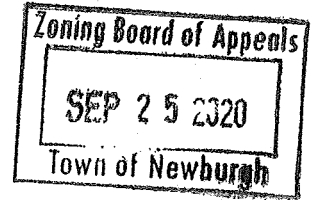


TOWN OF NEWBURGH

Crossroads of the Northeast

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



OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: Sept. 23, 2020

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

I (WE) LEON & BONNIE ORZECHOWSKI PRESENTLY
RESIDING AT NUMBER 122 LAKESIDE RD. NEWBURGH, N.Y. 12550
TELEPHONE NUMBER 845-566-4648

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:

5BL 47-1-126 (TAX MAP DESIGNATION)

108 PATTON RD. (STREET ADDRESS)

R1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

18.5

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:
9-16-2020
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: AREA

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:

- 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:

Zone is R1 for one family house

- 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 ZONING HAS CHANGED

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

OF UP DATE

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

THE AREA IS A RESIDENTIAL AREA

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

THE TOWN OF HEW BURGH CREATED THE HARDSHIP

7. ADDITIONAL REASONS (IF PERTINENT):

Lean Opler

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 23rd DAY OF September 2020

Tiffany M. Ray

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 action to be given 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 AGENDA ITEM 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			
Name of Action or Project:			
Project Location (describe, and attach a location map): 108 PATTON RD.			
Brief Description of Proposed Action: VARIANCE FOR TWO LOTS			
Name of Applicant or Sponsor: LEON & BONNIE ORZECZKOWSKI		Telephone: 845-566-4648	
Address: 122 LAKESIDE RD.		E-Mail:	
City/PO: NEW BURG		State: N.Y.	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
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
3.a. Total acreage of the site of the proposed action?		ONE acres	
b. Total acreage to be physically disturbed?		ONE acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.7 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>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>	NO	YES
<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>	NO	YES
<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>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>LEON ORZECHOWSKI</u></p>	<p>Date: <u>SEPT. 23, 2020</u></p>	
<p>Signature: <u>Leon Orzechowski</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 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
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

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

2868-20

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/16/2020

Application No. 20-0838

To: Leon Orzechowski
122 Lakeside Rd
Newburgh, NY 12550

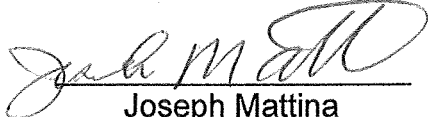
SBL: 47-1-126
ADDRESS: 108 Patton Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 08/31/2020 for permit to build a single family dwelling on the premises located at 108 Patton Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections;

- 1) Bulk table schedule 3: Requires 40,000 square foot minimum lot area
- 2) Bulk table schedule 3: Requires a minimum lot width of 150 feet
- 3) Bulk table schedule 3: Requires a combined side yard setback of 80 feet
- 4) Bulk table schedule 3: Requires a side yard setback of 30'.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: LEON ORZECOWSKI Building permit # 20-0838

ADDRESS: 122 LAKESIDE RD. NEWBURGH NY 12550

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: SINGLE FAMILY @ 108 PATTON RD NEWBURGH NY 12550

SBL: 47-1-126 ZONE: R-1 ZBA Application # 2368-20

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	40000 SF		21274 SF	18726 SF	46.80%
LOT WIDTH	150'		98'	52'	34.6
LOT DEPTH					
FRONT YARD					
ONE SIDE YARD	30'		15'	15'	50.00%
COMBINED SIDE YARD	80 FT		45.3'	34.7'	43.30%
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:

185-55-D

Expiration. Unless construction is commenced and diligently prosecuted within six months of the granting of a variance or special permit, such variance or special permit shall become null and void.

- 1 _____
- 2 _____
- 3 _____
- 4 _____

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

John D. Fuller, P. E., P.C.

CIVIL & STRUCTURAL ENGINEERING

May 28, 2020

Leon A. Orzechowski
122 Lakeside Rd.
Newburgh, NY 12550

**RE: Percolation Tests
Lakeside Road
Section 47 Block 1 Lots 126 & 127
Town of Newburgh, Orange Cty, NY**

Dear Mr. Orzechowski:

On May 27, 2020, I conducted percolation tests on the above referenced properties in the Town of Newburgh, Orange County, New York. The purpose was to determine whether or not the conditions of the soils are consistent with the testing performed in 2005 – 2008 shown on the original subdivision plans prepared by Zimmerman Engineering & Surveying, P.C. dated November 11, 2005 with the latest revision date of November 21, 2008.

The tests were conducted in accordance with the Design Handbook for Individual Residential Wastewater Treatment Systems issued by the New York State Department of Health, based on the Administrative Rules and Regulations design standard, 10NYCRR Appendix 75-A, entitled Wastewater Treatment Standards – Individual Household Systems.

According to the USDA National Resources Conservation Service, the soils found on the property in the area of the percolation tests are comprised of the Erie series (ErA) which is a gravelly silt loam classified as somewhat poorly drained soils. These soils have slopes that range from 0 to 3 percent.

On each lot, a hole was dug that was 12” deep and a second hole was dug 24” deep. The holes were approximately 8 – 12” in diameter. The percolation rates were as follows:

Hole Depth	Percolation Test Result	
	12”	24”
Lot #2 (47-1-126)	6 min 10 sec	20 min 30 sec
	8 min 30 sec	29 min 45 sec
	8 min 45 sec	31 min 15 sec
Lot #3 (47-1-127)	8 min 30 sec	11 min 20 sec
	9 min 10 sec	14 min 15 sec
	9 min 45 sec	15 min

John D. Fuller, P. E., P.C.

Page 2 of 2

Based on these results, the design rate for a conventional septic system on Lot #2 would be 31 – 45 minutes and the design rate for Lot #3 would be 11 – 15 minutes. The original plans from 2005 by Zimmerman Engineering had design rates of 21 – 30 minutes for Lot #2 and 31 – 45 minutes for Lot #3.

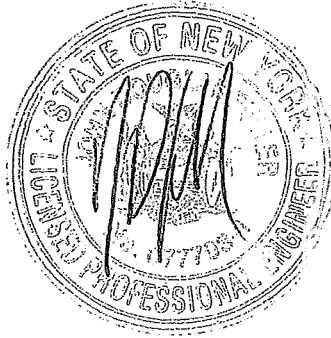
The results of my testing vary from the original design, however, they do validate the fact that the sites are still suitable for underground sanitary disposal systems. The design rate for any future development on both lots should be 31 – 45 minutes. Please note that any changes to the design and/or location of the septic systems must be approved by the Orange County Department of Health.

Please contact my office if you have any questions regarding this letter.

Thank you,



John D. Fuller, P.E.



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

LEON A. ORZECZOWSKI

TO
LEON A. ORZECZOWSKI AND
BONNIE L. ORZECZOWSKI

SECTION 47 BLOCK 1 LOT 3.1
3.2



RECORD AND RETURN TO:
(name and address)

LEON A. ORZECZOWSKI
122 Lakeside Road
Newburgh, NY 12550

THIS IS PAGE ONE OF THE RECORDING

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- | | |
|---|--|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALLKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 5801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | |
| <input type="checkbox"/> 4001 MONROE (VLG) | |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | |

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

- CITIES**
- 0900 MIDDLETOWN
 - 1100 NEWBURGH
 - 1300 PORT JERVIS
 - 9999 HOLD

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: *Barry*

RECORDED/FILED
10/13/2006/ 13:43:44
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060110645
DEED R / BK 12279 PG 0049
RECORDING FEES 117.00
TTX# 002463 T TAX 0.00
Receipt#643395 dah

DEED

THIS INDENTURE, made the 8 day of June, 2006, BETWEEN

LEON A. ORZECZOWSKI, residing at 122 Lakeside Road, Newburgh, NY 12550,

as party of the first part, and

LEON A. ORZECZOWSKI AND BONNIE L. ORZECZOWSKI, husband and wife,
residing at 122 Lakeside Road, Newburgh, NY 12550,

as party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS and other good and valuable consideration paid by the party of the second part, the receipt and adequacy of which is hereby acknowledged, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece, or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the TOWN OF NEWBURGH, County of Orange, and State of New York, more particularly bounded and described as is set forth on Schedule "A" annexed hereto.

BEING AND INTENDED TO BE the same premises conveyed to Leon A. Orzechowski by Deed from Robert B. Scott and Patricia B. Scott dated 11/25/87 and recorded in the Orange County Clerk's Office on 12/7/87 in Liber 2846 of Deeds at page 354.

SAID PREMISES DO NOT LIE WITHIN AN AGRICULTURAL DISTRICT.

TOGETHER WITH all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER WITH the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it reads "parties" whenever the sense of the indenture so requires.

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

IN THE PRESENCE OF:



LEON A. ORZECOWSKI

STATE OF NEW YORK, COUNTY ORANGE)

SS:

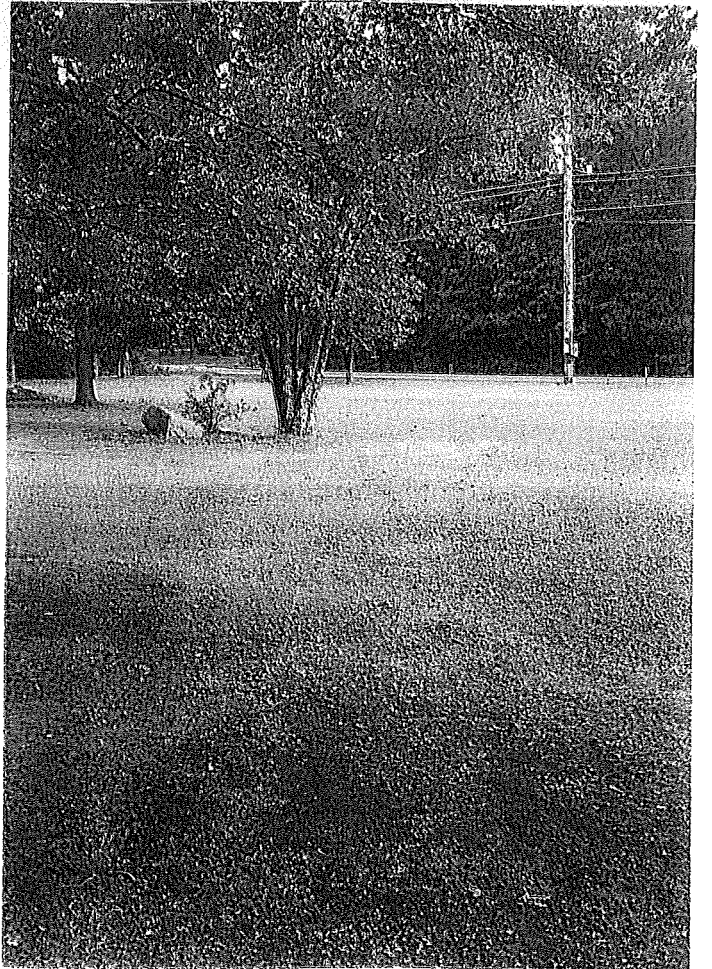
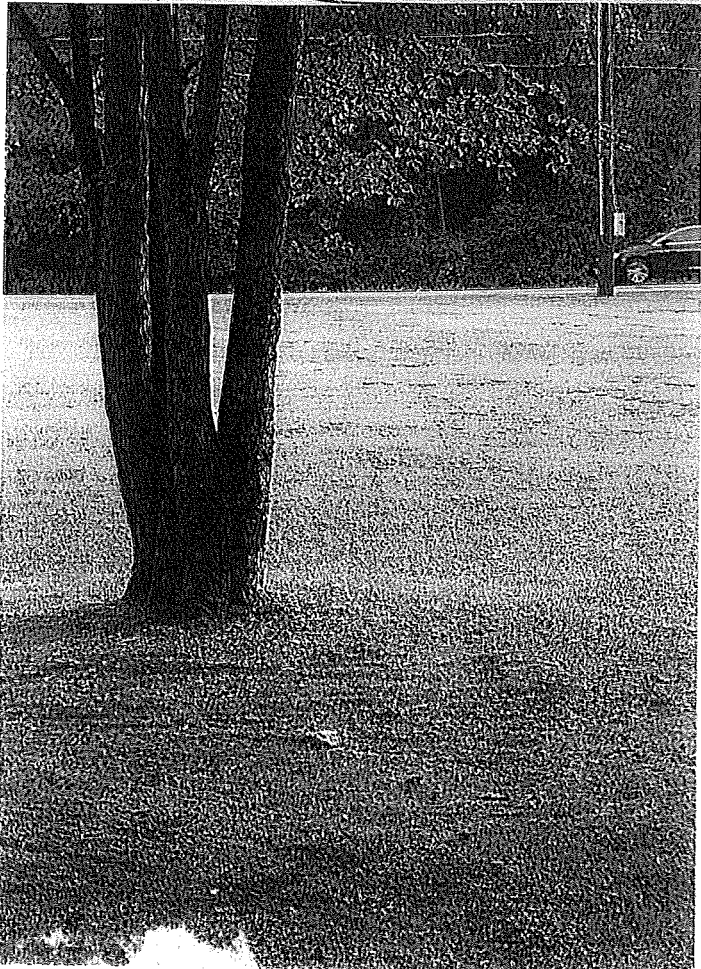
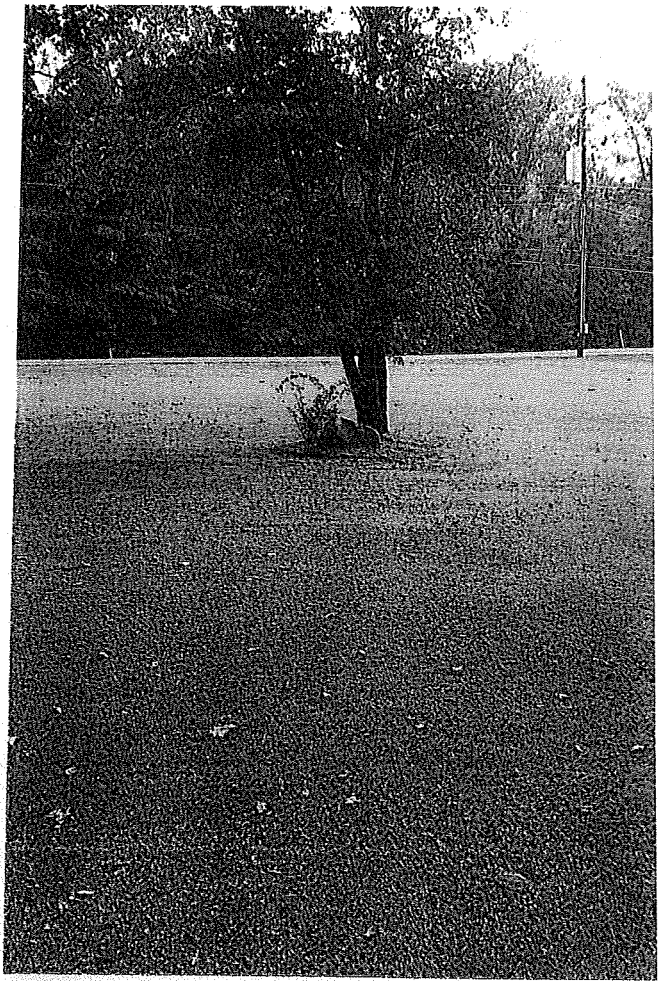
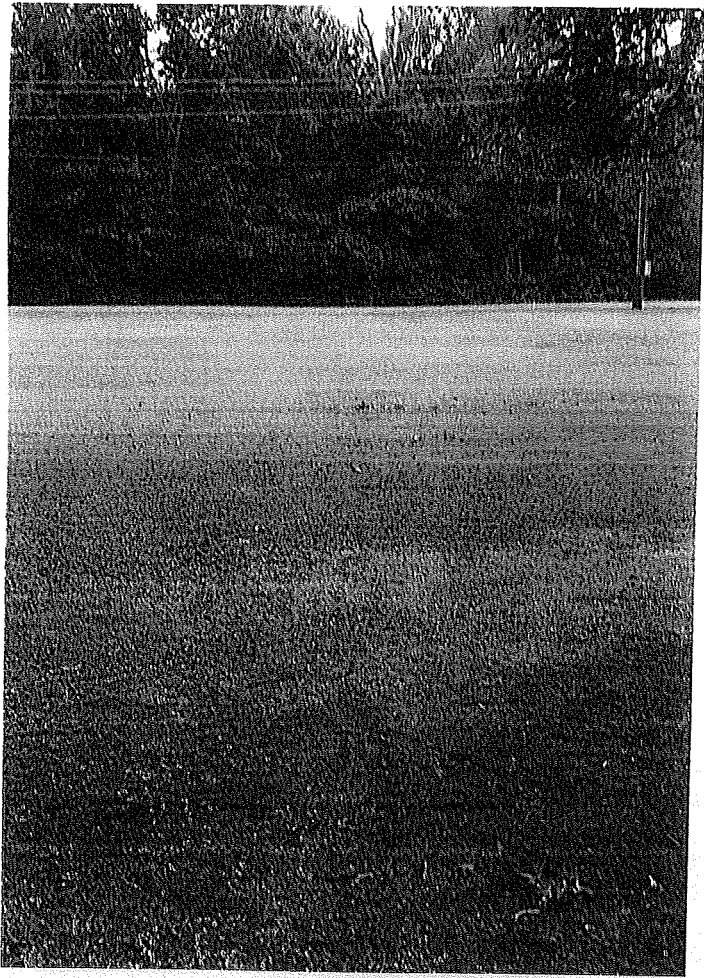
On the 8th day of June, in the year 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **LEON A. ORZECOWSKI**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/ are subscribed to the within 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.



KEVIN P. BARRY
NOTARY PUBLIC, State of New York
Reg. No. 4954336
Qualified in Dutchess County
Commission Expires August 7, 2009

Tax Identification number: 47.-1-31.1
Town of Newburgh
County of Orange
State of New York

Record and Return to: **LEON A. ORZECOWSKI**
122 Lakeside Road
Newburgh, NY 12550



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

STATE OF NEW YORK: COUNTY OF ORANGE:

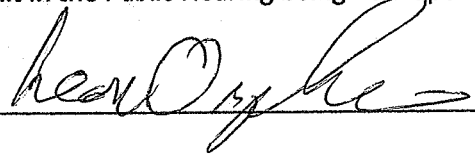
I LEON ORZECHOWSKI, being duly sworn, depose and say that I did on or before

October 8, 2020, post and will thereafter maintain at

108 Patton Rd 47-1-26 R1 Zone in the Town of Newburgh, New York, at or near the front

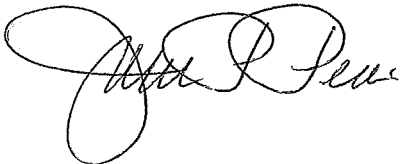
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 28

day of September, 2020.



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

