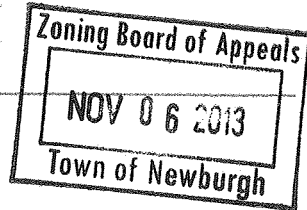


TOWN OF NEWBURGH

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: 11/5/13

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

GKD PROPERTIES, LLC, C/O GEORGE KEYER
AND DOMINIC DIMINO
I (WE) _____ PRESENTLY

RESIDING AT NUMBER 26 ADAMS DRIVE, MONTGOMERY, NEW YORK 12549

TELEPHONE NUMBER 845-527-2512

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:

S/B/L: 12 - 1 - 6 (TAX MAP DESIGNATION)

20 BAUER LANE (STREET ADDRESS)

AR (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 (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

SECTION 185 ATTACHMENT 6 COLUMN D USE 13

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: _____
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: OCTOBER 21, 2013

4. DESCRIPTION OF VARIANCE SOUGHT: AREA VARIANCES FOR NON-CONFORMING LOT AREA, LOT WIDTH, FRONT YARD, SIDE YARD, AND COMBINED SIDE YARD SETBACKS FOR EXISTING STRUCTURE ON EXISTING LOT.

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

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

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

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

6. IF AN AREA VARIANCE IS REQUESTED:

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

ALL STRUCTURES ARE EXISTING AND NO ADDITIONAL CONSTRUCTION IS PROPOSED. THE BUILDING HISTORICALLY BEEN USED AS A TWO FAMILY RESIDENCE AND IS BEING TAXED BY THE TOWN AND COUNTY AS SUCH.

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 LOT AND BUILDING ARE EXISTING, THE APPLICANT DOES NOT OWN ANY ADJOINING PROPERTY, AND ALL ADJACENT PROPERTY IS DEVELOPED.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

THE PROPERTY HAS BEEN PREVIOUSLY USED AS A TWO FAMILY RESIDENCE BY THE PREVIOUS OWNER. AT TIME OF PURCHASE THE OWNER HAD A TITLE SEARCH CONDUCTED AND THIS ISSUE DID NOT COME UP.

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, HAS BEEN USED AS A TWO FAMILY RESIDENCE, AND NO ADDITIONAL IMPERVIOUS AREAS WILL BE CREATED.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

THE PROPERTY WAS USED AS A TWO FAMILY RESIDENCE BY THE PREVIOUS OWNER, THE CURRENT OWNER IS BEING TAXED BY THE TOWN AND COUNTY AS TWO FAMILY RESIDENCE, AND THE ISSUE DID NOT ARISE FROM THE TOWN OF NEWBURGH WHEN THE TITLE SEARCH WAS CONDUCTED.

7. ADDITIONAL REASONS (IF PERTINENT):


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30th DAY OF October 20 13


NOTARY PUBLIC

RYAN COAKLEY
Notary Public - State of New York
No. 01CO6285398
Qualified in Orange County
Commission Expires July 08, 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.

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

DOMINIC DIMINO AND GEORGE KEYER, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 26 ADAMS DRIVE, MONTGOMERY, NEW YORK 12549

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

20 BAUER LANE (S/B/L: 12 - 1 - 6)

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED JONATHAN CELLA, P.E.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

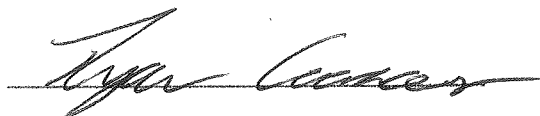
DATED: 10/30/13


OWNER'S SIGNATURE


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30th DAY OF October 20 13



NOTARY PUBLIC

RYAN COAKLEY
Notary Public - State of New York
No. 01CO6285398
Qualified in Orange County
My Commission Expires July 08, 2017

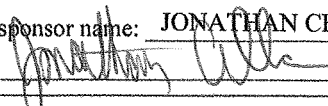
617.20
Appendix B
Short Environmental Assessment Form

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				
GKD PROPERTIES, LLC				
Name of Action or Project:				
TWO FAMILY RESIDENCE FOR GKD PROPERTIES				
Project Location (describe, and attach a location map):				
20 BAUER LAN (S/B/L: 12 - 1 - 6)				
Brief Description of Proposed Action:				
OBTAIN SITE PLAN APPROVAL FOR TWO FAMILY RESIDENCE OF EXISTING STRUCTURE LOCATED AT 20 BAUER LANE. THE ONLY CONSTRUCTION ASSOCIATED WITH THE APPLICATION IS REPLACEMENT OF THE EXISTING SEPTIC TANK. THE SUBJECT RESIDENCE HAS HISTORICALLY BEEN USED AND TAXED AS A TWO FAMILY RESIDENCE.				
Name of Applicant or Sponsor: GKD PROPERTIES, LLC C/O GEORGE KEYER AND DOMINIC DIMINO		Telephone: 845-527-2512		
		E-Mail: gkeyer42@gmail.com		
Address:				
26 ADAMS DRIVE				
City/PO:		State:	Zip Code:	
MONTGOMERY		NEW YORK	12549	
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
			X	
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: THE ACTION REQUIRES TOWN ZBA APPROVAL FOR SEVERAL AREA VARIANCES AND TOWN PLANNING BOARD APPROVAL FOR SITE PLAN. NO GOVERNMENT FUNDING IS REQUIRED.			NO	YES
				X
3.a. Total acreage of the site of the proposed action?		0.69	acres	
b. Total acreage to be physically disturbed?		0	acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.69	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 checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

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
	X	
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
	X	
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
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: JONATHAN CELLA, P.E.		Date: 11/01/2013
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)

November 1, 2013

To: Town of Newburgh Zoning Board of Appeals
Grace Cardone, Chairperson, and Members of the Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

Re.: Letter of Transmittal
**Site Plan for Two Family Residence for
G.K.D. Properties, LLC**
20 Bauer Lane (S/B/L: 12-1-6)
Town of Newburgh, Orange County, New York

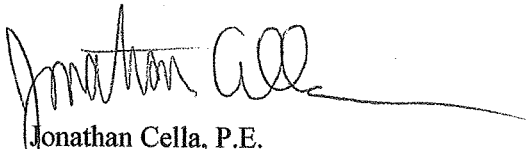
Dear Chairperson Cardone and ZBA Members:

For the above referenced project please find:

1. 1 copy of the Town Zoning Board of Appeals Application
2. 1 copy of referral letter from the Town of Newburgh Planning Board dated 10/21/2013
3. 1 copy of the Short Form Environmental Assessment Form
4. 1 copy of original deed
5. 11 copies of cover letter to the Town ZBA dated November 1, 2013
6. 11 copies of backup documentation
7. 11 copies of color photographs of the subject property
8. 11 copies of project plans last revised 10/30/2013
9. Fees for the Zoning Board of Appeals

NX
At this time we respectfully request that this item be placed on the next available agenda for the Town of Newburgh Zoning Board of Appeals. Please do not hesitate to contact me with any questions or concerns related to this matter.

Sincerely:



Jonathan Cella, P.E.

Project Engineer

42 Hickory Drive

Campbell Hall, New York 10916

jonathancellia@hotmail.com

845-741-0363

November 1, 2013

Town of Newburgh Zoning Board of Appeals
Grace Cardone, Chairperson, and ZBA Members
308 Gardnertown Road
Newburgh, New York 12550

Re: **Two Family Residence for
G.K.D. Properties, L.L.C.**
20 Bauer Lane (S/B/L: 12-1-6)
Town of Newburgh, Orange County, New York

Dear Chairperson Cardone and ZBA Members:

At the request of the applicant, please find a full submission to the Zoning Board of Appeals including:

- Town of Newburgh Zoning Board of Appeals Application
- Referral from the Town of Newburgh Planning Board
- Short Form Environmental Assessment Form
- Property photographs
- Supportive documents
- Project plans

The proposed project is for site plan approval from the Town of Newburgh Planning Board for a two family residence. This property is zoned AR, approximately 30,000 square feet in area, and contains an existing two family residence, a detached garage, and driveways. Bauer Lane is a Town road off of New York State Route 32 just west of the Leptondale Deli and approximately ¼ mile east of Quaker Street. Bauer Lane is a public road that contains approximately 15 residences and the subject and adjoining properties are serviced by individual wells for water supply and individual septic systems for sewage disposal.

Historically the subject property has been occupied as a two family property and rented out to tenants by the previous owner. The current owners purchased the property November 28, 2012. In the present and at the time of purchase the property has been taxed by the Town of Newburgh and Orange County as a two family residence. Also, at the time of purchase the Town reported to the current owners' abstract company that there were no outstanding violations on this property.

Upon the owners' attempt to refinance the property a second title search was conducted and in letter dated August 5, 2013 issued by the Town it was stated that the residence should be a one family residence. Since this issue was raised this application has been before the Town Planning Board for site plan approval of a two family residence and received a referral to the Town ZBA for required area variances for non-conforming bulk requirements for this use in the AR zoning district. The required variances include:

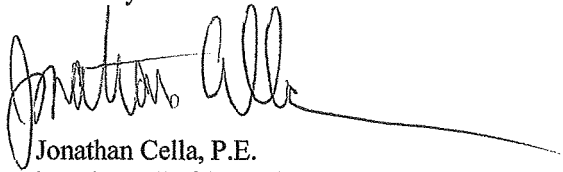
	REQUIRED	PROVIDED
LOT AREA (SQURE FEET)	100,000 S.F.	30,000 S.F.
LOT WIDTH (FEET)	200'	150'
FRONT YARD	50'	23.3'
1 SIDE YARD (FEET)	30'	14.7'
BOTH SIDE YARDS (FEET)	80'	42.2'

November 1, 2013
**Two Family Residence for
G.K.D. Properties, L.L.C.**
20 Bauer Lane (S/B/L: 12-1-6)
Page 2 of 2

As all structures on this property are existing, there is no additional construction of impervious areas or expansion of buildings, the residence has been occupied as a two family residence since before the prior owner taking control of the property, and the owners have been and are being taxed for a two family residence, we feel that the requested variances are minor in nature and that granting will have no adverse effects on the adjoining properties. This application has been presented to the Town Planning Board in October 2013, at which time it received a referral to the Town Zoning Board of Appeals for the previously mentioned area variances.

At this time we respectfully request that the ZBA review the submitted material and place this application on the next available ZBA agenda. Please do not hesitate to contact myself or the applicant with any questions or concerns related to this matter.

Sincerely:

A handwritten signature in black ink, appearing to read "Jonathan Cella", with a long horizontal line extending to the right from the end of the signature.

Jonathan Cella, P.E.
jonathancella@hotmail.com
845-741-0363

TOWN OF NEWBURGH

Crossroads of the Northeast

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

CODE COMPLIANCE DEPT.
TELEPHONE 845-564-7801
FAX LINE 845-564-7802

09/11/2012

C.T.I ABSTRACT CORP
176 MAIN STREET
GOSHEN, NY 10924
TITLE # 2121253

LOCATION: 20 BAUER LANE
SEC-BLK-LOT: 12-1-6.0-0
OWNER: CHRISTINA BURRELL
SUBJECT: CO, ROAD & VIOLATIONS

To Whom It May Concern:

This letter is in answer to your inquiry regarding the above-mentioned property.

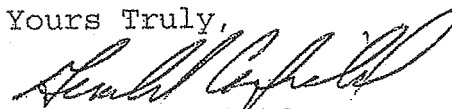
Our files indicate that the above-mentioned structure was built prior to the Town adopting the Zoning Ordinance in 1956. Therefore, there is no Certificate of Occupancy for this structure nor is one required.

Please be advised that the above-mentioned road is a PUBLIC road.

In checking our files, we find no record of any open violations on this property. No inspection of the premises has been performed and the statement concerning our records should not be relied upon as meaning no violation in fact exists.

Enclosed is a Certificate of Occupancy for an Enclosed Porch. The Unfinished Basement is part of the original construction.

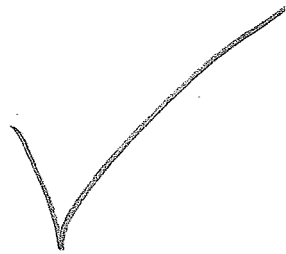
Yours Truly,



Gerald Canfield
Code Compliance Department

GC:ams
Ref:12-322

Town of Newburgh
Code Compliance Department
308 Gardnertown Road
Newburgh, NY 12550
(845) 564-7801



08/05/2013

~~XXXXXXXXXX~~
HILL N DALE ABSTRACTERS
PO BOX 547
GOSHEN, NY 10924

Owner: Christina Burrell
Address: 20 Bauer Ln
SBL# 12-1-6
Title# 49667

To Whom it May Concern:

This letter is in answer to your inquiry regarding the above mentioned parcel.

Our files indicate that the above named structure was built prior to our keeping records, therefore, there is no Certificate of Occupancy for this structure, nor is one required.

Please be advised that the above named road is a private road, which is not maintained by the Town.

Enclosed is a Certificate of Occupancy for an Enclosed Porch. According to our records this residence should be an One-Family Residence, there should be no 2nd Kitchen or Accessory Apartment in this residence, if the Apartment is there, it is Violation with no Permits or Certificate of Occupancy on file.

If there are any further question or concerns regarding this matter, please contact our office at the number above.

Respectfully,

Gerald Canfield
Code Compliance Department

Abstract# AB-2013-200
Code # CER.O



Property Description Report For: 20 Bauer Ln, Municipality of Newburgh

No Photo Available

Status: Active
Roll Section: Taxable
Swis: 334600
Tax Map ID #: 12-1-6
Property Class: 220 - 2 Family Res
Site: RES 1
In Ag. District: No
Site Property Class: 220 - 2 Family Res
Zoning Code: -
Neighborhood Code: 21400
School District: Wallkill
Total Assessment: 2013 - \$80,000
Legal Property Desc:
Deed Page: 1
Grid North: 998309

Total Acreage/Size: 150 x 200
Land Assessment: 2013 - \$7,700
Full Market Value: 2013 - \$202,500
Equalization Rate: ----
Deed Book: 13467
Grid East: 603826

Area

Living Area:	2,305 sq. ft.	First Story Area:	1,988 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	317 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	1.5

Structure

Building Style:	Old Style	Bathrooms (Full - Half):	2 - 0
Bedrooms:	4	Kitchens:	2
Fireplaces:	1	Basement Type:	Full
Porch Type:	Porch-enclsd	Porch Area:	24.00
Basement Garage Cap:	0	Attached Garage Cap:	0.00 sq. ft.
Overall Condition:	Normal	Overall Grade:	Average
Year Built:	1953		

Owners

GKD Properties, LLC
26 Adams Dr
Montgomery NY 12549

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
11/28/2012	\$105,300	220 - 2 Family Res	Land & Building	Burrell, Christina	No	No	No	13467/1
6/22/2005	\$319,000	210 - 1 Family Res	Land & Building	Scotto, Frank	Yes	Yes	No	11892/1023

Utilities

Sewer Type:	Private	Water Supply:	Private
Utilities:	Electric	Heat Type:	Hot wtr/stm
Fuel Type:	Oil	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year
Gar-1.0 det	720 sq ft	Economy	Normal	1953
Porch-enclsd	24 sq ft	Average	Good	2004
Porch-enclsd	30 sq ft	Average	Good	2004
Porch-coverd	84 sq ft	Average	Good	2004
Porch-open/deck	0 x 0	Average	Good	2004
Shed-machine	0 x 0	Average	Good	2004

Land Types

Type	Size
Primary	0.69 acres

Special Districts for 2013

Description	Units	Percent	Type	Value
Cronomer vly fire	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
------	-------------	--------	----------	----------	--------	--------	--------	-------

Dickover, Donnelly, Donovan & Biagi, LLP
Attorneys and Counselors at Law

James B. Biagi
David A. Donovan
Michael H. Donnelly
Robert J. Dickover

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@ddtblaw.com
Fax (845) 294-6553
(Not for Service of Process)

October 21, 2013

Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

RE: GKD Properties, LLC
12-1-6 (Zone AR)
20 Bauer Lane (13.19)

Members of the Board:

I write to you on behalf of and at the direction of the Town of Newburgh Planning Board. The above referenced applicant appeared before the planning board during its meeting of October 17, 2013. The applicant proposes a 2-family dwelling. For the planning board to approve the proposed dwelling variances will be required. The planning board wishes me to list these variances and to refer to you the applicant's request for consideration of granting same:

1. A lot area variance (100,000 square feet is required, 30,000 square feet provided);
2. Lot width variance (200 feet required, 150 feet provided);
3. Front yard setback variance (50 feet required, 23.3 feet provided);
4. One side yard variance (30 feet required; 14.7 feet provided); and
5. Combined side yard variance (80 feet required; 42.2 feet provided).

The planning board also suggests that you conduct your SEQRA review of this

application on an uncoordinated review basis.

Very truly yours,



MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, NY 12550

David A. Donovan, Esq.
Dickover, Donnelly, Donovan & Biagi, LLP
P.O. Box 610
Goshen, NY 10924

Jonathan Cella, P.E.
42 Hickory Drive
Campbell Hall, NY 10916

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

Christina Burrell
TO
GKD Properties LLC

SECTION 12 BLOCK 1 LOT 6



RECORD AND RETURN TO:
(name and address)

Donald W. Mirro, Esq
174 Main Street
Goshen, NY 10924

*Law original
1/6/13
[Signature]*

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 CT 2121253

INSTRUMENT TYPE: DEED R MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2003 SO. BLOOMING GROVE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
- 3003 FLORIDA (VLG)
- 3005 CHESTER (VLG)
- 3200 GREENVILLE (TN)
- 3489 HAMPTONBURGH (TN)
- 3401 MAYBROOK (VLG)
- 3689 HIGHLANDS (TN)
- 3601 HIGHLAND FALLS (VLG)
- 3889 MINISINK (TN)
- 3801 UNIONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)
- 4289 MONTGOMERY (TN)
- 4201 MAYBROOK (VLG)
- 4203 MONTGOMERY (VLG)
- 4205 WALDEN (VLG)
- 4489 MOUNT HOPE (TN)
- 4401 OTISVILLE (VLG)
- 4600 NEWBURGH (TN)
- 4800 NEW WINDSOR (TN)
- 5089 TUXEDO (TN)
- 5001 TUXEDO PARK (VLG)
- 5200 WALLKILL (TN)
- 5489 WARWICK (TN)
- 5401 FLORIDA (VLG)
- 5403 GREENWOOD LAKE (VLG)
- 5405 WARWICK (VLG)
- 5600 WAWAYANDA (TN)
- 5889 WOODBURY (TN)
- 5801 HARRIMAN (VLG)
- 5809 WOODBURY (VLG)
- CITIES**
- 0900 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO. PAGES 4 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____
PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 105,300
TAX EXEMPT _____
Taxable
MORTGAGE AMT. \$ _____

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

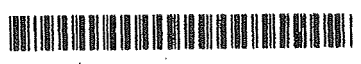
Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From CTI

RECORDED/FILED
12/13/2012/ 10:37:39
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20120115568
DEED R / BK 1346700 0001
RECORDING FEES 190.00
TTX# 002624 T TAX 422.00
Receipt#1537872 marse

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 12-13-12 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 10-30-13
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY



Bargain and Sale Deed with Covenants Against Grantor's Acts

THIS INDENTURE, made the 28 day of November, 2012

BETWEEN

Christina Burrell residing at 20 Bauer Lane; Newburgh, NY 12550,

Party of the First Part, and

GKD Properties, LLC having a principal place of business at 26 Adams Drive; Montgomery, NY 12549,

Party of the Second Part

WITNESSETH, that the Party of the First Part, in consideration of one dollar (\$1.00) and other good and valuable consideration paid by the Party of the Second Part does hereby grant and release unto the Party of the Second Part, the heirs or successors and assigns 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 Orange county, and described in Schedule "A", attached hereto and made a part hereof, those premises also known as

"20 Bauer Lane; Newburgh, New York"

being the same premises transferred to the Party of the First Part by deed dated June 22, 2005 and duly recorded in Orange County in Liber 11892 Page 1023.

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 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 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 read "parties" when ever 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:


Christina Burrell

Fidelity National Title Insurance Company
Schedule A Description

Title Number 2121253

Page 1

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, more particularly bounded and described as follows:

BEGINNING at a point in the southeasterly line of Bauer Lane at the northeasterly corner of Lot 2 on the "Lease Subdivision Map", filed at the Orange County Clerk's Office on February 27, 1990 as Filed Map #9823A;

THENCE North 39 degrees 07 minutes 00 seconds East for a distance of 150.00 feet along said line of Bauer Lane to a point marked by an iron rod found;

THENCE South 50 degrees 53 minutes 00 seconds East for a distance of 200.00 feet along the southwesterly bounds of lands now or formerly of Walters, Liber 11332 Page 1371 to a marked capped iron rod found;

THENCE South 39 degrees 07 minutes 00 seconds West for a distance of 150.00 feet along the northwesterly bounds of lands now or formerly of North Plank Development Co., LLC, Liber 5049 Page 243 to a point marked by a capped iron rod found;

THENCE North 50 degrees 53 minutes 00 seconds West for a distance of 200.00 feet along the northeasterly line of the afore-mentioned Lot 2 of Filed Map #9823A, being the northeasterly bounds of lands now or formerly of Scott, Liber 3625 Page 82 to the point or place of BEGINNING.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of . ss:

On the ^{28th} day of November in the year 2012, before me, the undersigned, personally appeared

Christina Burrell

, 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.

William W. Yougman, Jr
William W. Yougman, Jr

Notary, Public State of New York
Qualified in Orange County
My Commission Expires July 15, 2014

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, a Notary Public in and for said State,

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

(if the place of residence is in a city, include the street and street number, if any, thereof): 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

**Bargain and Sale Deed
with Covenants**

Title No. 212253

Title Co. C.T.I. Abstract Corp.

**Christina Burrell
TO
GKD Properties, LLC**

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 his/her/their signature(s) on the instrument, 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 County)

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.

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

SECTION: 12

BLOCK: 1

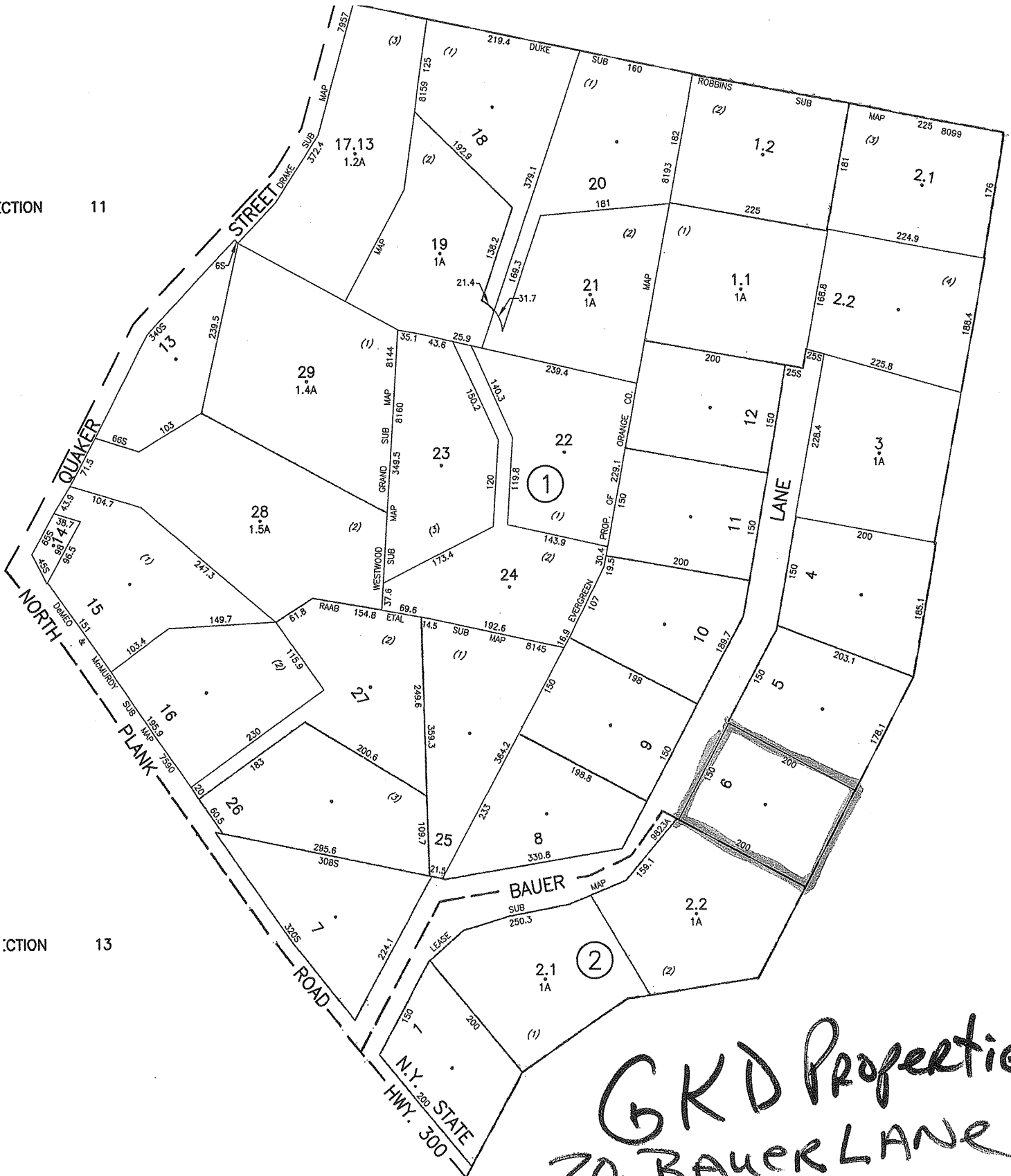
LOT: 6

COUNTY OR TOWN: Orange

RETURN BY MAIL TO:

**Law office of Donald Mirro
176 Main Street
Goshen, NY 10924**

SECTION 11



GKD Properties
 20 BAUER LANE
 12-1-6