



2669-18(A) 20.2x10.1
3 Accessory Structures (B) 24.1x23.3
Built Without Permit (C) 16.3x12.3

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: 2-18-18

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

I (WE) MARGUERITE A LEASE PRESENTLY
RESIDING AT NUMBER 367 LAKESIDE RD. NEWBURGH NY 12550
TELEPHONE NUMBER 845 564-4404

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 33-1-20.21 (TAX MAP DESIGNATION)

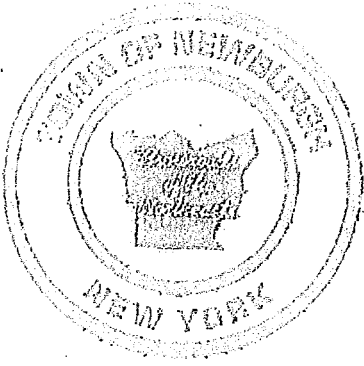
LAKESIDE RD (STREET ADDRESS)

R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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 135-15-A-4

SECTION 135-15-B



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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: 02-02-18
- 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: AREA VARIANCE FOR THREE EXISTING ACCESSORY STRUCTURES PROJECTING CLOSER TO THE FRONTING STREET THAN THE MAIN DWELLING AND WHERE THE MAXIMUM PERMITTED SQUARE FOOTAGE IS 846.3 SF AND 966 SF EXISTS.

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

- 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:



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

6. IF AN AREA VARIANCE IS REQUESTED: *SEE ATTACHED ADDENDUM*

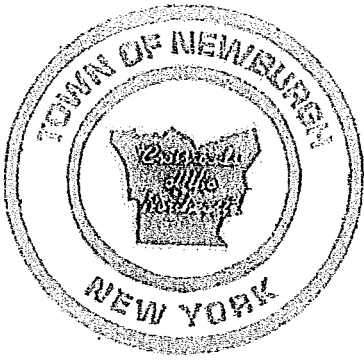
a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

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:

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:



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NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Marguerite Lease

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF Dec. 2017

John Lease III

NOTARY PUBLIC

JOHN LEASE III
Notary Public, State of New York
Qualified in Orange County
No. 4893815
Commission Expires May 26, 2019

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.
(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

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

Addendum

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 accessory buildings are existing and therefore, will not produce any change to the neighborhood. The existing accessory buildings have not been a detriment to the nearby properties thus far. There are a number of accessory buildings along Lakeside Road that are located in front yards. As this is a lakefront community, the character of the neighborhood is dwellings along the shoreline and accessory buildings along the road frontage. This proposal actually conforms to the character of the neighborhood.

- b. THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

As typical with a lakefront lot the dwelling is proposed along the shoreline so that there is an unobstructed view of the lake and so that neighboring residents, who are enjoying the lake, have a view of a shoreline that is not encumbered by accessory buildings. As typical with lakefront lots, this necessitates any accessory building to be located on the road side of the dwelling and producing the need for a variance.

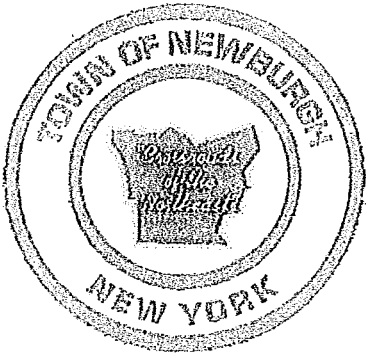
- c. THE REQUESTED AREA VARIANCES ARE NOT SUBSTANTIAL BECAUSE:

As demonstrated on the attached Code Compliance Department's "Notice of Disapproval, the variances are not numerically substantial. Also, the accessory buildings are located over 100 feet from the road boundary and 120 feet from Lakeside Road's pavement edge.

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

The accessory buildings are screened from Lakeside Road by approximately 120 feet of wooded land. Therefore, they will not visually affect the neighborhood. As previously stated there are a number of other parcels along Lakeside Road that have accessory buildings located closer to the road than these structures are.

- e. THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE: As typical with a lakefront lot, the dwelling would front along the shoreline causing the accessory buildings to be located along the road side of the dwelling.



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PROXY

MARGUERITE A LEASE, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 367 LAKESIDE RD NEWBURGH
IN THE COUNTY OF ORANGE AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF TAX PARCEL
SECTION 33 BLOCK 1 LOT 20.21
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED VINCENT J. DOLE ASSOCIATES
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 12/7/17

Marguerite A Lease

OWNER'S SIGNATURE

KM DeCrista-Dionio

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF Dec 2017

John Lease III
NOTARY PUBLIC

JOHN LEASE III
Notary Public, State of New York
Qualified in Orange County
No. 4893815
Commission Expires May 26, 2019

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: LANDS OF MARGUERITE A LEASE			
Project Location (describe, and attach a location map): LAKE SIDE ROAD, TOWN OF NEWBURGH, ORANGE CO			
Brief Description of Proposed Action: APPLICATION FOR AN AREA VARIANCE FROM THE ZONING BOARD OF APPEALS TO KEEP THREE EXISTING ACCESSORY STRUCTURES.			
Name of Applicant or Sponsor: MARGUERITE A LEASE		Telephone: 845-564-4404	
Address: 367 LAKE SIDE RD		E-Mail: MARGIELEASE@ADL.COM	
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
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
TOWN OF NEWBURGH BUILDING PERMIT		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.87± acres	
b. Total acreage to be physically disturbed?		0.87± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.87± acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>ACCESSORY STRUCTURE</u> <u>NO WATER CONNECTION IS PROPOSED</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>ACCESSORY</u> <u>STRUCTURE NO SEWER CONNECTION IS PROPOSED</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

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: DARREN C. DOLE
VINCENT J. DOLE ASSOC. Date: 2-18-13
 Signature: Darren C. Dole

Agency Use Only [If applicable]

Project:	
Date:	

*Short Environmental Assessment Form
Part 2 - Impact Assessment*

Part 2 is to be completed by the Lead Agency.

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

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

Agency Use Only [If applicable]

Project:	
Date:	

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

ORANGE COUNTY 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

Marguerite A. Lease

TO

Marguerite A. Lease, as Trustee of the
Marguerite A. Lease Living Trust

SECTION 33 BLOCK 1 LOT 20.21

RECORD AND RETURN TO:
(name and address)

Glen Heller, Esq.
Drake, Sommers, Loeb, Tarshis, Catania &
Liberth, PLLC
One Corwin Court
Newburgh, New York 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)
- ___ 2001 WASHINGTONVILLE (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 WALKKILL (TN)
- ___ 5489 WARWICK (TN)
- ___ 5401 FLORIDA (VLG)
- ___ 5403 GREENWOOD LAKE (VLG)
- ___ 5405 WARWICK (VLG)
- ___ 5600 WAWAYANDA (TN)
- ___ 5889 WOODBURY (TN)
- ___ 5801 HARRIMAN (VLG)

CITIES

- ___ 0900 MIDDLETOWN
- ___ 1100 NEWBURGH
- ___ 1300 PORT JERVIS
- ___ 9999 HOLD

NO PAGES 5 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

Taxable CONSIDERATION \$ _____
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: *Drake*

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 (HEREOF FILED OR RECORDED IN MY OFFICE
ON 3/20/06 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF IN WHOLE OR IN PART. I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
11/20/17 *Ann G. Rabbitt*
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

RECORDED/FILED
03/20/2006/ 14:57:59
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060031454
DEED C / BK 12108 PG 676
RECORDING FEES 210.00
TTX# 007824 T TAX 0.00
Receipt#552552 juls



#00618-47920/351418/SBL - 33.1.20.21

BARGAIN & SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the ^{1st}~~1st~~ day of ^{February}~~October~~, Two Thousand ^{Six}~~Five~~
BETWEEN

MARGUERITE A. LEASE, residing at 367 Lakeside Road, Newburgh, New York 12550,

party of the first part, and

MARGUERITE A. LEASE, as Trustee of the Marguerite A. Lease Living Trust u/d/t dated June 29, 2004, having an address of 367 Lakeside Road, Newburgh, New York 12550,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of love and affection 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 the Town of Newburgh, County of Orange, and State of New York, being further bounded and described in Schedule A attached hereto.

Being and intended to be the same premises conveyed in a certain deed from JEFFREY M. LEASE AND JOHN LEASE to MARGUERITE A. LEASE dated the 10th day of June 1990 and recorded in the office of the Orange County Clerk on July 10th, 1990 in Liber 3316 of deeds at Page 308.

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 of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the

cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

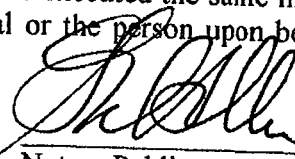
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


MARGUERITE A. LEASE

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

On the ^{1st} day of ^{February} ~~October~~, 2005, before me, the undersigned, a notary public in and for said state, personally appeared MARGUERITE A. LEASE personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.


Notary Public
GLEN L. HELLER
Notary Public, State Of New York
No. 02HE4859682
Qualified in Orange County
Commission Expires April 21, 20 06

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

MARGUERITE A. LEASE,

to

**MARGUERITE A. LEASE, as Trustee of the Marguerite A.
Lease Living Trust u/d/t dated June 29, 2004**

**SECTION 33
BLOCK 1
LOT 20.21**

**COUNTY/TOWN/CITY
Orange/Newburgh**

RECORD and RETURN TO:

**GLEN L. HELLER, ESQ.
Drake Sommers Loeb Tarshis Catania
& Liberth, PLLC
One Corwin Court
P.O. Box 1479
Newburgh, New York 12550**

SCHEDULE "A"

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

BEGINNING at a point in the northwesterly line of the town road known as Lakeside Road leading from State Route No. 52 past Orange Lake to State Route No. 300, said point being the northeasterly corner of lands of Olson and running thence along the northwesterly side of Lakeside Road North 19 degrees 57 minutes East for 38.98 feet to a point; thence still along the northwesterly line of Lakeside Road North 35 degrees 51 minutes East for 85.-8 feet to a point; thence leaving said Lakeside Road and running on a course of North 55 degrees 09 minutes West for 322.44 feet to the shore of Orange Lake; thence along the shore of said lake South 17 degrees 36 minutes West for 128.00 feet to an iron pin set in the ground at northwest corner of lands of Olson and thence along said lands of Olson South 57 degrees 17 minutes East 293.1 feet to the point or place of beginning.

SUBJECT to the covenant and restriction that the business of manufacturing, storing, distilling, brewing, preparing, sampling or sale of any strong, spiritous or intoxicating liquors or beverages of any kind or sort or name shall never be carried on or permitted upon said premises or any part thereof.

TOGETHER with any right, title and interest of the grantor of, in and to that portion of Lakeside Road which adjoins the premises above described and together with such right to the use of Orange Lake as the grantor may convey.



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

2669-18 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 02/02/2018

Application No. 17-1197

To: Marguerite Lease
367 Lakeside Rd
Newburgh, NY 12550

SBL: 33-1-20.21
ADDRESS: Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 12/13/2017 for permit to keep a 20.2' x 10.1' accessory building built without permits or approvals on the premises located at Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-15-A-4 / The maximum allowed total square footage permitted is 846.3 SF
- 2) 185-15-B / No such building shall project closer to the fronting street than the dwelling.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Marguerite Lease Building Application # 17-1197

ADDRESS: 367 Lakeside Rd. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 20.2' x 10.1 Accessory building w/o permits

SBL: 33-1-20.21 ZONE: R-1 ZBA Application # 2669-18 (A)

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
TOTAL SQUARE FEET	846.3 SF	966 SF		119.7 SF	14.14%
LOT WIDTH					
LOT DEPTH					
FRONT YARD	The formula is only valid if a variance is granted for the dwelling				
REAR YARD					
SIDE YARD	This would be a use variance if dwelling variance is denied, an accessory building is not permitted on a vacant lot.				
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: There are 3 accessory building built without permits.

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 / The maximum allowed square footage based on the formula is 846.3 SF.
- 2 185-15-B / No such structure shall be closer to the fronting street than the main building.
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 2-Feb-18



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

2669-18(B)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 02/02/2018

Application No. 17-1198

To: Marguerite Lease
367 Lakeside Rd
Newburgh, NY 12550

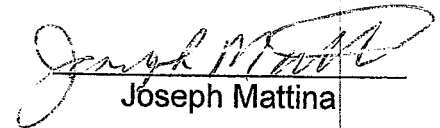
SBL: 33-1-20.21
ADDRESS: Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 12/13/2017 for permit to keep a 24.1' x 23.3' accessory building built without approvals or permits on the premises located at Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-15-A-4 / The maximum allowed total square footage permitted is 846.3 SF
- 2) 185-15-B / No such building shall project closer to the fronting street than the dwelling.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Marguerite Lease Building Application # 17-1198

ADDRESS: 367 Lakeside Rd. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 24.1' x 23.3' Accessory building w/o permits

SBL: 33-1-20.21 ZONE: R-1 ZBA Application # 2669-18(B)

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
TOTAL SQUARE FEET	846.3 SF	966 SF		119.7 SF	14.14%
LOT WIDTH					
LOT DEPTH					
FRONT YARD	The formula is only valid if a variance is granted for the dwelling				
REAR YARD					
SIDE YARD	This would be a use variance if dwelling variance is denied, an accessory building is not permitted on a vacant lot.				
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: There are 3 accessory building built without permits.

VARIANCE(S) REQUIRED:

- 1 185-15-A-4 / The maximum allowed square footage based on the formula is 846.3 SF.
- 2 185-15-B / No such structure shall be closer to the fronting street than the main building.
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 2-Feb-18



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

2669-18(c)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 02/02/2018

Application No. 18-0050

**To: Marguerite Lease
367 Lakeside Rd
Newburgh, NY 12550**

**SBL: 33-1-20.21
ADDRESS: Lakeside Rd**

ZONE: R1

PLEASE TAKE NOTICE that your application dated 02/01/2018 for permit to keep a 16.3' x 12.3' accessory building built without permits or approvals on the premises located at Lakeside Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-15-A-4 / The maximum allowed total square footage permitted is 846.3 SF
- 2) 185-15-B / No such building shall project closer to the fronting street than the dwelling.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / **NO**

NAME: Marguerite Lease Building Application # 18-0050

ADDRESS: 367 Lakeside Rd. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: 16.3' x 12.3' Accessory building w/o permits

SBL: 33-1-20.21 ZONE: R-1 ZBA Application # 2669-18(c)

TOWN WATER: **YES** / **NO**

TOWN SEWER: **YES** / **NO**

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
TOTAL SQUARE FEET	846.3 SF	966 SF		119.7 SF	14.14%
LOT WIDTH					
LOT DEPTH					
FRONT YARD	The formula is only valid if a variance is granted for the dwelling				
REAR YARD					
SIDE YARD	This would be a use variance if dwelling variance is denied, an accessory building is not permitted on a vacant lot.				
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: There are 3 accessory building built without permits.

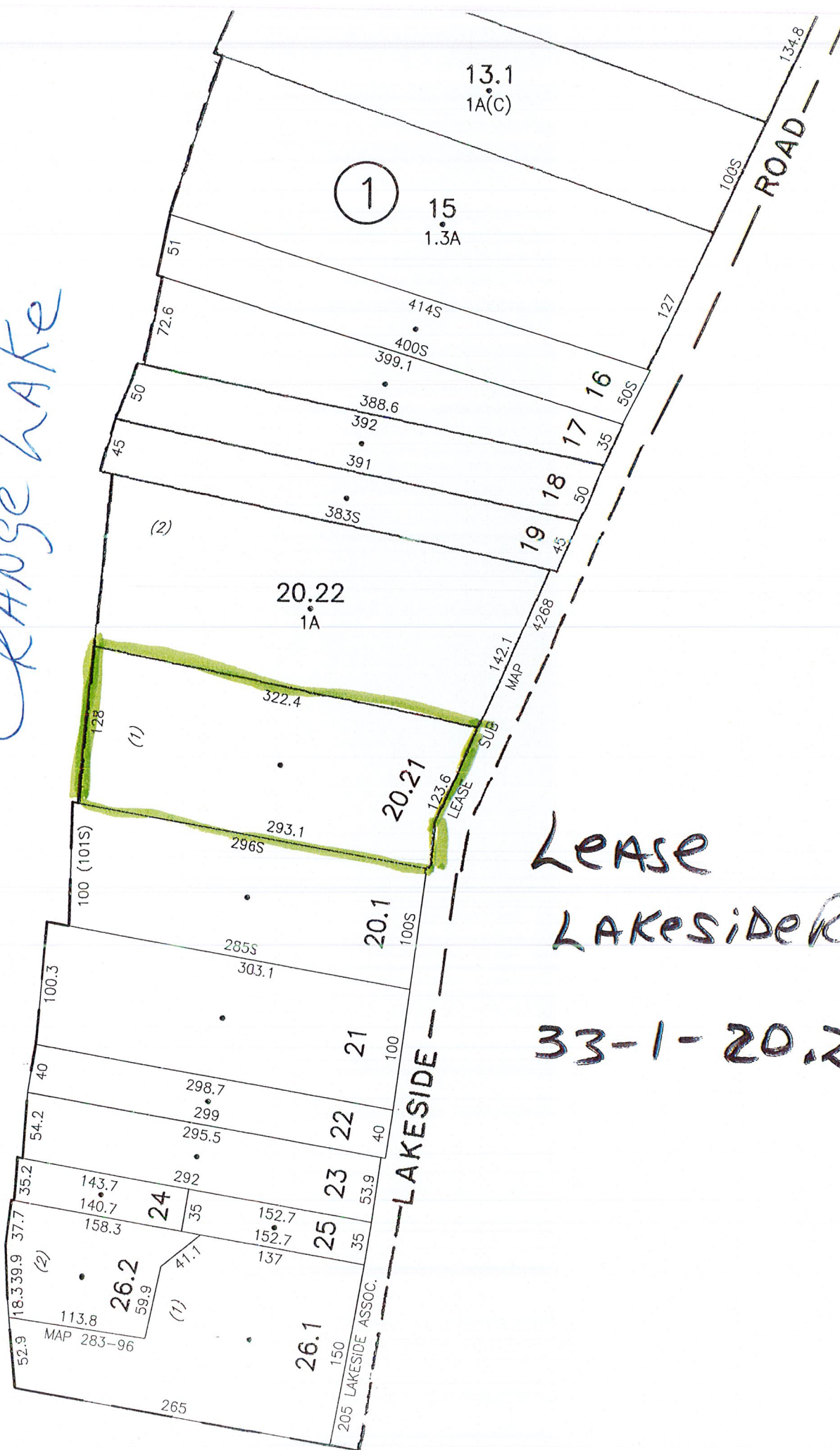
VARIANCE(S) REQUIRED:

- 1 185-15-A-4 / The maximum allowed square footage based on the formula is 846.3 SF.
- 2 185-15-B / No such structure shall be closer to the fronting street than the main building.
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 2-Feb-18

E LAKE

ORANGE LAKE



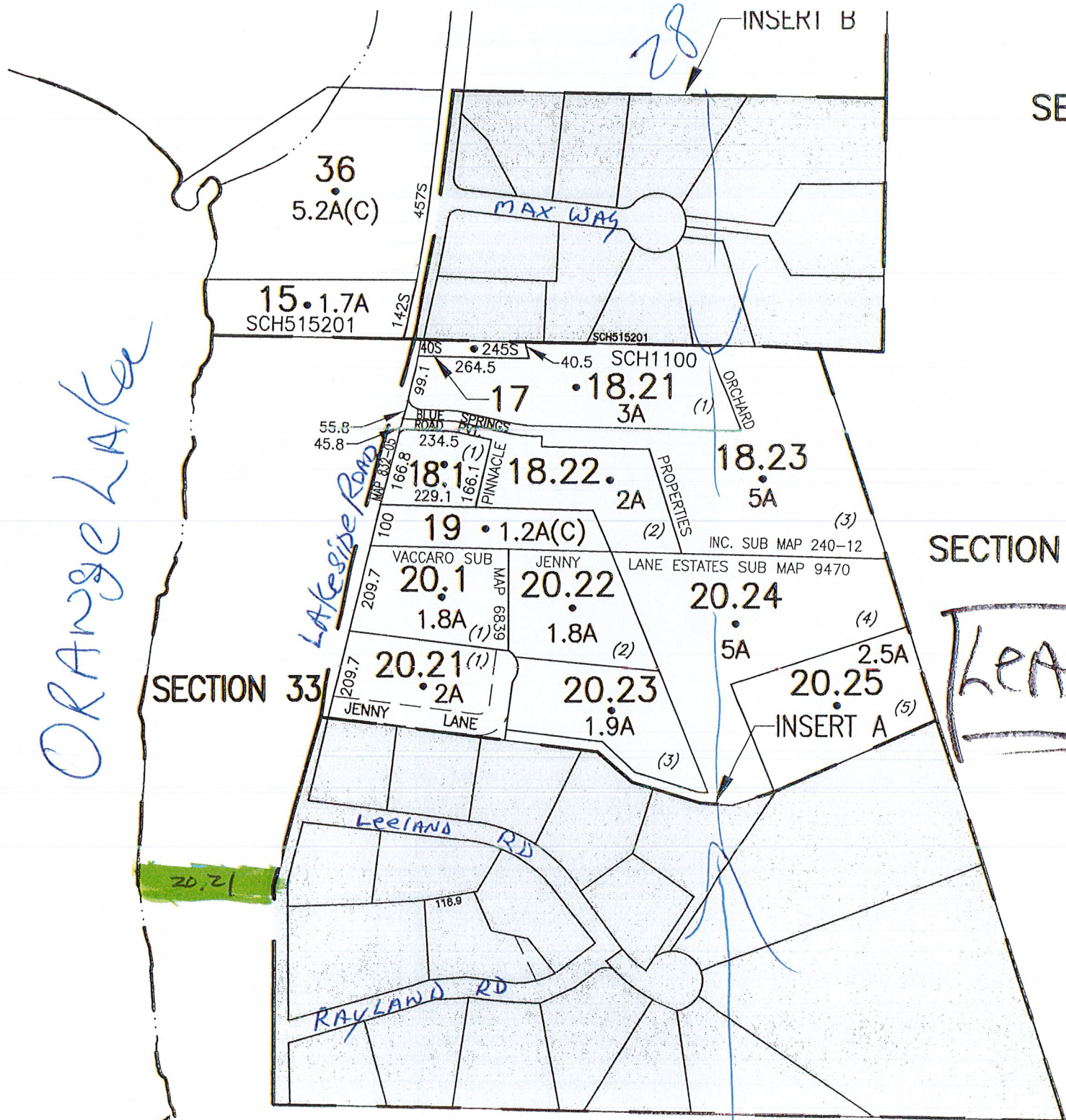
LEASE
LAKESIDE ROAD

33-1-20.21

SECTION

SECTION 3.

ORANGE LAKE



Section 28