



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: Town of Newburgh

Local Referring Board: Zoning Board of Appeals

Applicant: DIANE McKey-Wills

Project Name: _____

Location of Project Site: 18 Old South Plank Rd

Tax Map #: 51-4-12

Tax Map #: _____

Tax Map #: _____

Local File No.: 2611-16

Size of Parcel*: 134 X 125

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

Reason for County Review: within 500 ft of NYS Route 52

Current Zoning District (include any overlays): R-1

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): _____

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

 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) REAR YARD SETBACK, MAXIMUM LOT SURFACE COVERAGE, INCREASING DEGREE OF NON-CONFORMITY

Other

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

Local board comments or elaboration:

Signature of local official

2/15/17 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: 2/14/2017

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

I (WE) Diane McKay-Wills PRESENTLY
RESIDING AT NUMBER 18 Old South Planck Rd. Newburgh, N.Y.
TELEPHONE NUMBER 845-566-7378

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:

#14T651-4-12 (TAX MAP DESIGNATION)
18 Old So Planck Rd (STREET ADDRESS)
R-1 (51-4-12) (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).

185-19-C-1
BULK TABLE Schedule 3



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: 10/21/16
- 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: Less yard set back
MAX. lot surface coverage, increasing degree of
non conformity - combined side yards

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:

Adjoined Properties
Enough for own prop
lines

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

We are upgrading
premises



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

6. IF AN AREA VARIANCE IS REQUESTED:

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

Joining Prop. Has
Structures Close To
Prop. Lines

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:

Just to improve property

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Total Square Feet is
Under 20%

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

Property is being
beautified

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



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

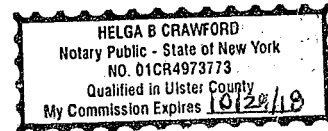
No access to rear yard from house w/o deck &
Just want to
improve the home

Heave McKey White
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 14th DAY OF February 2017

[Signature]
NOTARY PUBLIC



NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to 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)

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			
Diane Mcloy-Wills			
Name of Action or Project:			
Bldg Permit for 10x10 SIDE DECK			
Project Location (describe, and attach a location map):			
18 Old So PLANK Rd			
Brief Description of Proposed Action:			
INSTALL A 10x10 DECK TO EXISTING STRUCTURE			
Name of Applicant or Sponsor:		Telephone: 845-566-7378	
Diane Mcloy-Wills		E-Mail: DMWILLS12@VERIZON.NET	
Address:			
18 Old So PLANK Rd			
City/PO:		State:	Zip Code:
Newburgh, NY		NY	12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
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.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			<input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? 16,750 ^{acres} SQ FT			
b. Total acreage to be physically disturbed? 100 SQ ^{acres} FT			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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 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?	NO	YES	N/A
	<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?	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 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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<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? 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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?	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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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
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
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

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Diane McKey-Wills Date: 2/14/2017

Signature: Diane McKey-Wills

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" 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)



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

2611-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 10/21/2016

Application No. 16-0692

**To: Diane McKoy-Wills
18 Old S Plank Rd
Newburgh, NY 12550**

**SBL: 51-4-12
ADDRESS: 18 Old South Plank Rd**

ZONE: R1

PLEASE TAKE NOTICE that your application dated 08/02/2016 for permit to build a 10' x 10' side deck onto the existing enclosed porch on the premises located at 18 Old South Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule 3 Requires a 40' minimum rear yard set back.
- 2) Bulk table schedule 3 Allows 20% maximum lot surface coverage.
- 3) 185-19-C-1 Shall not increase the degree of non-conformity. (Combined side yards)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION *BUILT WITH OUT A PERMIT* **YES / NO**

NAME: Diane McKoy-Willis Application # 16-0692

ADDRESS: 18 Old South Plank Rd. Newburgh NY 12550

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: 10 x 10 deck

SBL: 51-4-12 ZONE: R-1

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

2611-14

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD	40'		38'	2.00	5.00%
COMBINED SIDE YARD	80'	73.70	Increase the degree of non-conformity		
MAX. BUILDING HEIGHT					
BUILDING COVERAGE	N/A				
SURFACE COVERAGE	20%=3350 SF		4190 SF	840 SF	25.07%

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES X 1

2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO

CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO

FRONT YARD - 185-15-A YES / NO

STORAGE OF MORE THEN 4 VEHICLES YES / NO

HEIGHT MAX. 15 FEET - 185-15-A-1 YES / NO

10% MAXIMUM YARD COVERAGE - 185-15-A-3 YES / NO

NOTES: Adding a 10 x 10 side deck onto an existing enclosed deck

- VARIANCE(S) REQUIRED:**
- 1 Bulk table schedule 3 requires a 40' minimum rear yard setback.
 - 2 Bulk table schedule 3 allows 20% maximum lot surface coverage.
 - 3 185-19-C-1 Shall not increase the degree of non-conformity, (Combined side yards)
 - 4

REVIEWED BY: Joseph Mattina DATE: 20-Oct-16

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE: BLACK INK ONLY

MARCELLO BUSCEMI
TO
THOMAS WILLS and
DIANE McKOY-WILLS

SECTION 51 BLOCK 4 LOT 12

RECORD AND RETURN TO:
(Name and Address)

DAVID J. STILES, ESQ.
P.O. Box 62
Salisbury Mills, New York 12577

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 60466 DATE 10-25-91 AFFIDAVIT FILED _____ 19____

INSTRUMENT TYPE: DEED XX MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

BG20	Blooming Grove	_____	SERIAL NO.	_____	
CH22	Chester	_____	Mortgage Amount \$	_____	CHECK <input checked="" type="checkbox"/> CASH _____ CHARGE _____
CO24	Cornwall	_____	Exempt Yes _____ No _____		
CR26	Crawford	_____	3-6 Cooking Units Yes _____ No _____		MORTGAGE TAX \$ _____
DP28	Deerpark	_____	Received Tax on above Mortgage		TRANSFER TAX \$ <u>576-</u>
GO30	Goshen	_____	Basic \$ _____		
GR32	Greenville	_____	MTA \$ _____		RECORD. FEE \$ <u>11-</u>
HA34	Hamptonburgh	_____	Spec. Add. \$ _____		REPORT FORMS \$ <u>30-</u>
HI36	Highlands	_____	TOTAL \$ _____		CERT. COPIES \$ _____
MK38	Minisink	_____			
ME40	Monroe	_____			
MY42	Montgomery	_____			
MH44	Mount Hope	_____			
NT46	Newburgh (T)	<input checked="" type="checkbox"/>			
NW48	New Windsor	_____			
TU50	Tuxedo	_____			
WL52	Walkill	_____			
WK54	Warwick	_____			
WA56	Wawayanda	_____			
WO58	Woodbury	_____			
MN09	Middletown	_____			
NC11	Newburgh	_____			
PJ13	Port Jervis	_____			
9999	Hold	_____			

MARION S. MURPHY
Orange County Clerk
by: LS

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on OCT 31 1991
at 3:40 O'Clock P M.
In Liber/Film 3516 2aeb
at page 287 and examined.

Marion S. Murphy
County Clerk

RECEIVED
\$ 576-
REAL ESTATE
OCT 31 1991
TRANSFER TAX
ORANGE COUNTY

HILL-N-DALE ABSTRACTERS, INC. LIBER 3516 PAGE 282
AGENT FOR AMERICAN TITLE INSURANCE COMPANY
20 SCOTCHTOWN AVENUE
GOSHEN, NEW YORK 10924
(914) 294-5110

ORG 10/31/91 03:40:20 46895 41.00

***** EDUCATION FUND: 5.00 *****

DEED CONTROL NO: 60466 576.00 *
***** SERIAL NUMBER: 002226 *****

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 Oct. 31, 1991 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

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY Feb. 14, 2017

*Law - original
2/15/17
[Signature]*

R-6508

4419599

P 1691—Purchase & Sale Deed with Covenant against Grantor. JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS
Stat. Form. Ind. or Corp. 1 Side Recording.

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 25 day of October 1991.
BETWEEN MARCELLO BUSCEMI, presently residing at
18 Old South Plank Road, Newburgh, Orange County,
New York 12550

THOMAS WILLS and DIANE MCKOY-WILLS, husband and grantor
wife, presently residing at
240 Grand Street, Newburgh, Orange County, New York
12550

grantee

WITNESSETH, that the grantor, in consideration of ten dollars---- (\$10.00)---Dollars, paid by the grantee
hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

~~XXXX~~

18 OLD SOUTH PLANK ROAD
NEWBURGH, ORANGE COUNTY
NEW YORK 12550

51 - 4 - 12

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF:

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.
TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the
grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said
premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.
The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

Marcello Buscemi
..... I. S.
MARCELLO BUSCEMI
..... I. S.

LIBER 3516 PAGE 283

STATE OF NEW YORK, COUNTY OF ORANGE ss:
On the 29th day of October 1991, before
me personally came Marcello Buscemi, to me known,
who, being by me duly sworn, did depose and say that deponent resides
at No. 18 Old South Plank Road
deponent is the individual of
the corporation described in and which
executed the foregoing instrument; deponent knows the seal of said
corporation; that the seal affixed to said instrument is such corporate
seal; that it was so affixed by order of the Board of Directors of said
corporation; deponent signed deponent's name thereto by like order.

STATE OF NEW YORK, COUNTY OF ORANGE ss:
On the 29th day of October 1991, before
me personally came
Marcello Buscemi
to me known to be the individual described in, and who executed
the foregoing instrument, and acknowledged that he executed
the same.

DANIEL J. BLOOM
Notary Public, State of New York
Residing in Orange County
Commission Expires 12-31-92

Daniel J. Bloom
Notary Public

2128182

ALL those certain lots of land situate on the east side of Orange Lake, in the Town of Newburgh, County of Orange and State of New York, known and designated as lots numbers 35, 36, the easterly 17 feet (front and rear) of 34 and the westerly 17 feet (front and rear) of 37, on Map 1f Lands of Orange Lake Park, dated September 1940, and revised on June 12, 1951, by Nial Sherwood, P.E., of Liberty, N.Y., both original and revision having been duly filed in the Office of the Clerk of the County of Orange.

SUBJECT to the following covenants which shall run with the land hereby conveyed forever:

- 1.) This land shall be used for residential purposes only.
- 2.) No more than one dwelling house shall be erected on each single or combined (for water and sewage purposes) lot.
- 3.) No building shall be erected within twenty-five (25) feet of the front line of the premises hereby conveyed.
- 4.) Water supply and sewage disposal systems for these premises shall be installed in accordance with the plans laid out on the map heretofore referred to, and approved by the New York State Department of Health on June 19, 1951.

TOGETHER with an undivided 2.667/51 interest in and to lots numbers 12 and 13 on the aforesaid map, to be held and enjoyed by the party of the second part hereto in common with all other owners of the interior lots numbers 28 to 91, inclusive, on the aforesaid map, as an appurtenance to the lots hereby conveyed and to run with the title thereto whether or not specifically mentioned in subsequent deeds thereof, subject to the following covenants and conditions which shall run with the title to said lots numbers 12 and 13 forever:

- 1.) That said lots numbers 12 and 13 shall be used only for common beach and bathing purposes by the aforesaid owners of said interior lots numbers 28 to 91 inclusive.
- 2.) That no structure or building except a boundary fence and water front wall shall ever be erected or constructed on said lots numbers 12 and 13.
- 3.) That no commercial enterprise of any type shall ever be permitted or maintained on said lots numbers 12 and 13.

BEING and intended to be the same premises as described in that certain deed dated the 4th day of December, 1973, made by Marcello Buscemi and Frances Buscemi, husband and wife, to Marcello Buscemi, and thereafter recorded in the Orange County Clerk's Office on the 7th day of December, 1973, in Liber 1963 of Deeds at Page 902.

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SCHEDULE

-A-



McKoy Wills
 18 Old South Plank Rd
 (51-4-12)

↓ McRoy-wills

McRoy-wills

180 Old South Plank Rd

SECTION 51

