



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: 6/24/2015

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

I ~~(WE)~~ Lorraine Weinberger PRESENTLY

RESIDING AT NUMBER 37 Cronomer Heights Dr.

TELEPHONE NUMBER cell - (516) 242-7678 Home (516) 482-3463

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:

75-1-32.11 (TAX MAP DESIGNATION)

37 Cronomer Hts. Dr. (STREET ADDRESS)

R2 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-43-F Pools shall not be located
in a front yard



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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: 6/22/2015

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: Building of above ground 24' pool in what is technically considered my "front yard"

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

*N/A
see #6*

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:

20-30ft Tree + shrub barriers between lawn + rd.
It is an above ground pool that will be carefully landscaped to fit into the area in which it will sit and there are already several pools in similar terrain.

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:

there is absolutely no other possible place for the pool

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

It takes up a ~~tiny~~ only a small proportion of the ~~land~~.

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 above ground pool with no septic or well water connections - only electrical connected to my house. It will be filled with "pool water"

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

No other possible location of Pool. Pool is not solely recreational, it is needed for water exercise; it will be heated salt H₂O



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7. ADDITIONAL REASONS (IF PERTINENT):

*as per attached letter from my
doctor, pool is needed for
water exercise due to physical
limitations (severe arthritic neck + Back)*

Jerraine Oberly

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 26th DAY OF June 2015

Jessica Lamey

NOTARY PUBLIC

JESSICA LAMEY
Notary Public - State of New York
No. 01-LA6282995
Qualified in Orange County
My Commission Expires 05/28/2017

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)

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			
Lorraine Weinberger, 37 Cronomer Hts Dr. Newburgh			
Name of Action or Project: Above Ground Pool			
Project Location (describe, and attach a location map): 37 Cronomer Hts Dr.			
Brief Description of Proposed Action: Placement of above ground pool on flattened land. (Slight terra forming of earth to form flat area on slope)			
Name of Applicant or Sponsor: Lorraine Weinberger		Telephone: Cell (516) 242-7678	
		E-Mail: LWPotucha@gmail.com	
Address: 37 Cronomer Hts. Dr.			
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 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?			
b. Total acreage to be physically disturbed? Fraction of 1.5 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.5 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 checked="" type="checkbox"/>	<input 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? <i>N/A</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? <i>N/A</i>	<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 checked="" 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: <u>Delivered "Pool water"</u>		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: <u>N/A</u>		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
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<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
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"/>
		<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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES
a. Will storm water discharges flow to adjacent properties? <i>N/A</i> <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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: <i>N/A</i> <input checked="" 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: Lorraine Weinberger Date: 6/24/15

Signature: Lorraine Weinberger

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

2506-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/19/2015

Application No. 15-0428

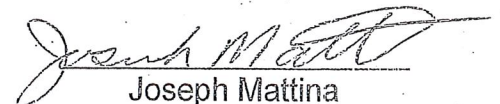
**To: Lorraine Weinberger
37 Cronomer Heights Dr
Newburgh, NY 12550**

**SBL: 75-1-32.11
ADDRESS: 37 Cronomer Heights Dr**

ZONE: R3

PLEASE TAKE NOTICE that your application dated 06/04/2015 for permit to install a 24' above ground pool in a front yard on the premises located at 37 Cronomer Heights Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:
185-43-F Pools shall not be located in a front yard.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION

BUILT WITH OUT A PERMIT

NO

NAME: LORRAINE WEINBERGER

ADDRESS: 37 CRONOMER HEIGHTS DR NEWBURGH NY 12550

PROJECT INFORMATION:

TYPE OF STRUCTURE: 24' ABOVE GROUND POOL

SBL: 75-1-32.11 ZONE: R-3

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
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: CRONOMER HEIGHTS DR RUNS IN FRONT OF AND BEHIND THE DWELLING UNIT
CREATING 2 FRONT YARDS.

VARIANCE(S) REQUIRED:

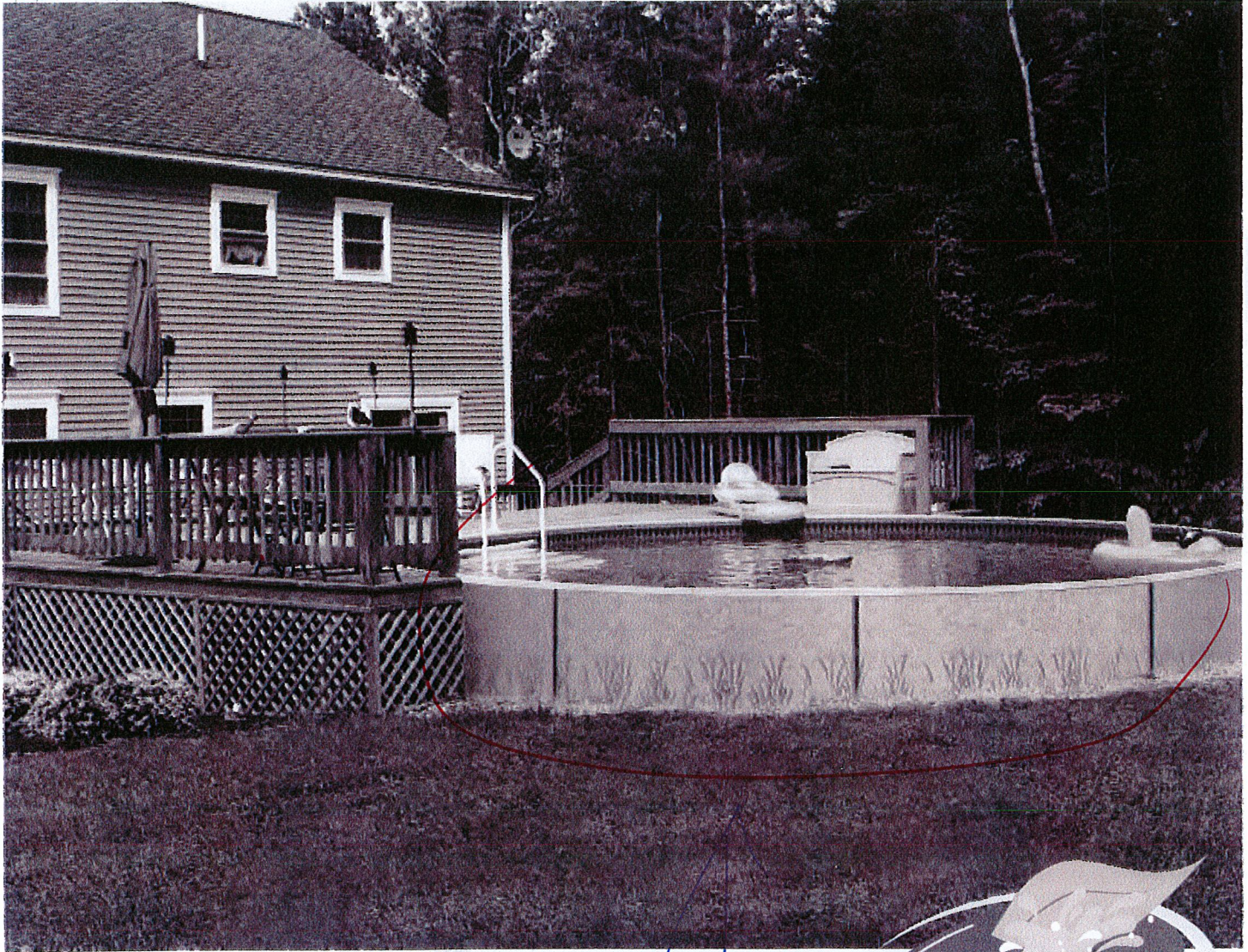
- 1 185-43-F Pools shall not be located in a front yard.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: Joseph Mattina DATE: 19-Jun-15

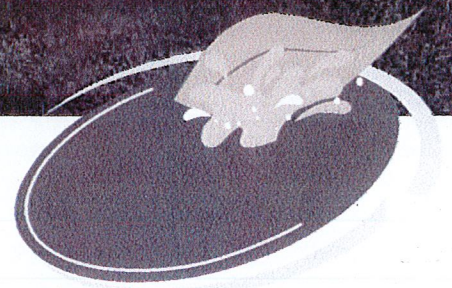


eco-splash
smart swimming. green living.

Harnessing the power of the sun
for the only energy efficient,
environmentally smart pool.



Radiant
POOLS™



Be **Smart.**
Be **Different.**
Be a **Radiant Pool Owner.**

THIS INDENTURE, made the 13th day of June, two thousand and thirteen,

BETWEEN

Lorraine Weinberger a/k/a Lorraine Weinberger Potecha, residing at 14 North Drive, Great Neck, New York 11021

party of the first part, and

Lorraine Weinberger a/k/a Lorraine Weinberger Potecha, residing at 14 North Drive, Great Neck, New York 11021

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

SEE SCHEDULE A ATTACHED

RESERVING UNTO the Grantor's husband, Marc J. Potecha, a life estate to occupy the above premises for the remainder of his natural life.

BEING and intended to be those premises described in a Deed dated June 13, 2013 from Justine Schuyler to Lorraine Weinberger and recorded in the Orange County Clerk's Office on June __, 2013 in Liber _____ at page _____.

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.

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, hereby 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:

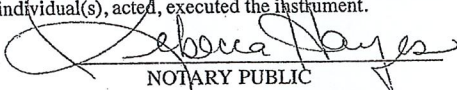
Lorraine Weinberger
Lorraine Weinberger

a/k/a Lorraine Weinberger Potecha

*See original
6/26/15*

STATE OF NEW YORK, COUNTY OF ORANGE

On the 13th day of June, 2013, before me, the undersigned, personally appeared **Lorraine Weinberger**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s), acted, executed the instrument.



NOTARY PUBLIC

REBECCA HAYES
Notary Public, State of New York
No. 5064598

STATE OF NEW YORK, COUNTY OF ORANGE
Qualified in Dutchess County
Commission Expires August 19, 2014

On the day of , 2013, before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s), acted, executed the instrument.

NOTARY PUBLIC

STATE OF NEW YORK, COUNTY OF

On the day of , 2013, before me, undersigned, personally appeared, , personally known to me or proved to me on the basis satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s), acted, executed the instrument.

NOTARY PUBLIC

STATE OF ; COUNTY OF

On the day of 2013, before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s), acted, executed the instrument.

NOTARY PUBLIC

SECTION 75
BLOCK 1
LOT 32.11
COUNTY OR TOWN Orange

Recorded at Request of:

Return by Mail to:

J. Joseph Morrissey, Esq.
22 North Street, Suite 201
New Paltz, New York 12561

Bargain and Sale Deed
With Covenant Against Grantor's Acts

TITLE NO.

WEINBERGER

TO

WEINBERGER

Title No. RGO 20174

Schedule A
(description)

PARCEL 1

All that certain piece, plot or parcel of land situate lying and being in the **TOWN OF NEWBURGH, COUNTY OF ORANGE**, State of New York, being a portion of Lot No. 2 as shown on a map entitled "Subdivision Plan Lands of Joseph A. & Anne M. Favino" dated October 21, 1988 and filed in the Orange County Clerk's Office, Division of Land Records on December 21, 1988 as Map No. 9269, being more particularly bounded and described as follows:

BEGINNING at a point in the northwesterly line of an existing 50.00 foot wide right of way and private road known as Cronomer Heights Drive, said point being on the division line between lands now or formerly of Jayawardena on the north and the parcel herein described on the south, said point also being the northeasterly corner of Lot No. 2 of the above mentioned filed map;

THENCE along the northwesterly line of Cronomer Heights Drive, South 32° 20' 11" West 38.00 feet and South 43° 57' 12" West 125.07 feet to a point;

THENCE through the lands of the grantor, North 39° 51' 56" West 147.47 feet to a point on the division line between the lands now or formerly of Jayawardena on the northwest and north and the parcel herein described on the southeast and south;

THENCE along the last mentioned division line, North 45° 46' 30" East 34.04 feet and South 85° 13' 99" East 177.88 feet to the point or place of BEGINNING.

PARCEL 2

All that certain piece, plot or parcel of land situate lying and being in the **TOWN OF NEWBURGH, COUNTY OF ORANGE**, State of New York, being designated as Lot No. 2 on a map entitled "Lot Line Change Map lands of Joseph A. & Anne M. Favino and Hill Investments", dated June 9, 1992, revised November 17, 1992 and filed in the Orange County Clerk's Office, Division of Land Records on March 30, 1993 as Map No. 45-93, being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of the existing Grande Vista Court, a private road, said point also being on the division line between lands now or formerly of Kikina Corp. on the northeast and north and Lot No. 2 herein described on the southwest and south;

Title No. RGO 20174
Schedule A Cont'd
(description)

PARCEL 2 Cont'd

THENCE along the last mentioned division line the following (2) courses:

1. South 26° 51' 45" East 132.00 feet; and
2. South 85° 13' 59" East 167.00 feet to a point on the division line between the lands now or formerly of Hill Investments on the east and southeast and Lot No. 2 herein described on the west and northwest, said point also being in the westerly line of the existing Palatine Heights Drive, a private road;

THENCE along the last mentioned division line and the westerly and northwesterly line of Palatine Heights Drive the following three (3) courses and distances:

1. South 14° 04' 24" West 49.42 feet;
2. South 19° 48' 42" West 71.91 feet; and
3. South 32° 20' 11" West 35.00 feet to a point on the division line between the lands now or formerly of Splendor Vista Inc. on the south and southeast and Lot No. 2 herein described on the north and northwest;

THENCE along the mentioned division line the following two (2) courses:

1. North 85° 13' 59" West 177.88 feet; and
2. South 45° 46' 30" West 34.04 feet to a point on the division line between Lot No. 1 of the above mentioned filed map, lands now or formerly of Favino on the west and southwest and Lot No. 2 herein described on the east and northeast;

THENCE along the last mentioned division line the following two (2) courses;

1. North 15° 34' 59" West 113.72 feet; and
2. North 54° 07' 49" West 70.04 feet to a point on the division line between the lands now or formerly of Hill Investments on the northwest and Lot No. 2 herein described on the southeast, said point also being in the aforementioned southerly line of Grande Vista Court;

THENCE along the last mentioned division line and the southerly line of Grande Vista Court the following two (2) courses:

1. North 45° 00' 00" East 148.35 feet; and
2. North 23° 24' 38" East 33.00 feet to the point or place of BEGINNING.

DEED

THIS INDENTURE, made the 13th day of June, 2013

BETWEEN

JUSTINE SCHUYLER, 625 Grand Avenue, Newburgh, NY

party of the first part, and

LORRAINE WEINBERGER, 14 North Drive, Great Neck, NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, and 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 and made a part hereof;

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.

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.

Title No. RGO 20174

Schedule A
(description)

PARCEL 1

All that certain piece, plot or parcel of land situate lying and being in the **TOWN OF NEWBURGH, COUNTY OF ORANGE**, State of New York, being a portion of Lot No. 2 as shown on a map entitled "Subdivision Plan Lands of Joseph A. & Anne M. Favino" dated October 21, 1988 and filed in the Orange County Clerk's Office, Division of Land Records on December 21, 1988 as Map No. 9269, being more particularly bounded and described as follows:

BEGINNING at a point in the northwesterly line of an existing 50.00 foot wide right of way and private road known as Cronomer Heights Drive, said point being on the division line between lands now or formerly of Jayawardena on the north and the parcel herein described on the south, said point also being the northeasterly corner of Lot No. 2 of the above mentioned filed map;

THENCE along the northwesterly line of Cronomer Heights Drive, South 32° 20' 11" West 38.00 feet and South 43° 57' 12" West 125.07 feet to a point;

THENCE through the lands of the grantor, North 39° 51' 56" West 147.47 feet to a point on the division line between the lands now or formerly of Jayawardena on the northwest and north and the parcel herein described on the southeast and south;

THENCE along the last mentioned division line, North 45° 46' 30" East 34.04 feet and South 85° 13' 99" East 177.88 feet to the point or place of BEGINNING.

PARCEL 2

All that certain piece, plot or parcel of land situate lying and being in the **TOWN OF NEWBURGH, COUNTY OF ORANGE**, State of New York, being designated as Lot No. 2 on a map entitled "Lot Line Change Map lands of Joseph A. & Anne M. Favino and Hill Investments", dated June 9, 1992, revised November 17, 1992 and filed in the Orange County Clerk's Office, Division of Land Records on March 30, 1993 as Map No. 45-93, being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of the existing Grande Vista Court, a private road, said point also being on the division line between lands now or formerly of Kikina Corp. on the northeast and north and Lot No. 2 herein described on the southwest and south;

Title No. RGO 20174

Schedule A Cont'd
(description)

PARCEL 2 Cont'd

THENCE along the last mentioned division line the following (2) courses:

1. South 26° 51' 45" East 132.00 feet; and
2. South 85° 13' 59" East 167.00 feet to a point on the division line between the lands now or formerly of Hill Investments on the east and southeast and Lot No. 2 herein described on the west and northwest, said point also being in the westerly line of the existing Palatine Heights Drive, a private road;

THENCE along the last mentioned division line and the westerly and northwesterly line of Palatine Heights Drive the following three (3) courses and distances:

1. South 14° 04' 24" West 49.42 feet;
2. South 19° 48' 42" West 71.91 feet; and
3. South 32° 20' 11" West 35.00 feet to a point on the division line between the lands now or formerly of Splendor Vista Inc. on the south and southeast and Lot No. 2 herein described on the north and northwest;

THENCE along the mentioned division line the following two (2) courses:

1. North 85° 13' 59" West 177.88 feet; and
2. South 45° 46' 30" West 34.04 feet to a point on the division line between Lot No. 1 of the above mentioned filed map, lands now or formerly of Favino on the west and southwest and Lot No. 2 herein described on the east and northeast;

THENCE along the last mentioned division line the following two (2) courses;

1. North 15° 34' 59" West 113.72 feet; and
2. North 54° 07' 49" West 70.04 feet to a point on the division line between the lands now or formerly of Hill Investments on the northwest and Lot No. 2 herein described on the southeast, said point also being in the aforementioned southerly line of Grande Vista Court;

THENCE along the last mentioned division line and the southerly line of Grande Vista Court the following two (2) courses:

1. North 45° 00' 00" East 148.35 feet; and
2. North 23° 24' 38" East 33.00 feet to the point or place of BEGINNING.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

Justine Schuyler
JUSTINE SCHUYLER

State of New York)
)ss:
County of Orange)

On the 13 day of June in the year 2013, before me, the undersigned, personally appeared *Justine Schuyler*, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual acted and executed the same.

Rebecca Hayes
Notary Public
REBECCA HAYES
Notary Public, State of New York
No. 5064598
Qualified in Dutchess County
Commission Expires August 19, 2014

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

Title No.

JUSTINE SCHUYLER

TO

LORRAINE WEINBERGER

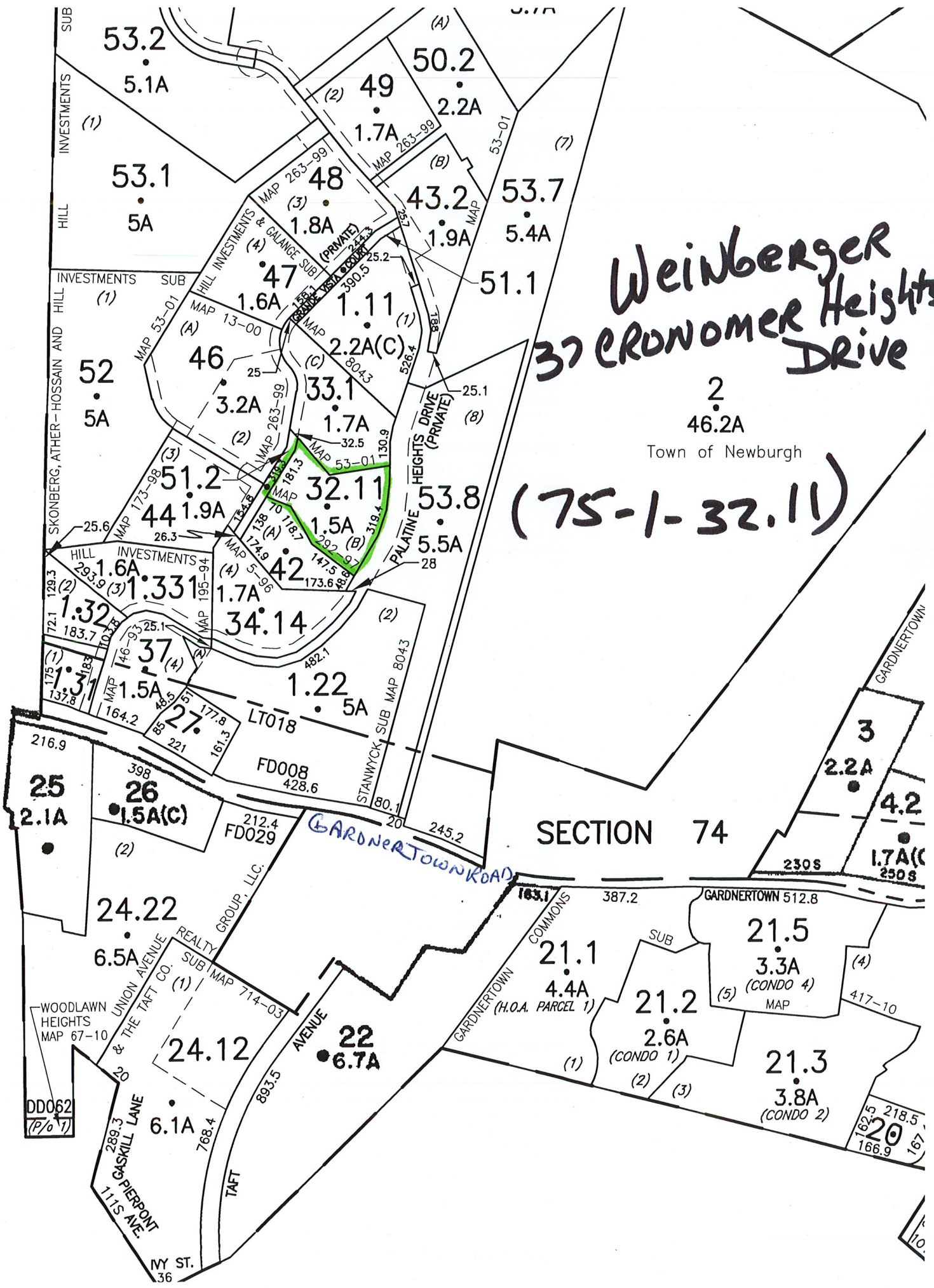
SECTION 75
BLOCK 1
LOT 32.11
COUNTY OR TOWN Orange
STREET ADDRESS 37 Cronomer Heights Drive

RETURN BY MAIL TO:

Daniel Pennesi
c/o National Resources
485 West Putnam Avenue
Greenwich, CT 06830

0

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Weinberger
37 Cronomer Heights
Drive

2
46.2A

Town of Newburgh

(75-1-32.11)

SECTION 74

GARDNER TOWN ROAD

DD062
(P/O 1)

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