



# 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: 7/2/2018

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

I (WE) Russell Napoli PRESENTLY  
RESIDING AT NUMBER 109 Coach Lane, Newburgh NY 12550  
TELEPHONE NUMBER (845) 857-9027

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

- ~~General Fund~~ A USE VARIANCE
- X AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

58-6-18 (TAX MAP DESIGNATION)  
109 Coach Lane, Newburgh, NY 12550 (STREET ADDRESS)  
R2 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-61



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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: 6/22/2018
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: ~~6/22/2018~~

4. DESCRIPTION OF VARIANCE SOUGHT: I want the  
Variance to approve the increase the size of my front porch

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_



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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:

It matches 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:

The existing house location  
\_\_\_\_\_  
\_\_\_\_\_

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

It's only 2ft to the front property  
line, closer than the previous porch and  
roof.  
\_\_\_\_\_  
\_\_\_\_\_

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

It matches the characteristics of the  
neighborhood  
\_\_\_\_\_  
\_\_\_\_\_

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

While it is self created, it is so  
minor that it will be un-noticed  
\_\_\_\_\_  
\_\_\_\_\_



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OFFICE OF ZONING BOARD  
(845) 566-4901

## 7. ADDITIONAL REASONS (IF PERTINENT):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*X Russell O'Neil*  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2 DAY OF July 20 18

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

*Joseph P. PEDI*  
\_\_\_\_\_  
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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: <i>Enlarging size of front porch during home reconstruction</i>			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
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"/>
			YES <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 <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 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?		<i>0</i> 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			

<p>5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?</p>	<p>NO <input type="checkbox"/></p>	<p>YES <input checked="" type="checkbox"/></p>	<p>N/A <input type="checkbox"/></p>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO <input type="checkbox"/></p>	<p>YES <input checked="" type="checkbox"/></p>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>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: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>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?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>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: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>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</p>			
<p>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?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>16. Is the project site located in the 100 year flood plain?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>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 _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	

<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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</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?</p> <p>If Yes, describe: _____</p> <p>_____</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?</p> <p>If Yes, describe: _____</p> <p>_____</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>Russell Brown</u></p> <p>Signature: _____</p>	<p>Date: <u>7/2/2018</u></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 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:

[Empty box for Project]

Date:

[Empty box for 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

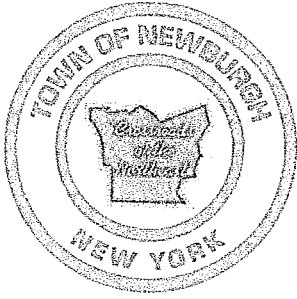
\_\_\_\_\_  
Date

\_\_\_\_\_  
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

# 2692-18

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/22/2018

Application No. 18-0357

To: Russell Napoli  
109 Coach Lane  
Newburgh, NY 12550

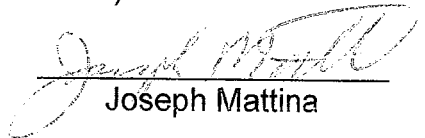
SBL: 58-6-18  
ADDRESS: 109 Coach Ln

ZONE: R2

PLEASE TAKE NOTICE that your application dated 04/27/2018 for permit to build a 10' x 40' covered front porch with a 6' x 10' vestibule on the premises located at 109 Coach Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:

1) 185-19-C-1 Shall not increase the degree of non-conformity. (front yard setback)

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

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

NAME: Russell Napoli Building Application # \_\_\_\_\_

ADDRESS: 109 Coach Ln. Newburgh NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 10' x 40' covered front porch with vestibule

SBL: 58-6-18 ZONE: R-1 ZBA Application # 2692-18

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	40'	29'-6"	Increasing the degree of non-conformity		
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 - 185-15-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

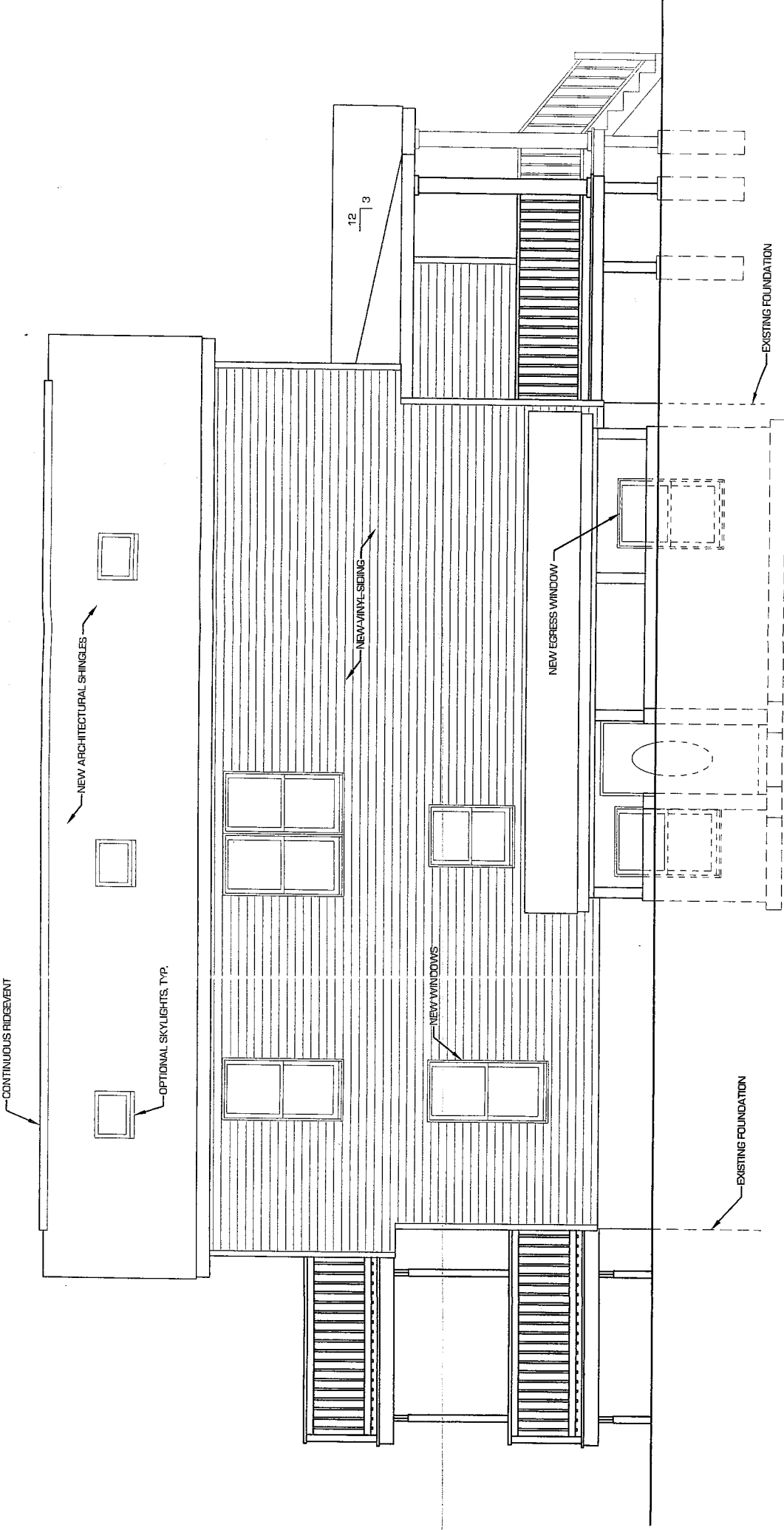
NOTES: Fire damaged dwelling, had a 6' x 20' open front deck prior to the fire.

**VARIANCE(S) REQUIRED:**

- 1 185-19-C-1 Shall not increase the degree of non-conformity
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 22-Jun-18

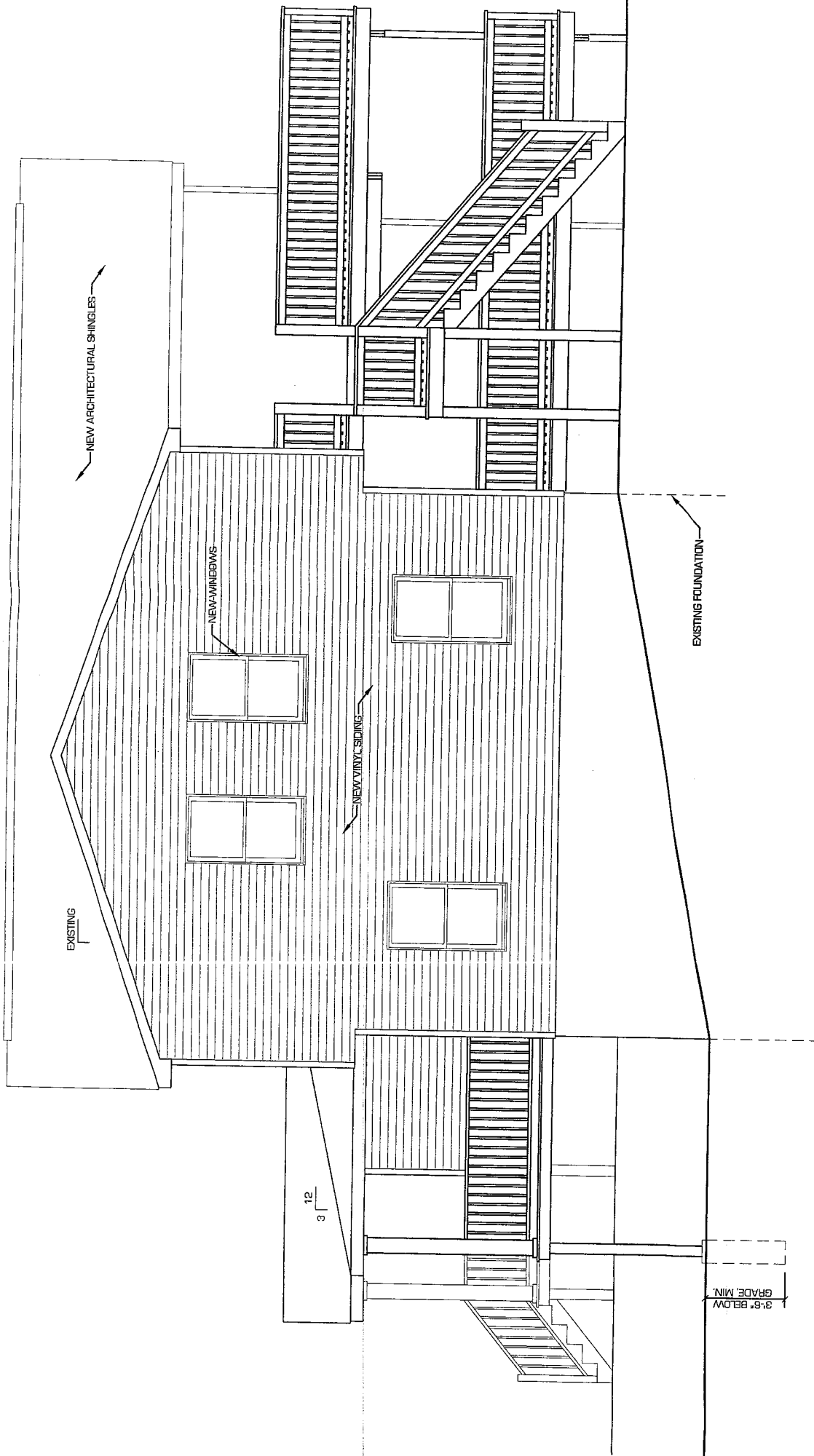




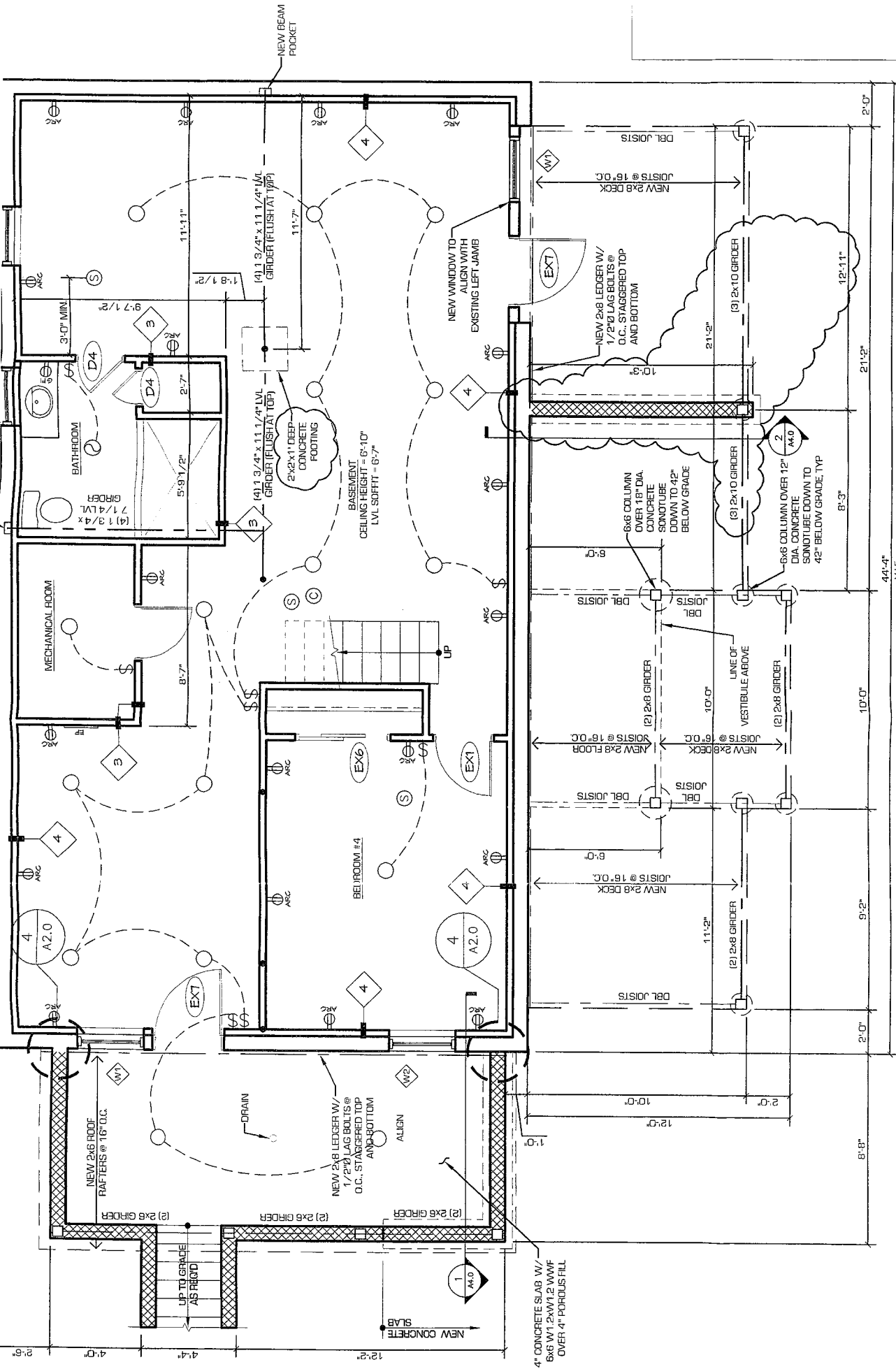
**2 EAST ELEVATION**

A3.1

SCALE: 1/4" = 1'-0"



1  
A3.1 WEST ELEVATION  
SCALE: 1/4" = 1'-0"



# 1 BASEMENT PLAN

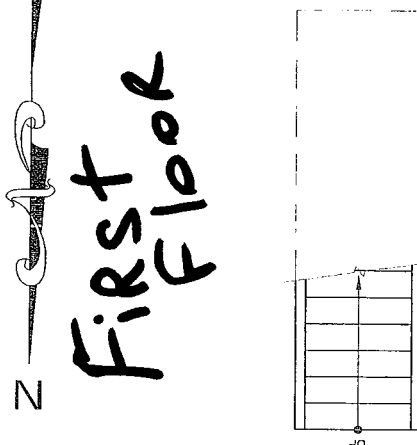
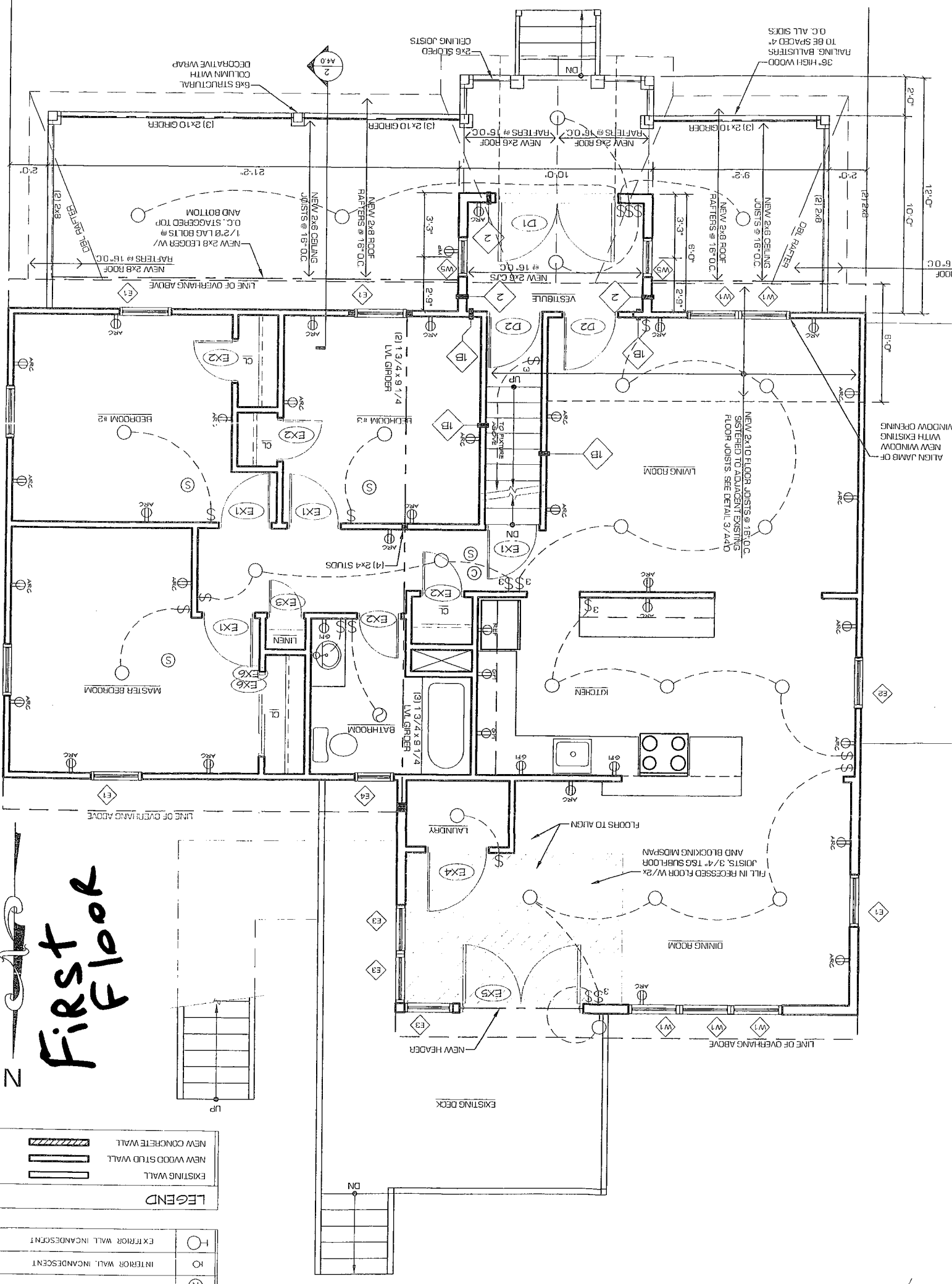
44'-4"  
V.I.F.

4" CONCRETE SLAB W/  
1.2" WWF OVER 4" POROUS FILL

# First Floor

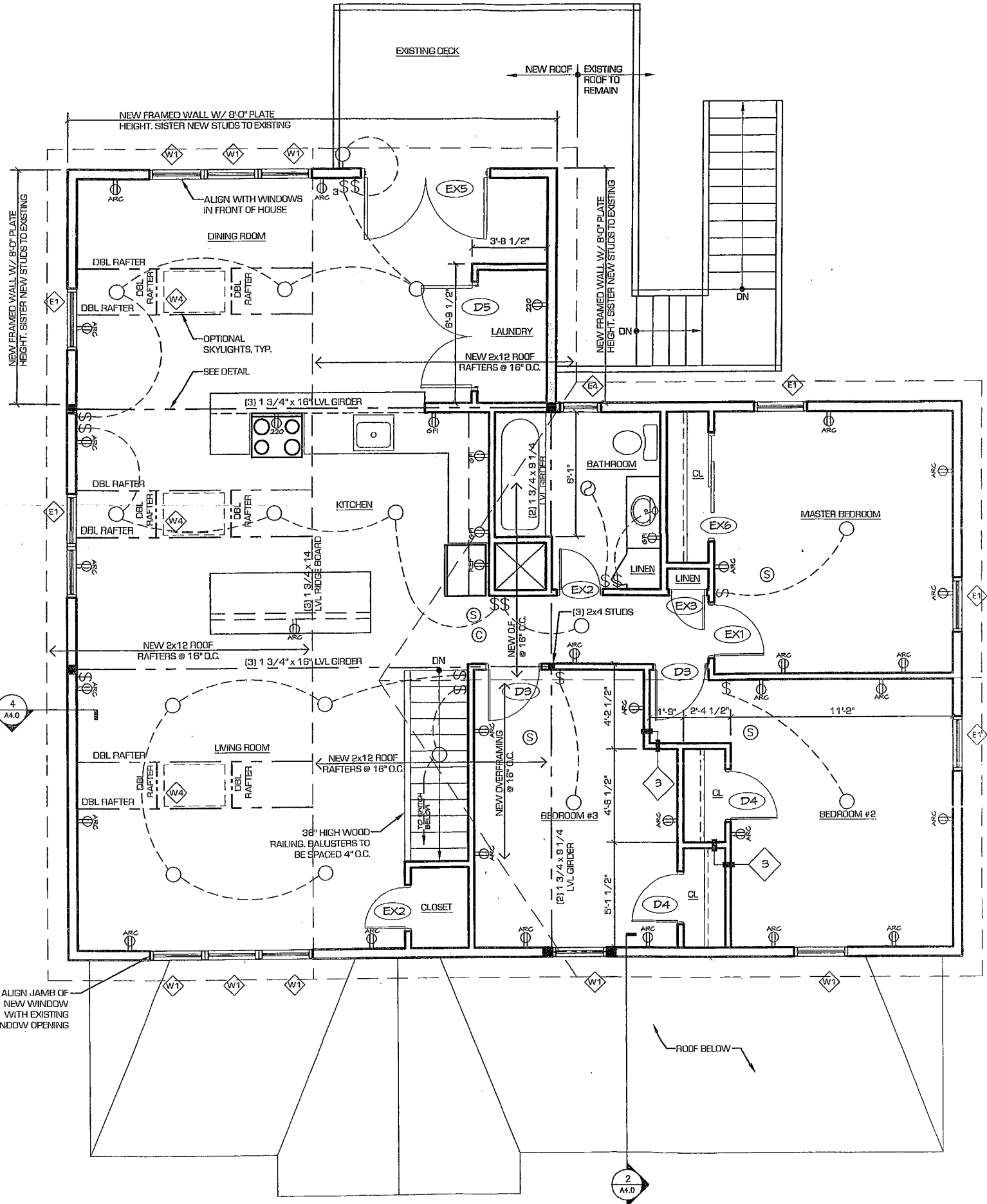
LEGEND	
	NEW CONCRETE WALL
	NEW WOOD STUD WALL
	EXISTING WALL
	NEW WOOD STUD WALL INCANDESCENT
	EXISTING WALL INCANDESCENT
	NEW WOOD STUD WALL INCANDESCENT
	EXISTING WALL INCANDESCENT

	NEW WOOD STUD WALL INCANDESCENT
	EXISTING WALL INCANDESCENT
	NEW WOOD STUD WALL INCANDESCENT
	EXISTING WALL INCANDESCENT



N





1 SECOND FLOOR PLAN

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

Violet L. Napoli  
  
TO  
Linda Schreiner, Russell  
Napoli & Marlene Napoli

SECTION 58 BLOCK 6 LOT 18

RECORD AND RETURN TO:  
(name and address)

Harvey C. Kallus DC  
1161 Little Britain Rd  
New Windsor NY 12553

*Law Original  
7/2/18  
[Signature]*

THIS IS PAGE ONE OF THE RECORDING

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE  SATISFACTION  ASSIGNMENT  OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) \_\_\_\_\_ 4289 MONTGOMERY (TN)
- 2001 WASHINGTONVILLE (VLG) \_\_\_\_\_ 4201 MAYBROOK (VLG)
- 2003 SO. BLOOMING GROVE (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) \_\_\_\_\_  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) \_\_\_\_\_ **CITIES**
- 4089 MONROE (TN) \_\_\_\_\_ 0900 MIDDLETOWN
- 4001 MONROE (VLG) \_\_\_\_\_ 1100 NEWBURGH
- 4003 HARRIMAN (VLG) \_\_\_\_\_ 1300 PORT JERVIS
- 4005 KIRYAS JOEL (VLG) \_\_\_\_\_
- \_\_\_\_\_ 9999 HOLD

NO. PAGES 4 CROSS REF. \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ ADD'L X-REF. \_\_\_\_\_  
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_

PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

Taxable  
CONSIDERATION \$ 0  
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 Kallus

RECORDED/FILED  
05/10/2011/ 14:47:49  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
FILE#201110044647  
DEED R / BK 13173PG 1766  
RECORDING FEES 190.00  
TTX# 005143 T TAX 0.00  
Receipt#1312084 pete

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 May 10, 2011 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 August 17, 2016



Bargain & Sale Deed with Covenants Against Grantor's Acts  
Individual or Corporation

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT**

**THIS INDENTURE**, made the 19 day of April, 2011

**BETWEEN** VIOLET L. NAPOLI, individually and as surviving spouse of Orazio Napoli, residing at 109 Coach Lane, Newburgh, NY 12550

*party of the first part, and*

LINDA SCHREINER, residing at 109 Coach Lane, Newburgh, NY 12550; and  
RUSSELL NAPOLI, residing at 109 Coach Lane, Newburgh, NY 12550 and  
MARLENE NAPOLI, residing at 109 Coach Lane, Newburgh, NY 12550

as Joint Tenants with Rights of Survivorship,

*party of the second part,*

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars, lawful money of the United States in hand 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, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and more particularly described in the Schedule A attached hereto and made a part hereof

**RESERVING** however, to VIOLET L. NAPOLI, use and occupancy of the residence situate on the above-described premises, presently occupied by her, for and during her natural life. During said occupation, VIOLET L. NAPOLI shall be responsible for all costs associated with the premises conveyed hereunder, including but not limited to real estate taxes, maintenance, and repair costs. VIOLET L. NAPOLI may, at any time, by an instrument in a form recordable with the Orange County Clerk's Office, waive this right to occupy the herein described premises, at which time this life estate will terminate and be null and void. Such a waiver may be executed by VIOLET L. NAPOLI, or any individual who has been given a power of attorney to act on behalf of VIOLET L. NAPOLI.

**BEING** the same premises conveyed to VIOLET L. NAPOLI and ORAZIO NAPOLI from THOMAS J. LANNA and HISAKO LANNA, by deed dated June 26, 1973 and recorded in the Orange County Clerk's Office on June 29, 1973 in Liber 1947 of Deeds at Page 67.

SAID ORAZIO NAPOLI having died on September 24, 1996 a resident of Orange County, New York and married to Violet L. Napoli at the time of his death.

**BEING** the premises commonly known as 109 Coach Lane, Newburgh, NY 12550.

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, Orange County, New York, known and shown as Lot 14, Block "T", Map of Meadow Hill Subdivision, Town of Newburgh, Orange County, New York, dated July 25, 1963, made by Herbert L. Kartiganer, P.E., L.S., revised April 16, 1964, and filed April 27, 1964, as Map No. 2043, Orange County Clerk's Office; the said premises being known by street number as No. 107 Coach Lane.

TOGETHER with a right in common with all others heretofore given or who hereafter may be given by the grantors or their assigns a right of ingress and egress over and upon the hereinabove mentioned proposed street lying in front of the northerly side of the premises herein conveyed, as well as a similar right of way over and upon any continuation of said street or any connecting street or streets to afford and enable passage and repassage from the conveyed premises to and from Meadow Hill Road.

SUBJECT to all grants of record heretofore given to Central Hudson Gas and Electric Corporation and New York Telephone Company.

TOGETHER with a right in common with all others given the same rights to water for ordinary domestic purposes from the well and any auxiliary well subsequently connected thereto, which is located upon premises set aside for that purpose by the grantors, and which water may be transmitted to the instant premises by means of any pipe lines running from said well or any auxiliary thereof upon payment from time to time to the owner of said well and/or auxiliary well and premises upon which located, in accordance with any rates hereinafter established by grantor or by any State or Municipal Agency.

The instant conveyance is subject to the following covenants and restrictions in respect to lots shown on Block T on Map of Meadow Hill Subdivision, Map No. 2043, filed in the Orange County Clerk's Office April 27, 1964.

1. That only one one-family residence dwelling may be erected on said premises together with garage for not more than two automobiles, and said premises occupied for residence purposes only, excepting that this shall not exclude usage by Doctors, Dentists, Lawyers and Real Estate Brokers, and other professional use for home and office, provided that exterior architecture of building is kept residential in appearance.
2. That no shack, shanty or trailer shall be erected or permitted on said premises.
3. That no unsightly, offensive or objectionable materials shall be stored or kept on said premises.
4. That no animals, livestock, fowl or chickens may be kept or maintained on said premises, but a reasonable number of household pets may be so maintained.

BEING the same premises conveyed by Schoonmaker Bros., Inc. to Thomas J. Lanna and Hisako Lanna by Deed dated December 16, 1966, recorded in the Orange County Clerk's Office on January 6, 1967 in Liber 1760 of Deeds at Page 740.

LIBER 1947 PG 68

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, 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 Grantor in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto Grantee and his heirs, executors, administrators, successors and assigns forever.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law, covenants that he 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 before using any part of the total of the same for any other purpose.

**IN WITNESS WHEREOF**, Grantor has duly executed this deed on the date first above written.

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

**IN PRESENCE OF:**

*Violet L. Napoli individually and  
As Surviving Spouse of Orazio Napoli*  
VIOLET L. NAPOLI, individually and *As surviving spouse*  
As Surviving Spouse of Orazio Napoli *Orazio Napoli*

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

On the 19 day of April in the year of 2011 before me, the undersigned, a notary public in and for said state, personally appeared VIOLET L. NAPOLI 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 he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

LYNN POLITI  
Notary Public, State Of New York  
Qualified in Orange County  
Registration No. 01PO6085853  
Commission Expires January 6, 200\_\_

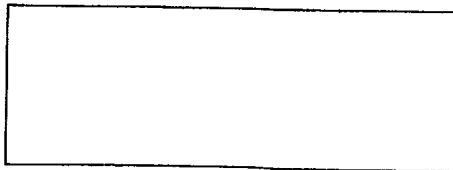
*Lynn Politi*  
\_\_\_\_\_  
Notary Public

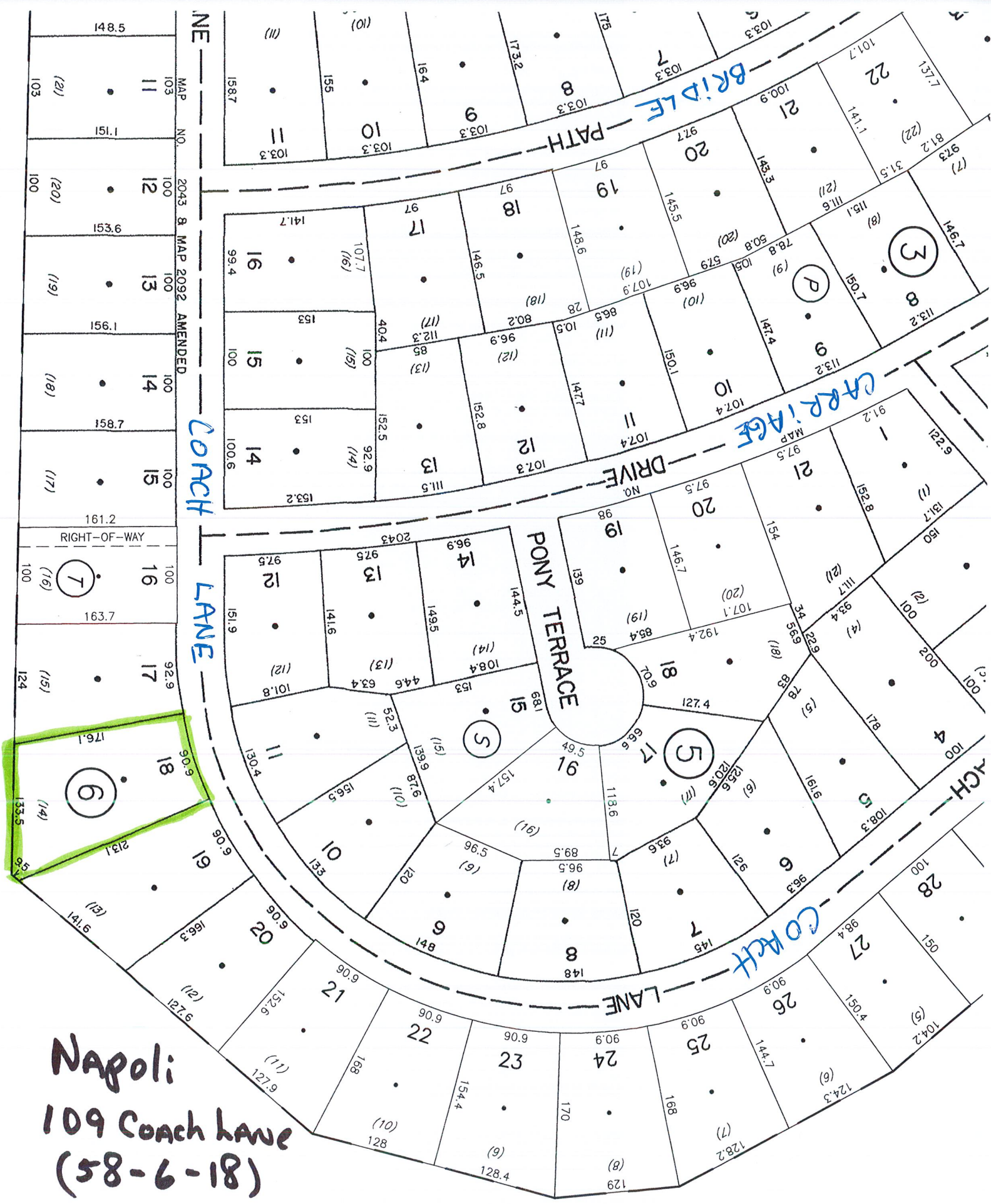
**BARGAIN & SALE DEED  
WITH COVENANT'S AGAINST GRANTOR'S ACTS**

DISTRICT  
SECTION  
BLOCK  
LOT  
COUNTY OR TOWN

TO

RECORD & RETURN TO:





Napoli  
 109 Coach Lane  
 (58-6-18)