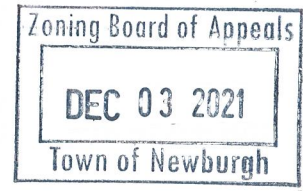




# TOWN OF NEWBURGH

*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: 12/02/2021

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

I (WE) Mary Pietrogallo PRESENTLY

RESIDING AT NUMBER 1 Paddock Place

TELEPHONE NUMBER 845-564-1803

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:

58-4-16 (TAX MAP DESIGNATION)

1 Paddock Place (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

§185-48.5 Residential Lot Areas

\_\_\_\_\_

\_\_\_\_\_



# 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: \_\_\_\_\_
- 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: Minimum Side Yard, Lot

Width, & Total Side Yard

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:

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



# TOWN OF NEWBURGH

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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 is a pre-existing condition. The home was built in 1987.

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

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:

Pre-existing conditions warrant continued use and the benefit and enjoyment to continue to do so. There is no other method.

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

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:  
There are no other options and all of the items make the parcel more conforming to the associated code.

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

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 is a pre-existing condition since 1987 and there are no proposed improvements.

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

e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:  
It is a pre-existing condition.

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



# TOWN OF NEWBURGH

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308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD  
(845) 566-4901

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

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

*Mary P. ...*  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4<sup>TH</sup> DAY OF NOVEMBER 20 21

HEDWIG HELEN MLOTT  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01ML4991824  
Qualified in Orange County  
My Commission Expires 02-10-2022

*Hedwig Helen Mlott*  
\_\_\_\_\_  
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)



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

## PROXY

Mary Pietrogallo, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 1 Paddock Place

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF Tax Parcel 58-4-16

and all the improvements at 1 Paddock Place.

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Jonathan N. Millen, LLS

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 11-4-21

*Mary Pietrogallo*  
OWNER'S SIGNATURE

*Jonathan N. Millen*  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4<sup>TH</sup> DAY OF NOVEMBER 20 ~~20~~ 21

HEDWIG HELEN MLOTT  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01ML4991824  
Qualified in Orange County  
My Commission Expires 02-10-2022

*Hedwig Helen Mlott*  
NOTARY PUBLIC

## Short Environmental Assessment Form

### Part 1 - Project Information

**Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

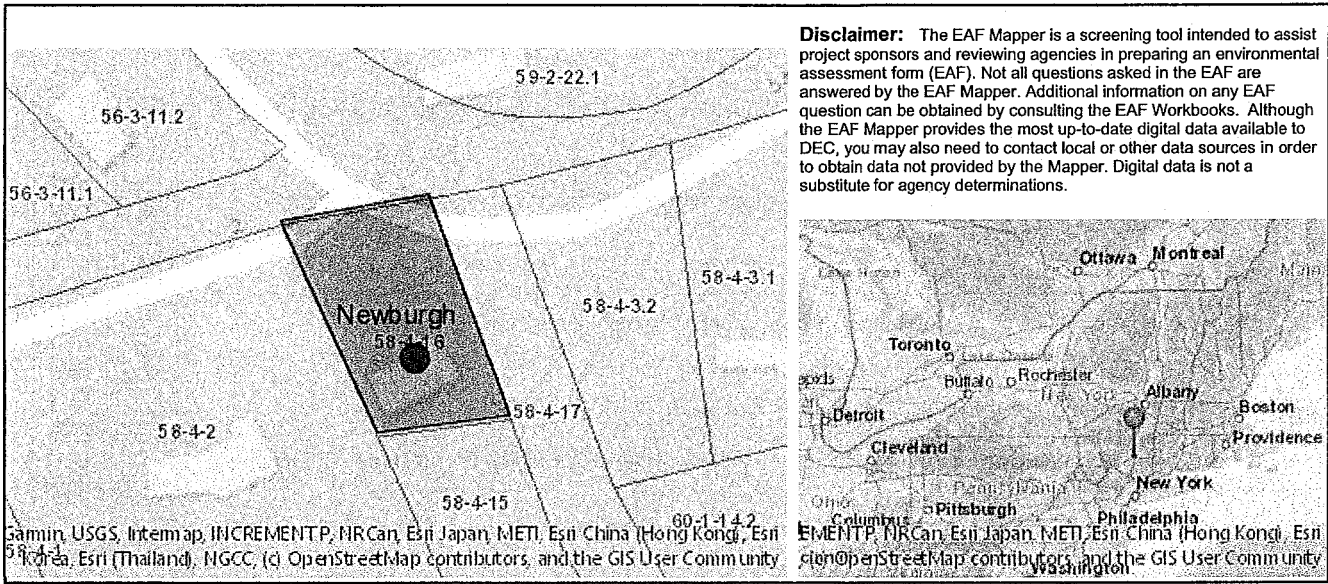
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Lot Line Change of the Lands of Kara E. Pietrogallo, Mary Pietrogallo, & Helen Morosco			
Project Location (describe, and attach a location map): 1 Paddock Place, Newburgh, NY 12550			
Brief Description of Proposed Action: Lot Line Change			
Name of Applicant or Sponsor: Jonathan N.Millen, LLS		Telephone: 845-943-7198	
		E-Mail: JMillenLLS@acessurveying.com	
Address: 1229 Route 300			
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 <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.345 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.604 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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
Indiana Bat	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Jonathan N. Millen, LLS</u>		Date: <u>08-05-2021</u>
Signature: _____		Title: <u>Licensed Land Surveyor</u>





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



# Property Description Report For: 1 Paddock Pl, Municipality of Newburgh

*No Photo Available*

		<b>Status:</b>	Active
		<b>Roll Section:</b>	Taxable
		<b>Swis:</b>	334600
		<b>Tax Map ID #:</b>	58-4-16
		<b>Property Class:</b>	210 - 1 Family Res
		<b>Site:</b>	RES 1
		<b>In Ag. District:</b>	No
		<b>Site Property Class:</b>	210 - 1 Family Res
		<b>Zoning Code:</b>	-
		<b>Neighborhood Code:</b>	41112
		<b>School District:</b>	Newburg
<b>Total Acreage/Size:</b>	102 x 160	<b>Total Assessment:</b>	2021 - Tentative \$81,000
<b>Land Assessment:</b>	2021 - Tentative \$7,400		
<b>Full Market Value:</b>	2021 - Tentative \$286,700		
<b>Equalization Rate:</b>	----	<b>Property Desc:</b>	
<b>Deed Book:</b>	12889	<b>Deed Page:</b>	1828
<b>Grid East:</b>	607748	<b>Grid North:</b>	979376

## Area

<b>Living Area:</b>	2,031 sq. ft.	<b>First Story Area:</b>	1,051 sq. ft.
<b>Second Story Area:</b>	980 sq. ft.	<b>Half Story Area:</b>	0 sq. ft.
<b>Additional Story Area:</b>	0 sq. ft.	<b>3/4 Story Area:</b>	0 sq. ft.
<b>Finished Basement:</b>	0 sq. ft.	<b>Number of Stories:</b>	2
<b>Finished Rec Room</b>	0 sq. ft.	<b>Finished Area Over Garage</b>	0 sq. ft.

## Structure

<b>Building Style:</b>	Colonial	<b>Bathrooms (Full - Half):</b>	2 - 1
<b>Bedrooms:</b>	4	<b>Kitchens:</b>	1
<b>Fireplaces:</b>	0	<b>Basement Type:</b>	Full
<b>Porch Type:</b>	0	<b>Porch Area:</b>	0.00
<b>Basement Garage Cap:</b>	0	<b>Attached Garage Cap:</b>	500.00 sq. ft.
<b>Overall Condition:</b>	Good	<b>Overall Grade:</b>	Good
<b>Year Built:</b>	1987	<b>Eff Year Built:</b>	

## Owners

Mary Pietrogallo  
3 Paddock Pl  
Newburgh NY 12550

## Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Add. Parcels	Deed Book and Page
8/18/2009	\$0	210 - 1 Family Res	Land & Building	Pietrogallo, Louis	No	No	No	12889/1828

## Utilities

<b>Sewer Type:</b>	Comm/public	<b>Water Supply:</b>	Comm/public
<b>Utilities:</b>	Gas & elec	<b>Heat Type:</b>	Hot wtr/stm
<b>Fuel Type:</b>	Oil	<b>Central Air:</b>	No

## Improvements

Structure	Size	Grade	Condition	Year
Gar-1.0 att	500.00 sq ft	Average	Normal	1987

## Special Districts for 2021 (Tentative)

Description	Units	Percent	Type	Value
FD030-Orange lk fire	0	0%		0
LT004-Consol lt	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

## Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2021	BAS STAR	(Tentative)\$10,560	0	2014				0

## Taxes

Year	Description	Amount
2021	County	\$2,911.73
2020	County	\$2,869.52
2020	School	\$5,303.06

**\* Taxes reflect exemptions, but may not include recent changes in assessment.**

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



LOUIS PIETROGALLO and  
MARY PIETROGALLO

TO

MARY PIETROGALLO

SECTION 58 BLOCK 4 LOT 16

RECORD AND RETURN TO:  
(name and address)

MARY PIETROGALLO  
P.O. Box 7324  
Newburgh, New York 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 MR 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 WALKKILL (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 Evgreen

RECORDED/FILED  
08/31/2009/ 09:32:09  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY  
FILE#20090085152  
DEED R / BK 12889PG 1828  
RECORDING FEES 190.00  
TTX# 000639 T TAX 0.00  
Receipt#1068896 hals



Bargain and Sale Deed with Covenant against Grantor's Acts  
Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT

THIS INDENTURE, made the <sup>18<sup>th</sup> August</sup> day of ~~July~~, 2009

**BETWEEN LOUIS PIETROGALLO**, residing at 47 Church Street, Wallkill, New York 12589 and **MARY PIETROGALLO**, with a mailing address of ~~P.O. Box 7324~~, Newburgh, New York 12550  
*residing at - 3 Paddock Place MFP. Newburgh, NY 12550*

party of the first part, and **MARY PIETROGALLO**, with a mailing address of ~~P.O. Box 7324~~, Newburgh, New York 12550  
*residing at - 3 Paddock Place MFP. Newburgh, NY 12550*

party of the second part,

**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, County of Orange and State of New York, more particularly described in Schedule A attached hereto.

**BEING** the same premises as described in a deed dated March 2, 1987 from Louis Pietrogallo and Mary Pietrogallo to Louis Pietrogallo and Mary Pietrogallo which deed has been recorded in the Office of the Orange County Clerk on March 5, 1987 in Liber 2670 at page 271.

The premises are not in an agricultural district and that the subject premises is entirely owned by the transferor(s).

**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 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

**Commonwealth Land Title Insurance Company**

Title No.: EVGNY-053209

**SCHEDULE A CONTINUED**

**LEGAL DESCRIPTION**

All that certain Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, bounded and described as follows:

BEGINNING at an iron pipe set near the side of the Meadow Hill Road and in the westerly line of an access road conveyed to Robert L. Bliss;

RUNNING THENCE along said access road south 8 degrees 54 minutes east 160.50 feet to an iron pipe set;

THENCE through lands of Morosco and Bennet north 86 degrees 26 minutes west 91.00 feet to an iron pipe set in a stone wall;

THENCE along a stone wall along lands of Anthony Morosco north 13 degrees 01 minute west, 160.10 feet to an iron bar in the southerly side of a lane;

THENCE along the land and the Meadow Hill Road south 88 degrees 17 minutes east 102.00 feet to the point or place of BEGINNING.

NOTE: Being District , Section 58, Block(s) 4, Lot(s) 16, Tax Map of the Town of Newburgh, County of Orange.

NOTE: Lot and Block shown for informational purposes only.

Issued by:


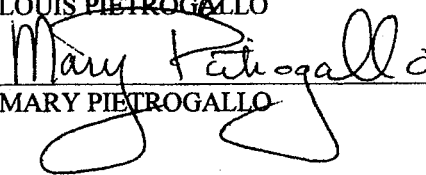
**Evergreen Title Agency, L.P.**  
1125 Ocean Avenue, Lakewood, NJ 08701  
Telephone: 845-689-9200 Fax: 845-689-9201

(053209.PFD/053209/16)

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.

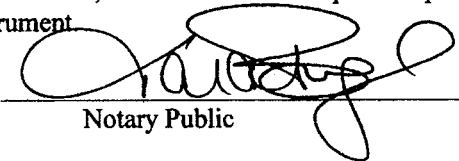
IN PRESENCE OF:

  
\_\_\_\_\_  
LOUIS PIETROGALLO  
  
\_\_\_\_\_  
MARY PIETROGALLO

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On July 24, 2009 before me, the undersigned, a Notary Public in and for the State, personally appeared LOUIS PIETROGALLO personally known to me or proved to be me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity and that by their signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

TARA BUYL  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01BU6126234  
Qualified in Ulster County  
My Commission Expires May 02, 2013

  
\_\_\_\_\_  
Notary Public

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On August 18, 2009 before me, the undersigned, a Notary Public in and for the State, personally appeared MARY PIETROGALLO personally known to me or proved to be me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity and that by their signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

REGINA K. SIGLER  
Notary Public, State of New York  
No. 4988446  
Qualified in Dutchess County  
Commission Expires September 16, 2009

James R. Loeb  
Richard J. Drake, *retired*  
Glen L. Heller\*  
Marianna R. Kennedy  
Gary J. Gogerty  
Stephen J. Gaba  
Adam L. Rodd  
Dominic Cordisco  
Ralph L. Puglielle, Jr.  
Nicholas A. Pascale

Alana R. Bartley  
Aaron C. Fitch  
Judith A. Waye  
Michael Martens

Jennifer L. Schneider  
Managing Attorney

\*L.L.M. in Taxation

October 20, 2021

BY EMAIL ONLY

Darrin J. Scalzo, Chairman  
Zoning Board of Appeals  
Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York 12550

Re: Pietrogallo Lot Line Change / Planning Board Project No. 21-20

Dear Chairman Scalzo and Board Members:

At the Planning Board's October 7, 2021 meeting, the Planning Board resolved to refer this application to the Zoning Board of Appeals.

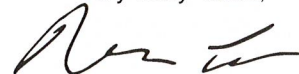
The proposed project involves a lot line change that will convey a total of 0.037 acres of land from Tax Parcel 58-4-2 (Parcel "A"), to Tax Parcel 58-4-16 (Parcel "C"), and 2.596 Acres to Tax Parcel 58-4-15 (Parcel "B"). Parcel "B" will also convey a total of 0.280 Acres to Parcel "A". Both parcels "A" and "C" have single family residences and are served by public utilities for water and sewer. Parcel "C" is currently vacant and land locked, but will no longer be land locked having a 50 foot wide access to Paddock Place as a result of this lot line change.

Parcel C does not meet the bulk requirement for the side yard: 30 feet is required where 13.6 feet currently exists. This is an existing nonconformity, but consistent with the Town's practice, the prior nonconforming status would be lost due to the proposed new subdivision.

The Planning Board has not declared its intent to serve as lead agency so that the Zoning Board of Appeals may consider and process this application without the need to wait for the Planning Board to conclude its SEQRA review.

Thank you for your consideration of this matter.

Very Truly Yours,

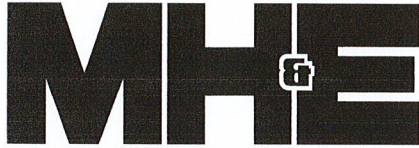


Dominic Cordisco

cc:

David A. Donovan, Esq., Attorney for the ZBA  
Town of Newburgh Planning Board  
Patrick J. Hines, Planning Board Consulting Engineer





**CONSULTING ENGINEERS, D.P.C.**

MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)  
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)  
LYLE R. SHUTE, P.E., LEED-AP (NY, NJ, PA)  
PATRICK J. HINES

Main Office  
33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100  
fax: (845) 567-3232  
e-mail: [mheny@mhepc.com](mailto:mheny@mhepc.com)

Principal Emeritus:  
RICHARD D. McGOEY, P.E. (NY & PA)

**TOWN OF NEWBURGH  
PLANNING BOARD  
TECHNICAL REVIEW COMMENTS**

**PROJECT NAME: PIETROGALLO LOT LINE CHANGE**  
**PROJECT NO.: 2021-20**  
**PROJECT LOCATION: SECTION 58, BLOCK 4, LOT 2, 16, & 15**  
**REVIEW DATE: 11 AUGUST 2021**  
**MEETING DATE: 19 AUGUST 2021**  
**PROJECT REPRESENTATIVE: ACCESS SURVEYING/ J. MILLEN**

1. Under the existing conditions, Tax Lot #15 is a 1.151-acre land locked parcel. After the lot line change, Lot #15 becomes a 3.36 +/- acre land locked parcel. It is unclear why the landlocked parcel size is increasing without benefit of any access.
2. An existing tax lot representation should be depicted on the plan for reference.
3. Existing Tax Lot #16 identified as Parcel B requires a variance identified.

Side Yard Variance: 13.6-feet existing  
30-feet required

Total Side Yard Variance: 65.7-feet existing  
80-feet required

Min Lot Width Variance: 125-feet existing  
150-feet required

In addition, Parcel B continues to be below the minimum lot area of 40,000-square feet.

Respectfully submitted,

**McGoey, Hauser and Edsall  
Consulting Engineers, D.P.C.**

Patrick J. Hines  
Principal

PJH/dns

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

STATE OF NEW YORK: COUNTY OF ORANGE:

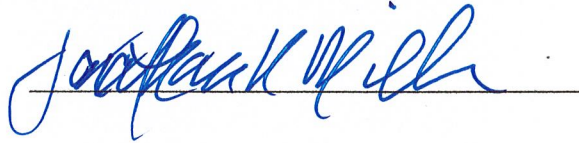
I Jonathan N. Millen, being duly sworn, depose and say that I did on or before

December 9, 2021, post and will thereafter maintain at

1 Paddock Pl 58-4-16 R2 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.

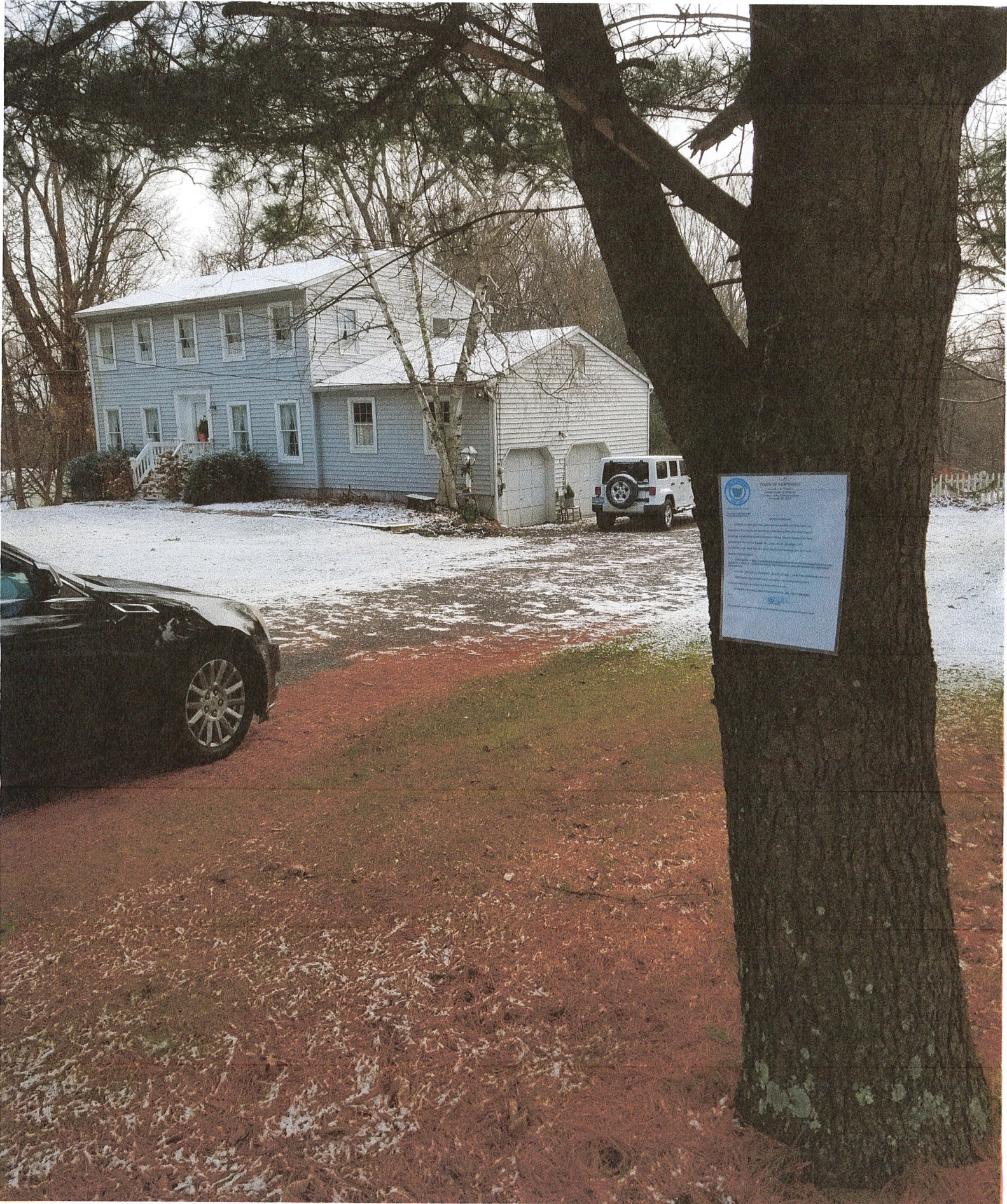
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the 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 9

day of December, 2021.





**Town of Northampton**  
Office of the Assessor  
100 State Street  
Northampton, MA 01060  
413-253-2200  
www.northamptonma.gov

**NOTICE OF APPEAL RIGHTS**

Under Chapter 80C of the Massachusetts General Laws, you have the right to appeal the assessment of your property. The assessment is the value placed on your property for the purpose of determining the amount of property tax you must pay. If you believe the assessment is incorrect, you may appeal it. The deadline for filing an appeal is the first Tuesday after the first Monday of the month of May following the date of the assessment. For more information, please contact the Assessor's Office at 413-253-2200 or visit our website at www.northamptonma.gov.

