



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: GARY & DANIELLE VAN VLEET, JR

Project Name: \_\_\_\_\_

Location of Project Site: 122 Rock Cut Road

Tax Map #: 47-1-28.21

Tax Map #: \_\_\_\_\_

Tax Map #: \_\_\_\_\_

Local File No.: 2682-18

Size of Parcel\*: .85 acres

*\*If more than one parcel, please include sum of all parcels.*

Reason for County Review: on County Road 23 / Rock Cut Road

Current Zoning District (include any overlays): R-1

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) side yard set back & front yard setback on County Road

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

Local board comments or elaboration:

[Signature] 6/21/18 Chairperson, Zoning Board of Appeals

Signature of local official Date 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](mailto:planning@orangecountygov.com)



# 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: 6/14/18

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

I (WE) Gary VanNiet PRESENTLY

RESIDING AT NUMBER 122 Rock Cut Road

TELEPHONE NUMBER (845) 234-1511

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:

47-1-28.21 (TAX MAP DESIGNATION)

122 Rock Cut Road (STREET ADDRESS)

R1 (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 table Schedule 3 → 30' minimum, currently 25'  
185-18-4-b → 60 ft. setback, currently 58'



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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: 5/29/2018
- 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: I am looking to build a deck on the side and rear of my house. It will replace existing concrete steps and wrap around.

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 build would be on my own property and I will be replacing old concrete steps and making improvements to the overall appeal of the house.

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:

In order for the deck to replace existing steps it has to be built within the 30' minimum requirement as well as the 60' set back from rock cut.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The variance I am seeking is 2' closer than the 60' set back on rockcut and 5' closer than the 30' minimum of a driveway easement for my neighbors behind a property.

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 will be a well built and to code deck that will improve the look of the neighborhood and have no adverse effect on environmental conditions.

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

I am building the deck on existing properties that were built in 1949 and updated well before I purchased the home. I'm only looking to improve the property and create an outdoor space for my family to enjoy.



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OFFICE OF ZONING BOARD  
(845) 566-4901

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

*The deck is designed to be a walkout from the existing door on the side. If I could move the door to satisfy the current zoning laws, I would do so but the floor plan inside the house does not allow me that option.*

*[Handwritten Signature]*  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 14<sup>th</sup> DAY OF JUNE 2018

*[Handwritten Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC

A. STEWART MALCOLM  
Notary Public, State of New York  
No. 4926762  
Qualified in Dutchess County  
Commission Expires Feb. 16, 2023

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: L-shaped deck 20' x 27' off side and rear of house			
Project Location (describe, and attach a location map): 122 Rock Cut Road, Newburgh NY 12550			
Brief Description of Proposed Action: It is a deck being built as a walk out off an existing entrance and wrapping around the back of the house. It will cover an existing concrete pad and stairs.			
Name of Applicant or Sponsor: Gary VanMeit		Telephone: 845 234-1511	
Address: 122 Rock Cut Road.		E-Mail: gvanmeit@gmail.com	
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
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:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<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 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? 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: Gary Vandyke Date: 6/14/15  
Signature: *Gary Vandyke*



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*

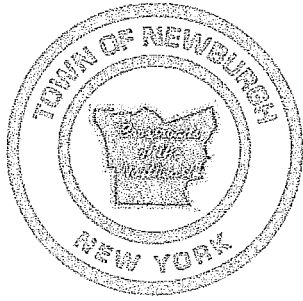
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify 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

2682-18

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/29/2018

Application No. 18-0276

To: Gary VanVleit  
122 Rock Cut Rd  
Newburgh, NY 12550

SBL: 47-1-28.21  
ADDRESS: 122 Rock Cut Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/10/2018 for permit to build a 20' x 27' side / rear deck on the premises located at 122 Rock Cut Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) Bulk table schedule 3 Requires a 30' minimum side yard setback.
- 2) 185-18-4-b Requires a 60' front front yard setback on all county roads. (Increasing the degree of non-conformity)

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

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

NAME: Gary Vanvleit Building Application # 18-0276

ADDRESS: 122 Rock Cut Rd. Newburgh NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: 20' x 27' side / rear yard deck

SBL: 47-1-28.21 ZONE: R-1 ZBA Application # 2682-18

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD	60'	57'	Increasing the degree of non-conformity		
REAR YARD					
ONE SIDE YARD	30'	30'	25'	5'	16.00%
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: (L) shaped side and rear deck

**VARIANCE(S) REQUIRED:**

- 1 Bulk table schedule 3 requires a 30' minimum side yard setback.
- 2 185-18-4-b Requires all front yards on county roads be 60' in depth.
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 29-May-18

**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



BALMWILLE  
CONSTRUCTION INC  
  
TO  
GARY VANVLEIT JR  
DANIELLE VANVLEIT

SECTION 47 BLOCK 1 LOT 28.21

RECORD AND RETURN TO:  
(name and address)

J. REVELLA ESQ  
15 CHURCH ST  
WALDEN NY 12586

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**

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

NO. PAGES 4 CROSS REF. \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ ADD'L X-REF. \_\_\_\_\_  
MAP# \_\_\_\_\_ PGS. \_\_\_\_\_

PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

Taxable  
CONSIDERATION \$ 165,000.00  
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

*Ann G. Rabbitt*  
ANN G. RABBITT  
ORANGE COUNTY CLERK

Received From Hill N Dale

RECORDED/FILED  
04/30/2014/ 15:10:27  
ANN G. RABBITT  
County Clerk  
ORANGE COUNTY, NY  
FILE#20140036913  
DEED R / BK 13745PG 0240  
RECORDING FEES 190.00  
TTX# 005861 T TAX 660.00  
Receipt#1753679 rose

#9357-65962

Bargain & sale deed, with covenant against grantor's acts

HN50871

**THIS INDENTURE**, made the 28<sup>th</sup> day of April, 2014  
**BETWEEN**

**BALMVILLE CONSTRUCTION, INC.**, a New York corporation, with offices located at 6 Old North Plank Road, Newburgh, New York 12550

party of the first part, and

**GARY VAN VLEIT, JR.** and **DANIELLE VAN VLEIT**, husband and wife, both residing at 4 Fairview Avenue, Walden, New York 12586,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) DOLLARS, lawful money of the United States and other good and 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, being more particularly described on Schedule A annexed hereto and made a part hereof.

**SUBJECT TO** an Irrevocable Offer of Dedication dated March 31, 2014 made by Balmville Construction, Inc. to the County of Orange, to be recorded in the Orange County Clerk's Office.

**BEING AND INTENDED TO BE** a portion of the same premises described in a deed dated May 10, 2013 made by Vickie Gibson to Balmville Construction, Inc., the Grantor herein, and recorded in the Orange County Clerk's Office on May 22, 2013 in Liber 13569 of Deeds at page 318.

This transaction is being made in the usual course of business actually conducted by the grantor corporation and does not constitute a sale, transfer, or alienation of all or substantially all of the assets of said corporation. This conveyance is authorized by the Board of Directors and no other consent is required.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and 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.

## Schedule A Description

Title Number **HN 50871**

Page 1

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 known as Lot 1 on a map entitled "Gibson Estates 4 Lot Subdivision" dated 3/28/13 filed March 27, 2014 in the Orange County Clerk's Office as Map #71-14 (4 sheets).

HILL-N-DALE ABSTRACTERS, INC.  
20 SCOTCHTOWN AVENUE  
P.O. BOX 547  
GOSHEN, NEW YORK 10924  
(845) 294-5110  
FAX (845) 294-9581

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.

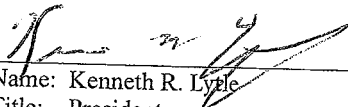
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and 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.

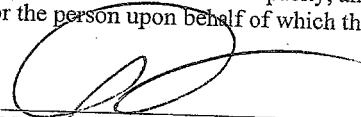
IN PRESENCE OF:

BALMVILLE CONSTRUCTION, INC.

By:   
Name: Kenneth R. Lytle  
Title: President

STATE OF NEW YORK )  
                                  ) ss.  
COUNTY OF ORANGE )

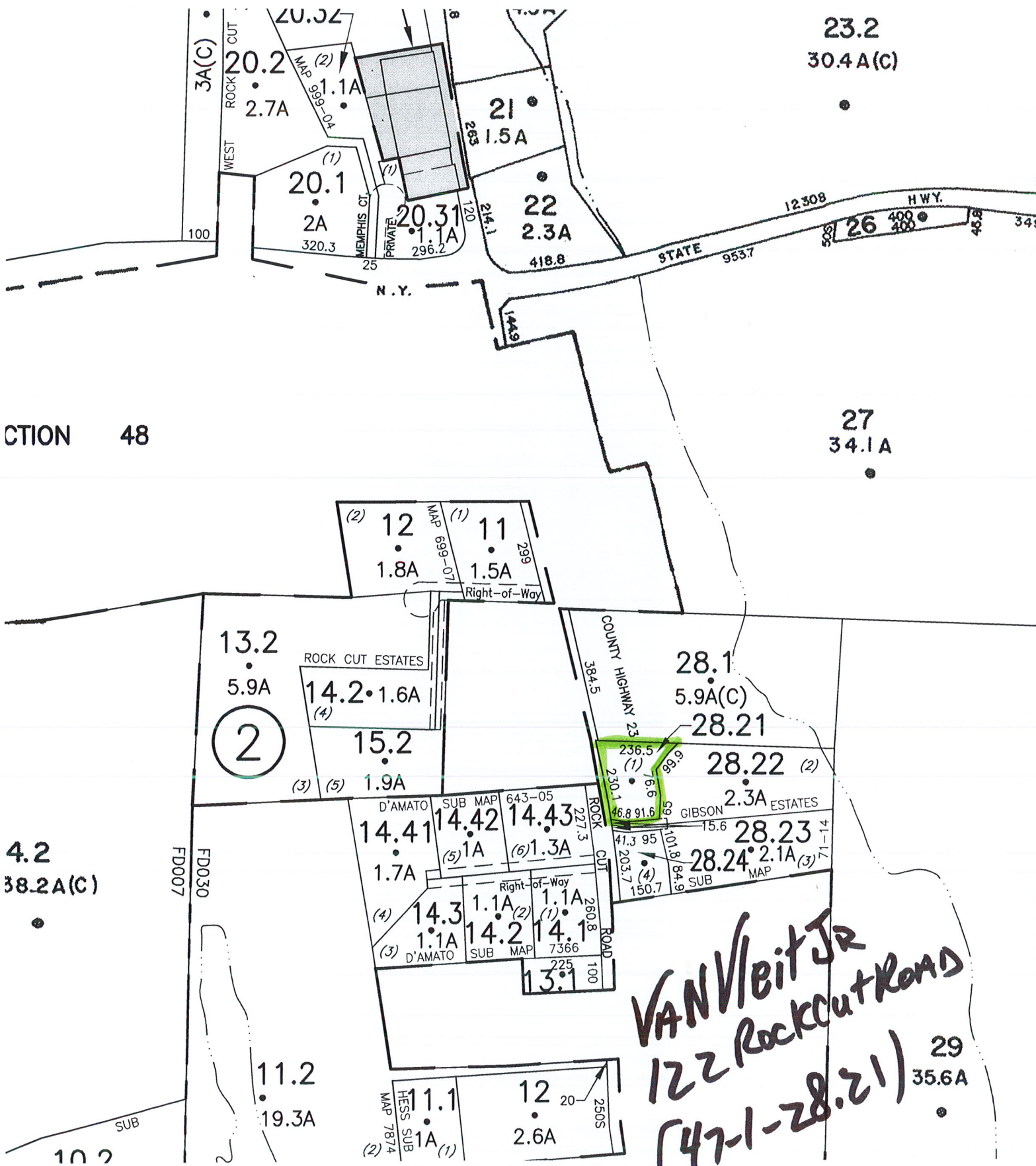
On the 28<sup>th</sup> day of April, 2014, before me, the undersigned, a Notary Public in and for the State, personally appeared, KENNETH R. LYTLE personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

**TAYLOR PALMER**  
Notary Public, State of New York  
Registration No. 02PAG284458  
Qualified in Westchester Co.  
Commission Expires June 17, 2017

JRL/ef/346108  
9357-65926  
4/24/14





SECTION 48

4.2  
38.2A(C)

2

**VAN VEIT JR**  
**122 ROCKCUT ROAD**  
**(47-1-28.21)**

23.2  
30.4A(C)

27  
34.1A

29  
35.6A

13.2  
5.9A

ROCK CUT ESTATES  
 14.2 • 1.6A  
 15.2  
 1.9A

12 • 1.8A  
 11 • 1.5A  
 Right-of-Way

D'AMATO SUB MAP 643-05  
 14.41 • 1.7A  
 14.42 • 1.1A  
 14.43 • 1.3A  
 14.3 • 1.1A  
 14.2 • 1.1A  
 14.1 • 1.1A  
 13.1 • 2.6A  
 D'AMATO SUB MAP 7366  
 HESS SUB MAP 7874

COUNTY HIGHWAY 23  
 28.1 • 5.9A(C)  
 28.21  
 28.22 (2)  
 2.3A  
 28.23  
 28.24 • 2.1A (3)  
 GIBSON ESTATES  
 236.5 (1)  
 16.6  
 46.8 91.6  
 41.3 95  
 203.7  
 150.7  
 101.8 / 84.9

3A(C)  
 WEST ROCK CUT  
 20.2 • 2.7A  
 1.1A  
 20.1  
 2A  
 320.3  
 20.31 • 1.1A  
 296.2  
 MEMPHIS CT.  
 PRIVATE  
 21 • 1.5A  
 22 • 2.3A  
 418.8  
 N.Y.

STATE HWY. 953.7  
 12.308  
 26 • 400  
 400  
 348

FD007  
 FD030

11.2  
19.3A

12 • 2.6A