

Prior Built's  
A & B



Steven M. Neuhaus  
County Executive

Orange County Department of Planning  
Submittal Form for Mandatory Review of Local Planning Action  
as per NYS General Municipal Law §239-l,m, & n

Referral ID#:  
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from 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:  
Local Referring Board:  
Applicant:  
Project Name:  
Location of Project Site

Town of Newburgh  
Zoning Board of Appeals  
Nancy DePalma / Mike DePalma  
10 HAANS COURT  
WALKILL

Tax Map #: 2-3-34  
Tax Map #:  
Tax Map #:  
Local File No.:  
Size of Parcel\*: 54.3 acres  
\*If more than one parcel, please include sum of all parcels.

Reason for County Review:  
Within 500 FT Route 32

Current Zoning District (include any overlays): R/R

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) ~~TWO ADJACENT BUILTS & R~~ MAX. 50 FT G.E. ACCESS STRUCTURES / MAX FOUR VEHICLE STORAGE & ALSO (B) NOTE CLOSER TO FRONTING ST THAN MAIN DWELLING
- Other

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

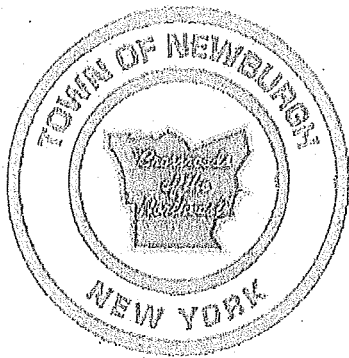
Local board comments or elaboration:

Grace Cardone 4/8/15  
Signature of local official Date Chairperson Zoning Board of Appeals 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. Goshen, NY 10924  
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com



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: 04/07/15

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

I (WE) Mike DePalma, Nancy DePalma <sup>RBM</sup> PRESENTLY

RESIDING AT NUMBER 10 Haans CT Newburgh, NY 12550

TELEPHONE NUMBER 845-774-5820

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:

2-3-34 (TAX MAP DESIGNATION)

10 Haans CT (STREET ADDRESS)

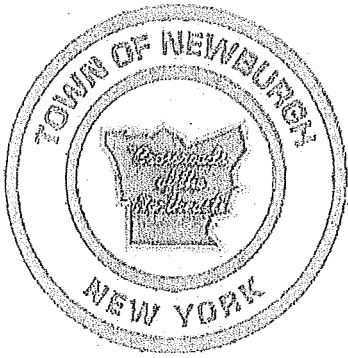
RR (ZONING DISTRICT)

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  
Bulk table schedule 1

2491-15  
PRION BUILT REAR YD

1  
A



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

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: 04/06/15
- 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: additional 600sf for accessory building, 3 additional vehicles to be stored

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:

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

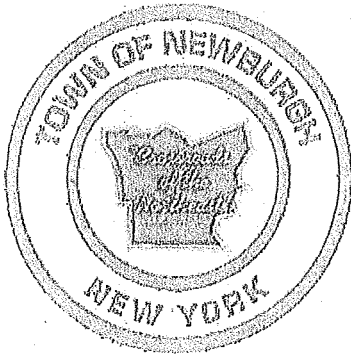
**(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)**

- 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:

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



# TOWN OF NEWBURGH

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ZONING BOARD OF APPEALS

OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

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

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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 structure is existing, the lot is 54 acres, It is not visible from neighbors lots.

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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:

Most of the lot is NYS wetland NB-7 and associated buffer, with house, septic system there is limited buildable area

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c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The building is small compared to lot area (less than 0.1%)

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

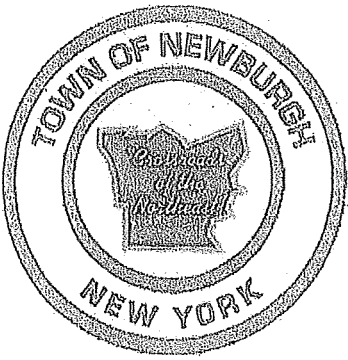
The building is existing and in character with the house

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

The building is for storage of tool & equipment, not intended to be a garage

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# TOWN OF NEWBURGH

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

7. ADDITIONAL REASONS (IF PERTINENT):

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

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

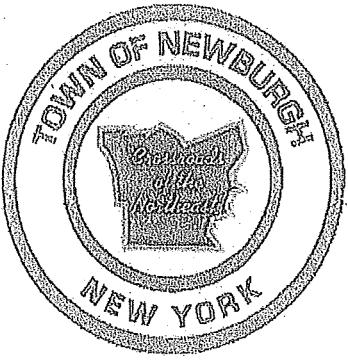
SWORN TO THIS 13 DAY OF February 20 15

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

**ERNESTINE N. PICONE**  
Notary Public - State of New York  
No. 01-PI6213217  
Qualified in Ulster County  
My Commission Exp. 11/02/2017

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)



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

## PROXY

Nancy DePalma, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 74 Fletcher St Goshen NY 10924

IN THE COUNTY OF Orange AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF 10 Haans CT

Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Mike DePalma and Talcott Engineering

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 2/13/15 Nancy DePalma

OWNER'S SIGNATURE

Karen Staudice

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 13 DAY OF February 20 15

Ernestine N. Picone

NOTARY PUBLIC

ERNESTINE N. PICONE  
Notary Public - State of New York  
No. 01-P16213217  
Qualified in Ulster County  
My Commission Exp. 11/02/2017

617.20  
Appendix B  
Short Environmental Assessment Form

Instructions for Completing

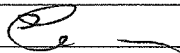
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: DePalma			
Project Location (describe, and attach a location map): 10 Haans Ct, Newburgh, NY 12550			
Brief Description of Proposed Action: variance to retain two existing 1,600sf sheds(Barns)			
Name of Applicant or Sponsor: Mike Depalma		Telephone: 845-774-5820	
		E-Mail:	
Address: 10 Haans ct			
City/PO: Wallkill		State: NY	Zip Code: 12589
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 <input type="checkbox"/>	YES <input checked="" 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: Douglas Gaugler Biologist 1 – Bureau of Habitat email dated 04/02/15		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		54 acres	
b. Total acreage to be physically disturbed?		<1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		54 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>wetland</u> <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A		
	<input checked="" type="checkbox"/>	<input 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?				
			NO	YES	
			<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: _____					
			NO	YES	
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?					
			NO	YES	
			<input checked="" 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"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?					
			<input checked="" 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: _____					
			NO	YES	
			<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ N/A					
			NO	YES	
			<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: _____ N/A					
			NO	YES	
			<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?					
			NO	YES	
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?					
			<input checked="" 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?					
			NO	YES	
			<input type="checkbox"/>	<input checked="" 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: _____ DEC NB:7 WETLAND					
			<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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?				NO	YES
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?				NO	YES
			<input checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES				NO	YES
			<input checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES					



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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Charles T Brown</u>		Date: <u>04/07/15</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?	<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"/>

	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?	<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"/>

**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)

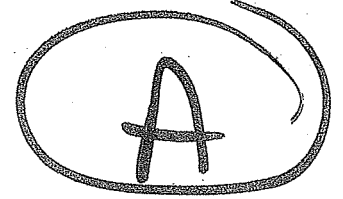
**PRINT**



**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

**2491-15**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 04/06/2015**

**Application No. 15-0077**

**To: Nancy DePalma  
74 Fletcher St  
Goshen, NY 10924**

**SBL: 2-3-34  
ADDRESS: 10 Haans Ct**

**ZONE: RR**

**PLEASE TAKE NOTICE** that your application dated 02/05/2015 for permit to keep a prior built 40' x 20' x 15' rear yard accessory building on the premises located at 10 Haans Ct is returned herewith and disapproved on the following grounds:

**Town of Newburgh Municipal Code:**

- 1) 185-15-A-4** The maximum allowed square footage of an accessory building is 1000 sf. per the formula.
- 2) Bulk table schedule 1** Allows the storage of 4 vehicles maximum per lot.

  
**Joseph Mattina**

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

# Town of Newburgh Code Compliance

A

OWNER INFORMATION *BUILT WITH OUT A PERMIT*  YES

NAME: NANCY DEPALMA

2491-15

ADDRESS: 74 FLETCHER DR. GOSHEN NY 10924

PROJECT INFORMATION: APPLICATION # 15-0077

TYPE OF STRUCTURE: PRIOR BUILT ACC. STRUCTURE @ 10 HAANS CT.

SBL: 2-3-34 ZONE: R/R

TOWN WATER: YES /  NO TOWN SEWER: YES /  NO

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
ACCESSORY SQUARE FEET	1000 SF	1600 SF		600 SF	60.0%
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 YES / NO

**ACCESSORY STRUCTURE:**  
 GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4  YES / NO  
 FRONT YARD - 185-15-B 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) PRIOR BUILT 40' X 20' ACCESSORY BUILDINGS**  
*( 4 in dwelling and 3 in each accessory building )*

- VARIANCE(S) REQUIRED:**
- 1 185-15-A-4 Maximum allowed is 1000 square feet based on the formula
  - 2 Bulk table schedule 1 Allows the storage of 4 vehicles maximum.
  - 3 \_\_\_\_\_
  - 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 2-Apr-15

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

Waywanda Enterprise, Inc  
TO  
Nancy A. DePalma

SECTION 2 BLOCK 3 LOT 34



RECORD AND RETURN TO: (name and address)

Paul Brite, Esq.  
1661 Rte 300  
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

INSTRUMENT TYPE: DEED ✓ MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN)
2003 SO. BLOOMING GROVE (VLG)
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) 5809 WOODBURY (VLG)
4089 MONROE (TN)
4001 MONROE (VLG) 0900 MIDDLETOWN
4003 HARRIMAN (VLG) 1100 NEWBURGH
4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS
9999 HOLD

NO PAGES 7 CROSS REF. \_\_\_\_\_
CERT. COPY \_\_\_\_\_ ADD'L X-REF. \_\_\_\_\_
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_

PAYMENT TYPE: CHECK ✓
CASH \_\_\_\_\_
CHARGE \_\_\_\_\_
NO FEE \_\_\_\_\_

Taxable CONSIDERATION \$ 150,000
TAX EXEMPT \_\_\_\_\_
Taxable MORTGAGE AMT. \$ \_\_\_\_\_

MORTGAGE TAX TYPE:
(A) COMMERCIAL/FULL 1%
(B) 1 OR 2 FAMILY
(C) UNDER \$10,000
(D) EXEMPT
(E) 3 TO 6 UNITS
(F) NAT.PERSON/CR. UNION
(G) NAT.PER-CR.UN/1 OR 2
(H) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From Ann Y Little

RECORDED/FILED
09/23/2009/ 09:41:24
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20090093432
DEED C / BK 12901 PG 0519
RECORDING FEES 300.00
TTX# 001130 T TAX 600.00
Receipt#1078097 Juls

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, ANN G. RABBITT, 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 09-23-2009 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt 02-13-2015
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY



Form 8002 (3/00) - Bargain and Sale Deed, with Covenants against Grantor's Acts - Individual or Corporation. (Single sheet)  
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

**THIS INDENTURE**, made the 11th day of September, 2009 and  
**BETWEEN**

Waywanda Enterprise, Inc. A New York Corporation  
4932 Route 17M  
New Hampton, NY 10958

party of the first part, and

Nancy A. DePalma  
74 Fletcher St  
Goshen, NY 10924

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

SEE ATTACHED LEGAL DESCRIPTION

Being and intended to be the same premises conveyed to Waywanda Enterprise Inc., A New York Corporation, who acquired title by deed made by KWP Financial IX, Inc. dated 7/27/2004 and recorded 9/27/2004 in Liber 11626 Page 455 in the Orange County Clerk's office.

**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 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.

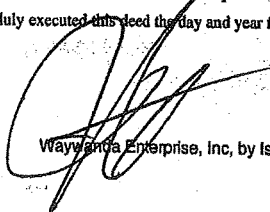
**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party 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.

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

IN PRESENCE OF:

  
Waywanda Enterprise, Inc. by Ishlaq H. Raja Authorized Signatory

**Acknowledgement taken in New York State**

State of New York, County of Orange, ss:

On the 11th day of September, in the year 2009, before me, the undersigned, personally appeared Ishtiaq H. Faja personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

*Jacquelyn Vance-Pauls*  
**JACQUELYNN VANCE-PAULS**  
Notary Public, State of New York  
No. 02VA6076488  
Orange Co. Exp June 24 2010

**Acknowledgement by Subscribing Witness taken in New York State**

State of New York, County of \_\_\_\_\_, ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who being by me duly sworn, did depose and say, that he/she/they reside(s) in \_\_\_\_\_

that he/she/they know(s) to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

Title No.: ANY2009-6094S

Waywanda Enterprise, Inc

TO

Nancy A. DePalma

Distributed By:

And  
**stewart**  
title insurance company



RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

**Acknowledgement taken in New York State**

State of New York, County of \_\_\_\_\_, ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

**Acknowledgement taken outside New York State**

\*State of \_\_\_\_\_, County of \_\_\_\_\_, ss:  
\*(or Insert District of Columbia, Territory, Possession or Foreign Country)

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the \_\_\_\_\_

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

DISTRICT  
SECTION 2  
BLOCK 3  
LOT 34  
COUNTY OR TOWN Town of Newburgh

**RETURN BY MAIL TO:**

Paul Brite, Esq.  
1881 Route 300  
Newburgh, NY 12550  
Zip No. 12550

**ALL NEW YORK TITLE AGENCY, INC.**

**Title No. ANY2009-6094S**

**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, which parcel is known and designated as Lot No. 4 shown on a certain map entitled, "Survey & Subdivision of Lands of Waywanda Enterprise, Inc." dated June 2004 prepared by Mercurio-Norton-Tarolli Land Surveying-Engineering, P.C., which was filed in the Orange County Clerk's Office on September 28, 2005 as Map No. 732-05.

**FOR  
CONVEYANCING  
ONLY**

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.



# MERCURIO - NORTON - TAROLLI

*Land Surveying - Engineering, P.C.*

45 Main Street

P. O. Box 166 Pine Bush, New York 12566

845-744-3820 FAX: 845-744-3805

Alphonse Mercurio, L.S.  
William G. Norton, L.S. (NY & PA)

E-Mail: mntpc@frontiernet.net

John Tarolli, P.E., L.S.  
Kenneth W. Vriesema, L.S.

August 12, 2009

## DEED DESCRIPTION

### LOT 4

### LANDS OF WAYWANDA ENTERPRISE, INC.

ALL THAT LAND, situate in the Town of Newburgh, Orange County, New York State, known and designated as Lot 4 on a map entitled, "Survey & Subdivision of Lands of Waywanda Enterprise, Inc", filed in the Orange County Clerk's Office as Map No. 732-05, bound and described as follows:

BEGINNING at a point in the bed of Haans Court, a private road, at the common corner of lots 2, 3, 4 and 5 as shown on filed map 732-05;

THENCE along the division line between lots 4 and 5, the following courses, namely:

- 1) South Nineteen Degrees, Thirty-Seven Minutes, Twenty-Six Seconds East, Fifty and Zero Hundredths Feet (S 19°37'26" E 50.00'),
- 2) South Ten Degrees, Twenty-Two Minutes, Thirty-Four Seconds West, Two Hundred Twelve and Forty-Six Hundredths Feet (S 10°22'34" W 212.46'),
- 3) South Fifty-Five Degrees, Twenty-Five Minutes, Five Seconds East, One Hundred Ninety-One and Twenty-Seven Hundredths Feet (S 55°25'05" E 191.27'),
- 4) North Sixty-Four Degrees, Thirty-Four Minutes, Fifty-One Seconds East, One Hundred Sixty-Five and Forty-Eight Hundredths Feet (N 64°34'51" E, 165.48') to a set 5/8" iron rod, and
- 5) North Seventeen Degrees, Fifty Minutes, Thirty-Seven Seconds East, Two Hundred Forty-Two and Two Hundredths Feet (N 17°50'37" E 242.02') to a set 5/8" iron rod;

THENCE along the lands of Daniel P. Johns, Deed Reference Liber 4787, Page 55, South Seventy-Two Degrees, Nine Minutes, Twenty-Three Seconds East, Ninety-Five and Eighty-Four Hundredths Feet (S 72°09'23" E 95.84');

*Land Surveying - Sewer System Design - Subdivisions*

THENCE along the lands of Romeo Remigio, Jr., Deed Reference Liber 11303, Page 1928, South Eighty-Three Degrees, Three Minutes, Twenty Seconds East, Five Hundred Twenty-Seven and Fifty-Two Hundredths Feet (S 83°03'20" E 527.52');

THENCE along the lands of Thomas Ray & Sharon E. Galvin, Deed Reference Liber 2181, Page 1149, and generally along the center of a stonewall, South Seventy-Three Degrees, Nine Minutes, Fifty Seconds East, One Thousand Fifty-Eight and One Hundredths Feet (S 73°09'50" E 1,058.01');

TEHNCE along the lands of Jill E. Bennett, Deed Reference Liber 4696, Page 31, and along the center of a stonewall, South Seven Degrees, Forty-Seven Minutes, Thirty Seconds West, One Hundred Two and Sixty-Three Hundredths Feet (S 07°47'30" W 102.63');

THENCE along the lands of Joseph S. Williams, Deed Reference Liber 5696, Page 171, and generally along the center of a stonewall, South Seven Degrees, Forty-Seven Minutes, Thirty Seconds West, One Hundred Fifty-Eight and Fifty-One Hundredths Feet (S 07°47'30" W 158.51');

THENCE along the lands of Atlantic Builders, Ltd., Deed Reference Liber 2597, Page 119, along other lands of Atlantic Builders, Ltd., Deed Reference Liber 3725, Page 252, and generally along the center of a stonewall for most of the way, South Seven Degrees, Forty-Seven Minutes, Thirty Seconds West, One Hundred Sixty-Nine and Thirty-Five Hundredths Feet (S 07°47'30" W 169.35'), North Fifty-Five Degrees, Fifty-Three Minutes, Forty-Six Seconds West, Sixty-One and Ninety Hundredths Feet (N 55°53'46" W 61.90') to a 42" white oak stump in a stonewall corner, and South Thirty-Six Degrees, Seven Minutes, Seventeen Seconds West, One Thousand One Hundred Three and Thirty-One Hundredths Feet (S 36°07' 17" W 1,103.31') to a point in a stonewall, being South Seventy-Four Degrees, Forty-Nine Minutes, Three Seconds West, Thirteen and Ninety-Four Hundredths Feet (S 74°49'03" W 13.94') from a set stone on end in a stonewall intersection;

THENCE along the lands of Joseph Todaro, Deed Reference Liber 2264, Page 140, South Seventy-Two Degrees, Fifty-Five Minutes, Thirty-Eight Seconds West, Four Hundred Ninety-Eight and Forty-Three Hundredths Feet (S 72°55'38" W 498.43');

THENCE along the lands of George J. A. & Henrietta N. Soucho, Deed Reference Liber 1761, Page 890, North Twenty Degrees, Eight Minutes, Thirty Seconds East, Three Hundred Forty-Three and Twenty Hundredths Feet (N 20°08'30" E 343.20') and North Eighty-Three Degrees, Fifty-One Minutes, Thirty-Three Seconds West, Eight Hundred Eleven and Eighty Hundredths Feet (N 83°51'33" W 811.80');

THENCE along the lands now or formerly of CNC Associates, Inc. Deed Reference Liber 11039, Page 6269, and generally along the center of a stonewall, North Sixteen Degrees, Forty-Eight Minutes, Forty-Seven Seconds West, Six Hundred Thirty-Two and Fifty-Eight Hundredths Feet (N 16°48'47" W 632.58') to a set 5/8" iron rod;

THENCE along the division line between lots 1 and 4, North Eighty-Two Degrees, Fifty-Nine Minutes, Fifty-Nine Seconds East, Two Hundred Eighty-One and Seventy-Eight Hundredths Feet (N 82°59'59" E 281.78'), North Thirteen Degrees, Zero Minutes, Fifty-Four Seconds East, Three Hundred Five and Sixty-Nine Hundredths Feet (N 13°00'54" E 305.69') to a set 5/8" iron rod, and North Fifty-Three Degrees, Fifty-One Minutes, Fifty-Seven Seconds West, One Hundred Fifty-Seven and Five Hundredths Feet (N 53°51'57" W 157.05');

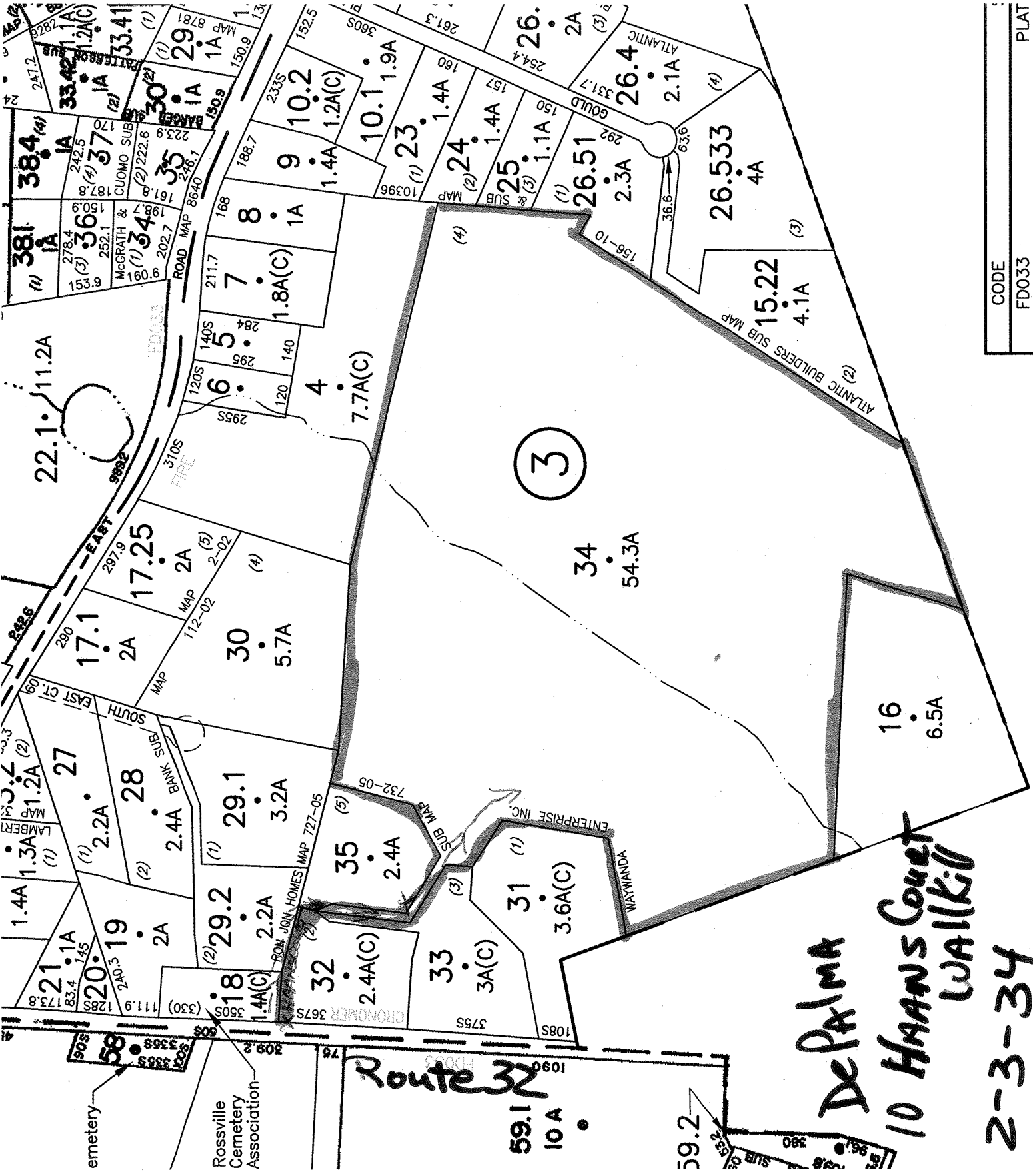
THENCE along the division line between lots 3 and 4, North Seven Degrees, Nine Minutes, Twenty-One Seconds East, Seventy-Six and Thirty-Six Hundredths Feet (N 07°09'21" E 76.36'), North Fifty-Five Degrees, Twenty-Five Minutes, Five Seconds West, One Hundred Ninety-Three and One Hundredths Feet (N 55°25'05" W 193.01'), North Ten Degrees, Twenty-Two Minutes, Thirty-Four Seconds East, Two Hundred Seventy-One and Ninety-Three Hundredths Feet (N 10°22'34" E 271.93') to the point of beginning.

CONTAINING 54.268 acres of land as surveyed by Mercurio-Norton-Tarolli, Land Surveying-Engineering, P.C., 45 Main Street, Pine Bush, New York 12566. Bearings refer to magnetic north of May 2004.

SUBJECT to all notes and details as shown on filed map number 732-05.

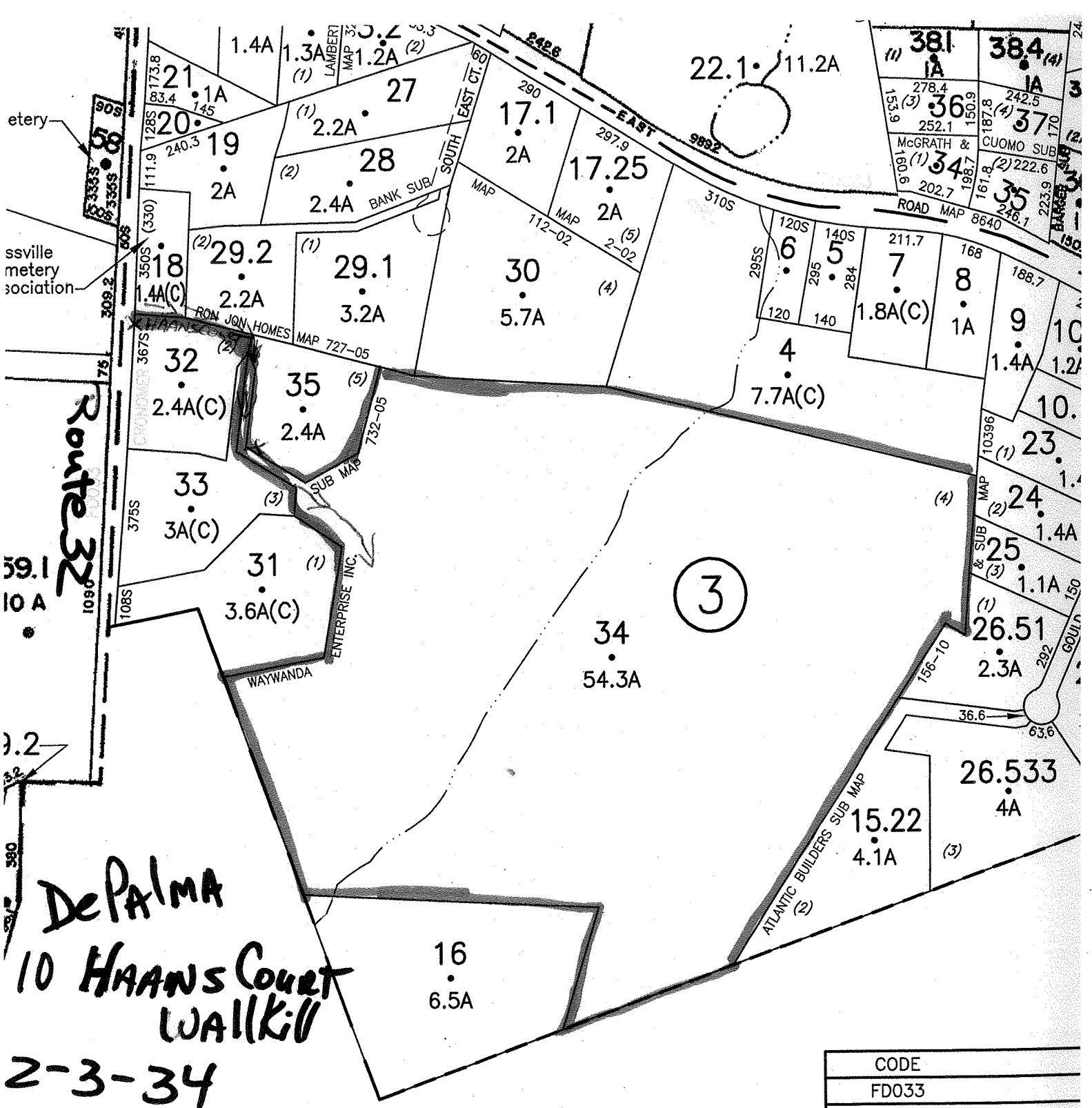
SUBJECT to the rights of the other lots in the subdivision to that portion of land shown as a private road on the above described filed map.

TOGETHER with the right to use the private road as shown on the above described filed map.

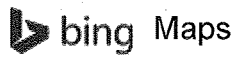


**DePalma**  
**10 Haans Court**  
**Walkin**  
**2-3-34**


CODE	PLAT
FD033	
FD033	



CODE
FD033
DD000



My Notes

 On the go? Use [m.bing.com](http://m.bing.com) to find maps, directions, businesses, and more

