



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

Zoning Board of Appeals
APR 12 2021
Town of Newburgh

OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 03/30/2021

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

I (WE) Menendez Property LLC PRESENTLY
RESIDING AT NUMBER 16 Center St. ~~At~~ Marlboro NY 12542
TELEPHONE NUMBER 718 736 - 4867

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

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

334600-1-40 (TAX MAP DESIGNATION)

856 River Road (STREET ADDRESS)

R₁ - 3 family Resident (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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-A-1
185-19-A-4
185-19-B-2

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:

03/24/2021

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: Seeking Variance to Reinstate.

Existing 3 family class

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:

House was purchase as a 3 family. According to TAX Record, PAID Taxes As 3 family as well. if the Residence is one family there is a lost income and struggle to pay mortgage, Especially with this pandemic.
(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:

Existing building is set up and operated as a 3 family residence.

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

There are not neighbors and exterior elevations see from the public Road and require no work.

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

Previous architects, sign offs on permitted work and pandemic took a big toll on the timetable of the project.

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:

No Nearby neighbors and building is
existing

- 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 building was built in 1900, its financially impossible
to demolition existing building to build new residence to meet
current set-backs.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Setbacks were not self-created.

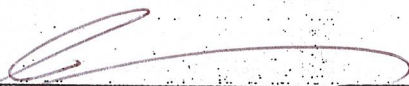
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

this building has been in the same spot and
exterior presence since 1900.

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

The building was built in 1900

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8th DAY OF April 2021



NOTARY PUBLIC



∴ NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be filed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed action to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.
MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE MATERIALS FOR 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			
Name of Action or Project: <i>Menendez property LLC</i>			
Project Location (describe, and attach a location map): <i>Reinstate Back to 3 Family Residence</i>			
Brief Description of Proposed Action: <i>Seeking Variance to Reinstate Back to Existing 3 Family Residence</i>			
Name of Applicant or Sponsor: <i>Menendez property LLC</i>		Telephone: <i>718-736-4867</i>	
Address: <i>16 Center St. Marlboro</i>		E-Mail: <i>remax.senny@gmail.com</i>	
City/PO:		State: <i>NY</i>	Zip Code: <i>12542</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>2</i> acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 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?	NO	YES	N/A
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 checked="" 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	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
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	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
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	
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	
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	
16. Is the project site located in the 100 year flood plain?	NO	YES	
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 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: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	

<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>X. Jiezhuo MA SHI</u> Date: <u>4/8/2021</u> Signature: _____</p>		

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? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<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 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
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

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

2902-21

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/24/2021

Application No. 21-0229

To: Menendez Property LLC
16 Center Street
Marlboro, NY 12542

SBL: 9-1-40
ADDRESS: 856 River Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 03/17/2021 for permit to add another floor and decks to a vacant non-conforming 3 family dwelling unit on the premises located at 856 River Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

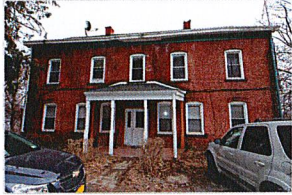
- 1) 185-19-A-1: Alterations. A nonconforming use shall not be enlarged, extended, reconstructed or restored
- 2) 185-19-A-4: Discontinuance. A nonconforming use shall not be reestablished if such use has been discontinued for any reason for a period of one year
- 3) 185-19-B-2: Restoration after damage. A nonconforming building shall not be restored for other than a conforming use after damage of more than 50% from any cause, unless a prior nonconforming use is reinstated within one year of such damage


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



856 River Rd, Newburgh, NY 12550-1141, Orange County



MLS Beds 5	MLS Sq Ft 2,748	Lot Sq Ft 87,120	MLS Sale Price \$210,000
MLS Baths 3	Yr Built 1900	Type TRIPLEX	MLS Sale Date 08/01/2018

OWNER INFORMATION

Owner Name	Menendez Property LLC	Tax Billing Zip	12542
Tax Billing Address	16 Center St	Tax Billing Zip+4	6006
Tax Billing City & State	Marlboro, NY	Owner Occupied	No

LOCATION INFORMATION

City/Town	Newburgh Town	Section	9
School District	Marlboro	Flood Zone Code	X
Zip Code Property	12550	Flood Zone Panel	36071C0161E
Census Tract	101.02	Flood Zone Date	08/03/2009
Carrier Route	C016		

TAX INFORMATION

Tax ID	334600.009.000-0001-040.000/0000	% Improved	53%
SWIS	334600	APN	334600-009-000-0001-040.000-0000
Block	1	Parcel ID	33460000900000010400000000
Lot	40		

ASSESSMENT & TAX

Assessment Year	2020	2019	2018
Assessed Value - Total	\$63,600	\$63,600	\$63,600
Assessed Value - Land	\$30,000	\$30,000	\$30,000
Assessed Value - Improved	\$33,600	\$33,600	\$33,600
YOY Assessed Change (\$)	\$0	\$0	
YOY Assessed Change (%)	0%	0%	
Market Value - Total	\$212,400	\$197,500	\$187,100
Tax Year	Total Tax	Change (\$)	Change (%)
2018	\$7,395		
2019	\$13,964	\$6,569	88.84%
2020	\$13,953	-\$11	-0.08%

CHARACTERISTICS

Property Class	3 Family Resid	Heat Type	Hot Water Steam
Land Use -CoreLogic	Triplex	Porch	Covered Porch
Lot Acres	2	Garage Type	Detached Garage
Lot St Ft	87,120	Garage Sq Ft	180
Basement Type	Partial	Exterior	Brick
Style	Unknown	Year Built	1900
Building Sq Ft	2,748	Effective Year Built	1916
Stories	Tax: 2 MLS: 3	Other Rooms	Kitchen
Construction Grade	Fair	Heat Fuel Type	Oil
Total Rooms	14	Ground Floor Area	1,404
Bedrooms	5	2nd Floor Area	1,344
Full Baths	3	Above Gnd Sq Ft	2,748
MLS Total Baths	3	Porch 1 Area	322
Water	Individual	Patio/Deck 2 Area	60
Sewer	Individual	State Use Description	3 Family Resid-230

FEATURES

Feature Type	Size/Qty	Year Built
--------------	----------	------------

Covered Porch	60	1900
Garage 1 Sty Detchd	180	1900
Covered Porch	322	1900

SELL SCORE

Rating	High	Value As Of	2021-03-13 23:48:28
Sell Score	701		

ESTIMATED VALUE

Value As Of	03/23/2021
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LISTING INFORMATION

MLS Listing Number	4812065	Closing Price	\$210,000
MLS Status	Sold	Closing Date	08/01/2018
Current Listing Price	\$149,900	Listing Agent Name	39797-A Lena Silk
Days on Market	26	Listing Broker Name	RE/MAX BENCHMARK REALTY G ROUP
Original Listing Price	\$149,900		

LAST MARKET SALE & SALES HISTORY

Recording Date	03/27/2007	Deed Type	Warranty Deed
Settle Date	Tax: 10/06/2006 MLS: 08/01/2018	Owner Name	Menendez Property LLC
Document Number	12397-606	Seller	Owner Record

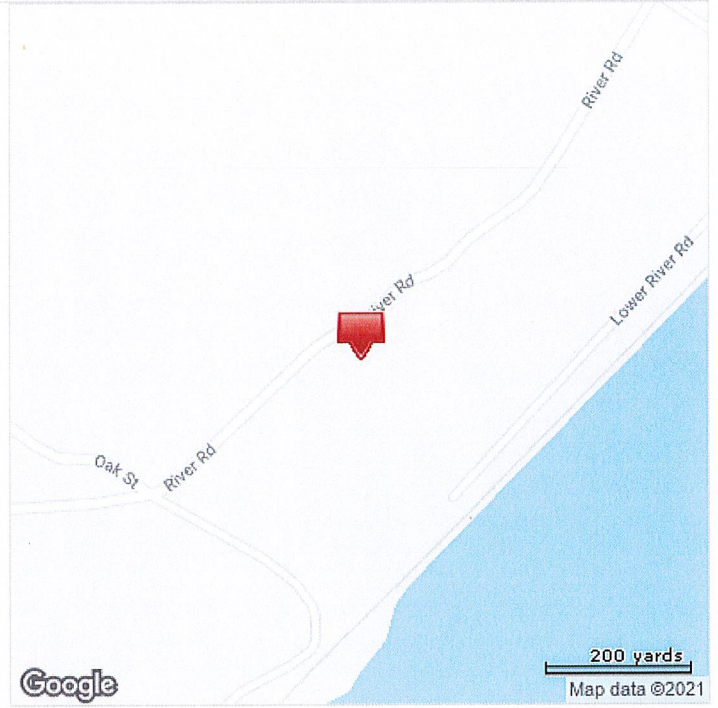
Recording Date	08/14/2018	02/28/2017	02/22/2016	01/31/2014	07/29/2013
Sale/Settlement Date	07/02/2018	09/28/2016	09/25/2015	11/20/2013	02/19/2013
Nominal	Y	Y	Y	Y	Y
Buyer Name	Lilly Ronald	Sasso Caroline M	Sasso Caroline M	Sasso Caroline M	Sasso Caroline M
Seller Name	Torrani Giorgio	Sasso Caroline M	Sasso Caroline M	Sasso Caroline M	Sasso Caroline M
Document Number	14445-1956	14189-94	14011-616	13711-330	13619-1839
Document Type	Bargain & Sale Deed	Bargain & Sale Deed	Bargain & Sale Deed	Bargain & Sale Deed	Bargain & Sale Deed

Recording Date	03/27/2007	
Sale/Settlement Date	10/06/2006	08/09/1961
Nominal		
Buyer Name	Sasso Caroline M	Sasso Angelo
Seller Name	Owner Record	
Document Number	12397-606	1598-888
Document Type	Warranty Deed	Deed (Reg)

PROPERTY MAP



*Lot Dimensions are Estimated



April 08, 2021

To Whom It May Concern,

1. Location of the property:
 1. 9-1-40 (tax map designation)
 2. 856 River Road (street address)
 3. R-1 (zoning district)
2. 185.19.A.1, 185.19.A.4,
3. b) 3.24.2021
4. Reinstate 3-Family status for the residence
5.
 1. House was purchased as a 3 Family. If the residence is a one family there is lost income and struggle to pay mortgage.
 2. Starting Feb 2019, the work on the exterior of the property had already begun. Due to COVID-19, the work had stopped.
 3. Existing building is set up and was operated as a 3 family residence
 4. There are not neighbors and exterior elevations see from the road require no work
 5. Previous architects, sign offs on permitted work and pandemic took a toll on the timetable of the project
6.
 1. No nearby neighbors and building is existing
 2. The building was built in 1900. It is financially impossible to demolition existing building to build new residence to meet current setbacks
 3. Setbacks were not self created
 4. This building has been in the same spot and exterior presence since 1900
 5. The building was built in 1900

We are seeking variance to reinstate back to the existing 3 family residence.

Sincerely,

Jiezhuma Shi





ORANGE COUNTY – STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14445 / 1959
 INSTRUMENT #: 20180059189

Receipt#: 2534828
 Clerk: JM
 Rec Date: 08/14/2018 11:31:04 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: SOLUTION ABSTRACT INC

Party1: SASSO CAROLINE M BY EX
 Party2: MENENDEZ PROPERTY LLC
 Town: NEWBURGH (TN)
 9-1-40

Recording:
 Recording Fee 40.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00
 RP5217 Residential/Agricu 116.00
 RP5217 - County 9.00

Sub Total: 190.00

Transfer Tax
 Transfer Tax - State 840.00

Sub Total: 840.00

Total: 1030.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 439
 Transfer Tax
 Consideration: 210000.00

Transfer Tax - State 840.00

Total: 840.00

Payment Type: Check ___
 Cash ___
 Charge ___
 No Fee ___

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

SOLUTION ABSTRACT INC
 215 15 NORTHERN BLVD SUITE 101
 BAYSIDE NY 11361

SCHEDULE A DESCRIPTION

ALL that certain plot piece or parcel of land, situate, lying and being at Roseton, in the Town of Newburgh, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of the River Road and at the northerly corner of lands conveyed to Marie Hengst by Joseph D. Mayone and Edward A. Luthy by deed dated November 21, 1944, and

RUNNING THENCE northeasterly along said River Road four hundred ninety-three feet more or less, to the westerly corner of lands conveyed to Joseph Kish, Sr. by Joseph D. Mayone, by deed dated September 11, 1943;

THENCE along the same southeasterly one hundred fifty feet to the southerly corner of said Kish lot;

THENCE southwesterly four hundred seventy feet, more or less, to the easterly corner of said Hengst lot;

THENCE along the same northwesterly two hundred twenty feet to the point or place of BEGINNING.

Insure

SCHEDULE A DESCRIPTION

ALL that certain plot piece or parcel of land, situate, lying and being at Roseton, in the Town of Newburgh, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of the River Road and at the northerly corner of lands conveyed to Marie Hengst by Joseph D. Mayone and Edward A. Luthy by deed dated November 21, 1944, and

RUNNING THENCE northeasterly along said River Road four hundred ninety-three feet more or less, to the westerly corner of lands conveyed to Joseph Kish, Sr. by Joseph D. Mayone, by deed dated September 11, 1943;

THENCE along the same southeasterly one hundred fifty feet to the southerly corner of said Kish lot;

THENCE southwesterly four hundred seventy feet, more or less, to the easterly corner of said Hengst lot;

THENCE along the same northwesterly two hundred twenty feet to the point or place of BEGINNING.

Insure

SOL 392

EXECUTOR'S DEED (INDIVIDUAL OR CORPORATION)

FORM 8005 (short version), FORM 8010 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 25 day of June, 2018,

Between **RONALD LILLY**, Executor of the estate of **CAROLINE M. SASSO**,
Late of 811 River Road, Newburgh, NY 12550, who died on the 9th day of November
2017.

and **MENENDEZ PROPERTY, LLC** of 16 CENTER STREET, MARLBORO, NY 12542,
party of the second part;

WITNESSETH, that the party of the first part, to whom letters testamentary were issued by the Surrogate's Court, Orange County, New York on April 19, 2018, Orange County Surrogate's Court file number 2018-14, and by virtue of the power and authority given in and by said last will and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of Two Hundred Ten Thousand dollars and 00/100 (\$210,000.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the distributees 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, State of New York, more particularly described in Schedule A attached hereto;

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;

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 costs 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.

SOL-392-0-2018 DUCF L. L. 40
Section 9.

**AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Je ZHUO MA SHI, being duly sworn, depose and say that I did on or before

May 13, 2021, post and will thereafter maintain at

856 River Rd 9-1-40 R1 Zone in the Town of Newburgh, New York, at or near the front

property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.

Sworn to before me this 15

day of April, 2021.

Taryn Farrington

TARYN FARRINGTON
NOTARY PUBLIC STATE OF NEW YORK
DUTCHESS
LIC. #01FA6084049
COMM. EXP. December 2, 20 22

