



Steven M. Neuhaus
County Executive

Orange County Department of Planning Submittal Form for Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l,m, & n

Referral ID#:
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.
Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality: Town of Newburgh

Local Referring Board: Zoning Board of Appeals

Applicant: DEAN & KRISTINE SCHADE

Project Name: _____

Location of Project Site: 6 Prospect Hill RD
WALKILL

Tax Map #: 1-1-29.42

Tax Map #: _____

Tax Map #: _____

Local File No.: 25342535-15

Size of Parcel*: 1 acre
*If more than one parcel, please include sum of all parcels.

A & B

Reason for County Review: Within 500F of CR-23 FOREST ROAD

Current Zoning District (include any overlays): AR

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

Site Plan

Subdivision

Special Use Permit

Lot Line Change

Variance

Other

Sq. feet proposed (non-residential only): _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Number of lots proposed: _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

AREA USE (circle one) (A) PRIOR BUILT HOUSE/POOL DECK
(B) ACCESSORY APARTMENT STANDARDS

Is this an update to a previously submitted referral? YES / NO (circle one)

Local board comments or elaboration:

Signature of local official

12/15/15
Date

Chairperson
Zoning Board of Appeals
Title

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com

2534-15

Prior Built House / Pool Deck
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: 12/8/2015

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

I (WE) DEAN AND Kristine Schade PRESENTLY

RESIDING AT NUMBER 6 Prospect Hill Road

TELEPHONE NUMBER (845) 566-7748

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:

1-1-29.42 (TAX MAP DESIGNATION)

6 Prospect Hill Road (STREET ADDRESS)

AIR (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).

Bulk schedule 2, Setback provision



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OLD TOWN HALL
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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: 12/2/2015
- 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: SIDE YARD SETBACK
Decrease of 2 feet Less than the 30 feet required

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:

the side yard this decrease is sought for is a
rental property with a full pine tree wind/wall
blockage from sightline.

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:

pool is constructed, with proper permit, 15yrs (approx)
ago and not very easily moved

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Being on a flag lot, with a woodline buffer between
neighbors, not viewable by anyone but this homeowner
in my opinion will not disturb any other homeowner

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 an aboveground pool, with proper permits,
that is 2 feet shy of requirement with a
history of approx 15yrs. with no issue to either.

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

I never had a final survey done, only a subdivision
survey and did not know exactly where my lines
were, I also thought the permit process would
ensure a proper placement



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OLD TOWN HALL
308 GARDNERTOWN ROAD
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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Dyn Schalk
Martine Schalk

PEITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 15th DAY OF December 20 15

ROSEMARIE LEE
Notary Public, State of New York
No. 01LE6018825
Qualified in Dutchess County
Commission Expires June 29, 2019

[Signature]
NOTARY PUBLIC

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.
(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

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

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

| | | | |
|---|--|---------------------------|---|
| Part 1 - Project and Sponsor Information | | | |
| Name of Action or Project: Above ground pool placement | | | |
| Project Location (describe, and attach a location map): 6 prospect Hill Rd WALKKILL | | | |
| Brief Description of Proposed Action: to allow for less side yard Setback for prior pool install | | | |
| Name of Applicant or Sponsor: DEAN AND Kristine Schade | | Telephone: (845) 566-7748 | |
| | | E-Mail: wecanbedman@aol | |
| Address: 6 Prospect Hill Road | | | |
| City/PO: WALKKILL | | State: NY | Zip Code: 12589 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | NO <input checked="" type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: | | | NO <input checked="" type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? | | .97 acres | |
| b. Total acreage to be physically disturbed? | | 24' Round acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | .97 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 checked="" 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <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 type="checkbox"/> | <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 | 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: _____ | 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? | <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 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: _____ | <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 checked="" 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, 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: <input type="checkbox"/> NO <input type="checkbox"/> YES | | | |
| | | | |

| | | |
|--|-------------------------------------|--------------------------|
| 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: Christine Sheckli Date: 12/15/15

Signature: _____

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)

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"/> |



TOWN OF NEWBURGH

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**CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550**



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

2534-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/02/2015

Application No. 15-1036

**To: Dean Schade
6 Prospect Hill Rd
Walkkill, NY 12589**

**SBL: 1-1-29.42
ADDRESS: 6 Prospect Hill Rd**

ZONE: AR

PLEASE TAKE NOTICE that your application dated 11/30/2015 for permit to keep a prior built house / pool deck on the premises located at 6 Prospect Hill Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 2 Requires a side yard setback of 30' minimum.


Joseph Mattina

**Cc: Town Clerk & Assessor (500')
File**

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

YES

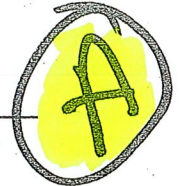
2534-15

NAME: DEAN SCHADE

ADDRESS: 6 PROSPECT HILL RD WALLKILL NY 12589

PROJECT INFORMATION:

TYPE OF STRUCTURE: 12 X 12 HOUSE DECK ATTACHED TO A POOL



SBL: 1-1-29.42 ZONE: A-R

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

| | MINIMUM | EXISTING | PROPOSED | VARIANCE | VARIANCE PERCENTAGE |
|----------------------|---------|----------|----------|----------|---------------------|
| LOT AREA | | | | | |
| LOT WIDTH | | | | | |
| LOT DEPTH | | | | | |
| FRONT YARD | | | | | |
| REAR YARD | | | | | |
| ONE SIDE YARD | 30' | | 28' | 2' | 6.66% |
| 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: **CONNECTED A HOUSE DECK TO THE FREE STANDING POOL. WILL REQUIRE AN ENGINEERS APPROVAL IF A VARIANCE IS GRANTED**

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 2 requires 30' side yard setback of unoccupied ground area.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 2-Dec-15

Pool Deck 12' x 12'



Pool Deck
Support



Hot tub Deck View From
House Deck



Hot
tub
Deck



Hot tub
Roof



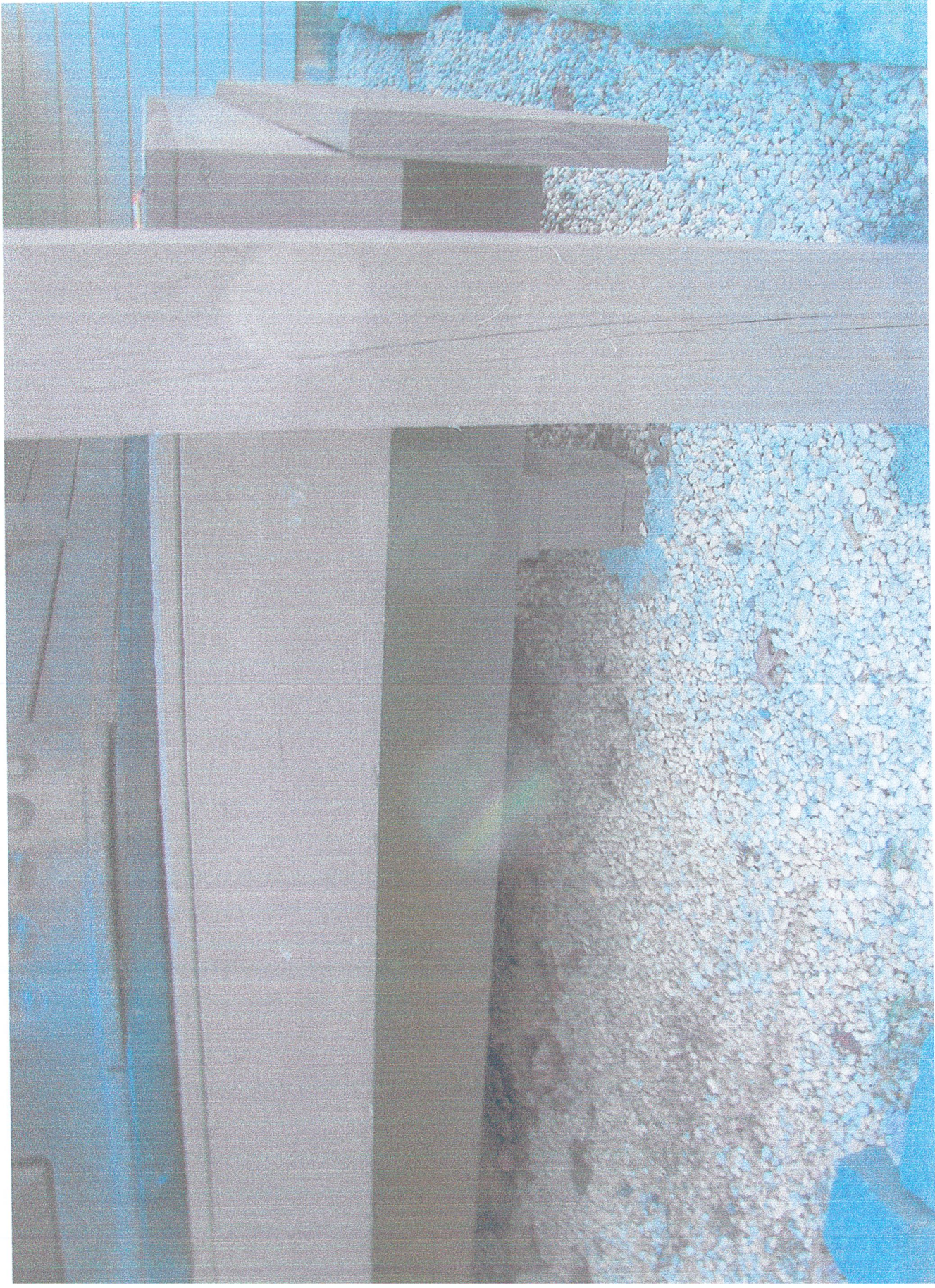
Roof Support
to house



Hot tub
Roof



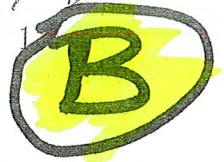
Hot tub Deck
Support



Hot tap
Deck Under



2435-15
Accessory Apartment



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ZONING BOARD OF APPEALS
OLD TOWN HALL
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APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 12/8/2015

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

I (WE) DEAN and Kristine Schade PRESENTLY

RESIDING AT NUMBER 6 prospect Hill ROAD

TELEPHONE NUMBER (845) 566-7748

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- A USE VARIANCE
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- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

1-1-29.42 (TAX MAP DESIGNATION)

6 Prospect Hill ROAD (STREET ADDRESS)

AIR (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).

185-38-C-6



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- 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: Front YARD Setback
decrease of 29 feet from the existing 61 feet

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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OLD TOWN HALL

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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:

the proposed Accessory Apartment placement, in the homeowners view, is the most Aesthetically pleasing AND easiet ACCESSIBLE with large Setbacks AND Woodlines All Around

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:

considering existing Structures and cost considerations, also other zoning constraints, this is our most Viable option

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

being on A flag lot with woodlines and setbacks considered, the footprint being on the small side, we would not feel this to be a Substantial change

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 Designed Aesthetically Similar to existing House, most utilities tied into original home, Environmental impacts will be minimal.

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

this situation Arose because it is my mother allows best option, to Remain independant, with Peace of mind for my wife, to have her nearby



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

this Addition is being build for several aging
PARENTS And for in the future my children
are in the plan

Dee Schep
Christine Schep
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 15th DAY OF December 2015

ROSEMARIE LEE
Notary Public, State of New York
No. 01LE6018825
Qualified in Dutchess County
Commission Expires June 29, 2019

Rosemarie Lee
NOTARY PUBLIC

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| | | | |
|---|--|---------------------------|---|
| Part 1 - Project and Sponsor Information | | | |
| Name of Action or Project: Accessory Apartment Addition | | | |
| Project Location (describe, and attach a location map): 6 Prospect Hill Rd, Walkill | | | |
| Brief Description of Proposed Action: Addition of accessory Apartment for Family | | | |
| Name of Applicant or Sponsor: DEAN AND Kristine Schade | | Telephone: (845) 566-7748 | |
| | | E-Mail: wecranbudman@aol | |
| Address: 6 Prospect Hill Road | | | |
| City/PO: WALKILL | | State: NY | Zip Code: 12589 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | NO <input checked="" type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: | | | NO <input checked="" type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? <u>.97</u> acres | | | |
| b. Total acreage to be physically disturbed? <u>19134' Area</u> acres | | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>.97</u> 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 checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <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 | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" 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 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 checked="" 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? <i>ZONE X</i> | 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: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES | NO | YES | |
| | <input type="checkbox"/> | <input type="checkbox"/> | |

NOT SURE

| | | |
|--|-------------------------------------|--------------------------|
| 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>Yusuf Saad</u> | Date: <u>12/15/15</u> | |
| 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? | <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.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

| | |
|---|--|
| _____ Name of Lead Agency | _____ Date |
| _____ Print or Type Name of Responsible Officer in Lead Agency | _____ Title of Responsible Officer |
| _____ Signature of Responsible Officer in Lead Agency | _____ Signature of Preparer (if different from Responsible Officer) |

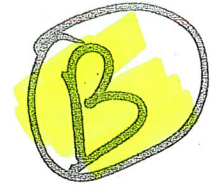


TOWN OF NEWBURGH

~Crossroads of the Northeast~

**CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550**

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



2535.15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/02/2015

Application No. 15-0979

**To: Dean Schade
6 Prospect Hill Rd
Wallkill, NY 12589**

**SBL: 1-1-29.42
ADDRESS: 6 Prospect Hill Rd**

ZONE: AR

PLEASE TAKE NOTICE that your application dated 11/12/2015 for permit to construct an accessory apartment on the premises located at 6 Prospect Hill Rd is returned herewith and disapproved on the following grounds:

**Town of Newburgh Municipal Code:
185-38-C-6 An accessory apartment shall not result in any decrease of a front yard setback.**


Joseph Mattina

**Cc: Town Clerk & Assessor (500')
File**

Town of Newburgh Code Compliance

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

NAME: DEAN SCHADE

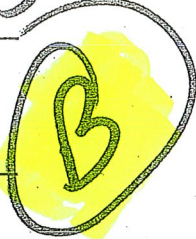
ADDRESS: 6 PROSPECT HILL RD WALLKILL NY 12589

PROJECT INFORMATION:

TYPE OF STRUCTURE: 19' X 34' ACCESSORY APARTMENT

SBL: 1-1-29.42 ZONE: A-R

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

2535-15


| | MINIMUM | EXISTING | PROPOSED | VARIANCE | VARIANCE PERCENTAGE |
|----------------------|---------|---------------------------------|----------|----------|---------------------|
| LOT AREA | | | | | |
| LOT WIDTH | | | | | |
| LOT DEPTH | | | | | |
| FRONT YARD | | 90' | 61' | | |
| REAR YARD | | 663 SF / 1 BEDROOM / 1 BATHROOM | | | |
| SIDE YARD | | | | | |
| MAX. BUILDING HEIGHT | | | | | |
| BUILDING COVERAGE | | | | | |
| SURFACE COVERAGE | | | | | |

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 _____ YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY _____ YES / NO
 CORNER LOT - 185-17-A _____ YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 _____ YES / NO
 FRONT YARD - 185-15-A _____ YES / NO
 STORAGE OF MORE THEN 4 VEHICLES _____ YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 _____ YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 _____ YES / NO

NOTES: **AN ACCESSORY APARTMENT SHALL NOT RESULT IN ANY DECREASE OF A FRONT YARD SETBACK OF ANY BUILDING**

VARIANCE(S) REQUIRED:

- 1 185-38-C-6 Shall not decrease the front yard setback.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina

DATE: 2-Dec-15



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

Kristine Schade & Dean Schade, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 16 Prospect Hill Rd
IN THE COUNTY OF Orange AND STATE OF N.Y.
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Keith Huppke
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 12/15/15 Kristine Schade
OWNER'S SIGNATURE

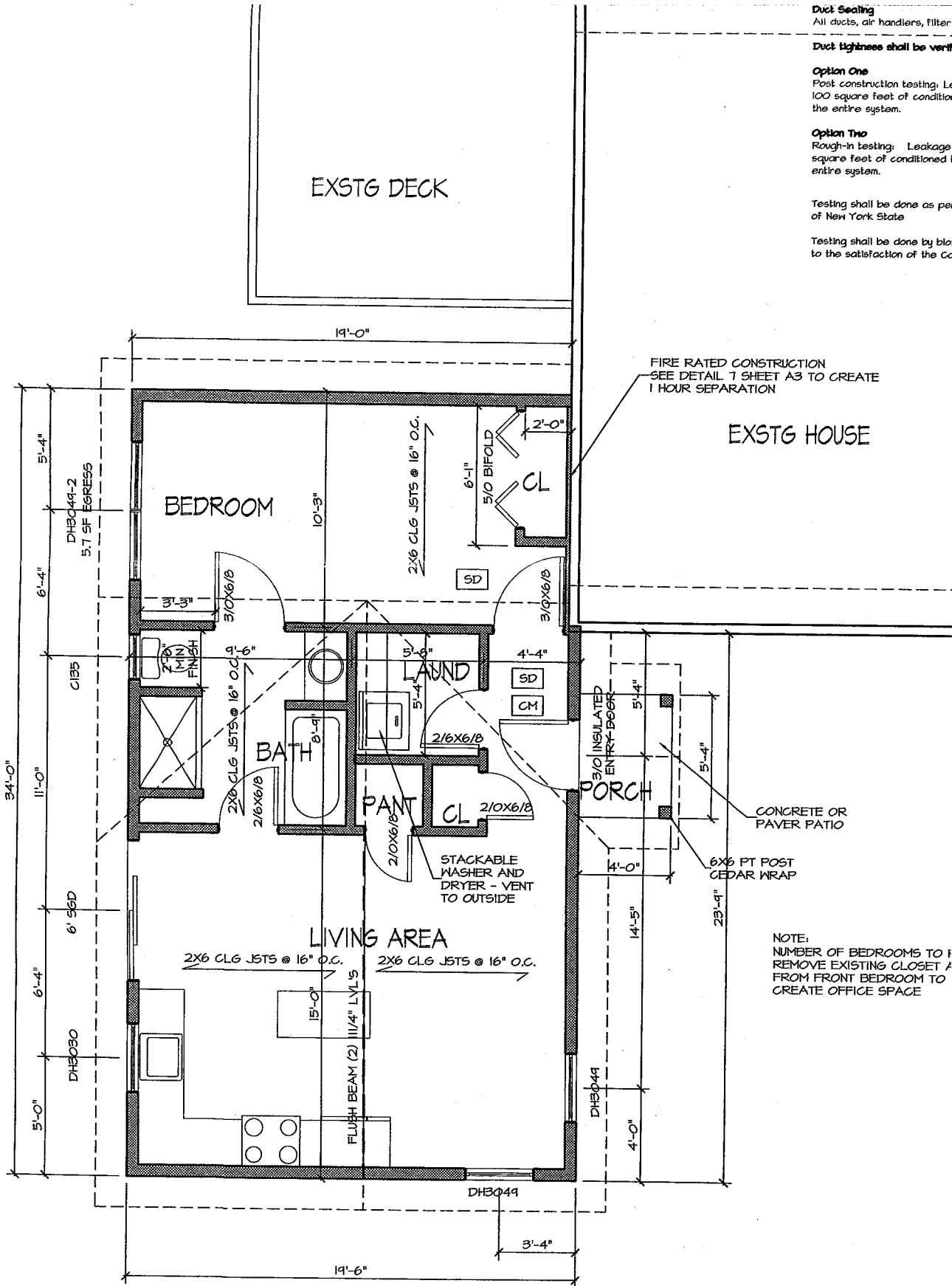
Angela Velazquez
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

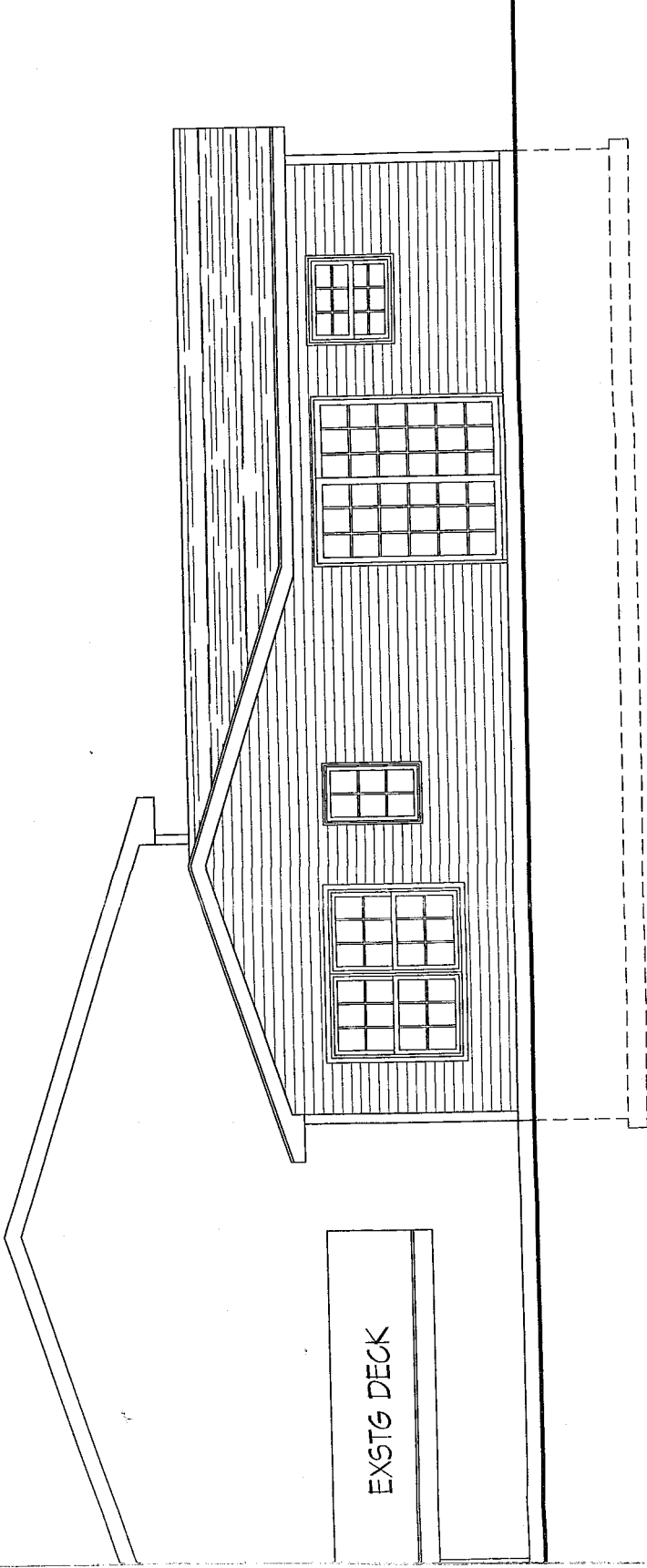
SWORN TO THIS 15th DAY OF December 2015

ROSEMARIE LEE
Notary Public, State of New York
No. 01LE6018825
Qualified in Dutchess County
Commission Expires June 29, 2019

[Signature]
NOTARY PUBLIC



④ **ACCESSORY APT FLOOR PLAN**
SCALE: 1/4" = 1'-0"



6 LEFT SIDE ELEVATION

PROJECT

**ACCESSORY
ADDITION
SCHADE
RESIDENCE**

LOCATION

6 PROSPECT HILL ROAD
TOWN OF NEWBURGH, NEW YORK

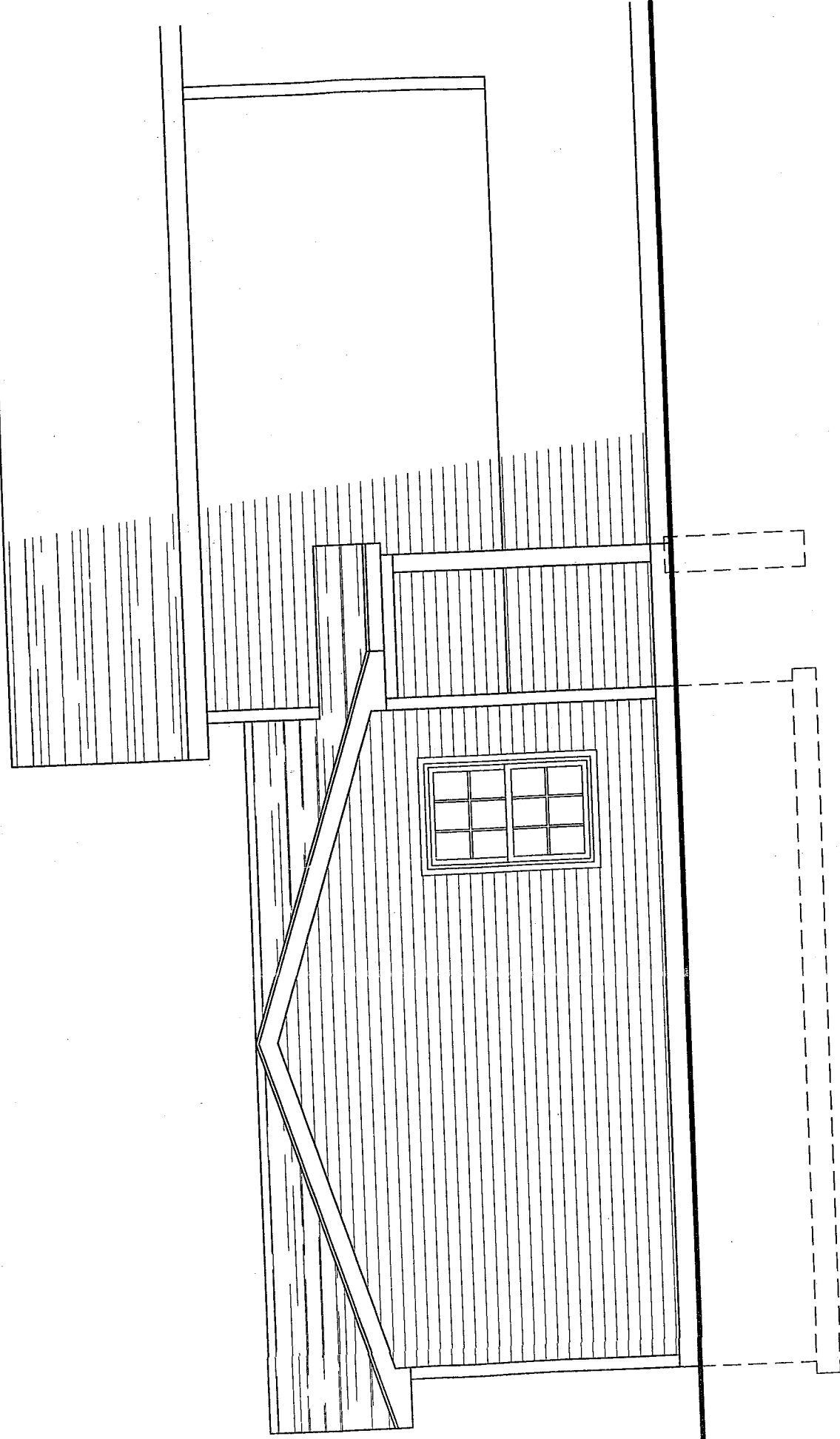
**D. FREEMAN
ARCHITECT**

26 SHELDON DRIVE
POUGHKEEPSIE, NY 12603
845-452-5354
FAX 845-452-5354
email: david@dfarcht.com
www.dfarcht.com

DATE

PRELIMINARY
OCTOBER 9, 2015
FINAL FOR CONSTRUCTION
OCTOBER 30, 2015

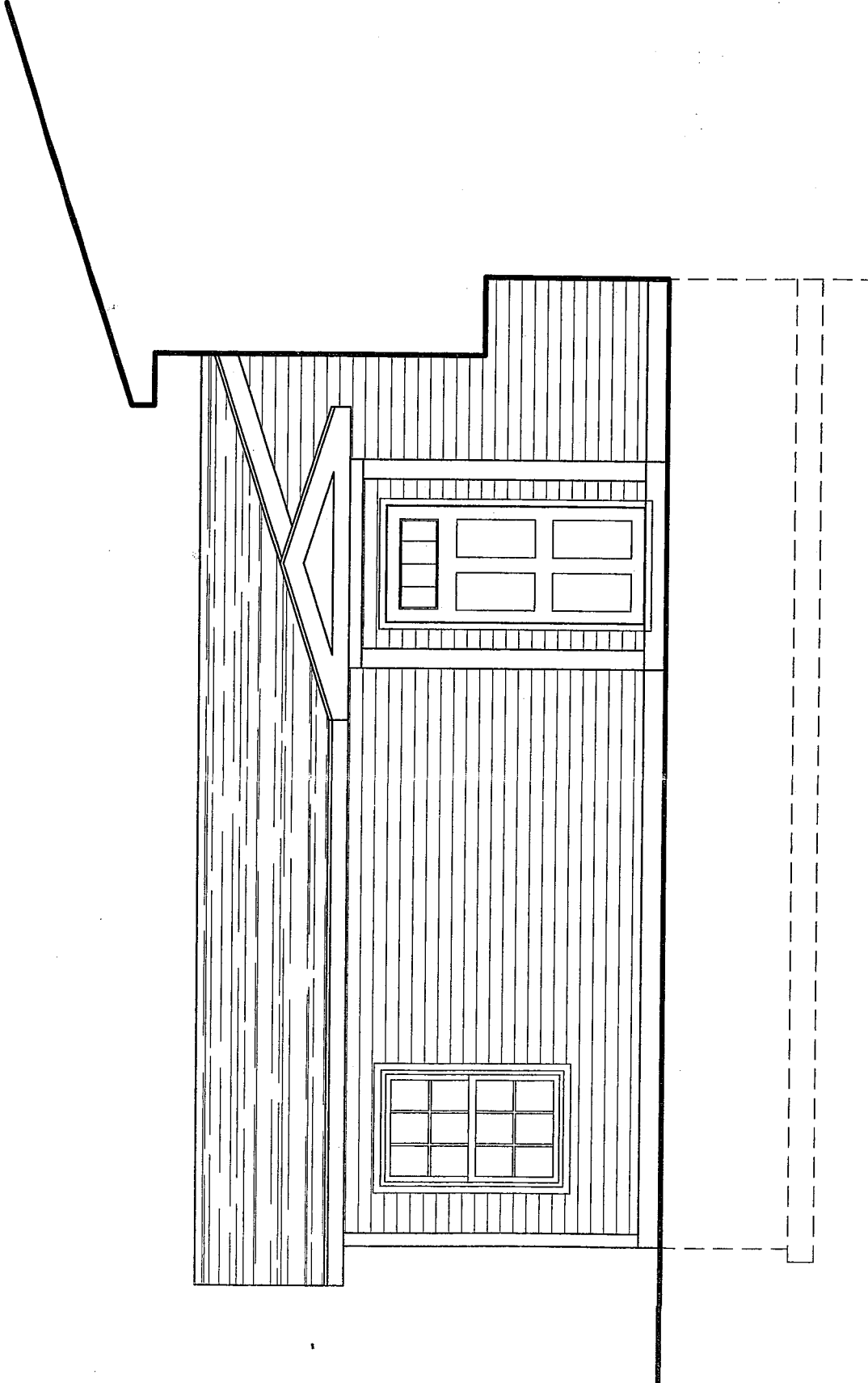
[Handwritten signature]
10/9/15



FRONT ELEVATION

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

4



3 RIGHT SIDE ELEVATION

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

3



SECTION 1 BLOCK 1 LOT 89-92

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
(This Page is Part of the Instrument)

PRINT OR TYPE: BLACK INK ONLY

John J. Lease, Jr
John J. Lease, III
TO
R
Dean Schade
Kristine Schade

740-0-6664

Lawrence
12/15/15

RECORD AND RETURN TO:
(Name and Address)

Paul Marks, Esq.
526 Gidney Ave
Newburgh, NY 12550

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 61034 DATE 9-8-93 AFFIDAVIT FILED _____ 19 _____

INSTRUMENT TYPE: DEED MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

| | | |
|---|--|---|
| BG20 Blooming Grove _____ | SERIAL NO. _____ | CHECK <input checked="" type="checkbox"/> CASH _____ CHARGE _____ |
| CH22 Chesler _____ | Mortgage Amount \$ _____ | |
| CO24 Cornwall _____ | Exempt Yes _____ No _____ | MORTGAGE TAX \$ _____ |
| CR26 Crawford _____ | 3-6 Cooking Units Yes _____ No _____ | TRANSFER TAX \$ <u>146-</u> |
| DP28 Deerpark _____ | Received Tax on above Mortgage | |
| GO30 Goshen _____ | Basic \$ _____ | Ed. Fee <u>5-</u> |
| GR32 Greenville _____ | MTA \$ _____ | RECORD. FEE \$ <u>17-</u> |
| HA34 Hamptonburgh _____ | Spec. Add. \$ _____ | REPORT FORMS \$ <u>30-</u> |
| HI36 Highland _____ | TOTAL \$ _____ | CERT. COPIES \$ _____ |
| MK38 Minisink _____ | MARION S. MURPHY Orange County Clerk | |
| ME40 Monroe _____ | by: <u>Em</u> | |
| MY42 Montgomery _____ | ORANGE COUNTY CLERK'S OFFICE S.S. | |
| MH44 Mount Hope _____ | Recorded on the <u>17th</u> day of | |
| NT46 Newburgh (T) <input checked="" type="checkbox"/> | <u>Sept</u> 19 <u>93</u> at <u>12:31</u> | |
| NW48 New Windsor _____ | O'Clock <u>10</u> M. In Lib/Film <u>3890</u> | |
| TU50 Tuxedo _____ | <u>debt</u> at page <u>294</u> and examined. | |
| WL52 Walkill _____ | | |
| WK54 Warwick _____ | | |
| WA56 Wawayanda _____ | | |
| WO58 Woodbury _____ | | |
| MN09 Middletown _____ | | |
| NC11 Newburgh _____ | | |
| PJ13 Port Jervis _____ | | |
| 9999 Hold _____ | | |

Glenn P. ...
County Clerk

DEPUTY COUNTY CLERK LIBER 3890 PAGE 294

RECEIVED
\$ 146-
REAL ESTATE
SEP 17 1993
TRANSFER TAX
ORANGE COUNTY

ORG 09/17/93 12:31:26 44852 47.00

***** EDUCATION FUND: 5.00 *****

CONTROL NO: 61034 146.00 *

SERIAL NUMBER: 001248 *****

STATE OF NEW YORK (COUNTY OF ORANGE)
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 Sept 17 1993 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbit Dec. 14, 2015
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

Bargain and Sale Deed With Covenant Against Grantor's Acts
Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT

THIS INDENTURE, made the 8th day of September, 1993.

BETWEEN John J. Lease, Jr. and John J. Lease, III, residing at
313 Broadway, Newburgh, New York 12550

TT
146



party of the first part, and Dean, Schade and Kristine, Schade,
husband and wife, residing at 148 High Point Circle, Newburgh,
New York 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.

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 receive such consideration as a trust fund to be applied
first for the purpose of paying the cost of the improvement and

FWC-3

*First American Title Insurance Company
of New York*

SCHEDULE A

Title No. 760-0-6664
AMENDED
Page 1 of 2

All that certain lot, piece, or parcel of land lying, being and situate in the Town of Newburgh, County of Orange, and State of New York and being Lot 2 on a map entitled "Subdivision Plan, Lands of Vincent J. Doce", said map filed in the Orange County Clerk's office on 23 October 1987 as map number 8546 and being further bounded and described as follows;

Beginning at an iron pin found on the southerly side of Prospect Hill Road, said pin being the northeasterly most corner of the lands reputedly of Burke; thence from said point or place of beginning and along the southerly side of said Prospect Hill Road, South 78 degrees 34 minutes 40 seconds East a distance of 20.49 feet to an iron pin found; thence the following two (2) courses and distances along Filed Map Lot 1, the lands reputedly of Guerra, 1) South 24 degrees 03 minutes 30 seconds West a distance of 190.00 feet to an iron pin found; 2) South 44 degrees 41 minutes 40 seconds East a distance of 178.16 feet to an iron pin found, being South 24 degrees 03 minutes 30 seconds West a distance of 291.79 feet from an iron pin found; thence along the lands reputedly of AHFS, South 24 degrees 03 minutes 30 seconds West a distance of 183.44 feet to an iron pin found; thence along the lands reputedly of Valleau, North 59 degrees 53 minutes 50 seconds West a distance of 187.09 feet to an iron pin found, being South 59 degrees 53 minutes 50 seconds East a distance of 195.68 from a

FWC-1

*First American Title Insurance Company
of New York*

.....continues

SCHEDULE A

Title No. 710-0-6664
AMENDED
Page 2 of 2

copper clad monument found; thence along the lands reputedly of said Burke, North 24 degrees 03 minutes 30 seconds East a distance of 413.82 feet to the point or place of beginning.

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

FOR CONVEYANCING ONLY TOGETHER with all the right, title and interest of the party of the first party, of, in and to the land lying in the street in front of and adjoining said premises.

LIBER 3890 PAGE 297

Page 2

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:

John J. Lease, Jr.
John J. Lease, Jr.
John J. Lease, III
John J. Lease, III

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On the 9th day of September, 1993, before me personally came John J. Lease, Jr. to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to executing the same.

Alan J. Axelrod
ALAN J. AXELROD
Notary Public Notary Public, State of New York
Qualified in Orange County
Commission Expires 11/27/95

STATE OF NEW YORK, COUNTY OF ORANGE ss: Newburgh

On the 8th day of September, 1993, before me personally came John J. Lease, III to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to executing the same.

Lore Weber-Gottberg
Notary Public

LORE WEBER-GOTTBERG
Notary Public, State of New York
No. 4883883
Qualified in Dutchess County 95
Commission Expires Jan. 26, 1995

BARGAIN & SALE DEED

John J. Lease, Jr
John J. Lease, III

Section 1
Block 1
Lot 29.42

-TO-

Dean Schade
Kristine Schade