

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: 4-4-14

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

I (WE) JAMIE YANNOFF PRESENTLY

RESIDING AT NUMBER 198 Fletcher Drive North

TELEPHONE NUMBER 845 - 399 - 5573

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:

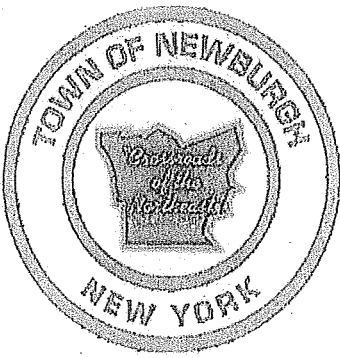
47-1-61.1 (TAX MAP DESIGNATION)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A B



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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: 11-25-13
- 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: NEW 161E BOCU
IS ahead of house by 25'

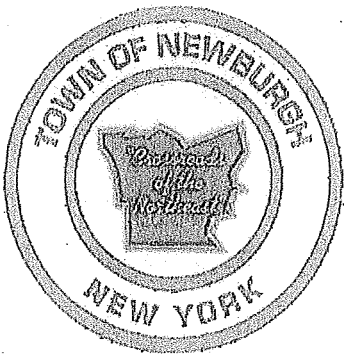
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:

I replaced 2 Boens with one. The existing boen is 25' tall and will be replaced with a new one at 20' tall. The structure will not change visibility, will only improve

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:

The new existing boen is 25' in front of new house, but is more attractive substantial structure meeting all current codes

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

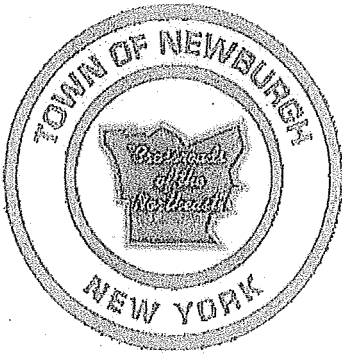
Due to grading issues the new house needed to be moved back of the boen to achieve water run off away from house

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

The new structure retains the character of neighborhood and improves overall appearance

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

The boen and house were to be access from each other but due to the grade of land was better to move house back to achieve water run off



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7. ADDITIONAL REASONS (IF PERTINENT):



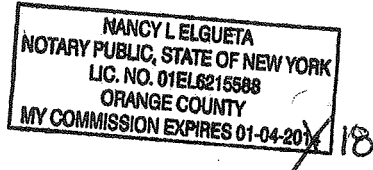
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4th DAY OF April 2014



NOTARY PUBLIC



NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

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

617.20
Appendix B
Short Environmental Assessment Form

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: <i>Pole Barn</i>			
Project Location (describe, and attach a location map): <i>47-1-61.1 @ Black Angus Court</i>			
Brief Description of Proposed Action: <i>NEW existing barn is 25' in front of new house</i>			
Name of Applicant or Sponsor: <i>JAMIE YANNONE</i>		Telephone: <i>845-399-5573</i>	E-Mail: <i>Hepline21@hotmail.com</i>
Address: <i>198 Fletcher DR. NORTH</i>			
City/PO:		State: <i>NY</i>	Zip Code: <i>12554</i>
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 /
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 /
3.a. Total acreage of the site of the proposed action?		<u>3</u> acres	
b. Total acreage to be physically disturbed?		<u>40x52</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>3</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input 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? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	/		/
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
		/	
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	
	/		
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	/		
	/		
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	
	/		
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	/		
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	/		
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	
	/		
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	
	/		
	/		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	/		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	/		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	/		

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
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
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
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>GAMIE YASNORE</u> Date: <u>4-3-14</u> Signature: <u><i>[Signature]</i></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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?"

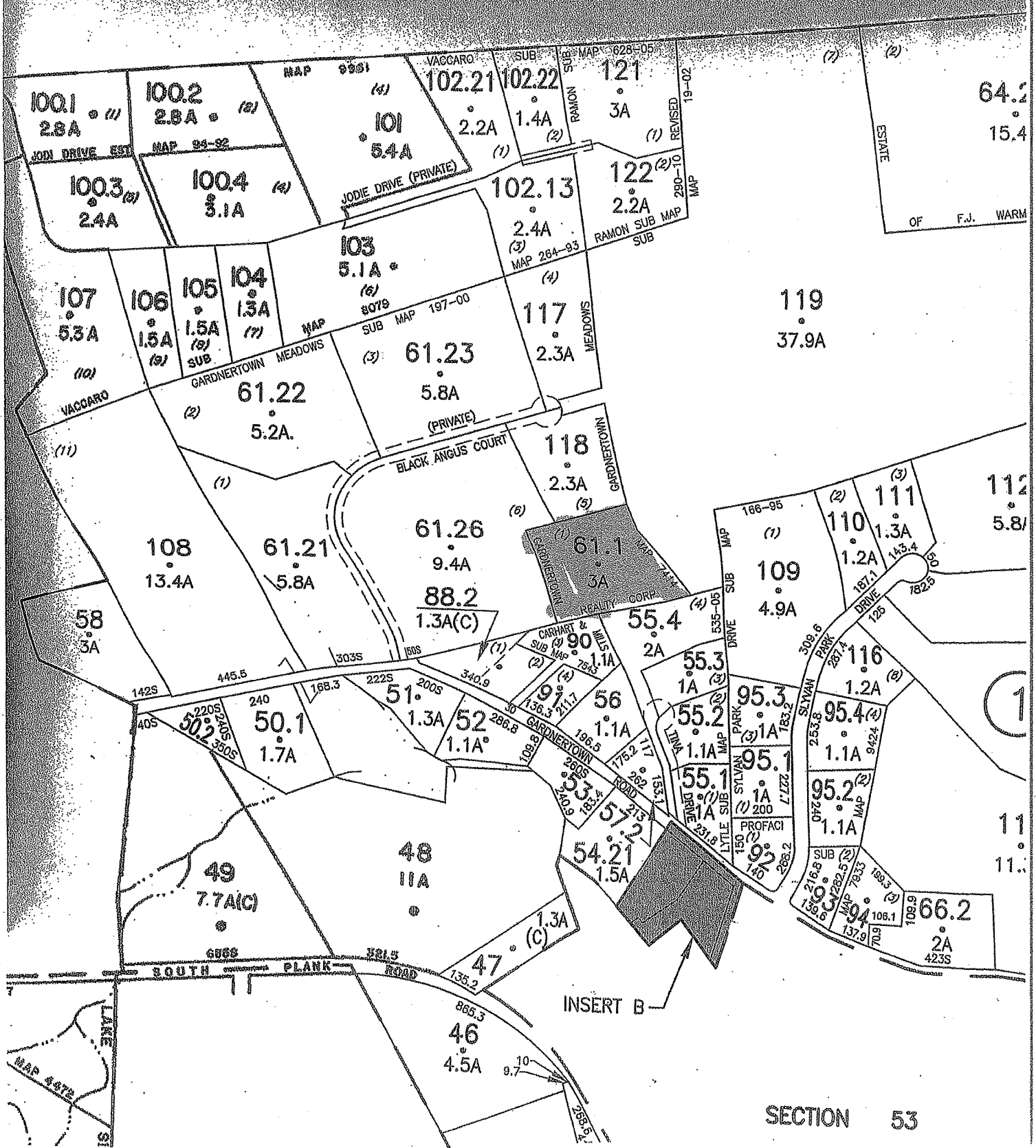
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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)

SECTION 34



64.2
15.4

ESTATE OF F.J. WARM

119
37.9A

112
5.8A

111
1.3A
143.4

110
1.2A
187.1
125
782.5

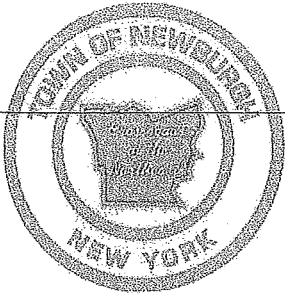
116
1.2A
942.4

111
1.1A
924.2

110
1.1A
924.2

110
1.1A
924.2

SECTION 53



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

2419-14

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/02/2014

Application No. 13-1085

**To: Jamie Yannone
198 Fletcher Dr. N
NEWBURGH, NY 12550**

**SBL: 47-1-61.1
ADDRESS: 2 Black Angus Ct**

ZONE: R-1

PLEASE TAKE NOTICE that your application dated 11/22/2013 for permit to continue with the construction of an accessory building. on the premises located at 2 Black Angus Ct is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:
185-15-B No such building shall be closer to the fronting street than the main building.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: JAMIE YANNONE

ADDRESS: 198 FLETCHER DR NEWBURGH NY 12550

24 19-14

PROJECT INFORMATION:

TYPE OF STRUCTURE: 52' X 40' X 20' ACCESSORY BUILDING

SBL: 47-1-61.1 ZONE: R-1

TOWN WATER: NO TOWN SEWER: NO

	MINIMUM	EXISTING	PROPOSED	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: **3 variances granted (SEE TIME LINE) THE ACCESSORY BUILDING WAS ALSO ROTATED FROM THE ORIGINAL POSITION.**

VARIANCE(S) REQUIRED:

- 1 185-15-B No such building shall project closer to the fronting street than the main building.
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: JOSEPH MATTINA DATE: 2-Apr-14

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

Michael P. Fayó III

TO

Jamie Yannone

SECTION 47 BLOCK 1 LOT 61.1



RECORD AND RETURN TO:
(name and address)

Saffioti & Anderson
Joseph Saffioti, Esq.
5031 Route 9W
Newburgh, NY 12550

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)
- ___ 2001 WASHINGTONVILLE (VLG)
- ___ 2003 SO. BLOOMING GROVE (VLG)
- ___ 2289 CHESTER (TN)
- ___ 2201 CHESTER (VLG)
- ___ 2489 CORNWALL (TN)
- ___ 2401 CORNWALL (VLG)
- ___ 2600 CRAWFORD (TN)
- ___ 2800 DEERPARK (TN)
- ___ 3089 GOSHEN (TN)
- ___ 3001 GOSHEN (VLG)
- ___ 3003 FLORIDA (VLG)
- ___ 3005 CHESTER (VLG)
- ___ 3200 GREENVILLE (TN)
- ___ 3489 HAMPTONBURGH (TN)
- ___ 3401 MAYBROOK (VLG)
- ___ 3689 HIGHLANDS (TN)
- ___ 3601 HIGHLAND FALLS (VLG)
- ___ 3889 MINISINK (TN)
- ___ 3801 UNIONVILLE (VLG)
- ___ 4089 MONROE (TN)
- ___ 4001 MONROE (VLG)
- ___ 4003 HARRIMAN (VLG)
- ___ 4005 KIRYAS JOEL (VLG)

- ___ 4289 MONTGOMERY (TN)
- ___ 4201 MAYBROOK (VLG)
- ___ 4203 MONTGOMERY (VLG)
- ___ 4205 WALDEN (VLG)
- ___ 4489 MOUNT HOPE (TN)
- ___ 4401 OTISVILLE (VLG)
- ___ 4600 NEWBURGH (TN)
- ___ 4800 NEW WINDSOR (TN)
- ___ 5089 TUXEDO (TN)
- ___ 5001 TUXEDO PARK (VLG)
- ___ 5200 WALLKILL (TN)
- ___ 5489 WARWICK (TN)
- ___ 5401 FLORIDA (VLG)
- ___ 5403 GREENWOOD LAKE (VLG)
- ___ 5405 WARWICK (VLG)
- ___ 5600 WAWAYANDA (TN)
- ___ 5889 WOODBURY (TN)
- ___ 5801 HARRIMAN (VLG)
- ___ 5809 WOODBURY (VLG)
- ___ CITIES
- ___ 0900 MIDDLETOWN
- ___ 1100 NEWBURGH
- ___ 1300 PORT JERVIS
- ___ 9999 HOLD

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

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$
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 _____

*Saw original
certified copy
12/5/13
JG*

TRUE AND CERTIFIED
COPY OF THE ORIGINAL

Joseph M. Saffioti, Esq.

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S
ACTS (INDIVIDUAL OR CORPORATION)**

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND
PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 23rd day of August, 2013,

BETWEEN

Michael P. Fayo, III, of 108 Little Britain Road, Newburgh, New York 12550,
party of the first part, and

Jamie Yannone of 198 Fletcher Drive North, Newburgh, New York 12550,
party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$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, 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, State of New York and being more particularly bounded and described in Schedule 'A' attached hereto and made a part hereof;

SUBJECT TO THE RESTRICTIVE COVENANTS IN SCHEDULE "A"

BEING AND INTENDED to be the same premises conveyed to MICHAEL P. FAYO, III who acquired title from FRANK T. THORNTON and IRENE C. THORNTON, by deed dated October 18, 2005 and recorded in the Orange County Clerk's Office on January 11, 2006 in Liber 12049 page 549.

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.

Section: 47

Block: 1

Lot: 61.1

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.

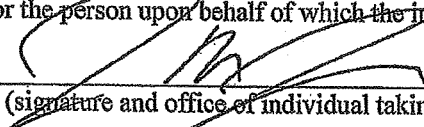


MICHAEL P. FAYO, III

Acknowledgment by a Person Within New York State (RPL § 309-a)

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

On the 23rd day of August in the year 2013, before me, the undersigned, personally appeared Michael P. Fayó, III, 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 that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



(signature and office of individual taking acknowledgment)

JOSEPH M. SAFFIOTI
Notary Public, State of New York
No. 4985013
Qualified in Orange County
Commission Expires August 5, 2017

SCHEDULE A CONTINUED

Grantor hereby conveys the premises subject to the following covenants and restrictions which shall run with the land and bind Grantor, present and future, whether or not specifically referred to in any subsequent deed to all or any portion of the Property:

1. All plans and specifications must be reviewed by the Grantor, his successors and/or assigns and approved in writing as to the upgrade or addition of any residence as to architecture, outward appearance, design, building height, roof pitch, style and color of the structure, the exterior building materials used, and location of the house, well and septic on the lot. Bi-level, contemporary and raised ranch homes shall not be permitted.
2. No sign of any type, other than a temporary home for sale sign, shall be displayed on any Lot.
3. No above ground pools shall be constructed on any lot.
4. All garbage, refuse and rubbish shall be stored in secure sanitary containers and removed from each Lot promptly and each Lot shall be kept free and clear of all debris. All trash receptacles shall be kept in an enclosure or garage and must be taken from that enclosure and returned thereto on the day of scheduled trash pickup.
5. No car, van, boat or other permitted vehicle shall be parked or placed on any portion of any Lot except within an enclosed garage or on a paved, shale or gravel driveway not closer to the street than the front setback line of the house..
6. No basketball hoops or stands shall be installed closer to the street than the front set back of the house.
7. No clothesline or drying yard shall be located on any Lot so as to be visible from the road or from a home on any other Lot.
8. The Grantee shall perform the following repairs and maintenance on the Lot on a regular basis and as often as necessary: sweeping, cleaning of litter, cultivation, mowing and trimming of grass, shrubs and trees within sight of the road, leaf removal, and resurfacing of any driveway.
9. No fences shall be permitted on the Lot except the following: picket, stockade and split-wood type fences shall be permitted on the rear boundary and on the side boundaries extending from the rear Lot lines to the front setback of the house and extending from the side boundaries to the house. Fences around swimming pools may conform with any ordinance, law or regulation pertaining thereto, and may be of materials other than those described above to the extent required by ordinance, law or regulation, provided they are made to be as compatible with the spirit of this paragraph as is reasonably possible.
10. Each Lot shall be properly landscaped, cultivated and seeded within 12 months of the completion of construction of a residence on the lot. Any firewood stored shall be placed neatly to the rear of the Lot.

12. No animals, birds or fowl shall be kept except for household pets, not for commercial purposes. Any dogs when off the owner's Lot shall be leashed.

13. The Lot owner shall not construct any residence on the Lot or alter the exterior of any structure upon the Lot unless complete plans and specifications for the proposed alteration have been submitted to Grantor, his successors and/or assigns and approved in writing.

14. Not more than one television, radio, or any other antenna of any type, or any other object shall be attached to the house, nor shall it be installed higher than six (6) feet above the point of attachment to the house. No satellite dishes more than 30" inches in diameter are permitted.

15. The premises may not be further subdivided.

The invalidation of any one of these covenants or restrictions by judgment or Court order shall in no way affect any of the other provisions which shall remain in full force and effect.

Schedule A Description

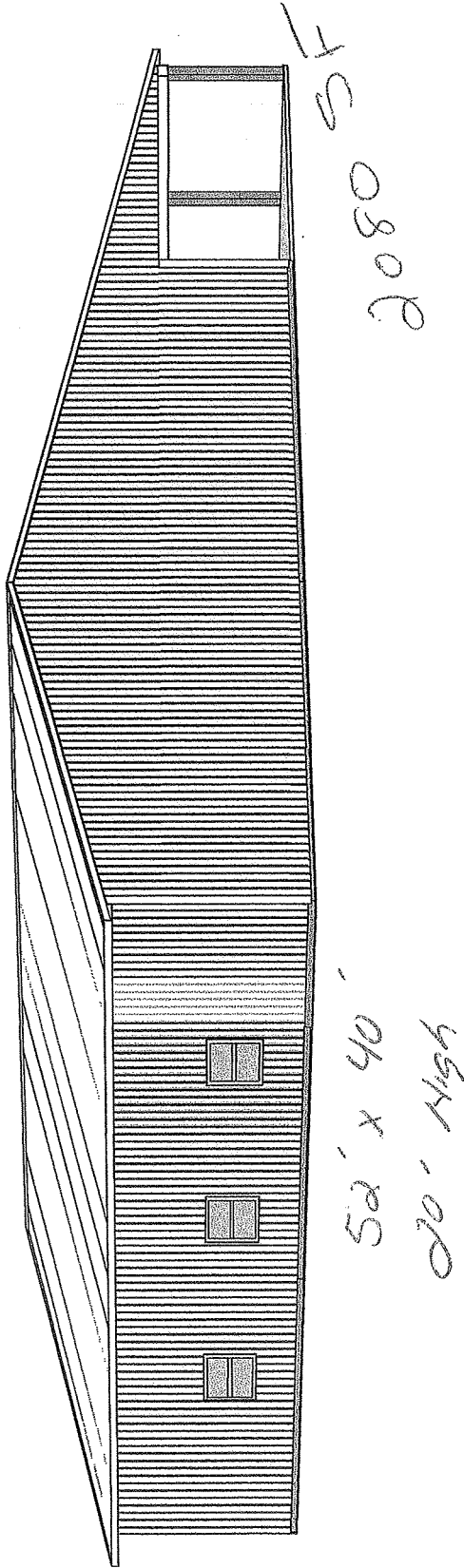
Title Number GA-131814-0

Page 1

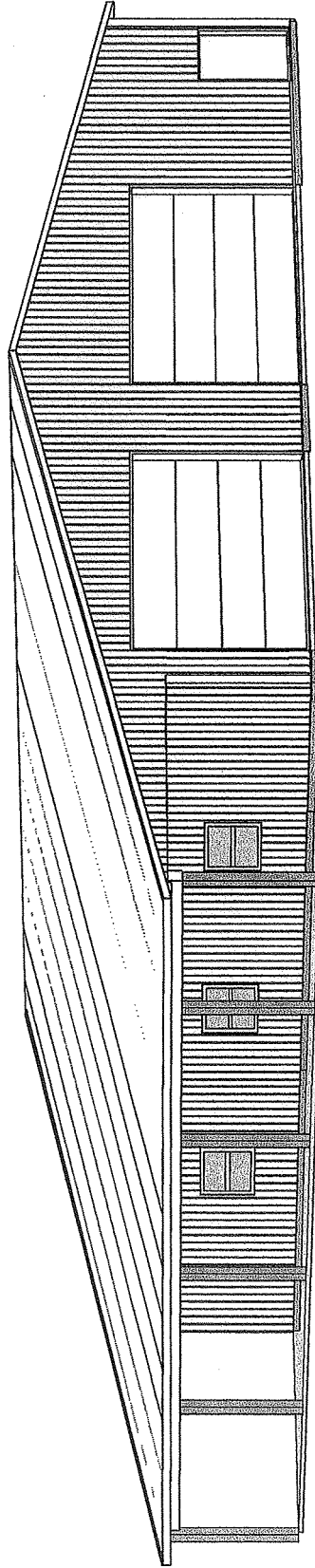
ALL that certain plot, piece or parcel of land situate lying and being in the Town of Newburgh, County of Orange and State of New York, being shown and designated as Lot No. 1 on a certain subdivision map entitled "Survey and Subdivision Map of Lands of Gardnertown Realty Corporation", filed in the Orange County Clerk's Office on December 27, 1985 as Filed Map No. 7414.

TOGETHER with the right of way over the existing dirt driveway, leading from Gardnertown Road to the westerly bounds of said Lot No. 1, as shown, noted and depicted on the aforesaid Filed Map, for the purpose of ingress and egress from Lot No. 1 to Gardnertown Road.

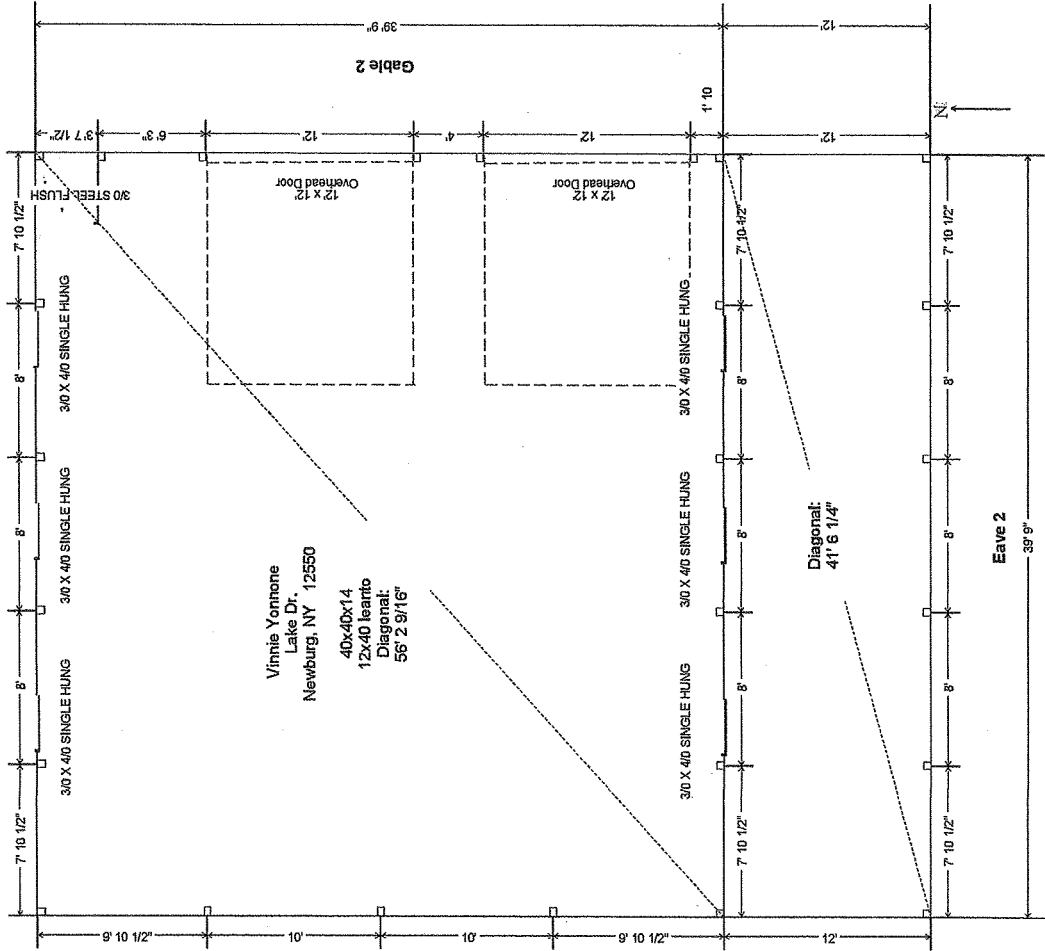
EAVE SIDE 1/GABLE SIDE 1 3D PERSPECTIVE



EAVE SIDE 2/GABLE SIDE 2 3D PERSPECTIVE

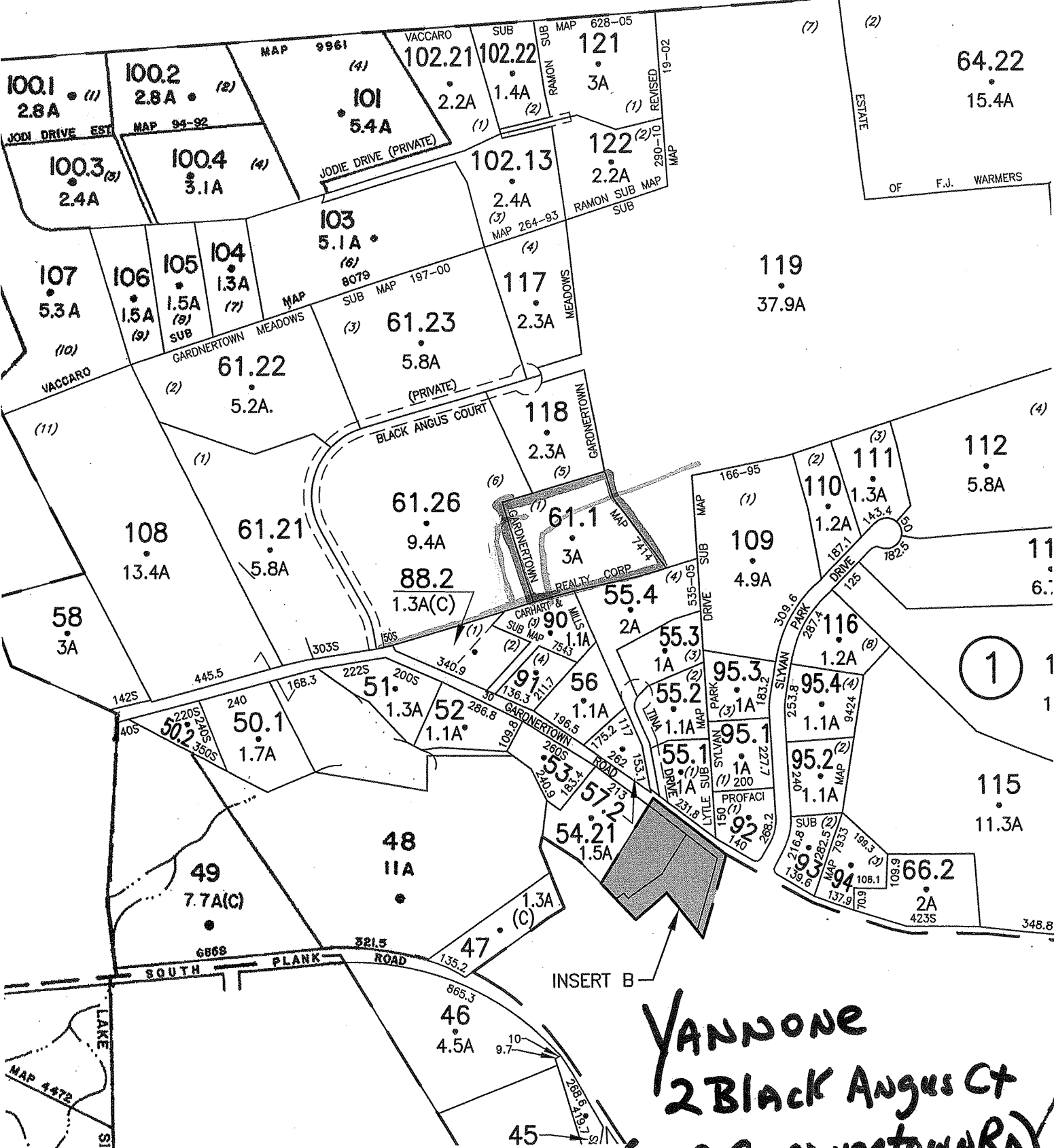


Eave 1



Vinnie Yonhene
 Lake Dr.
 Newburg, NY 12550
 40x40x14
 12x40 learto
 Diagonal:
 56' 2 9/16"

Gable 1



INSERT B

YANNONE
 2 Black Angus Ct
 (728 GARDNERTOWN RD)
 47-1-61.1