



# 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: May, 29, 2018

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

I (WE) Darci Connelly PRESENTLY  
RESIDING AT NUMBER 2 Linden Drive  
TELEPHONE NUMBER 845-527-6932

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:

90-3-5 (TAX MAP DESIGNATION)  
2 Linden Drive (STREET ADDRESS)  
R-1 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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-4



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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: 5/14/18
- 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: Area Variance

\_\_\_\_\_

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:

A professional built garage  
\_\_\_\_\_  
\_\_\_\_\_

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:

we are exceeding square foot limit.  
\_\_\_\_\_  
\_\_\_\_\_

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

It's a normal size 2 bay garage built on  
3/4's of an acre.  
\_\_\_\_\_  
\_\_\_\_\_

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

We will not be making any changes to our  
lot or added water or sewer to building.  
\_\_\_\_\_  
\_\_\_\_\_

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

We have a shed already built.  
\_\_\_\_\_  
\_\_\_\_\_



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NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD  
(845) 566-4901

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Darci J Connelly*  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30 DAY OF May 20 18

**JOSEPH P. PEDI**  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01PE6370913  
Qualified in Orange County  
Commission Expires February 12, 2022

*Joseph P. PEDI*  
\_\_\_\_\_  
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.  
**(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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Accessory Buildings - Garage and Shed			
Project Location (describe, and attach a location map): 2 Linden Drive			
Brief Description of Proposed Action: To add a garage + get rid of shed			
Name of Applicant or Sponsor: Darci Connelly		Telephone: 845-527-6932	
		E-Mail: frazzled128@yahoo	
Address: 2 Linden Drive			
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 type="checkbox"/>
Town of Newburgh Zoning Board			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.25 acres	
b. Total acreage to be physically disturbed?		993 acres sq ft	
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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?	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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"/>	
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 <span style="float: right;">N/A</span>			
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 type="checkbox"/> NO <input type="checkbox"/> YES	NO	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: _____	<input 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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Darci Connelly</u>		Date: <u>5/29/18</u>
Signature: <u>Darci Connelly</u>		

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Agency Use Only [If applicable]

Project:	
Date:	

**Short Environmental Assessment Form**  
**Part 3 Determination of Significance**

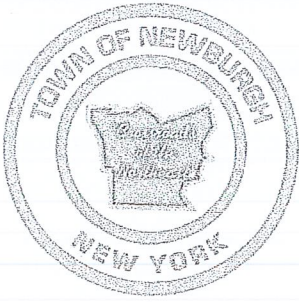
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify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

2681-18

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/14/2018

Application No. 18-0273

To: Darci Connelly  
2 Linden Dr  
Newburgh, NY 12550

SBL: 90-3-5  
ADDRESS: 2 Linden Dr

ZONE: R1

PLEASE TAKE NOTICE that your application dated 04/10/2018 for permit to build a 24' x 24' (576 sf) accessory building on the premises located at 2 Linden Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-15-A-4 Total accessory buildings square footage shall not exceed the formula.

  
James Campbell

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**

**BUILT WITH OUT A PERMIT**

YES /  NO

NAME: Darci Connelly Building Application # 18-0403 & 0273

ADDRESS: 2 Linden Dr. Newburgh NY 12550

**PROJECT INFORMATION:**

**AREA VARIANCE**

USE VARIANCE

TYPE OF STRUCTURE: 576 sf Garage and 417 SF shed = 993 sf

SBL: 90-3-5 ZONE: R-1 ZBA Application # 2681-18

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
Total allowed square feet	727.88 sf	417 sf	993 sf	265.12 sf	36.42%
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: Requesting a 24' x 24' accessory building and already has a 417 square foot accessory building built without permits.

**VARIANCE(S) REQUIRED:**

- 1 185-15-A-4 Total square footage for all accessory building shall not exceed the formula.
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: James Campbell DATE: 14-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

Sean T Connelly &  
Dorei J Connelly  
TO  
Dorei J Connelly

SECTION 90 BLOCK 3 LOT 5

RECORD AND RETURN TO:  
(name and address)

Richard Schiscano Esq  
3250 Route 9W  
New Windsor NY 12553



*Saw original  
5/30/18*

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

PROPERTY LOCATION

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

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

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

Taxable CONSIDERATION \$ -0-  
TAX EXEMPT \_\_\_\_\_

Taxable MORTGAGE AMT. \$ \_\_\_\_\_  
DATE 12-20-01

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

CITIES

- \_\_\_\_ 0900 MIDDLETOWN
- \_\_\_\_ 1100 NEWBURGH
- \_\_\_\_ 1300 PORT JERVIS
- \_\_\_\_ 9999 HOLD

*Donna L. Benson*

DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM: *J. J. Abot*

LIBER 5784 PAGE 26

STATE OF NEW YORK (COUNTY OF ORANGE) SS:  
ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE  
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO  
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH  
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE  
ON 2/19/02 AND THE SAME IS A CORRECT  
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE  
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

*Ann G. Rabbitt*

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,  
ORANGE COUNTY 5/16/18

LIBER 5784 PAGE 26

ORANGE COUNTY CLERKS OFFICE 10962 MLV  
RECORDED/FILED 02/19/2002 07:00:00 AM  
FEES 47.00 EDUCATION FUND 5.00  
SERIAL NUMBER 006788  
DEED CNTL NO 52642 RE TAX .00

Bargain and Sale Deed with Covenant against Grantor's Acts  
Individual or Corporation

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT**

THIS INDENTURE, made the 20<sup>th</sup> day of December, 2001

BETWEEN SEANT T. CONNELLY residing at: 74 Highview Road, Dover Plains, NY 12552 and  
DARCI J. CONNELLY residing at: 2 Linden Drive, Newburgh, NY 12550  
party of the first part, and

DARCI J. CONNELLY residing at 2 Linden Drive, Newburgh, NY 12550  
party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) 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 Town of Newburgh, County of Orange, and State of New York, and being more particularly described in Schedule A annexed hereto and made a part hereof.

SAID PREMISES being commonly known as 2 Linden Drive, Newburgh, New York and being further identified on the Tax Map of the Town of Newburgh as Section 90, Block 3, Lot 5.

TOGETHER with all right, title and interest, if any, of the party of the first part of, 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.

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

LIBER 5784 PAGE 27

SILVER, FORRESTER, SCHIGANO, LESSER & DREYER • ATTORNEYS AT LAW  
3250 ROUTE 9W • NEW WINDSOR, NEW YORK 12553

PHONE NO. : 8455621160

Dec. 19 2001 01:19PM P4

Schedule A Description

Title Number JT-O-OR1099

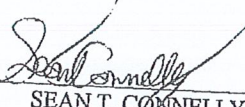
Page 1

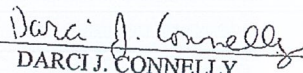
ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Newburgh, Orange County, New York, more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Minosa Place, where said line is intersected by the southerly line of lands now or formerly Lombardi, said point being marked by an iron rod found set in the ground, running thence, the following courses:

1. Along the westerly line of Minosa Place, S 28° 50' 00" W, 115.00 feet to a point of curvature;
2. Still along said line, on a curve to the right having a radius of 10.00 feet a distance of 13.22 feet to a point of reverse curvature in the northerly line of Linden Drive;
3. Along said line, on a curve to the left having a radius of 200.00 feet a distance of 103.00 feet to a point in the center of a small stream;
4. Along lands now or formerly Connelly, N 9° 36' 44" W, 222.42 feet to a point marked by a concrete monument found set in the ground;
5. Along lands now or formerly Kraus and lands now or formerly Lombardi, passing over an iron rod found set in the ground where the division line between said lands intersects this course, S 61° 10' 00" E, 235.00 feet to the point or place of BEGINNING.

IN PRESENCE OF:

  
SEAN T. CONNELLY

  
DARCI J. CONNELLY

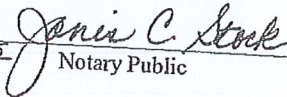
STATE OF NEW YORK}

SS:

COUNTY OF Dutchess}

On the 20<sup>th</sup> day of December in the year 2001, before me, the undersigned, personally appeared SEAN T. CONNELLY 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/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.

JANIS C. STOCK  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ULSTER COUNTY  
COMMISSION EXPIRES AUG. 31, 2006

  
Notary Public

STATE OF NEW YORK}

SS:

COUNTY OF Orange}

On the 16<sup>th</sup> day of ~~December~~ <sup>January</sup> in the year ~~2001~~ <sup>2002</sup>, before me, the undersigned, personally appeared DARCI J. CONNELLY 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/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

MARC KISHIMAN  
Notary Public, State of New York  
No. 02-47136 JS  
Qualified in Orange County  
Commission Expires August 31, 2007

BARGAIN & SALE DEED WITH COVENANTS  
AGAINST GRANTORS ACTS

SEAN T. CONNELLY and  
DARCI J. CONNELLY  
to

DARCI J. CONNELLY

Section 90  
Block 3  
Lot 5  
Town of Newburgh

RECORD & RETURN TO:  
Richard Schisano, Esq.  
3250 Route 9W  
New Windsor, NY 12553

LIBER 5784 PAGE 29

Connelly  
2 Linden Drive  
(90-3-5)

SECTION 86  
N.Y.S. HWY. NO. 17K

