



# 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: May 19, 2016

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

I (WE) KUNAL PATEL PRESENTLY

RESIDING AT NUMBER 11 COLD SPRING LA, NEWBURGH NY 12550

TELEPHONE NUMBER 845-568-0800

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:

S/B/L 117-4-26 (TAX MAP DESIGNATION)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-11 UTILIZATION OF BULK TABLE - SCHEDULE 4



# TOWN OF NEWBURGH

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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: APRIL 27, 2016
- 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: REAR YARD SETBACK

TO A PROPOSED DECK OF 30' WHERE 40' IS REQUIRED

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

- 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:

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6. IF AN AREA VARIANCE IS REQUESTED: *SEE ATTACHED ADDENDUM*

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

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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:

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c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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

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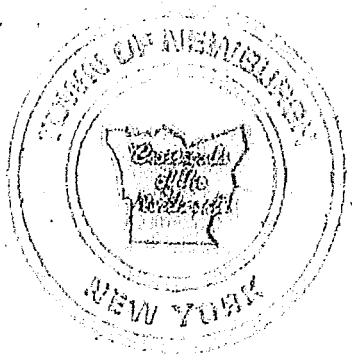
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e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

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OFFICE OF ZONING BOARD  
(845) 566-4901

### 7. ADDITIONAL REASONS (IF PERTINENT):

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

\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS FIFTH DAY OF MAY 2016

\_\_\_\_\_  
NOTARY PUBLIC

**ANDREW J. ZARUTSKIE**  
Notary Public, State of New York  
No. 01ZA4502524  
Qualified in Orange County  
Commission Expires Nov. 30, 2017

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)

## Addendum

### 6. IF AN AREA VARIANCE IS REQUESTED:

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

The neighboring parcels have rear decks. The proposed deck will not be visible from the street or easily visible from the adjacent houses to the sides of the parcel. The adjacent parcel to the rear has a deck that is of similar size and similar setback from the rear property line as the deck proposed (see attached photo).

- 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 house is setback 46 feet from the rear property line. The minimum required rear yard setback is 40 feet leaving only 6 feet for a deck.

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

The deck is proposed to be setback 30 feet from the rear property line rather than the required 40 feet. This is a 25% reduction which should not be considered substantial.

- 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 deck will not be visible from the street. The adjacent parcels have rear decks. The parcel adjacent to the rear has a deck of similar setback from the rear property line. The proposed deck is very attractive and will actually enhance the appearance of the Patel house, and subsequently, of the neighborhood.

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

The applicant purchased an existing house in 2000 with a rear yard setback of 46 feet. The Town of Newburgh zoning law requires a 40-foot setback which would only allow a 6-foot wide deck, which is not adequate for utilization. Rear decks have become a staple of backyards in our area and in surrounding communities.



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## PROXY

KUNAL PATEL, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 11 COLD SPRING LA

IN THE COUNTY OF ORANGE AND STATE OF NEW YORK

AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

TAX PARCEL S/B/L 17-4-24

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED VINCENT J. DOLE ASSOC.

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: MAY -5 2016

[Handwritten Signature]

OWNER'S SIGNATURE

[Handwritten Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS FIFTH DAY OF MAY 20 16

[Handwritten Signature]  
NOTARY PUBLIC

ANDREW J. ZARUTSKIE  
Notary Public, State of New York  
No. 01ZA4502524  
Qualified in Orange County  
Commission Expires Nov. 30, 2017



REAR NEIGHBOR - 20 RAMBLEWOOD DRIVE  
S/B/L 117-4-11

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: ZBA APPLICATION FOR PROPOSED DECK LANDS OF KUNAL J. AND SHILPA K. PATEL			
Project Location (describe, and attach a location map): 11 COLD SPRING LANE, TOWN OF NEWBURGH ORANGE CO.			
Brief Description of Proposed Action: AREA VARIANCE FOR CONSTRUCTION OF A 16' x 20' REAR DECK WITH A REAR YARD SETBACK OF 30 FEET WHERE 40' IS REQUIRED.			
Name of Applicant or Sponsor: KUNAL PATEL		Telephone: 845 568 0800	
		E-Mail: -	
Address: 11 COLD SPRING LANE			
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? 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
		<input checked="" type="checkbox"/>	<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	YES
TOWN OF NEWBURGH BUILDING PERMIT		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.39± acres	
b. Total acreage to be physically disturbed?		0.01± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.39± 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
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>CONSTRUCTION OF A DECK</u> <u>WILL NOT CONNECT TO WATER. EXIST HOUSE CONNECTED</u> <u>TO TOWN OF NEWBURGH WATER.</u>	NO	YES	
	<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: <u>CONSTRUCTION OF DECK</u> <u>WILL NOT CONNECT TO SEWER. EXIST. HOUSE IS CONNECTED</u> <u>TO TOWN OF NEWBURGH SEWER.</u>	NO	YES	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES	
	<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
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES

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

Applicant/sponsor name: DARREN C. DOLE  
VINCENT J. DOCE ASSO C Date: 5-9-2016

Signature: Daw [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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input 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 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)

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



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

RIEGER HOMES, INC.  
  
Kunal J. Patel and Shilpa K. Patel

SECTION 117 BLOCK 4 LOT 26

RECORD AND RETURN TO:  
(Name and Address)

Joseph Safiotti, Esp  
5031 Rd 9W  
Newburgh Ny 12550

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE  
ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

*Joe Safiotti*  
*original*  
*5/19/16*  
*[Signature]*

2001008

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

PROPERTY LOCATION

- |                                |  |
|--------------------------------|--|
| ___ 2089 BLOOMING GROVE (TN)   | ___ 4209 MONTGOMERY (TN)                               |
| ___ 2001 WASHINGTONVILLE (VLG) | ___ 4201 MAYBROOK (VLG)                                |
| ___ 2289 CHESTER (TN)          | ___ 4203 MONTGOMERY (VLG)                              |
| ___ 2201 CHESTER (VLG)         | ___ 4205 WALDEN (VLG)                                  |
| ___ 2489 CORNWALL (TN)         | ___ 4489 MOUNT HOPE (TN)                               |
| ___ 2401 CORNWALL (VLG)        | ___ 4401 OTISVILLE (VLG)                               |
| ___ 2800 CRAWFORD (TN)         | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| ___ 2000 DEERPARK (TN)         | ___ 4800 NEW WINDSOR (TN)                              |
| ___ 3089 GOSHEN (TN)           | ___ 5089 TUXEDO (TN)                                   |
| ___ 3001 GOSHEN (VLG)          | ___ 5001 TUXEDO PARK (VLG)                             |
| ___ 3003 FLORIDA (VLG)         | ___ 5200 WALKKILL (TN)                                 |
| ___ 3005 CHESTER (VLG)         | ___ 5489 WARWICK (TN)                                  |
| ___ 3200 GREENVILLE (TN)       | ___ 5401 FLORIDA (VLG)                                 |
| ___ 3489 HAMPTONBURGH (TN)     | ___ 5403 GREENWOOD LAKE (VLG)                          |
| ___ 3401 MAYBROOK (VLG)        | ___ 5405 WARWICK (VLG)                                 |
| ___ 3689 HIGHLANDS (TN)        | ___ 5600 WAWAYANDA (TN)                                |
| ___ 3601 HIGHLAND FALLS (VLG)  | ___ 5009 WOODBURY (TN)                                 |
| ___ 3889 MINISINK (TN)         | ___ 5801 HARRIMAN (VLG)                                |
| ___ 3801 UNIONVILLE (VLG)      |  |
| ___ 4089 MONROE (TN)           |  |
| ___ 4001 MONROE (VLG)          |  |
| ___ 4003 HARRIMAN (VLG)        |  |
| ___ 4005 KIRYAS JOEL (VLG)     |  |

NO. PAGES 3 CROSS REF \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ AFFT. \_\_\_\_\_

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

CONSIDERATION \$ 198,225.00  
TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT \$ \_\_\_\_\_  
DATE \_\_\_\_\_

- MORTGAGE TYPE:
- \_\_\_ (A) COMMERCIAL
  - \_\_\_ (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.UNI 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: C.T.I.

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 March 02, 2000 AND THE SAME IS A CORRECT  
TRANSCRIPT THEREOF IN WITNESS WHEREOF, I HAVE  
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

LIBER 5253 PAGE 5

LIBER 5253 PAGE 5 11984 MRL

ORANGE COUNTY CLERK'S OFFICE  
FILED 03/02/2000 11:43:58 AM  
FEE \$ 44.00 EDUCATION FUND \$ 5.00  
SERIAL NUMBER: 006923  
DEED CNTL NO 52920 RE TAX 794.00

COUNTY CLERK & CLERK OF THE SUPREME COURT  
ORANGE COUNTY  
*May 09, 2010*

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.**

THIS INDENTURE, made this 15<sup>th</sup> day of February, two thousand,

BETWEEN RIEGER HOMES, INC., with offices located at Route 208, P.O. Box 688, Monroe, New York 10950, party of the first part, and

J. PAT. 10/5R  
KUNAL K. PATEL AND SHILPA K. PATEL, with an address at 11 Cold Spring Lane, Newburgh, New York 12550, party of the second part, husband and wife PAT. 10/5R

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration 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, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, Orange County, New York designated as Lot No. 80 on a certain map entitled "Fostertown Crossing, Section 3", prepared by Eustance and Horowitz, P.C., filed in the Office of the Orange County Clerk, on June 28, 1999 as Filed Map No. 146-99.

The premises hereby conveyed may contain federal wetlands, which are subject to the jurisdiction of the Army Corps of Engineers. Those wetlands are shown on the subdivision map filed in the Orange County Clerk's office. If the premises contain wetlands, the owner of the premises is obligated to contact the Army Corps of Engineers prior to undertaking jurisdictional activities, to determine if any authorization is required from the Army Corps of Engineers for such activities.

This conveyance is of premises which do not constitute all or substantially all of the assets of the party of the first part, and, further, this conveyance is made in the regular course of business actually conducted by the party of the first part.

The premises are not in an agricultural district.

The parcel is entirely owned by the party of the first part.

**THE PREMISES ARE NOT SUBJECT TO A CREDIT LINE MORTGAGE.**

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 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 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 read "parties" whenever the sense of this 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 presence of:

RIEGER HOMES, INC.

  
By: Steven E. Rieger, Vice President

STATE OF NEW YORK )  
                          )SS:  
COUNTY OF ORANGE )

On this 15<sup>th</sup> of February, 2000, before me the undersigned, a Notary Public in and for the said state, personally appeared Steven E. Rieger 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.

Linda M. Weyant  
NOTARY PUBLIC

LINDA M. WEYANT  
Notary Public, State of New York  
Qualified in Orange County  
Registration # 01WE506907  
Commission Expires Nov 12, 2000

BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS

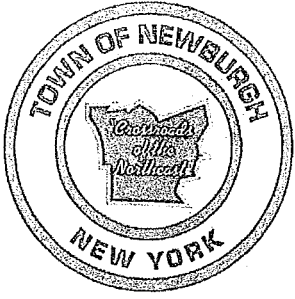
200 1008 CTI

RIEGER HOMES, INC.

TO

KUNAL L. PATEL AND SHILPA K. PATEL

**RECORD AND RETURN TO:**



# 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

**2564-16**

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 04/27/2016**

**Application No. 16-0321**

**To: Kunal Patel**  
11 Cold Spring Ln  
Newburgh, NY 12550


**SBL: 117-4-26**  
**ADDRESS: 11 Cold Spring Ln**

**ZONE: R2**

PLEASE TAKE NOTICE that your application dated 04/21/2016 for permit to construct a 16' x 20' rear deck on the premises located at 11 Cold Spring Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

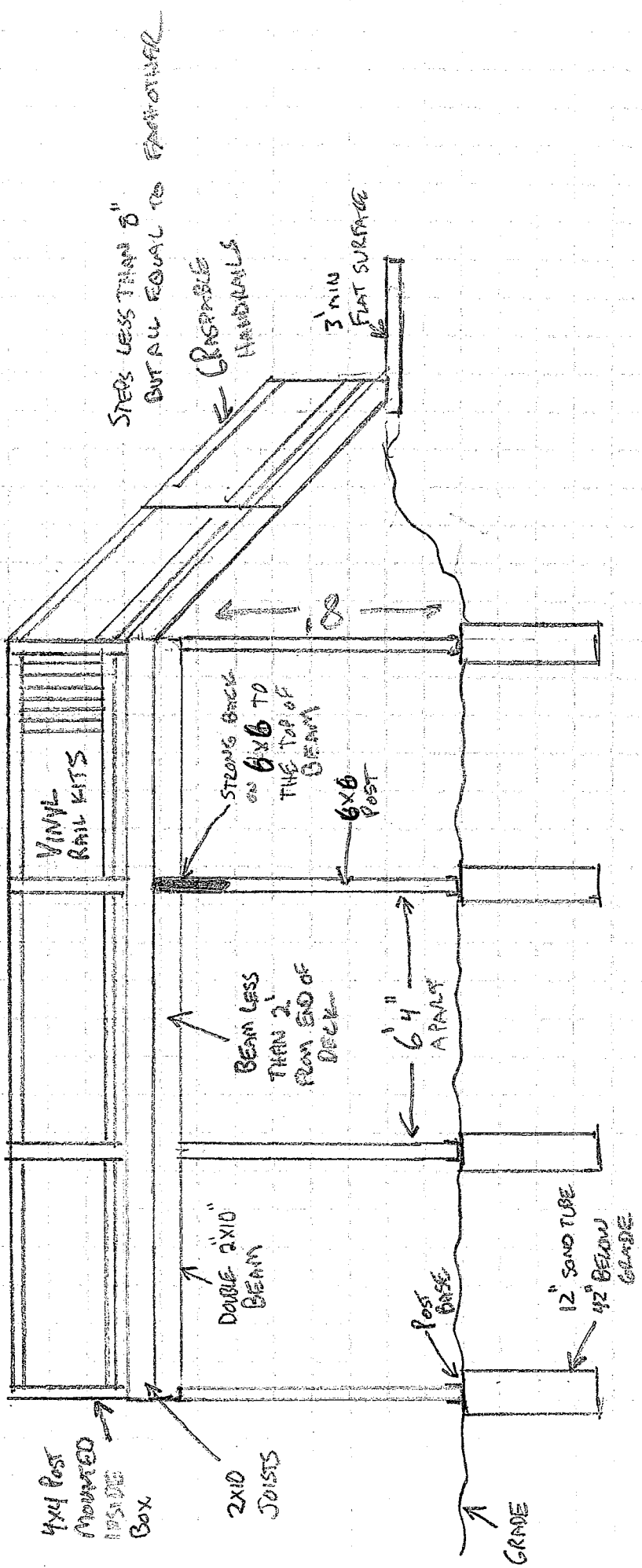
1) Bulk table schedule 4 Requires a minimum rear yard setback of 40'.

  
Joseph Mattina

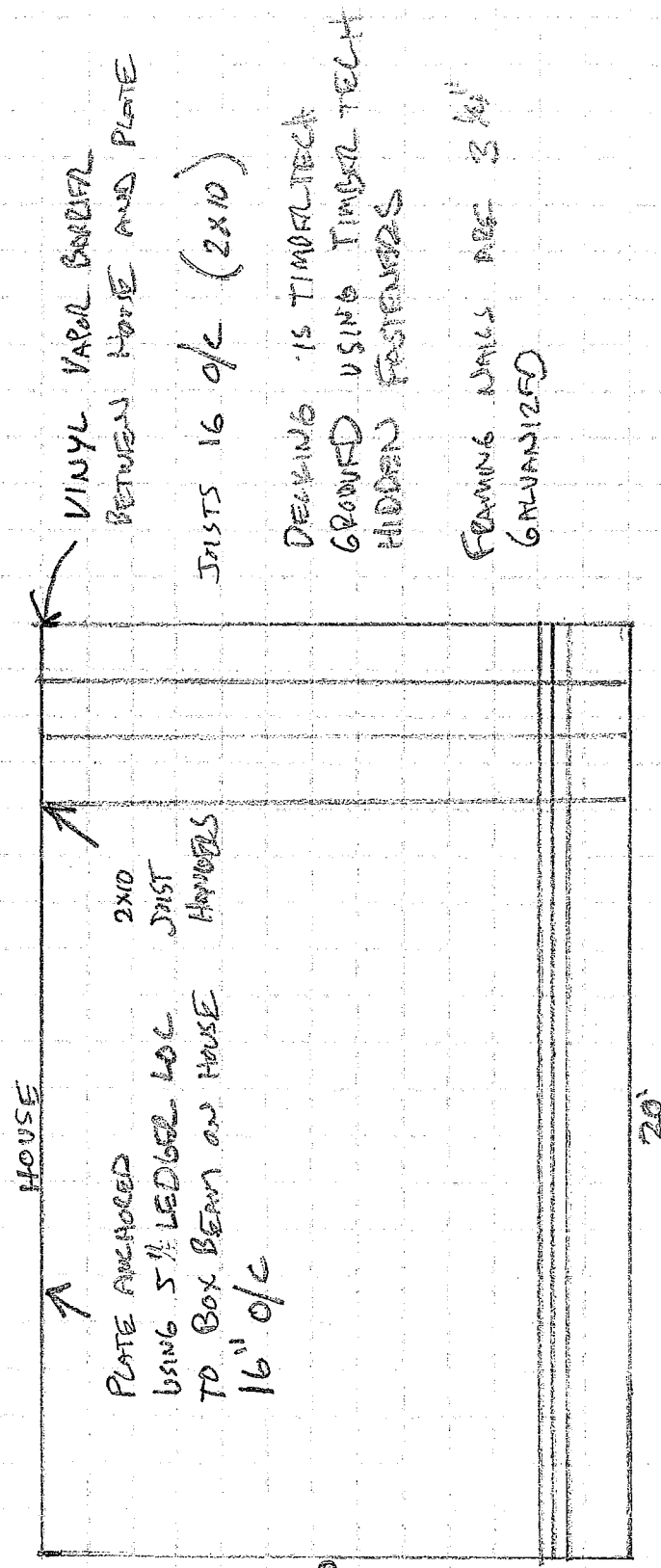
Cc: Town Clerk & Assessor (500')  
File







STEPS LESS THAN 8" BUT ALL EQUAL TO APPROXIMATE



VINYL VAPOR BARRIER BETWEEN HOUSE AND PLATE

JOISTS 16 o/c (2x10)

DECKING IS TIMBERTECH GRADED USING TIMBERTECH HIDDEN FASTENERS

FRAMING WALLS ARE 3 1/2" GALVANIZED

10

# Patel 11 Cold Spring Lane (117-4-26)

E 61°53'00"  
N 991,000



0.166 N

273.1

250.1

8.2

324.6

45.7

142.7

2

272.3

278.7

291.3

332.6

121.9

5.931