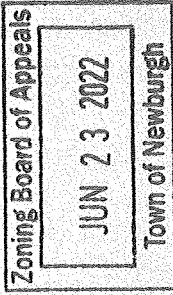


RE: [EXTERNAL] Town of Newburgh/Catskill Aqueduct

Castro, Matthew (MCastro@dep.nyc.gov) To: you Details

Hello Mr. Bunting,



Wed, Jun 22, 2022 2:29 pm

I have struck out a few items below. Here's some clarification:

- I think nuanced is a more appropriate term for these reviews, rather than muddled.
- We do not have recent documentation for private properties. These are with the County Clerk and respective landowner.
- DEP cannot comment on Weddel's rights without reviewing his documents, which he would need to submit himself, nor have we reviewed Mulholland's recent documents.
- Independent of the intended use of a ROW (i.e. farm crossing), DEP cannot comment on a hypothetical proposed use until we actually receive the proposal.

Thank you,

Matt

Matthew Castro | Acting Property Management Supervisor | NYC Environmental Protection

Watershed Lands & Community Planning | Bureau of Water Supply

(O) 914-749-5350 | mcastro@dep.nyc.gov | (M) 646-276-0341

From: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Wednesday, June 22, 2022 1:58 PM
To: Castro, Matthew <MCastro@dep.nyc.gov>
Subject: [EXTERNAL] Town of Newburgh/Catskill Aqueduct

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Good afternoon:

Thank you for taking the time to speak with me this afternoon. And also thank Dave Tobias for taking the time to review the documentation and maps as well as speaking with me on this matter.

I guess we can confirm that the question of how a lot owner may utilize a right-of-way across the aqueduct is, to say the least, a bit muddled. Essentially, the DEP has the century-old maps and old records concerning the original taking of the lands for the aqueduct but possesses no recent documentation. There is no question that Mr. Weddel has a general right of access across the property owned by Mr. Mulholland. However, other than having seen the plans for the proposed gas station, the DEP data set for this area is "incomplete." Since the right of way across the Catskill aqueduct in favor of Mr. Weddel's lot was originally for farm access the DEP cannot opine as to what Mr. Weddel (or any similarly situated lot owner) could currently construct on the ROW. From our conversation, given the importance and sensitivity of the aqueduct, any proposed development across the aqueduct would require the lot owner (Mr. Weddel) to present to the DEP the current deed and related documentation for review. In addition, any proposal for access would have to be reviewed in terms of what the current documentation allows as well as for practical considerations such as proposed construction method(s) and the weight of the vehicles that will cross the aqueduct.

Compose

Fwd: [EXTERNAL] Fwd: Newburgh DEP ROW

(geraldbunting@aol.com) To: you Details ▾

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a75ee0caaf037d87...

a9e46b76e7453804a...

aanastas@nutter.com

aaviles@extirealtygr...

abbas.bequer@mor...

-----Original Message-----

From: Tobias, David <DTobias@dep.nyc.gov>

To: geraldbunting@aol.com <geraldbunting@aol.com>

Sent: Thu, May 26, 2022 4:24 pm

Subject: RE: [EXTERNAL] Fwd: Newburgh DEP ROW

Barely legible. in any case I just found out my staff are responding to another inquiry regarding the same area so we need to discuss and address this efficiently, perhaps tomorrow. Have a good night.

• Dave

-----Original Message-----

From: Tobias, David <DTobias@dep.nyc.gov>

To: geraldbunting@aol.com <geraldbunting@aol.com>

Sent: Thu, May 26, 2022 4:06 pm

Subject: RE: [EXTERNAL] Fwd: Newburgh DEP ROW

I don't see any easement or ROW shown on your surveys.

Yes. The triangular lot SBL 89-1-80.3

-----Original Message-----

From: Tobias, David <DTobias@dep.nyc.gov>

To: geraldbunting@aol.com <geraldbunting@aol.com>

Sent: Thursday, May 26, 2022 4:02 PM

Subject: Re: [EXTERNAL] Fwd: Newburgh DEP ROW

Here's my map, though before I have a chance to look over yours...

• Dave

5/22/22, 12:13 PM

Fwd: [EXTERNAL] Fwd: Newburgh DEP ROW

From: geraldbuntingesq@aol.com,
To: geraldbuntingesq@aol.com,
Subject: Fwd: [EXTERNAL] Fwd: Newburgh DEP ROW
Date: Fri, Jun 17, 2022 11:06 am

-----Original Message-----
From: geraldbunting@aol.com
To: geraldbuntingesq@aol.com <geraldbuntingesq@aol.com>
Sent: Fri, May 27, 2022 1:39 pm
Subject: Fwd: [EXTERNAL] Fwd: Newburgh DEP ROW

-----Original Message-----
From: Tobias, David <DTobias@dep.nyc.gov>
To: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Thu, May 26, 2022 4:24 pm
Subject: RE: [EXTERNAL] Fwd: Newburgh DEP ROW

Barely legible. In any case I just found out my staff are responding to another inquiry regarding the same area so we need to discuss and address this efficiently, perhaps tomorrow. Have a good night,

• Dave

From: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Thursday, May 26, 2022 4:11 PM
To: Tobias, David <DTobias@dep.nyc.gov>
Subject: Re: [EXTERNAL] Fwd: Newburgh DEP ROW

It's there. It is a parallel set of small lines partly extending from lot 89-1-80.3 onto the DEP lands. On the map it is close to the I-84 lands.

-----Original Message-----
From: Tobias, David <DTobias@dep.nyc.gov>
To: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Thu, May 26, 2022 4:06 pm
Subject: RE: [EXTERNAL] Fwd: Newburgh DEP ROW

I don't see any easement or ROW shown on your surveys.

6/22/22, 12:13 PM

Fwd: [EXTERNAL] Fwd: Newburgh DEP ROW

From: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Thursday, May 26, 2022 4:02 PM
To: Tobias, David <DTobias@dep.nyc.gov>
Subject: Re: [EXTERNAL] Fwd: Newburgh DEP ROW

Yes. The triangular lot SBL 89-1-80.3

-----Original Message-----

From: Tobias, David <DTobias@dep.nyc.gov>
To: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Thu, May 26, 2022 4:00 pm
Subject: RE: [EXTERNAL] Fwd: Newburgh DEP ROW

Here's my map, though before I have a chance to look over yours...

- Dave

Dave Tobias / Section Chief, Land Acquisition Program / NYC Department of Environmental Protection
Office: (845) 340-7837 / Cell (+text): (845) 443-3204 / dtobias@dep.nyc.gov

From: geraldbunting@aol.com <geraldbunting@aol.com>
Sent: Thursday, May 26, 2022 3:56 PM
To: Tobias, David <DTobias@dep.nyc.gov>
Subject: [EXTERNAL] Fwd: Newburgh DEP ROW

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Hi:

Thanks!

Here it is. One map is blurry, but the other is much more legible.

-----Original Message-----

From: geraldbunting@aol.com
To: geraldbunting@aol.com <geraldbunting@aol.com>

6/22/22, 12:13 PM,

Sent: Thu, May 26, 2022 11:28 am

Subject: Newburgh DEP ROW

Fwd: [EXTERNAL] Fwd: Newburgh DEP ROW

This is all the information we have. This map and one other (mostly the same)

Note 3: "Together with a right of way in favor of lot 2C as shown for ingress and egress over lands of New York City Department of Environmental Protection and shown on a map of parcel 409, sheet #NC-23, dated 1940"

Map #2 is poor quality but the description in Note 3 appears to be the same.

Patrick F. Mulholland

351 Rugg Rd., Schuylerville, NY 12871
845-629-0888

Newburgh Zoning Board

To whom it may concern,

I own Newburgh Park Associates on Route 747 on International Drive. In 2016 I began the process of filing for a permit to allow my property to become a gas station to sell in 2016. After two years, I was allowed to sell the property as a piece of land that could be built on. Since then, there have been many obstacles to completing this project.

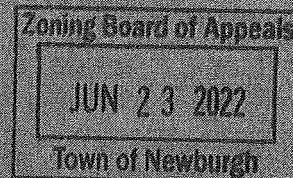
- There was a driveway delay. It took one year to get a driveway permit that was submitted by Ken Lydell, even though I had letters from NYS DOT, NYS Thruway Authority, and the Town of Newburgh since 2010.
- There are delays due to the new buyer requiring some changes, which I understood, but this is a continuing delay.
- Mr. Thomas Wendel has continuous objections that are being entertained.
 1. Mr. Wendel asked me, in the presence of Pamela Morales, to sell him property on the east side of the aqueduct for a buffer and to add to his property. I sold him 3.6 acres for \$10,000, which did not include access to my property. It was merely for a buffer between his property and mine solely to expand his backyard. I had access to both sides of the aqueduct because I owned both sides. It was sold as a separate parcel. Mr. Wendel stated, since we were friends for over 20 years, his attorney would do all the paperwork for the sale. The Deed was filed incorrectly, and it cost me 8 months and \$18,000 to get my own property back when Mr. Wendell, Managing Partner and his attorney located at his accounting firm, conveniently added property to the Deed which was not part of the sale. Furthermore, Mr. Wendel knew that he was stealing my property and refused to sign the corrected Deed.
 2. I had to go to Supreme Court to get my property back due to Mr. Wendel refusing to sign the corrected Deed.
- Town of Newburgh changed the zoning from residential to commercial so I could not move my house back. When I proposed to sell it as commercial property for a gas station, the Thruway Authority and DOT stated this would be no problem. The DOT installed a new highway grade driveway (and paved it for tractor trailer use i.e. large fuel tankers, for which I have documentation

I am a taxpayer and ran a respectable business in the town for many years. I lost two homes on that property, due to eminent domain, and I was told the town of Newburgh would work with me due to the losses I incurred. I've spent thousands of dollars on engineering, town fees and legal fees while on social security income. I am asking for help and clarity as to why this project is continuously held up.

Respectfully submitted,

Patrick F. Mulholland

Cc: file, attorney



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