUARE FOOTAGE FOR ACCESSORY BUILDINGS IS 1000 S.F.
- 2 185-15-A-1 SHALL NOT EXCEED 15' IN HEIGHT
- 3 BULK TABLE SCHEDULE 4. STORAGE OF NO MORE THAN 4 VEHICLES.
- 4

REVIEWED BY: JOSEPH MATTINA

DATE: 26-Aug-13

ACCESSORY STRUCTURE SQUARE FOOTAGE BY FORMULA

PER THE TOWN OF NEWBURGH MUNICIPAL CODE SECTION 185-15(4) - ACCESSORY BUILDINGS

(4) An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

FORMULA:

$$\frac{A+(B \times C)}{100} = D$$

A - GROSS AREA OF LOT IN SQUARE FEET

B - LIVABLE FLOOR AREA OF RESIDENCE IN SQUARE FEET

C - MINIMUM REQUIREMENT IN THE ZONING DISTRICT FOR ONE SIDE YARD, IN FEET

D - TOTAL SQUARE FOOTAGE PERMITTED FOR ALL ACCESSORY BUILDINGS

$$A = \frac{1,403,276.00}{100} \text{ SF}$$

$$B = \frac{1,026.00}{100} \text{ SF}$$

$$C = 30.00 \text{ FEET}$$

$$D = \boxed{14,340.56} \text{ SF OR } 1,000 \text{ SF WHICHEVER IS LESS IS PERMITTED.}$$

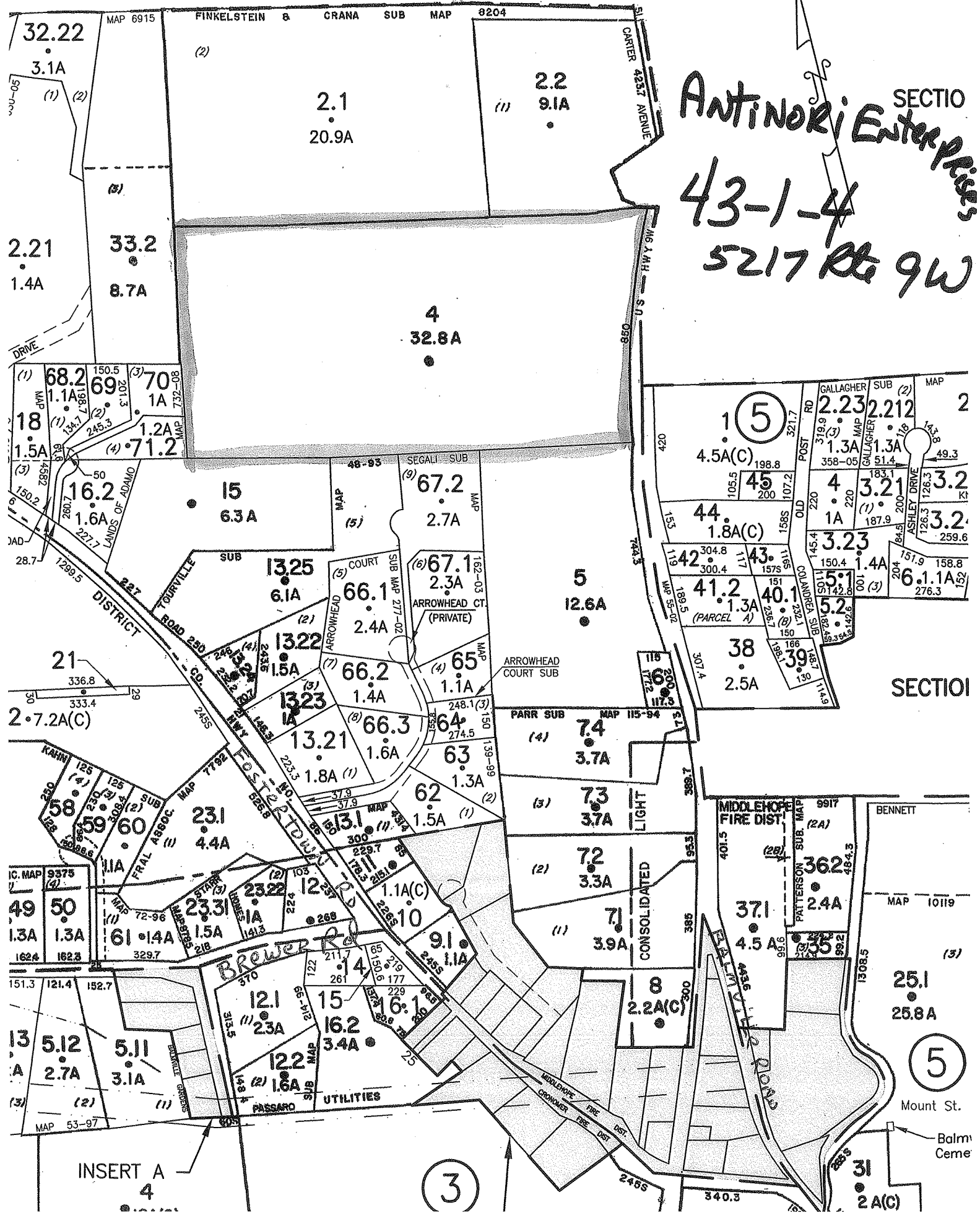
Requesting 1152 sf

Existings 230 sf

Maximum allowed sf 1000

Variance 382 S.F.

Antinori Enterprises
43-1-4
5217 RG 9W



INSERT A
4

3

5

Mount St.

Balm
Cerne

31
2 A(C)

SECTION I

SECTION