

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: 5/12/14

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

I (WE) Kevin Beuto PRESENTLY
RESIDING AT NUMBER 12 Holmes Road, Newburgh
TELEPHONE NUMBER 917-494-9432

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

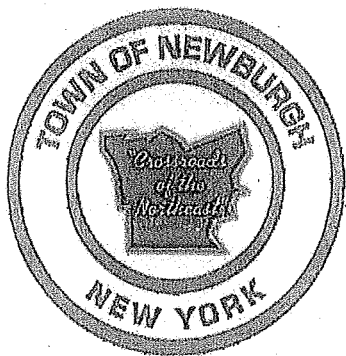
- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

20-1-3.12 (TAX MAP DESIGNATION)
12 Holmes Rd (STREET ADDRESS)
A/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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-4



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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: 5/9/14
- 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: I am over the 1000 sq. ft. limit for accessory buildings.

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:

The pool house is appropriately architectural for the style of house and color scheme.



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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:

The pool house is architectually appropriate to the main house and barns. Identical color schemes. Architectural copolla.

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:

The pool house needs to be situated by the pool.

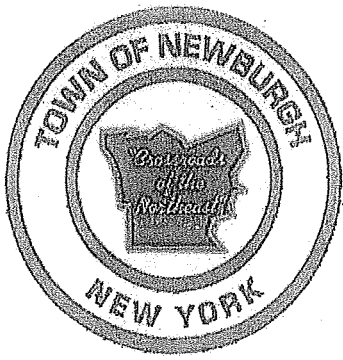
c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The existing accessory buildings already there are historic barns and predate all zoning laws and regulations.

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

Its a small poolhouse that will be hidden from view.

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



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7. ADDITIONAL REASONS (IF PERTINENT):

This is the first accessory building added to the property in over 100 years. Barns were built in 1870.

[Handwritten Signature]
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 20th DAY OF MAY 2014

[Handwritten Signature]
NOTARY PUBLIC

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01ZA4502524
Qualified in Orange County
Commission Expires Nov. 30, 2017

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.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

617.20
Appendix B
Short Environmental Assessment Form

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: Bento Pool House			
Project Location (describe, and attach a location map): 12 Holmes Rd, Newburgh 20-1-3.12			
Brief Description of Proposed Action: Add a Pool House next to existing Pool.			
Name of Applicant or Sponsor: Kevin M. Bento		Telephone: 917 494 9432	
		E-Mail: kbento@Netstream.biz	
Address: 12 Holmes Rd			
City/PO: Newburgh		State: NY	Zip Code: 12550
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.			NO YES
			✓
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:			NO YES
Town of Newburgh Building Permit			✓
3.a. Total acreage of the site of the proposed action?		4.70 acres	
b. Total acreage to be physically disturbed?		— acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		7 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 checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Kevin M. Bento</u> Date: <u>5/12/14</u> Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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.

<input type="checkbox"/> 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.	
<input type="checkbox"/> 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)



TOWN OF NEWBURGH

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CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/19/2014

Application No. 14-0226

To: Kevin Bento
12 Holmes Rd
Newburgh, NY 12550

SBL: 20-1-3.12
ADDRESS: 12 Holmes Rd

ZONE: A-R

PLEASE TAKE NOTICE that your application dated 04/21/2014 for permit to construct a 12' x 16' pool house on the premises located at 12 Holmes Rd is returned herewith and disapproved on the following grounds:

TOWN OF NEWBURGH MUNICIPAL CODE SECTION:

1) 185-15-A-4 Maximum allowed square footage for an accessory building is 1000 s.f.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: KEVIN BENTO

ADDRESS: 12 HOLMES RD NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: POOL HOUSE 12' X 16' = 192 S.F.

SBL: 20-1-3.12 ZONE: A-R

TOWN WATER: NO

TOWN SEWER: NO

	MINIMUM	EXISTING	ADDITIONAL	TOTAL ACCESSORY	VARIANCE PERCENTAGE
ACCESSORY SQUARE FT	1000 SF	2116 SF	192 SF	2308 SF	130.8%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
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 -----

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 ----- YES

FRONT YARD - 185-15-A -----

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 AN EXISTING 2116 SF ACCESSORY BUILDING.**

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 MAXIMUM ALLOWED SQUARE FOOT FOR ACCESSORY BUILDINGS IS 1000 S.F.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA

DATE: 9-May-14

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= 142,528.00 SF
 B= 4,605.00 SF
 C= 30.00 FEET
 D= 2,806.78 SF OR 1,000 SF WHICHEVER IS LESS IS PERMITTED.

① MAXIMUM 1000 SF

EXISTING	2116	Proposed	192	= 2308
				- 1000
				<u>1308 OVER</u>

130.8 OVER

~~SEAN NARD (SUMMER KING)~~



The Century Series

Century X-Frame 12' x 16'

Cream Duratemp Siding, White Trim, Black Arch Shingles Options Shown, Mini Shed
Dormer With 3 Transom Windows, 3 Transom Windows (Above Regular Windows), 2
Transom Windows (Above Doors) 2 - 30" x 36" Window Upgrades, 1 Extra 30" x 36"
Window, 3 Classic Flower Boxes, 6' Ramp, 24" Carlisle Cupola

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

Lawrence A. Granados
TO
Kevin Bento

SECTION 20 BLOCK 1 LOT 3.1



RECORD AND RETURN TO:
(name and address)

Jeffrey Otto, Esq
710 Broadway
Newburgh, NY 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 5/10/14 2
JT-0-OR1518

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- | | |
|-----------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALKKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 5801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | |
| <input type="checkbox"/> 4001 MONROE (VLG) | |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | |

NO PAGES 2 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 445,000.
TAX EXEMPT _____
Taxable
MORTGAGE AMT. \$ _____
DATE 5-10-14

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

- | |
|-------------------------------------------|
| <input type="checkbox"/> 0900 MIDDLETOWN |
| <input type="checkbox"/> 1100 NEWBURGH |
| <input type="checkbox"/> 1300 PORT JERVIS |
| <input type="checkbox"/> 9999 HOLD |

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: *Jeff Otto*

LIBER 3193 PAGE 133

LIBER 6193 PAGE 133
ORANGE COUNTY CLERKS OFFICE 10766 SLL
RECORDED/FILED 02/14/2003 09:42:01 AM
FEES 47.00 EDUCATION FUND 20.00
SERIAL NUMBER 006714 RE TAX 1780.00

JT-0-0R1518

BARGAIN AND SALE DEED

THIS INDENTURE, made the 16th Day of January, 2003

BETWEEN

LAWRENCE A. GRENADIER, residing at 12 Holmes Road, Newburgh, New York, parties of the first part, and

KEVIN BENTO, 28 Wintergreen Avenue, Newburgh, New York, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other 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 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 and State of New York, more particularly described in Schedule "A" which is annexed hereto and made a part hereof.

TOGETHER, with all right, title and interest, if any, of the parties of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the parties 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 parties of the first part covenants that the parties of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the parties of the first part, in compliance with Section 13 of the Lien Law, covenants that the parties of the first part will receive the consideration for his conveyance and will hold the right to receive such consideration as a trust fund to be applied 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.

BEING AND INTENDED TO BE the same premises which were conveyed to LAWRENCE A. GRENADIER AND REBECCA A. MARTIN by a certain deed dated February 29, 2000 from James V. DiLorenzo and Bonnie C. DiLorenzo his wife, which deed was thereafter recorded in the Office of the Orange County Clerk on March 6, 2000 in Liber 5254 of Deeds at Page 251

SCHEDULE "A"

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 designated as Lot No. 1 on a certain map entitled, "Lands of Gerard G. Maier and Esther Maier", Holmes Road, Town of Newburgh, Orange County, New York, prepared by Vincent J. Doce, PLS, dated March 29, 1982, revised April 8, 1982 and May 14, 1982 and filed in the Office of the Orange County Clerk as Filed Map No. 5924, being bounded and described as follows:

BEGINNING at a point on the northwesterly line of the existing Holmes Road, said point being North 46 degrees 21' 19" East 310.96 feet from the intersection of said northwesterly line of Holmes Road with the division line between the lands now or formerly of Root (reputed owner) on the South and the land now or formerly of Maier (reputed owner) on the North;

THENCE, from said point of beginning and through the lands of the grantor herein, North 69 degrees 07' 02" West 467.56 feet to a point in the centerline of said brook;

THENCE RUNNING generally along the centerline of said brook and still through the lands of the grantor herein, the following two (2) courses, North 17 degrees 04' 07" East 162.65 feet and North 16 degrees 30' 47" East 98.82 feet to a point;

THENCE leaving the center of said brook and still through the lands of the grantor herein, the following six (6) courses,

1. South 72 degrees 10' 31" East 196.23 feet to a point;
2. South 45 degrees 56' 51" East 71.35 feet to a point;
3. South 21 degrees 13' 32" East 63.68 feet to a point;
4. South 48 degrees 59' 08" East 89.65 feet to a point;
5. South 70 degrees 36' 39" East 57.25 feet to a point; and
6. South 78 degrees 28' 45" East 131.59 feet to a point on the aforementioned northwesterly line of Holmes Road;

THENCE, along the last mentioned line, South 46 degrees 21' 19" West 208.26 feet to the point or place of BEGINNING.

BEING also the same premises which were thereafter conveyed by Lawrence A. Grenadier and Rebecca A. Martin to Lawrence A. Grenadier by deed dated the 6th day of January, 2003 intended to be recorded simultaneously herewith.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

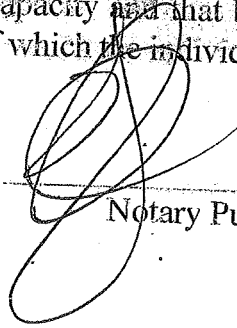
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


LAWRENCE A. GRENADIER

STATE OF NEW YORK, COUNTY OF ORANGE

On the 16th day of January, 2003 before me, the undersigned, personally appeared LAWRENCE A. GRENADIER, 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 me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

HOWARD ALAN KAVE
NOTARY PUBLIC - STATE OF NEW YORK
#4745459
QUALIFIED IN ORANGE COUNTY
MY COMM. EXPIRES MAY 31, 2003


Notary Public

