

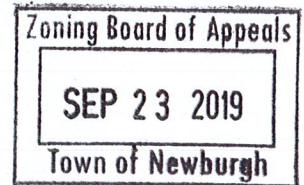


OFFICE OF ZONING BOARD  
(845) 566-4901

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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



## APPLICATION

DATED: 9/23/19

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

I (WE) James + Carlina McDonald PRESENTLY  
RESIDING AT NUMBER 4 Rayland Road Newburgh NY  
TELEPHONE NUMBER 845-566-6618

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

### 1. LOCATION OF THE PROPERTY:

28-4-2 (TAX MAP DESIGNATION)  
4 Rayland Rd (STREET ADDRESS)  
R-1 (ZONING DISTRICT)

### 2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

1) 185-14-A4  
2) 185-15-A  
3) Bulk table schedule

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: 9/13/2019
- 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: MAXIMUM SQ FT OF 1159 SQ FT 2nd FRONT YARD  
Accessory Bldg, Accessory Bldg in Front Yard, MAXIMUM VENT STOWAGE 5

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:  
\_\_\_\_\_  
\_\_\_\_\_

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

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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:

From Primary Street (Rayland Rd) it is properly set back and will be finished to match existing structure.  
From 2nd Front yard (Jodi) it will be 130' from the road and within a normal backyard setting that already contains a shed

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:

① Need to store 3 cars and convert 2 garages are used only for storage. ② To gain sufficient depth for garage we must extend beyond back of house which is technically a second front yard

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Additional 999 square feet is only 2% of the property total of 52,832 sq ft.

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 location for the proposed garage is currently grass. There will be no affect to trees or drainage

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

No prior work has affected this project.

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7. ADDITIONAL REASONS (IF PERTINENT):

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

*Carol McDonald*

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 23<sup>rd</sup> DAY OF September 20 19

*Karen M. Gnecco-Foster*

NOTARY PUBLIC

**KAREN M. GNECCO-FOSTER**  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 01GN4984369  
Commission Expires July 28, 2021

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)

**TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS**

PROXY

\_\_\_\_\_, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT \_\_\_\_\_  
IN THE COUNTY OF \_\_\_\_\_ AND STATE OF \_\_\_\_\_  
AND THAT HE/SHE IS THE OWNER IN FEE OF \_\_\_\_\_

\_\_\_\_\_  
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED \_\_\_\_\_  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: \_\_\_\_\_

OWNER'S SIGNATURE

\_\_\_\_\_

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

NOTARY PUBLIC

*Short Environmental Assessment Form*  
*Part 1 - Project Information*

Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>McDonald 3 car garage</i>			
Project Location (describe, and attach a location map): <i>4 Rayland Rd, Newburgh, NY</i>			
Brief Description of Proposed Action: <i>Build a 37' x 27' garage to house 3 cars. No heat. No water</i>			
Name of Applicant or Sponsor: <i>James + Caroline McDonald</i>		Telephone: <i>845-566-6618</i>	
Address: <i>4 Rayland Rd</i>		E-Mail: <i>jim.mcdonald4@yahoo.com</i>	
City/PO: <i>Newburgh</i>		State: <i>NY</i>	Zip Code: <i>12550</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 <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: <i>Town of Newburgh Building Permit</i>		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u><i>1.2</i></u> acres	
b. Total acreage to be physically disturbed?		<u><i>0.023</i></u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u><i>1.2</i></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 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			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>James McDonald</u></p>	<p>Date: <u>9/22/19</u></p>	
<p>Signature: <u>[Handwritten Signature]</u></p>		



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? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<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

# 2790-19

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/13/2019

Application No. 19-0643

To: James McDonald  
4 Rayland Rd  
Newburgh, NY 12550

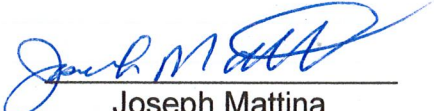
SBL: 28-4-2  
ADDRESS: 4 Rayland Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 06/26/2019 for permit to build a detached 27' x 37' accessory building on the premises located at 4 Rayland Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-14-A-4 / The maximum allowed square footage for an accessory building is 1000 sf.
- 2) 185-15-A / Accessory building may be in a side or rear yard. (2 front yards)
- 3) Bulk table schedule 3 / Storage of no more than 4 vehicles.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



**ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE**  
**THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE**



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

William Keating and Peggy Keating  
 TO  
 James McDonald and Caroline McDonald

SECTION 28 BLOCK 4 LOT 2

**RECORD AND RETURN TO:**  
 (Name and Address)

Howard Alon Kave, Esq  
 815 Blooming Grove Tpke, Suite 12  
 New Windsor NY 12553

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE  
 ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
 RECORDED INSTRUMENT ONLY

**DO NOT WRITE BELOW THIS LINE**

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

**PROPERTY LOCATION**

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

NO. PAGES 4 CROSS REF \_\_\_\_\_  
 CERT. COPY \_\_\_\_\_ AFFT. FILED \_\_\_\_\_

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

CONSIDERATION \$ 159900.00  
 TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT \$ \_\_\_\_\_  
 DATE \_\_\_\_\_

- MORTGAGE TYPE:**
- (A) COMMERCIAL
  - (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/I OR 2
  - (K) CONDO

*Joan A Macchi*

JOAN A. MACCHI  
 Orange County Clerk

RECEIVED FROM: *Arthur Colles*

*orig seen 9/23/19* LIBER ~~48576~~ 81

## BARGAIN AND SALE DEED

THIS INDENTURE, made the 1st Day of October, 1998

BETWEEN

WILLIAM P. KEATING AND PEGGY I. KEATING, residing at 4 Rayland Road, Newburgh, New York 12550,

party of the first part, and

<sup>E.</sup> JAMES MCDONALD AND <sup>A.</sup> CAROLINE MCDONALD, <sup>husband and wife</sup> residing at 24 Provost Drive, New Windsor, New York 12553,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of ONE DOLLAR paid by party of the second part, does hereby remise, release and convey 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 situate, lying and being in the Town of Newburgh, Orange County, New York, more particularly described as follows:

**BEGINNING** at a point marked by a found iron pin on the southerly line of Rayland Road, said point being 186.68 feet on a course of South 83° 38 minutes 10 seconds East of the intersection of the Easterly line of Lakeside Road with the southerly line of Rayland Road, said point further identified as the northeasterly corner of Lot #1, Block "C", Lot #2 being the parcel hereafter described, both lots as shows on a certain map entitled "Plan of Subdivision-Section "A"-Orange Lake Estates" said map made by Eustance and Horowitz, Engineers, dated February 3, 1964, last revised July 13, 1966 and filed in the Office of the Orange County Clerk on August 27, 1968 as Filed Map #2365, thence from said point of beginning along the line of Rayland Road South 83° 38 minutes 10 seconds East, 175.42 feet to a point, thence continuing along the road line on a curve to the right with a radius of 194.06 feet, an arc distance of 79.40 feet to a point marked by a found iron pipe, thence along the westerly line of Lot #3, Block "C" as shown on the referenced map, South 30° 16 minutes 40 seconds West, 260.60 feet to a point, thence North 66° 15 seconds West 154.01 feet to a point, thence along the easterly line of the aforementioned Lot #1, Block "C", North 6° 21 minutes 50 seconds East, 208.26 feet to a point marked by a found iron pin on the southerly line of Rayland

Road and the point of beginning.

Said Property being also described as follows: Lot Number Two (2), Block C, as the same is designated and laid out on a certain map known as "Plan of Subdivision - Section 'A'- Orange Lake Estates", Town of Newburgh, County of Orange and State of New York, dated February 3, 1964 made by Eustance and Horowitz, Engineers, with various revisions the last being dated July 13, 1966, said map having been filed as Map #2365 in the Orange County Clerk's Office on August 27, 1986.

*Peggy*  
**BEING AND INTENDED TO BE** also the same premises conveyed to William P. Keating and ~~Catherine~~ I. Keating by John W. Joiner and Eileen M. Joiner by Deed dated May 1, 1981 and recorded May 1, 1981 in the Orange County Clerk's Office at Liber 2192 of Deeds at page 554.

**SUBJECT TO** all easements, covenants and restrictions of record, except as hereinafter stated.

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to such premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part forever.

*Seller further covenants as spelled out on the page attached hereto.*

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

*W. P. Keating*  
WILLIAM P. KEATING

*Peggy I. Keating*  
PEGGY I. KEATING

**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 incumbered in any way whatever, except as aforesaid.

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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

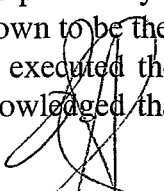
IN PRESENCE OF:



STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

On the 1<sup>st</sup> day of October, 1998,  
before me personally came William P Keating,  
to me known to be the individual described in  
and who executed the foregoing instrument,  
and acknowledged that [he/she] executed the  
same.



**HOWARD ALAN KAVE**  
NOTARY PUBLIC - STATE OF NEW YORK  
4745459  
QUALIFIED IN ORANGE COUNTY  
MY COMM. EXPIRES MAY 31, 1999

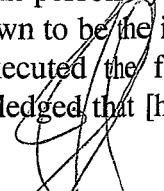
STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
before me personally came \_\_\_\_\_,  
to me known, who, being by me duly sworn,  
did depose and say that [he/she] resides at No.  
\_\_\_\_\_; that  
[he/she] is the \_\_\_\_\_ of  
\_\_\_\_\_, the  
corporation described in and which executed  
the foregoing instrument; that [he/she] knows  
the seal of said corporation; that the seal  
affixed to said instrument is such corporate  
seal; that it was so affixed by order of the  
board of directors of said corporation, and that  
[he/she] signed [his/her] name thereto by like  
order.

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

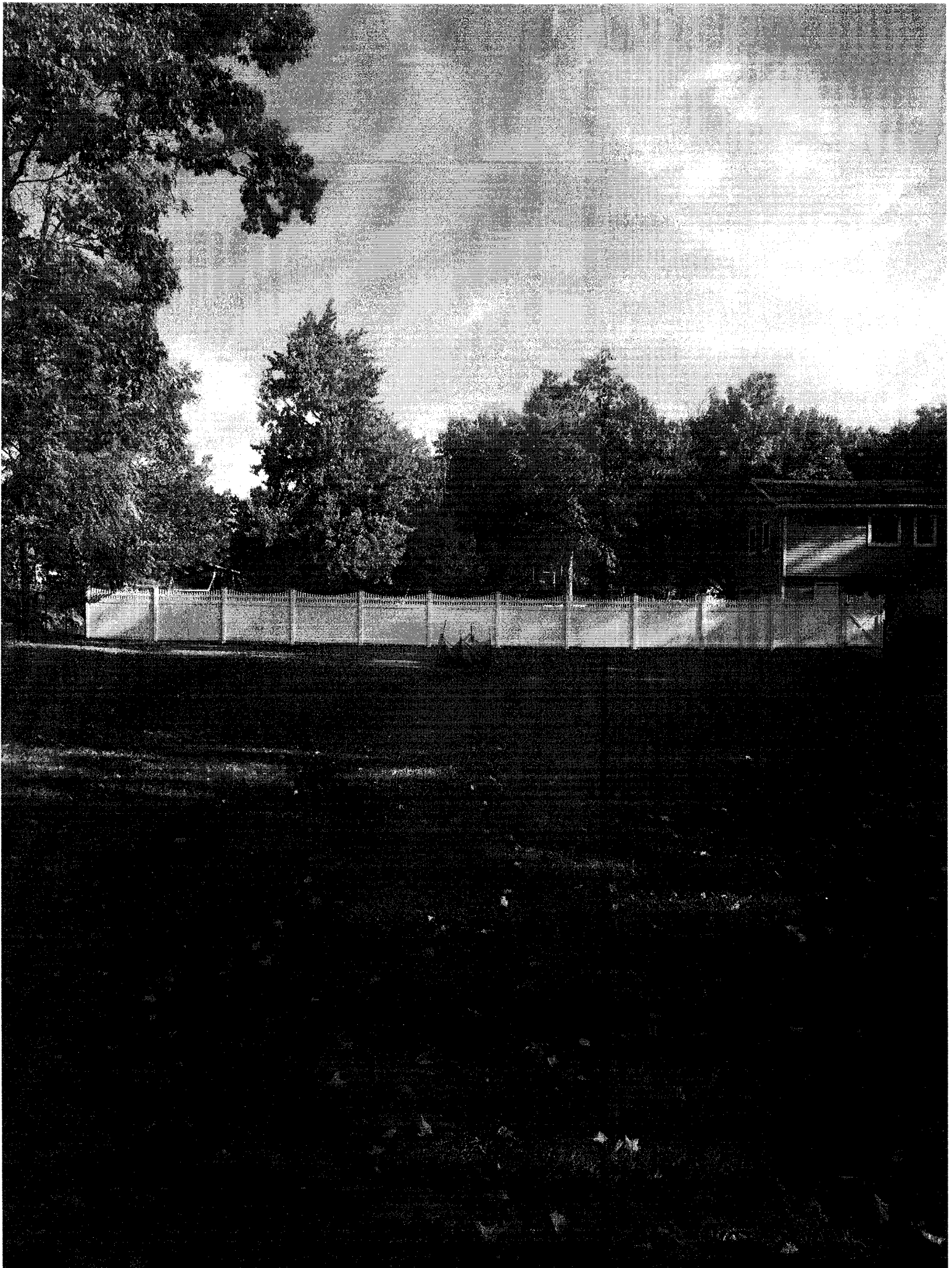
On the 1<sup>st</sup> day of October, 1998,  
before me personally came Peggy F Keating,  
to me known to be the individual described in  
and who executed the foregoing instrument, and  
acknowledged that [he/she] executed the same.



**HOWARD ALAN KAVE**  
NOTARY PUBLIC - STATE OF NEW YORK  
4745459  
QUALIFIED IN ORANGE COUNTY  
MY COMM. EXPIRES MAY 31, 1999

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
before me personally came \_\_\_\_\_, to  
me known and known to me to be a partner in  
\_\_\_\_\_, a  
partnership, and known to me to be the person  
described in and who executed the foregoing  
instrument in the partnership name, and said  
\_\_\_\_\_ duly  
acknowledged that [he/she] executed the  
foregoing instrument for and on behalf of said  
partnership.









**AFFIDAVIT OF POSTING(S) OF  
NOTICE OF PUBLIC HEARING  
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I Caroline McDonald, being duly sworn, depose and say that I did on or before

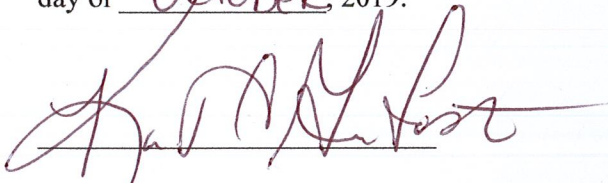
October 10, 2019, post and will thereafter maintain at

4 Rayland Rd 28-4-2 R-1 Zone in the Town of Newburgh, New York, at or near the front property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.

Sworn to before me this 7<sup>th</sup>  
day of October, 2019.

Caroline McDonald

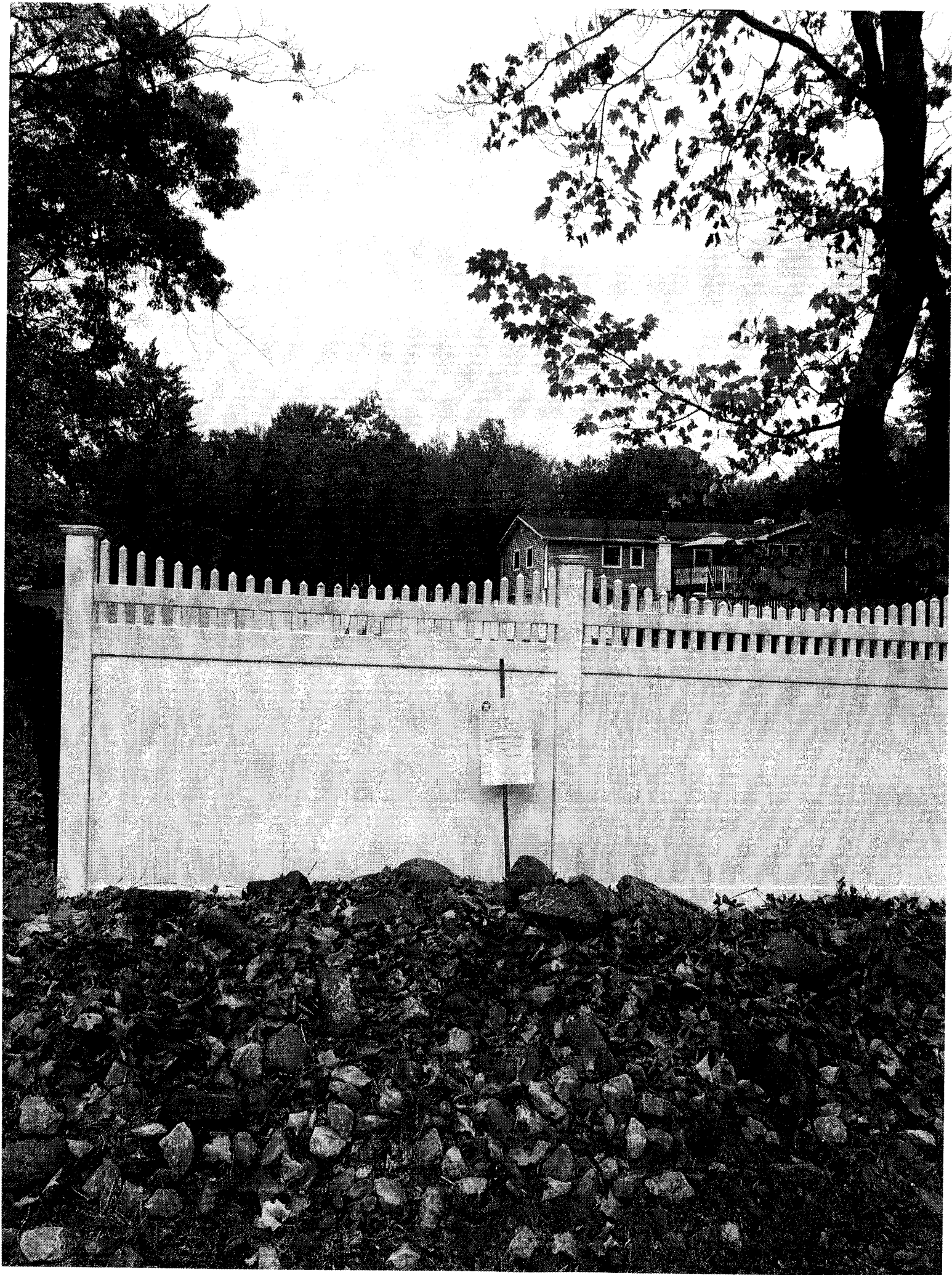


Notary Public

**KAREN M. GNECCO-FOSTER**  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 01GN4984369  
Commission Expires July 28, 2021

[Photograph(s) of the posted Public Hearing Notice(s) must be submitted by the applicant with this affidavit.]







To  
LAKESIDE ROAD

RAYLAND ROAD

To  
LEGLAND ROAD

UTILITY Pole  
#100 631

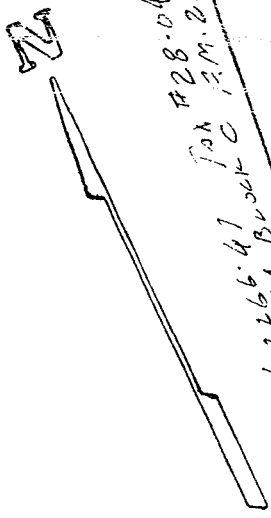
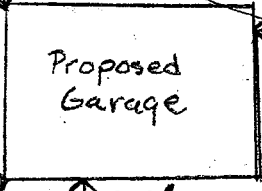
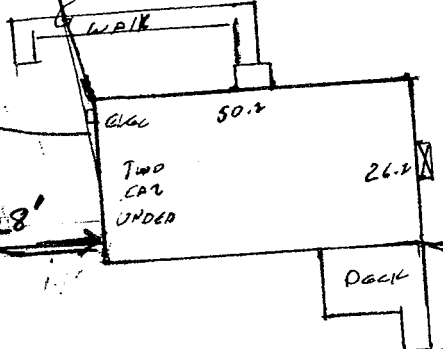
5 AN. 5670  
MAN HOLE

186.58  
To LAKESIDE  
ROAD

583° 38' 10" E

208.26  
- P.I.  
2000

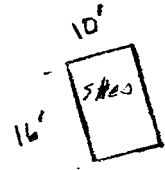
MACHOSM DRIVE



N 1/2 WOODS  
L 2266.41  
201 #1 BLOCK  
28.04.01

STONE WALL

130'



SEPTEMBER 9, 1998

SCALE 1"=30'

98-22

DRAINAGE EASEMENT

20'

STONE WALL ALONG LINE

172.0  
P.I.  
20

154.01

N 1/2 1st DRIVE ESTATES E.M. 10/41

166° 15' 50" W

RADIUS 194.06  
CH  
571° 54' 50" E  
175.42