

use

16015-GSP
USE Variance

1

TOWN OF NEWBURGH

Crossroads of the Northeast

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

Zoning Board of Appeals
DEC - 7 2016
Town of Newburgh

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 11/28/16

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

Troon Properties inc.

I (WE) MICHAEL MERCIER PRESENTLY

RESIDING AT NUMBER 46 PRINCE STREET, ROCKY HILL, NY 14607

TELEPHONE NUMBER 585-244-7849

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:

R.m. 8-1-97 (TAX MAP DESIGNATION)
Bessie Lane / 53 Old Post Road (STREET ADDRESS)
AR (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

ARTICLE XVII LOCAL ZONING
§ 185-83



TOWN OF NEWBURGH

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

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 11/4/16
- 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: TO ALLOW A SOLAR FARM IN THE AR FONE

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

SEE FOLLOWING PAGES

- 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:

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

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

A.) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE: The property was subdivided in 2007 into 8 lots (drawing attached). The owner at that time had a builder ready to buy the property upon filing of the map. The owner owed over \$200,000 in mortgages on the property. Building lots were selling for over \$100,000 per lot at that time. The 700' road and drainage improvements were estimated at \$100,000. When the market crashed, the builder withdrew his offer. The owner could not pay the mortgage, the engineer and/or the Town recreation fees. The approved subdivision was never filed and has expired. The mortgagee foreclosed on the property. Due to the real estate market crash and excessive Marlboro school taxes, building lots in this part of Town are now only worth about \$35,000 each (see attached comps and property reports).

8 Lot Subdivision Cost:

| | |
|----------------|------------------|
| Land | \$ 200,000 |
| Engineering | \$ 40,000 |
| Infrastructure | \$ 100,000 |
| PB App & Fees | \$ 2,950 |
| Escrow | \$ 5,400 |
| Rec Fees | <u>\$ 16,000</u> |
| | \$ 364,350 |

Cost Per Lot:

$$\$ 364,350 \div 8 = \$ 45,550$$

The Mortgagee, Troon Properties, has been trying to sell the property for six years to recoup their investment, with no offers until Green Street. Green Street will purchase the property for \$200,000 upon granting of requested variances.

B.) THE HARSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE: The property is unique because it is large enough for (2) 2MW Solar Farms, is adjacent to lands owned by Central Hudson containing high power electric lines that come from the Danskammer Power Plant, and it is across the street from the Central Hudson power substation.

C.) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE: The property is well screened from roads and residences by topography and forest. Only one residence has visibility of the site and that is only winter season when the trees have no leaves. That house is to the East so the panels, which will face South, will not create a glare issue.

D.) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE: The owner/applicant has no control over the depressed real estate market caused by the high Marlboro School taxes.

This report prepared for you by Robert S Holmes

[Map](#)

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| | | | | |
|---------------------|-------------------------------|-------------|-------------|--------------------------|
| MLS#: | 4601469 | Sold | List Price: | \$34,900 |
| Sell Date: | 02/12/2016 | | Sell Price: | \$34,900 |
| Addr: | 6 Mariners Court | | County: | Orange County |
| PO: | Newburgh | | Zip: | 12550 |
| City/Town: | Newburgh Town | | Sub/Devel: | |
| Hamlet/Loc.: | | | | |
| Village: | None | | | |
| P Type: Land | | | Type: | 1 Family Dwelling |
| Acres: | 1.100 | | Bldng SqFt: | |
| Lot Sz SqFt: | 47,916 | | | |
| Sch Dist: | Marlboro | | | |
| Elem: | Middle Hope | | | |
| Jr High: | Marlboro Middle School | | | |
| High: | Marlboro High School | | | |

Tax ID#: **334600.121.000-0001-006.000/0000**
 Avail Financing:

Tax: **\$0**
 Addl Fees:

Tax Year: **0**
 Assmt:

Elec Co:
 Garbage:
 Devel Status:
 Lot Description:

Extra Land:
 Water: **None**
 Sewer: **None**

Remarks

Vacant lot with over an acre of land very close to the Hudson River. Nice open area neighborhood. Close to Newbur Beacon Bridge and other commuter routes.

Directions: **Route 9W North, just north of Newburgh Bridge, get off at Lester Rd. Turn Left to Old Balmville Rd. first right on to Commonwealth Ave, but stay to left onto River Rd. Stay on until right at Anchor Dr, first right again on to Mariners Ct.**

Prepared By:

Date Printed: 11/03/2016

Checked **0** [Print](#)

This report prepared for you by Robert S Holmes

[Map](#)

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MLS#: **4550671** **Sold** List Price: **\$79,000**
 Sell Date: **02/10/2016** Sell Price: **\$35,000**
 Addr: **21 Harcourt Cosman Drive**
 PO: **Newburgh** County: **Orange County**
 City/Town: **Newburgh Town** Zip: **12550**
 Hamlet/Loc.:
 Village: **None** Sub/Devel:

P Type: **Land** Type: **1 Family Dwelling**
 Acres: **1.600** Bldng SqFt:
 Lot Sz SqFt: **69,696**

Sch Dist: **Marlboro**
 Elem: **Middle Hope**
 Jr High: **Marlboro Middle School**
 High: **Marlboro High School**

Tax ID#: **334600.007.000-0003-011.000/0000**
 Avail Financing: **Contract Sale**

Tax: **\$1,428**
 Addl Fees:

Tax Year: **2014**
 Assmt: **\$13,700**

Elec Co: **Central Hudson**
 Garbage:
 Devel Status:
 Lot Description:

Extra Land:
 Water: **Drilled Well**
 Sewer: **Septic**

Remarks

Available approved lot to build your dream home in the town of Newburgh with Marlboro schools in this spacious subdivision with newer homes. 1.6 acres corner lot with 304' ft. road front on Harcourt Cosman Drive on one side . 198' ft. on Dara Drive on the other side with scenic views. Only 4 miles to I-84, 4 miles to I-87, 7 miles to Metro N drain station and 65 miles North of NYC.

Directions: **21 Harcourt Cosman Drive Newburgh NY 12550**

Prepared By:

Date Printed: 11/03/2016

Checked **0** [Print](#)

This report prepared for you by Robert S Holmes

Map

back to results [Previous](#) · [Next](#) · 3 of 5



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MLS#: **4550672** **Sold** List Price: **\$79,000**
 Sell Date: **02/10/2016** Sell Price: **\$35,000**
 Addr: **15 Harcourt Cosman Drive**
 PO: **Newburgh** County: **Orange County**
 City/Town: **Newburgh Town** Zip: **12550**
 Hamlet/Loc.:
 Village: **None** Sub/Devel:

P Type: **Land** Type: **1 Family Dwelling**
 Acres: **1.700** Bldng SqFt:
 Lot Sz SqFt: **74,052**

Sch Dist: **Marlboro**
 Elem: **Middle Hope**
 Jr High: **Marlboro Middle School**
 High: **Marlboro High School**

Tax ID#: **334600.007.000-0003-009.000/0000**
 Avail Financing: **Contract Sale**

Tax: **\$1,449**
 Addl Fees:

Tax Year: **2014**
 Assmt: **\$13,900**

Elec Co: **Central Hudson**
 Garbage:
 Devel Status:
 Lot Description:

Extra Land:
 Water: **Drilled Well**
 Sewer: **Septic**

Remarks

Available for sale approved lot in the town of Newburgh with Marlboro schools. 1.7 acres with scenic views. Only 4 to I-84, 4 miles to I-87, 7 miles to Metro North drain station and 65 miles North of NYC.

Directions: **15 Harcourt Cosman Drive Newburgh, NY**

Prepared By:

Date Printed: 11/03/2016

Checked **0** [Print](#)



Property Description Report For: Curtin Ln, Municipality of Newburgh

No Photo Available

| | |
|-----------------------------|------------------------------------|
| Status: | Active |
| Roll Section: | Taxable |
| Swis: | 334600 |
| Tax Map ID #: | 8-1-43.452 |
| Property Class: | 311 - Res vac land |
| Site: | RES 1 |
| In Ag. District: | No |
| Site Property Class: | 311 - Res vac land |
| Zoning Code: | - |
| Neighborhood Code: | 35000 |
| School District: | Marlboro |
| Total Assessment: | 2016 - \$8,500 |
| Legal Property Desc: | Lt 9 Grove & Vite Submap 185-12 |
| Deed Book: | 11207 |
| Deed Page: | 1462 |
| Grid East: | 634055 |
| Grid North: | 1001150 |
| Total Acreage/Size: | 4.10 |
| Land Assessment: | 2016 - \$8,500 |
| Full Market Value: | 2016 - \$23,600 |
| Equalization Rate: | ---- |

Area

| | | | |
|-------------------------------|-----------|---------------------------|-----------|
| Living Area: | 0 sq. ft. | First Story Area: | 0 sq. ft. |
| Second Story Area: | 0 sq. ft. | Half Story Area: | 0 sq. ft. |
| Additional Story Area: | 0 sq. ft. | 3/4 Story Area: | 0 sq. ft. |
| Finished Basement: | 0 sq. ft. | Number of Stories: | 0 |
| Finished Rec Room | 0 sq. ft. | | |

Structure

| | | | |
|-----------------------------|---|---------------------------------|--------------|
| Building Style: | 0 | Bathrooms (Full - Half): | 0 - 0 |
| Bedrooms: | 0 | Kitchens: | 0 |
| Fireplaces: | 0 | Basement Type: | 0 |
| Porch Type: | 0 | Porch Area: | 0.00 |
| Basement Garage Cap: | 0 | Attached Garage Cap: | 0.00 sq. ft. |
| Overall Condition: | 0 | Overall Grade: | |
| Year Built: | | | |

Owners

| | |
|--|--|
| Daniel Grove, II 30 East View Rd Highland Mills NY 10930 | Randy B Vite 30 East View Rd Highland Mills NY 10930 |
|--|--|

Sales

No Sales Information Available

Utilities

| | | | |
|--------------------|---------|----------------------|---------|
| Sewer Type: | Private | Water Supply: | Private |
|--------------------|---------|----------------------|---------|

| | | | |
|-------------------|----------|---------------------|----|
| Utilities: | Electric | Heat Type: | 0 |
| Fuel Type: | 0 | Central Air: | No |

Improvements

| Structure | Size | Grade | Condition | Year |
|-----------|------|-------|-----------|------|
|-----------|------|-------|-----------|------|

Land Types

| Type | Size |
|----------|------------|
| Primary | 1.00 acres |
| Residual | 3.10 acres |

Special Districts for 2016

| Description | Units | Percent | Type | Value |
|-----------------------|-------|---------|------|-------|
| FD025-Middlehope fire | 0 | 0% | | 0 |

Exemptions

| Year | Description | Amount | Exempt % | Start Yr | End Yr | V Flag | H Code | Own % |
|------|-------------|--------|----------|----------|--------|--------|--------|-------|
|------|-------------|--------|----------|----------|--------|--------|--------|-------|

Taxes

| Year | Description | Amount |
|------|-------------|----------|
| 2016 | County | \$238.19 |
| 2016 | School | \$674.57 |
| 2015 | County | \$227.75 |
| 2015 | School | \$667.87 |

***Taxes may not reflect exemptions or changes in assessment**



Property Description Report For: Curtin Ln, Municipality of Newburgh

No Photo Available

| | |
|-----------------------------|--------------------------------------|
| Status: | Active |
| Roll Section: | Taxable |
| Swis: | 334600 |
| Tax Map ID #: | 8-1-43.451 |
| Property Class: | 311 - Res vac land |
| Site: | RES 1 |
| In Ag. District: | No |
| Site Property Class: | 311 - Res vac land |
| Zoning Code: | - |
| Neighborhood Code: | 35000 |
| School District: | Marlboro |
| Total Assessment: | 2016 - \$7,600 |
| Legal Property Desc: | Lt # 8 Grove & Vite Submap 185-12 |
| Total Acreage/Size: | 2.20 |
| Land Assessment: | 2016 - \$7,600 |
| Full Market Value: | 2016 - \$21,100 |
| Equalization Rate: | ----- |
| Deed Book: | 11207 |
| Deed Page: | 1462 |
| Grid East: | 634093 |
| Grid North: | 1001348 |

Area

| | | | |
|-------------------------------|-----------|---------------------------|-----------|
| Living Area: | 0 sq. ft. | First Story Area: | 0 sq. ft. |
| Second Story Area: | 0 sq. ft. | Half Story Area: | 0 sq. ft. |
| Additional Story Area: | 0 sq. ft. | 3/4 Story Area: | 0 sq. ft. |
| Finished Basement: | 0 sq. ft. | Number of Stories: | 0 |
| Finished Rec Room | 0 sq. ft. | | |

Structure

| | | | |
|-----------------------------|---|---------------------------------|--------------|
| Building Style: | 0 | Bathrooms (Full - Half): | 0 - 0 |
| Bedrooms: | 0 | Kitchens: | 0 |
| Fireplaces: | 0 | Basement Type: | 0 |
| Porch Type: | 0 | Porch Area: | 0.00 |
| Basement Garage Cap: | 0 | Attached Garage Cap: | 0.00 sq. ft. |
| Overall Condition: | 0 | Overall Grade: | |
| Year Built: | | | |

Owners

| | |
|--|--|
| Daniel Grove, II 30 East View Rd Highland Mills NY 10930 | Randy B Vite 30 East View Rd Highland Mills NY 10930 |
|--|--|

Sales

No Sales Information Available

Utilities

| | | | |
|--------------------|---------|----------------------|---------|
| Sewer Type: | Private | Water Supply: | Private |
|--------------------|---------|----------------------|---------|

| | | | |
|-------------------|----------|---------------------|----|
| Utilities: | Electric | Heat Type: | 0 |
| Fuel Type: | 0 | Central Air: | No |

Improvements

| Structure | Size | Grade | Condition | Year |
|-----------|------|-------|-----------|------|
|-----------|------|-------|-----------|------|

Land Types

| Type | Size |
|----------|------------|
| Primary | 1.00 acres |
| Residual | 1.20 acres |

Special Districts for 2016

| Description | Units | Percent | Type | Value |
|-----------------------|-------|---------|------|-------|
| FD025-Middlehope fire | 0 | 0% | | 0 |

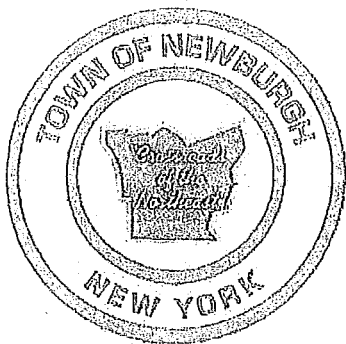
Exemptions

| Year | Description | Amount | Exempt % | Start Yr | End Yr | V Flag | H Code | Own % |
|------|-------------|--------|----------|----------|--------|--------|--------|-------|
|------|-------------|--------|----------|----------|--------|--------|--------|-------|

Taxes

| Year | Description | Amount |
|------|-------------|----------|
| 2016 | County | \$212.98 |
| 2016 | School | \$603.14 |
| 2015 | County | \$203.63 |
| 2015 | School | \$597.15 |

***Taxes may not reflect exemptions or changes in assessment**



TOWN OF NEWBURGH

Crossroads of the Northeast

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308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

(SEE PAGE 2A)

6. IF AN AREA VARIANCE IS REQUESTED:

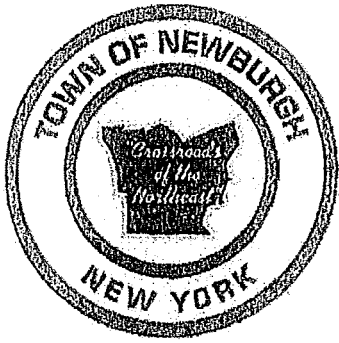
a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

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:

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:



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7. ADDITIONAL REASONS (IF PERTINENT):

SOLAR FARM IS GOOD FOR THE ENVIRONMENT

[Handwritten Signature]

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 21st DAY OF November 2016

[Handwritten Signature]
NOTARY PUBLIC

JUDY BAYER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6317368
Qualified in Monroe County
My Commission Expires January 05, 2019

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.

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

*Troon Properties, Inc.
46 Prince Street
Rochester, NY 14607
Phone: 585-244-7849
Fax: 585-256-2836*

November 21, 2016

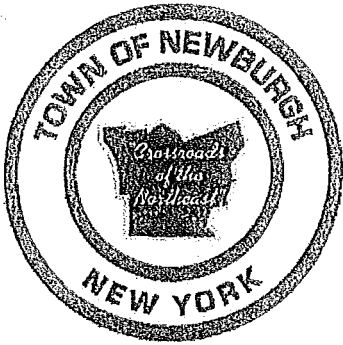
Dear Town of Newburgh,

This letter will certify that I, Michael D. Mercier, hold the position of President at Troon Properties, Inc., a New York Corporation.

Sincerely,



Michael D. Mercier
President, Troon Properties, Inc.



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

PROXY

Michael D Mercier, Pres. DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 46 Prince St Rochester Ny 14607
IN THE COUNTY OF Monroe AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF OLD POST ROAD
5/6/6 8-1-97

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED DAVID KANE AND
CHARLES T. BROWN PIPE TACCOET ENGINEERING
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/27/16 [Signature]

OWNER'S SIGNATURE

[Signature]

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF Monroe ORANGE:
SWORN TO THIS 27th DAY OF September 2016

JUDY BAYER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6317368
Qualified in Monroe County
My Commission Expires January 05, 2019

[Signature]
NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information

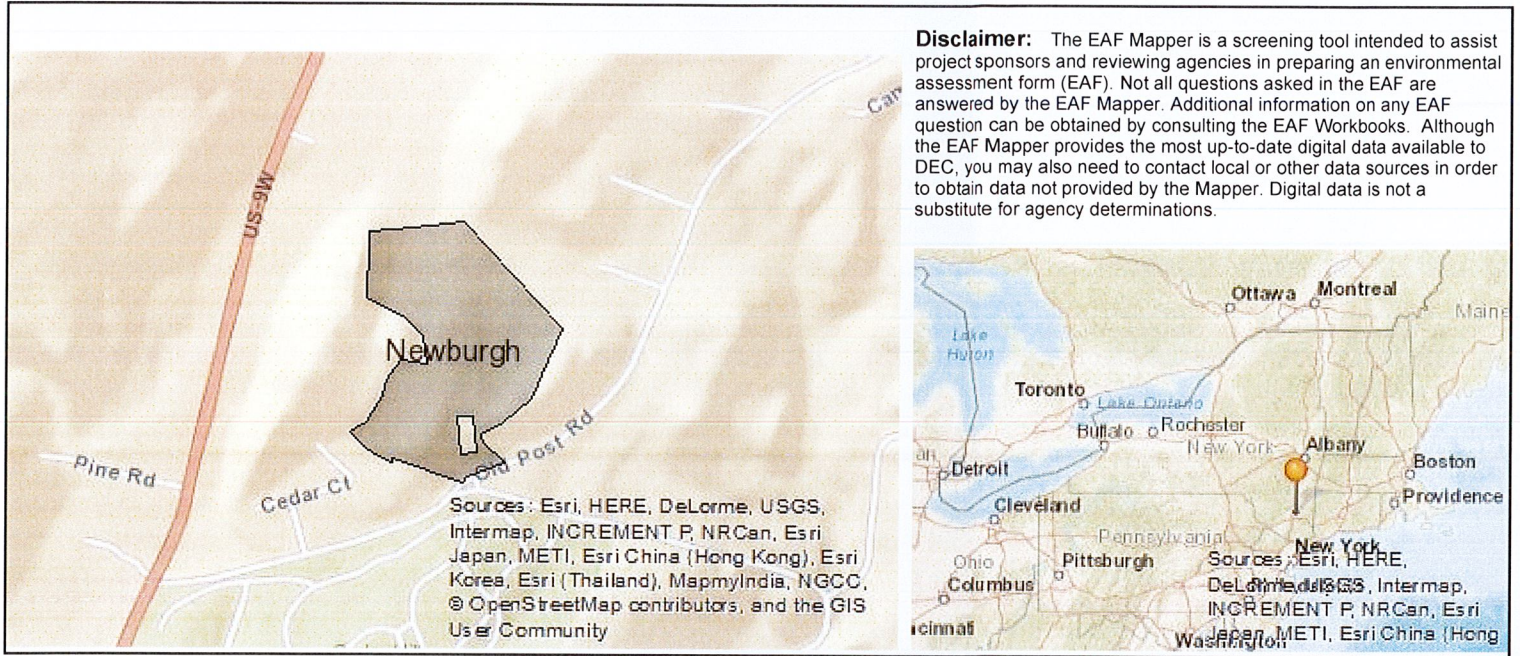
Instructions for Completing

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.

| | | | |
|--|--|-------------------------|--|
| Part 1 - Project and Sponsor Information | | | |
| Name of Action or Project: GREEN STREET SOLAR | | JOB #16015 | |
| Project Location (describe, and attach a location map): OLD POST ROAD ACROSS FROM RIVER ROAD | | | |
| Brief Description of Proposed Action: VARIANCES TOPERMIT TWO 2 MW SOLAR FARMS | | | |
| Name of Applicant or Sponsor: TROON PROPERTIES, INC. | | Telephone: 585-244-7849 | |
| | | E-Mail: | |
| Address: 46 PRINCE STREET | | | |
| City/PO: ROCHESTER | | State: NY | Zip Code: 14607 |
| 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: PLANNING BOARD SITE PLAN APPROVAL | | | NO <input type="checkbox"/> |
| | | | YES <input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? | | 28.57 acres | |
| b. Total acreage to be physically disturbed? | | 0.0 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 28.57 acres | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. | | | |
| <input type="checkbox"/> Urban <input checked="" 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 | | | |

| | | |
|--|--|--|
| <p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: CHARLES T. BROWN, PE Date: 12-2-2016</p> <p>Signature: _____</p> | | |



| | |
|---|---|
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National Register of Historic Places] | No |
| Part 1 / Question 12b [Archeological Sites] | Yes |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | Yes |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | No |

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: | <input type="checkbox"/> | <input type="checkbox"/> |
| a. public / private water supplies? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. public / private wastewater treatment utilities? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input type="checkbox"/> | <input type="checkbox"/> |

Agency Use Only [If applicable]

Project: _____

Date: _____

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

| | |
|--|--|
| <input type="checkbox"/> | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. |
| <input type="checkbox"/> | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. |
| _____ | _____ |
| Name of Lead Agency | Date |
| _____ | _____ |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| _____ | _____ |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

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

MARK D. STERN, ESQUIRE, REFEREE

TO
TROON PROPERTIES, INC.

SECTION 8 BLOCK 1 LOT 97

RECORD AND RETURN TO:
(name and address)

RANDALL V. COFFILL, ESQUIRE
P.O. Box 3158
Port Jervis, NY 12771



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 MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN)
- 2003 SO. BLOOMING GROVE (VLG)
- 2001 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG)
- 2289 CHESTER (TN) 4203 MONTGOMERY (VLG)
- 2201 CHESTER (VLG) 4205 WALDEN (VLG)
- 2489 CORNWALL (TN) 4489 MOUNT HOPE (TN)
- 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG)
- 2600 CRAWFORD (TN) 4600 NEWBURGH (TN)
- 2800 DEERPARK (TN) 4800 NEW WINDSOR (TN)
- 3089 GOSHEN (TN) 5089 TUXEDO (TN)
- 3001 GOSHEN (VLG) 5001 TUXEDO PARK (VLG)
- 3003 FLORIDA (VLG) 5200 WALLKILL (TN)
- 3005 CHESTER (VLG) 5489 WARWICK (TN)
- 3200 GREENVILLE (TN) 5401 FLORIDA (VLG)
- 3489 HAMPTONBURGH (TN) 5403 GREENWOOD LAKE (VLG)
- 3401 MAYBROOK (VLG) 5405 WARWICK (VLG)
- 3689 HIGHLANDS (TN) 5600 WAWAYANDA (TN)
- 3601 HIGHLAND FALLS (VLG) 5889 WOODBURY (TN)
- 3889 MINISINK (TN) 5801 HARRIMAN (VLG)
- 3801 UNIONVILLE (VLG) 5809 WOODBURY (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)
- 0900 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO PAGES 4 CROSS REF. _____
 CERT. COPY _____ ADD'L X-REF. _____
 MAP# _____ PGS. _____
 PAYMENT TYPE: CHECK
 CASH _____
 CHARGE _____
 NO FEE _____
 Taxable
 CONSIDERATION \$ 398,944.28
 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 Record Search

RECORDED/FILED
07/20/2010/ 11:06:12
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20100068384
DEED C / BK 13030PG 0605
RECORDING FEES 315.00
TTX# 007118 T TAX 1,596.00
Receipt#1195685 marse

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON July 20, 2010 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.
Ann G. Rabbitt
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY October 7, 2010

Referee's Deed in Foreclosure

THIS DEED, made the 10th day of May, two thousand and ten

BETWEEN

VINCENT F. SCATURRO by

Mark D. Stern, Esq., REFEREE

15 Matthews Street, P.O. Box 1028, Goshen, NY 10924

duly appointed in the action hereinafter mentioned, grantor, and

Troon Properties, Inc.,

46 Prince Street, Rochester, NY 14607, grantee

WITNESSETH, that the grantor, the referee appointed in the action between

Normandy Corporation, plaintiff,

and

Vincent F. Scaturro, Kim Seiboldt. Et al, defendants

foreclosing mortgage recorded on the 3rd day of March, 2006 in the Office of the Clerk of the County of Orange in Liber 12104 pg 1478 of mortgages and further assigned by Assignment of Mortgage recorded on the 27th day of July, 2007 in the Office of the Clerk of the County of Orange in Liber 12494 page 1271 in pursuant of a judgment entered at a special term of the Orange County Supreme Court on the 11th day of June, 2009 and in consideration of \$175,000.00 paid by the grantee, being the highest sum bid at the sale under said judgment does hereby grant and convey unto the grantee,

ALL that certain plot, piece or parcel of land situate, lying and being described in

SCHEDULE A Attached

TO HAVE AND TO HOLD the premises here granted unto the grantee, **Troon Properties, Inc.**, and assigns forever,

TITLE NO. RCA-813-36533

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being designated as Lot No. 1 & 2 on a certain map entitled, "Scaturro Subdivision", filed in the Office of the Orange County Clerk on 8/8/1990 as Filed Map No. 9992.

EXCEPTING therefrom all that certain plot or parcel of land conveyed to Frank Scaturro (Liber 5224 cp 35, Tax Lot No. 34.1) being more particularly bounded and described as follows:

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

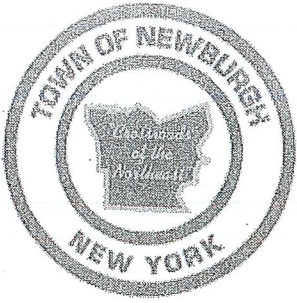
BEGINNING at the southeasterly corner of the premises to be described herein which corner is the following course and distance from the point of intersection of Lot No. 1 and 2, Filed Map No. 9992, with the northeasterly side of Old Post Road; North 71 degrees 19' 08" West 199.24 feet; running thence from said point of beginning, South 09 degrees 27' 33" West (South 75 degrees 06' 02" West, deed) 99.22 feet; running thence, North 0 degrees 00' 04" East (North 15 degrees 26' 07" West, deed) 229.49 feet (actual) 228.49 feet (deed); running thence, South 87 degrees 03' 17" East (South 71 degrees 37' 10" East, deed) 99.35 feet; and thence, South 00 degrees 00' 05" West (South 15 degrees 26' 12" West, deed) 223.45 feet to the southeasterly corner of the premises and the point or place of BEGINNING.

For conveyancing only,
to be conveyed

Together with all right, title if intended and interest of, in and to any streets and road abutting the above described premises, to the center line thereof.

Certificate and Report of Title - New York
FORM 2215-5

16015-GSP
"USE"



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

2616-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/04/2016

Application No. 16-1029

To: Troon Properties, Inc.
46 Prince St
Rochester, NY 14607

SBL: 8-1-97
ADDRESS: Bessie Ln

ZONE: AR

PLEASE TAKE NOTICE that your application dated 11/04/2016 for permit to create a solar "electric generating" farm in a residential district on the premises located at Bessie Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:
1) 185-83 Solar farms shall be permitted in an I district


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



Property Description Report For: Bessie Ln, Municipality of Newburgh

No Photo Available

| | | | |
|----------------------------|------------------|-----------------------------|-----------------------------------|
| Total Acreage/Size: | 28.20 | Status: | Active |
| Land Assessment: | 2016 - \$37,300 | Roll Section: | Taxable |
| Full Market Value: | 2016 - \$110,000 | Swis: | 334600 |
| Equalization Rate: | ---- | Tax Map ID #: | 8-1-97 |
| Deed Book: | 13030 | Property Class: | 312 - Vac w/imprv |
| Grid East: | 633377 | Site: | RES 1 |
| | | In Ag. District: | No |
| | | Site Property Class: | 312 - Vac w/imprv |
| | | Zoning Code: | - |
| | | Neighborhood Code: | 35000 |
| | | School District: | Marlboro |
| | | Total Assessment: | 2016 - \$39,600 |
| | | Legal Property Desc: | Lt 1 Pt Lt 2 Scaturro Submap 9992 |
| | | Deed Page: | 605 |
| | | Grid North: | 999834 |

Area

| | | | |
|-------------------------------|-----------|---------------------------|-----------|
| Living Area: | 0 sq. ft. | First Story Area: | 0 sq. ft. |
| Second Story Area: | 0 sq. ft. | Half Story Area: | 0 sq. ft. |
| Additional Story Area: | 0 sq. ft. | 3/4 Story Area: | 0 sq. ft. |
| Finished Basement: | 0 sq. ft. | Number of Stories: | 0 |
| Finished Rec Room: | 0 sq. ft. | | |

Structure

| | | | |
|-----------------------------|---|---------------------------------|--------------|
| Building Style: | 0 | Bathrooms (Full - Half): | 0 - 0 |
| Bedrooms: | 0 | Kitchens: | 0 |
| Fireplaces: | 0 | Basement Type: | 0 |
| Porch Type: | 0 | Porch Area: | 0.00 |
| Basement Garage Cap: | 0 | Attached Garage Cap: | 0.00 sq. ft. |
| Overall Condition: | 0 | Overall Grade: | |
| Year Built: | | | |

Owners

Troon Properties, Inc.
46 Prince St
Rochester NY 14607

Sales

| Sale Date | Price | Property Class | Sale Type | Prior Owner | Value Usable | Arms Length | Addl. Parcels | Deed Book and Page |
|-----------|-------|----------------|-----------|-------------|--------------|-------------|---------------|--------------------|
|-----------|-------|----------------|-----------|-------------|--------------|-------------|---------------|--------------------|

| | | | | | | | | |
|-----------|-----------|-------------------------|--------------|------------------------|----|----|----|-----------|
| 5/10/2010 | \$398,944 | 312 - Vac w/imprv | Land Only | Scaturro, Vincent F | No | No | No | 13030/605 |
| 4/5/2000 | \$10 | 312 - Vac w/imprv | Land Only | Scaturro, Angelo | No | No | No | 5271/284 |

Utilities

| | | | |
|--------------------|----------|----------------------|---------|
| Sewer Type: | Private | Water Supply: | Private |
| Utilities: | Electric | Heat Type: | 0 |
| Fuel Type: | 0 | Central Air: | No |

Improvements

| Structure | Size | Grade | Condition | Year |
|--------------|---------|---------|-----------|------|
| Barn-pole | 22 x 26 | Economy | Fair | 1900 |
| Barn-1.0 gen | 26 x 36 | Economy | Fair | 1900 |

Land Types

| Type | Size |
|-------------|-------------|
| Primary | 1.00 acres |
| Undeveloped | 25.00 acres |
| Residual | 2.20 acres |

Special Districts for 2016

| Description | Units | Percent | Type | Value |
|-----------------------|-------|---------|------|-------|
| FD025-Middlehope fire | 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 % |
|------|-------------|--------|----------|----------|--------|--------|--------|-------|
|------|-------------|--------|----------|----------|--------|--------|--------|-------|

Taxes

| Year | Description | Amount |
|------|-------------|------------|
| 2016 | County | \$1,280.01 |
| 2016 | School | \$3,142.69 |
| 2015 | County | \$1,221.02 |
| 2015 | School | \$3,111.48 |

***Taxes may not reflect exemptions or changes in assessment**

