

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: _____

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

I (WE) Michael Mueller PRESENTLY

RESIDING AT NUMBER 8 Pilla Drive

TELEPHONE NUMBER 917-626-7860 or 917-715-8699

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:

7-1-18.12 (TAX MAP DESIGNATION)
8 Pilla Dr (STREET ADDRESS)
AR (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Sec. 239



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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: 12/04/18
- 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: Applying for a variance to build a Pool House

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:
The Area of Habana Is considered Front yard. In reality, there is a House between rd & proposed Habana
 (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:
The Area of Habana Is Not Front yard Because of location of Neighboring House

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:
Construction Is that of Existing House & Similar to other Homes in Neighborhood



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

property layout established by
Developer. I believe neighbors
property is non conforming to zoning

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:

We will be building with the
same architectural look of our
home and those in our 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:

The pool is existing
at this location is best
& most economical layout

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

there is an existing home
between kabana & rd.
therefore not impacting setback allowances

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

All of the Above

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

Property layout established
by Developer & because of configuration
Although technically front yard does
not appear to be front yard



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NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 31 DAY OF December 20 18

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

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)



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PROXY

Michael Mueller, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 8 Pilla Drive, Newburgh
IN THE COUNTY OF Orange AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED _____
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: _____

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _____ DAY OF _____ 20 _____

NOTARY PUBLIC

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:

Mueller / Pool House

Project Location (describe, and attach a location map):

Brief Description of Proposed Action:

Area variances to permit Pool House

Name of Applicant or Sponsor:

Michael Mueller

Telephone:

917-526-7840

Address:

8 Pilla Drive

E-Mail:

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?

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.

NO YES

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

NO YES

3.a. Total acreage of the site of the proposed action?

1.523 acres

b. Total acreage to be physically disturbed?

1019 SAFTO acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

1.523 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

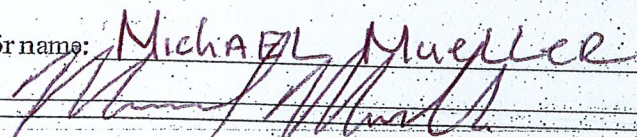
- Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)
 Forest Agriculture Aquatic Other (specify): _____
 Parkland

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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: _____	<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 checked="" type="checkbox"/>	<input 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 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: Michael Mueller Date: 12/31/18

Signature: 

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:	<input type="checkbox"/>	<input type="checkbox"/>
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)



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

2725-18 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/04/2018

Application No. 18-1063

**To: Michael Mueller
8 Pilla Dr
Newburgh, NY 12550**

**SBL: 7-1-18.12
ADDRESS: 8 Pilla Dr**

ZONE: AR

PLEASE TAKE NOTICE that your application dated 09/05/2018 for permit to build a 21' x 25' pool house in the front yard on the premises located at 8 Pilla Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-B No such building shall project closer to the fronting street than the front of the main building


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH

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**CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550**

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

2725-18(B)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/04/2018

Application No. 16-0931

**To: George's Pools
163 Brookside Farm Rd.
Newburgh, NY 12550**

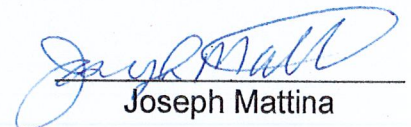
**SBL: 7-1-18.12
ADDRESS: 8 Pilla Dr**

ZONE: AR

PLEASE TAKE NOTICE that your application dated 10/06/2016 for permit to keep a 20' x 43' in ground pool that was installed in an unapproved location on the premises located at 8 Pilla Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-43-F. No pool shall be located in a front yard.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Michael Muller **Building Application #** 16-0931

ADDRESS: 8 Pilla Dr. Newwburgh NY 12550

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: 20' x 43' in ground pool

SBL: 7-1-18.12 **ZONE:** AR **ZBA Application #** _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY YES / NO
 CORNER LOT - 185-17-A YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 YES / NO
 FRONT YARD - 185-1!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: did not install the pool in the approved location.

VARIANCE(S) REQUIRED:

- 1 185-43-F; F. No pool shall be located in a front yard.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 4-Dec-18

orig
seen
12/31/12

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

Wheeler Homes Inc

TO
Michael J Mueller
Whitney ASL Mueller

SECTION 7 BLOCK 1 LOT 18-12

RECORD AND RETURN TO:
(name and address)

HANIG, HANDEL & SCHUTZMAN ESQS
ATTN: Brian Handel Esq
22 IBM Road Surt 210
Poughkeepsie, NY 12601

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 R MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

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

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

Taxable
CONSIDERATION \$ 510,000.00
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 Stewart Title

RECORDED/FILED
03/13/2009/ 09:48:27
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20090022983
DEED R / BK 12792PG 1016
RECORDING FEES 140.00
TX# 004505 T TAX 2,040.00
Receipt#996486 mr1

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 3/13/09 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 12/27/18



SCHEDULE A - DESCRIPTION

ALL that piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being designated as Lot No. 8 on a map entitled "Subdivision Plan lands of John & Angela Pilla," dated December 1, 2004, revised January 21, 2005 and filed in the Office of the Orange County Clerk on August 10, 2005 as Map No. 619-05, being more particularly bounded and described as follows:

BEGINNING at a point in the easterly line of the existing Lattintown Road, said point being on the division line between the lands now or formerly of Gurgo on the northeast and Lot No. 8 herein described on the southwest, said point also being in the centerline of a 50 foot wide right-of-way and private road known as Pilla Drive;

THENCE, along the last mentioned division line and the centerline of Pilla Drive, South 66 degrees 35 minutes 35 seconds East 241.41 feet to a point on the division line between Lot No. 1, of the aforementioned filed map, on the east and Lot No. 8, herein described, on the west;

THENCE, along the last mentioned division line, South 18 degrees 00 minutes 00 seconds West 323.94 feet to a point on the division line between the lands now or formerly of Greiner on the southwest and Lot No. 8 herein described on the northeast;

THENCE, along the last mentioned division line, North 65 degrees 00 minutes 00 seconds West 160.00 feet to a point on the division line between the lands now or formerly of Tuthill on the west and southwest and Lot No. 8 herein described on the east and northeast;

THECNE, along the last mentioned division line, North 18 degrees 00 minutes 00 seconds East 132.72 feet and North 64 degrees 30 minutes 00 seconds West 83.10 feet to a point in the aforementioned easterly line of Lattintown Road;

THENCE, along the easterly line Lattintown Road, North 18 degrees 00 minutes 04 seconds East 147.99 feet and North 19 degrees 22 minutes 28 seconds East 35.65 feet to the point or place of BEGINNING.

Together with, along with others, the rights of ingress and egress as well as the right to place utilities over the 50-foot right-of-way and private road known as Pilla Drive as shown on the above-mentioned filed Map No. 619-05.

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Orange ss.:

On Jan. 30, 2009 before me, the undersigned, personally appeared

John V. Wheeler

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

(signature and office of undersigned) JAMES P. WHELER, Notary Public, State of New York, Qualified in Dutchess County, Commission Expires February 23, 2011

State of County of ss.:

On before me, the undersigned, personally appeared

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

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of County of } ss.:

On before me, the undersigned, personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed WITH COVENANT AGAINST GRANTOR'S ACTS TITLE No. ST08-02573

WHEELER HOMES, INC.

TO

MICHAEL & WHITNEY MUELLER

SECTION BLOCK 7-1-18.12 LOT COUNTY OR TOWN Orange

RETURN BY MAIL TO: EVAN HANDEL, ESQ. 22 IBM Road, Suite 210 Poughkeepsie, NY 12601 Zip No.

Reserve this space for use of Recording Office.





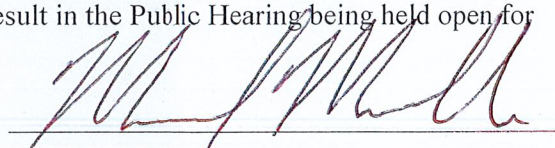
Sent from my iPhone

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

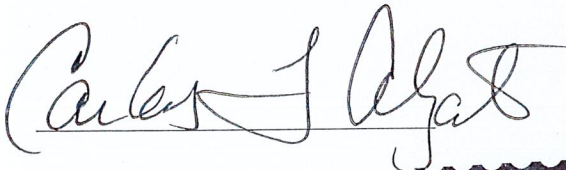
STATE OF NEW YORK: COUNTY OF ORANGE:

I Michael Mueller, being duly sworn, depose and say that I did on or before
January 10, 2019, post and will thereafter maintain at
8 PILLA DRIVE 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.

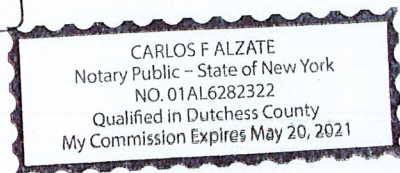
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the 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 31ST
day of Dec, 2019.



Notary Public



[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this affidavit.]



