

2647(C)-17 REAR DECK (8x14) EXTENDING &
CONNECTING TO A/G POOL

2647(D)-17 A/G POOL (24' ROUND)¹
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: 11-3-17

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

I (WE) JETT PHILLIPS PRESENTLY

RESIDING AT NUMBER 27 LINDEN DR.

TELEPHONE NUMBER 845-649-9247

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:

91-4-15 (TAX MAP DESIGNATION)

27 LINDEN DRIVE (STREET ADDRESS)

R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-3 185-15-A-4

BACK TABLE SCHEDULE 3



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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: 9-25-2017
- 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 VARIANCE

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:

SEMI-LAR STRUCTURES ARE ALREADY IN USE AT NEARBY PROPERTIES

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:

ZONING DISTRICT SPECIFICATIONS ~~ARE~~ WHERE PROPERTY IS LOCATED

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

STRUCTURES SHALL BE LOCATED WITHIN PROPERTY BOUNDARIES THE SAME AS SEMI-LAR STRUCTURES EXISTING ON NEARBY PROPERTIES

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

NO SUBSTANTIAL ENVIRONMENTAL CHANGES WILL BE MADE

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

ZONING DISTRICT DETERMINES ALLOWABLE LOT COVERAGE



TOWN OF NEWBURGH

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ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Jack Phillips

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS THIRD DAY OF NOVEMBER 2017

Andrew J. Zarutskie

NOTARY PUBLIC

ANDREW J. ZARUTSKIE
Notary Public, State of New York
No. 01 ZA4502524
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)

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: ADDING NEW DECK AND ABOVE GROUND POOL			
Project Location (describe, and attach a location map): 27 LINDEN DRIVE SBL: 91-4-15			
Brief Description of Proposed Action: REMODEL EXISTING 12'x12' DECK AND ADD NEW 8'x14' DECK ALONG WITH INSTALLING A NEW 24' ROUND ABOVE GROUND POOL			
Name of Applicant or Sponsor: JETT PHELIPS		Telephone: 845-649-9247	E-Mail: JETT_PHELIPS@YANCO.COM
Address: 27 LINDEN DR.			
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
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.258	acres
b. Total acreage to be physically disturbed?		0.015	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.258	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,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input 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	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO	YES	
		<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: _____		NO	YES	
		<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		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? b. Is the proposed action located in an archeological sensitive area?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<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? 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"/>	
		<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 type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES	
a. Will storm water discharges flow to adjacent properties?		<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: _____		<input type="checkbox"/>	<input 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: <u>JETT PHILLIPS</u>	Date: _____	
Signature: <u>Jon Phillips</u>		

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"/>

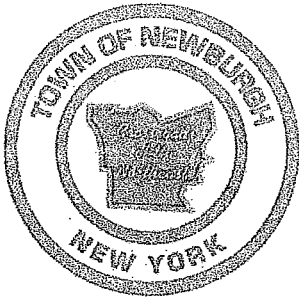
Agency Use Only [If applicable]

Project:	
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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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

2647(C)-17

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/25/2017

Application No. 17-0808

**To: Jeff Phillips
27 Linden Dr
Newburgh, NY 12550**

**SBL: 91-4-15
ADDRESS: 27 Linden Dr**

ZONE: R1

PLEASE TAKE NOTICE that your application dated 08/28/2017 for permit to adding a 8' x 14' rear deck to the existing 12' x 12' deck and than connecting it to an above ground swimming pool. on the premises located at 27 Linden Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule 3 Requires a rear yard setback of 40' minimum.
- 2) Bulk table schedule 3 Requires one side yard of 30' minimum.
- 3) Bulk table schedule 3 Requires a combined side yard of 80'.
- 4) Bulk table schedule 3 Allows a maximum lot surface coverage of 20%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

2647(C)-17

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / NO

NAME: Jeff Phillips Building Application # 17-0808

ADDRESS: 27 Linden Dr. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: House / pool decks

SBL: 91-4-15 ZONE: R-1 ZBA Application # _____

TOWN WATER: YES / NO

TOWN SEWER: YES / NO

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	11250 SF				
SHED / PROPERTY LINE					
ACCESSORY FORMULA					
10% YARD COVERAGE					
REAR YARD	40'		18'	22'	55.00%
ONE SIDE YARD	30'		7.66'	22.34'	74.00%
COMBINE SIDE YARDS	80'		45.4'	34.6'	43.33%
BUILDING COVERAGE					
SURFACE COVERAGE	20%=2250		3113 sf	863 sf	38.30%

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:

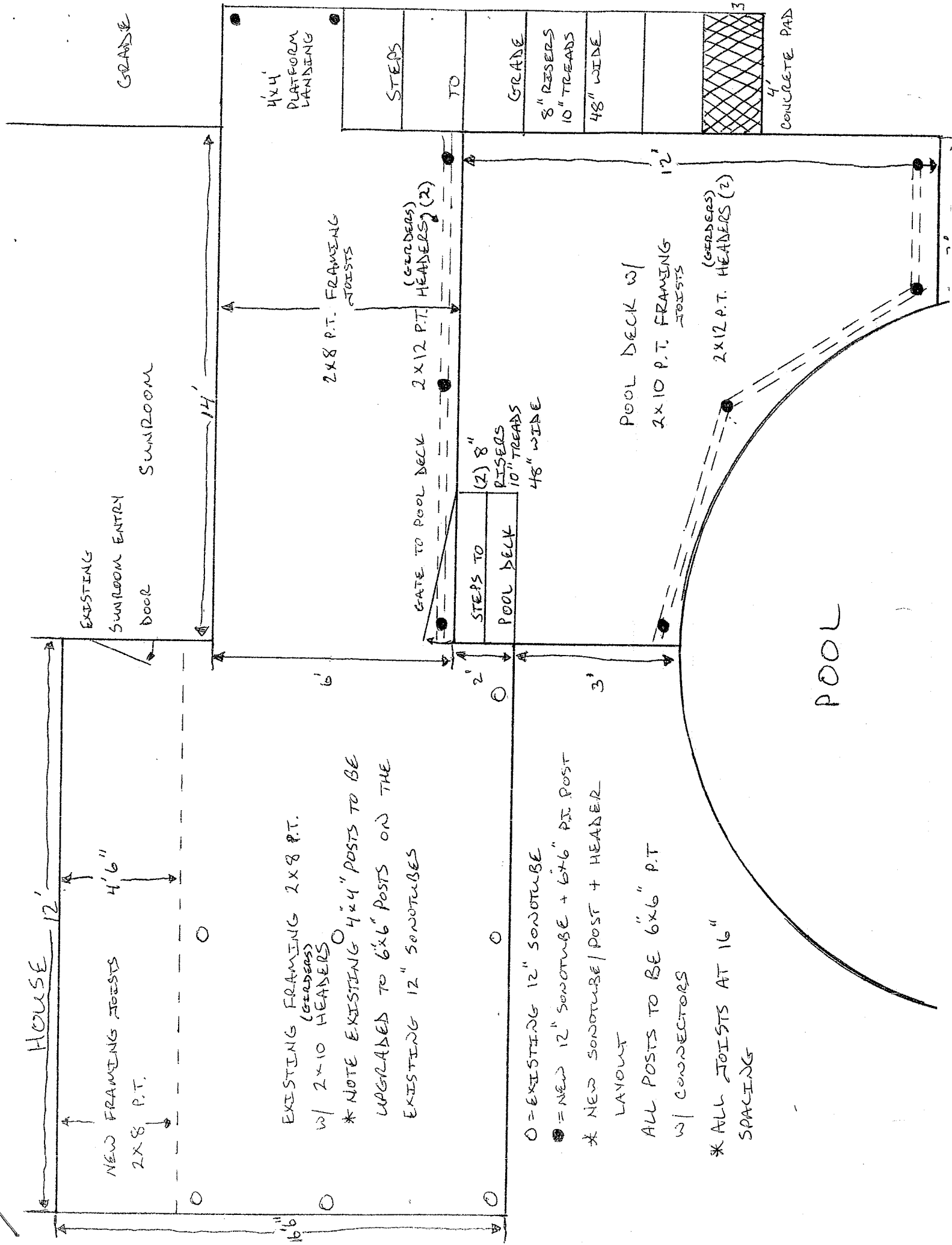
rear house / pool deck connected directly to the pool
3 of 4

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 3 requires a 40' minimum rear yard setback
- 2 Bulk table schedule 3 requires 1 side yard setback of 30' minimum.
- 3 Bulk table schedule 3 requires a combined side yard set back of 80'
- 4 Bulk table schedule 3 allows 20% maximum surface coverage

REVIEWED BY: Joseph Mattina

DATE: 25-Sep-17



HOUSE 12'

NEW FRAMING JOISTS 4'6" 2x8 P.T.

EXISTING SUNROOM ENTRY DOOR SUNROOM

14'

EXISTING FRAMING 2x8 P.T. w/ 2x10 HEADERS (GIRDERS)

* NOTE EXISTING 4x4" POSTS TO BE UPGRADED TO 6x6" POSTS ON THE EXISTING 12" SONOTUBE

○ = EXISTING 12" SONOTUBE
 ● = NEW 12" SONOTUBE + 6x6" P.T. POST
 * NEW SONOTUBE/POST + HEADER LAYOUT

ALL POSTS TO BE 6x6" P.T. w/ CONNECTORS

* ALL JOISTS AT 16" SPACING

4x4' PLATFORM LANDING

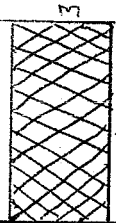
STEPS

TO

GRADE

8" RISERS 10" TREADS

48" WIDE



4' CONCRETE PAD

2x8 P.T. FRAMING JOISTS

2x12 P.T. HEADERS (2)

(2) 8" RISERS 10" TREADS 48" WIDE

STEPS TO POOL DECK

POOL DECK w/ 2x10 P.T. FRAMING JOISTS

2x12 P.T. HEADERS (2)

12'

POOL



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

2647(D)-17

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Application No. 17-0810

Date: 09/25/2017

To: Jeff Phillips
27 Linden Dr
Newburgh, NY 12550

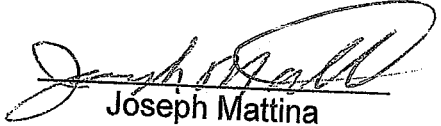
SBL: 91-4-15
ADDRESS: 27 Linden Dr

ZONE: R1

PLEASE TAKE NOTICE that your application dated 08/28/2017 for permit to install a 24' round above ground pool at the end of the house deck on the premises located at 27 Linden Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) Bulk table schedule 3 Requires a rear yard setback of 40' minimum.
- 2) Bulk table schedule 3 Allows a maximum lot surface coverage of 20%


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

2647(D)-17

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES / **NO**

NAME: Jeff Phillips Building Application # 17-0810 / 0807

ADDRESS: 27 Linden Dr. Newburgh NY 12550

PROJECT INFORMATION:

AREA VARIANCE

USE VARIANCE

TYPE OF STRUCTURE: Attached pool

SBL: 91-4-15 ZONE: R-1 ZBA Application # _____

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA	11250 SF				
SHED / PROPERTY LINE					
ACCESSORT FORMULA					
10% YARD COVERAGE					
REAR YARD	40'		18'	22'	55.00%
ONE SIDE YARD					
COMBINE SIDE YARDS					
BUILDING COVERAGE					
SURFACE COVERAGE	20%=2250		3113 sf	863 sf	38.30%

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: 4 of 4

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 3 requires a rear yard setback of 40' minimum.
- 2 Bulkt table schedule 3 allows a maximum slot surface coverage of 20%
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 25-Sep-17

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

Michael A. Carter as
 executor of the Estate of
 Anita P. Douglass
 Jeff N. Phillips
 Heidi S. Phillips, NY

Joe Orgera 11/3/17

SECTION 91 BLOCK 4 LOT 15

RECORD AND RETURN TO:
 (Name and Address)

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

Marc Kerchman, ESO
 200 Stony Brook Ct., Ste 2
 Newburgh, NY 12550

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ed MORTGAGE ___ SATISFACTION ___ ASSIGNMENT ___ OTHER ___

PROPERTY LOCATION

- | | |
|--------------------------------|-------------------------------|
| ___ 2089 BLOOMING GROVE (TN) | ___ 4289 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) |
| ___ 2600 CRAWFORD (TN) | ___ 4600 NEWBURGH (TN) |
| ___ 2800 DEERPARK (TN) | ___ 4800 NEW WINDSOR (TN) |
| ___ 3089 GOSHEN (TN) | ___ 5089 TUXEDO (TN) |
| ___ 3001 GOSHEN (VLG) | ___ 5001 TUXEDO PARK (VLG) |
| ___ 3003 FLORIDA (VLG) | ___ 5200 WALKILL (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) | ___ 5889 WOODBURY (TN) |
| ___ 3889 MINISINK (TN) | ___ 5801 HARRIMAN (VLG) |
| ___ 3801 UNIONVILLE (VLG) | |
| ___ 4089 MONROE (TN) | |
| ___ 4001 MONROE (VLG) | |
| ___ 4003 HARRIMAN (VLG) | |
| ___ 4005 KIRYAS JOEL (VLG) | |

CITIES

- | |
|----------------------|
| ___ 0900 MIDDLETOWN |
| ___ 1100 NEWBURGH |
| ___ 1300 PORT JERVIS |
| ___ 9999 HOLD |

NO. PAGES 4 CROSS REF ___
 CERT. COPY ___ ADD'L X-REF ___
 MAP # ___ PGS. ___
 PAYMENT TYPE: CHECK
 CASH ___
 CHARGE ___
 NO FEE ___
 CONSIDERATION \$ 220,000
 TAX EXEMPT ___
 MORTGAGE AMT \$ ___
 DATE ___

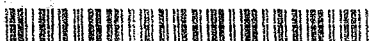
MORTGAGE TAX TYPE:

- ___ (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: Regency

RECORDED/FILED
 07/20/2009/ 15:57:25
 DONNA L. BENSON
 County Clerk
 ORANGE COUNTY, NY
 FILE#20090069731
 DEED R / BK 12864PG 0575
 RECORDING FEES 190.00
 TTX# 007009 T TAX 880.00
 Receipt#1051860 joanned



EXECUTOR'S DEED

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

THIS INDENTURE, made the 6th day of July, 2009

BETWEEN

MICHAEL A. CARTER AS EXECUTOR OF THE ESTATE OF ANITA P. DOUGLASS, residing at 14 Floral Drive, Newburgh, New York 12550,

party of the first part, and

~~JEFF~~ ^{JEFF} **N. PHILLIPS** and **HEIDI S. PHILLIPS**, h/w, about to reside at 27 Linden Drive, Newburgh, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, to whom letters testamentary were issued by the Surrogate's Court of the State of New York for the County of Orange on October 23, 2007, and by virtue of the power and authority given in and by said last will and testament, and in consideration of TWO HUNDRED TWENTY THOUSAND and 00/100--(\$10.00)---- dollars actual consideration, lawful money of the United States, 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, consisting of one tax parcel with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, more particularly bounded and described in Schedule "A" which is annexed hereto and made a part hereof by reference.

BEING the same lands and premises conveyed to Anita P. Douglass, who acquired title as follows:

1. Deed dated 12/27/1994 made by Carrie Priscilla Powell and recorded in the Office of the Orange County Clerk on 12/28/1994 in Liber 4158 of Deeds at page 17.
2. Deed dated 01/04/1995 made by Carrie Priscilla Powell and recorded in the Office of the Orange County Clerk on 01/06/1995 in Liber 4162 of Deeds at page 18.

The said Anita P. Douglass died a resident of Orange County on 05/05/2007 leaving Michael A. Carter as her Executor.

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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise,

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.

OPRL-8707

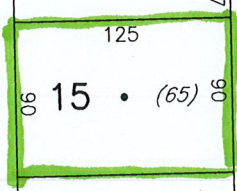
SCHEDULE "A"

Title #: 09RL-8707

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

BEGINNING at an iron pipe found on the southeasterly side of Linden Drive, said pipe being the westerly most corner of the lands reputedly of Smith; thence from said point or place of beginning and along the lands reputedly of said Smith, South $61^{\circ} 40' 00''$ East a distance of 125.00 feet to an iron pin found; thence along the lands reputedly of Morrissey, and passing over a wood hub found on line at 49.39 feet, South $28^{\circ} 20' 00''$ West a distance of 90.00 feet to an iron pin found; thence along the lands reputedly of D'Elia, North $61^{\circ} 40' 00''$ West a distance of 125.00 feet to an iron pin found, said pin being North $28^{\circ} 20' 00''$ East a distance of 90.00 feet from an iron pin found; thence along the southeasterly side of said Linden Drive, North $28^{\circ} 20' 00''$ East a distance of 90.00 feet to the point or place of **BEGINNING**.

Phillips
27 Linden DR
(91-4-15)



NOT FILED WITH COUNTY