

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: January 17, 2017

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

I (WE) Robert G. Celentano PRESENTLY

RESIDING AT NUMBER 1 Rockwood Dr., Newburgh NY 12550

TELEPHONE NUMBER 845-527-8538

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:

77-9-5 (TAX MAP DESIGNATION)

1 Rockwood Drive (STREET ADDRESS)

R3 (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Town of Newburgh Municipal Code Section: Bulk table schedule 5
requires a 40' minimum front yard setback.



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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: 10/29/15
- 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: A variance of 3.1 ft. +/- to accomodate new front porch

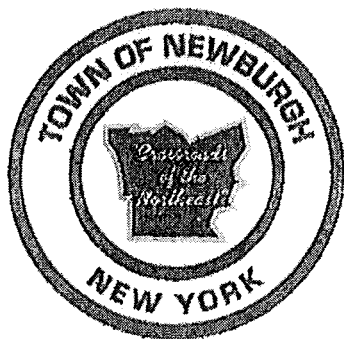
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:

It is similar in nature to the existing house and those around it and will enhance the neighborhood.

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 property pre-dates current zoning. The porch simply completes the square of the home. The request is not significant and an alternate design would not be in keeping the existing style of the home.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

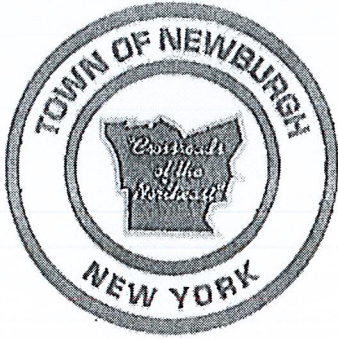
The request is not substantial. only the corner of the porch that complete the home is over the required front yard set back by 3.1 feet +/-.

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 porch is small and simply completes the square of the home and does not impact the physical or environmental conditions of the neighborhood.

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

The existing property pre-dates current zoning requirements. Original builder did not set home to be parallel to front yard boundary.



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 24th DAY OF JAN. 20 17

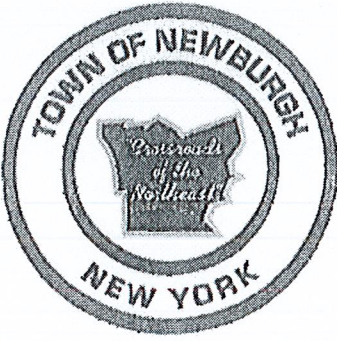
NOTARY PUBLIC

EILEEN PIERSALL JACOBS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PI6301479
Qualified in Orange County
My Commission Expires April 14, 2018

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)



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NEWBURGH, NEW YORK 12550

PROXY

Robert Celentano, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 1 Rockwood Dr

IN THE COUNTY OF Orange AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF 1 Rockwood Dr
Newburgh, N.Y. 12550

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

DATED: 1/24/17 [Signature]

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 24 DAY OF JAN 2017

EILEEN PIERSALL JACOBS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PI6301479
Qualified in Orange County
My Commission Expires April 14, 2018

[Signature]
NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

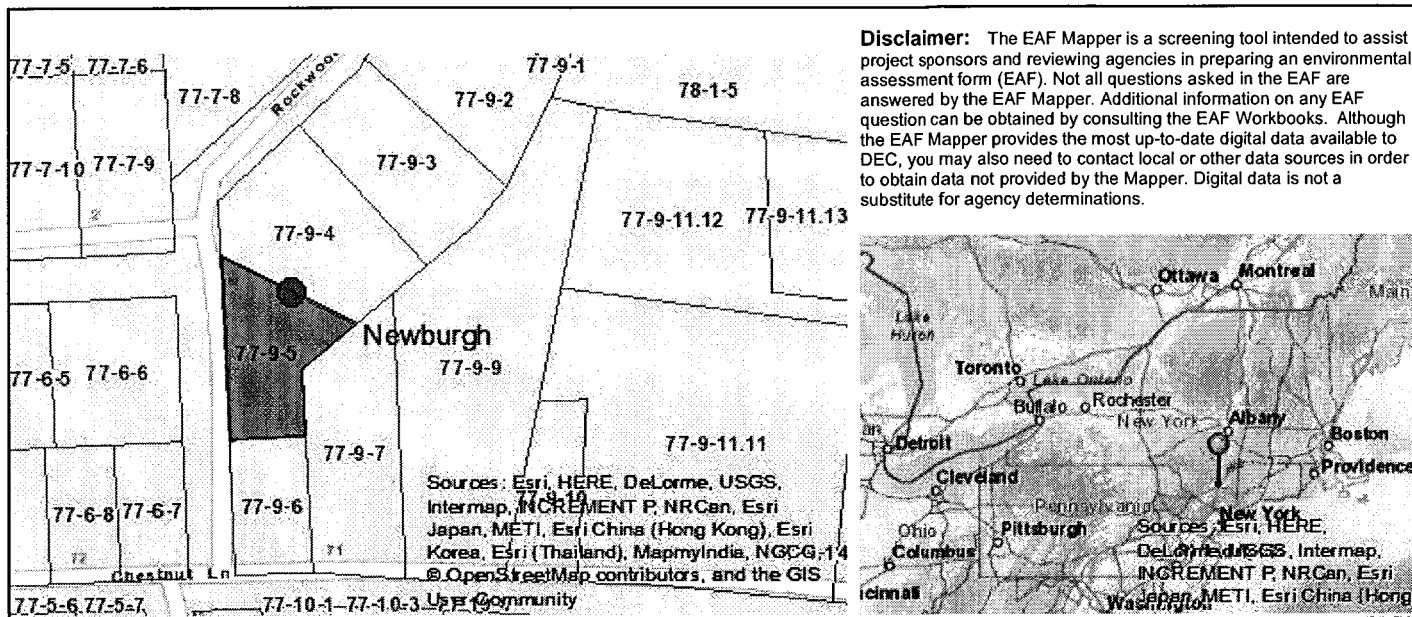
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Celentano Front Porch Addition			
Project Location (describe, and attach a location map): 1 Rockwood Drive, SBL: 77-9-5			
Brief Description of Proposed Action: Replacement of exiting front steps and landing with a new covered front porch and steps.			
Name of Applicant or Sponsor: Robert G. Celentano		Telephone: 845-527-8538	
		E-Mail: rcelentano@gmail.com	
Address: 1 Rockwood 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 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: Town of Newburgh Code Compliance, Town of Newburgh ZBA			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.392 acres	
b. Total acreage to be physically disturbed?		0.0041 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.392 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 checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<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 checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" 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: _____	NO	YES	
	<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, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<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)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: _____</p>		<p>Date: <u>1/24/17</u></p>
<p>Signature: <u>Robert Celentano</u></p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

NARRATIVE: APPLICATION FOR CELENTANO RESIDENCE

Attn: Zoning Board of Appeals
Old Town Hall
308 Gardnertown Road
Newburgh, NY 12550

VIA : Hand

Dear Chairperson/ Board members ,

The applicant Mr. Robert G Celentano residing at 1 Rockwood Drive S-B-L: 77-9-5 seeks to replace existing front steps and landing with a new front porch and stair. The proposed porch addition of approximately 180 SF +/- shall be added to the front of the residence. This porch addition simply completes the square of the home. This design will keep the integrity of the residence intact and similar in nature to homes around it. Therefore, The proposed design will enhance the home and the neighborhood.

The property is in the R-3 (Suburban Residential) Zoning District. The bulk table on Sheet S-1 (attached) lists the items for the R-3 (Suburban Residential) Zoning District.

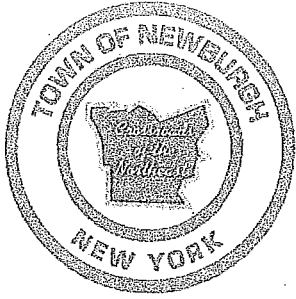
Town of Newburgh municipal code section: bulk table schedule 5 requires a 40'-0" minimum front yard setback. The structure of the proposed porch addition will impede on this requirement by 3.1 ft. +/- . The applicant seeks an area variance per this requirement.

At this time we respectfully ask that the Zoning Board approve this application. Thank you for your consideration in this matter.

Respectfully Submitted,

Joseph Minuta, RA
Member/ Principal Registered Architect
Minuta Architecture, PLLC





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

2529-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 10/28/2015

Application No. 15-0788

**To: Robert Celentano
15 Pierces Rd
Newburgh, NY 12550**

**SBL: 77-9-5
ADDRESS: 1 Rockwood Dr**

ZONE: R3

PLEASE TAKE NOTICE that your application dated 09/16/2015 for permit to construct a 8' x 20' covered front porch on the premises located at 1 Rockwood Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:
Bulk table schedule 5 requires a 40' minimum front yard setback.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: _____ ROBERT CELENTANO _____

ADDRESS: _____ 1 ROCKWOOD DR NEWBURGH NY 12550 _____

2529-15

PROJECT INFORMATION:

TYPE OF STRUCTURE: _____ **8' X 20' COVERED FRONT PORCH** _____

SBL: _____ 77-9-5 _____ 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	40'		30.9'	9.1'	22.74%
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: 8' X 20' COVERED FRONT PORCH

VARIANCE(S) REQUIRED:

- 1 Bulk table schedule 5 Requires a minimum front yard set back of 40' _____
- 2 _____
- 3 _____
- 4 _____

REVIEWED BY: _____ Joseph Mattina _____ DATE: _____ 28-Oct-15 _____

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

Thomas J. Celedano EX
EST of Anna J. Celedano

TO
ROBERT G. CELEDANO

SECTION 77 BLOCK 9 LOT 5

RECORD AND RETURN TO:
(name and address)

ROBERT G. CELEDANO
15 PIERCES RD
NEWBURGH NY 12550



*Law
original
2/1/17*

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 R 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 4 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____
PAYMENT TYPE: CHECK _____
CASH _____
CHARGE _____
NO FEE _____

Taxable
CONSIDERATION \$ 150000
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 R. Celedano

RECORDED/FILED
09/12/2011/ 13:23:57
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20110082493
DEED R / BK 13223PG 0255
RECORDING FEES 190.00
TTX# 000625 T TAX 600.00
Receipt#1357571 mrl

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, 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 09/12/2011 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 Feb. 1, 2017

EXECUTOR'S DEED

THIS INDENTURE, made the 7th day of September 2011

BETWEEN

THOMAS J. CELENTANO as executor of the last will and testament of ANNA J. CELENTANO, late of Town of Newburgh, County of Orange and State of New York, deceased, party of the first part, and

1 Rockwood Dr Newburgh NY 12550

ROBERT G. CELENTANO party of the second part, 15 Pierces Rd Newburgh NY 12550

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of One Hundred and Fifty Thousand Dollars (\$150,000) dollars 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, SECTION 77, BLOCK 9, LOT 5 (see attachment)


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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; 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.

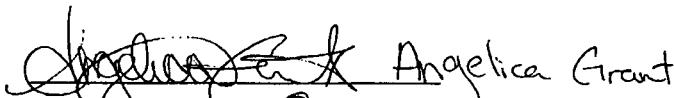
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

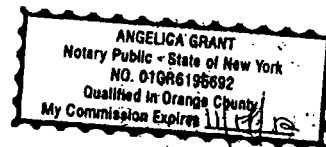
WITNESSETH, that ANNA J. CELENTANO died a resident on Orange County, New York on November 18, 2010 leaving a last will and testament probated in the Surrogate Court, Orange County, New York Index Number 2011-94

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


Signature of THOMAS J. CELENTANO
Executor of the Estate of:
ANNA J. CELENTANO

IN PRESENCE OF:

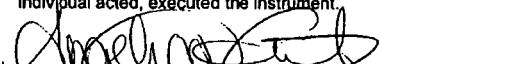

State of New York, County of Orange ss:



On the 7th day of September in the year 2011

before me, the undersigned, personally appeared Thomas Celentano

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


(signature and office of individual taking acknowledgment)

DEED-STATUTORY FORM A-FORM No. 220
Full Covenants-Individual

THE CHISHOLM PRINTING COMPANY, 409 PEARL ST., N. Y. 6133

This Indenture,

Made the Eighth day of October, nineteen hundred and Sixty-three,

Between ZIGMUNT J. CICHOSKI and HELEN A. CICHOSKI, Husband and Wife, both residing at 19 City Terrace North, in the City of Newburgh, County of Orange and State of New York,

parties of the first part, and

THOMAS P. CELENTANO and ANNA J. CELENTANO, Husband and Wife, both residing on Lester Road (no street number), M. D. #16, in the Town of Newburgh, County of Orange and State of New York,

parties of the second part:

Witnesseth, that the parties of the first part, in consideration of Ten and 00/100 (\$10.00) Dollars, lawful money of the United States, and other good and valuable considerations, paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever,

All that certain lot, piece or parcel of land, together with the buildings and improvements thereon, situate, lying and being in the Town of Newburgh, in the County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the easterly line of Rockwood Drive, a distance of 150 feet on a course North 9° 50' East from the intersection of the said easterly line of Rockwood Drive with the northerly line of Chestnut Lane, the said point being the southwesterly corner of the parcel hereby described, and runs thence from said point of beginning South 80° 10' East 83.56 feet to a point; thence North 9° 50' East 73.0 feet to a point; thence North 63° 09' East 75 feet to a point; thence North 50° 24' West along lands of Donato 165.55 feet to a point in the easterly line of Chestnut Lane; thence along saidline South 9° 50' West 200.0 feet to the point or place of beginning. According to a survey description made by Theodore Jargstorff, Licensed Surveyor, under date of August 23rd, 1963.

BEING a portion of the premises conveyed to the parties of the first part herein by Roy M. McLaughlin and Charlotte D. McLaughlin, his wife, by Deed dated March 14th, 1949, and recorded in the Orange County Clerk's Office in Liber 1126 of Deeds, at Page 497, on June 29th, 1949.

The herein described premises are subject to the following restrictions which shall attach to and run with the title to said lands forever:

1. No building of any nature shall be erected upon any single lot or plot except one dwelling for the use and occupancy of not more than one family and an auto garage to house not more than two vehicles and that any such one family dwelling erected thereon shall not cost less than \$15,000.00 and any such garage erected thereon shall not cost less than \$1,000.00.

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2. Any dwelling to be erected upon said premises shall be in accordance with the zoning ordinance and building code of the Town of Newburgh, together with the rules and regulations promulgated thereunder.

3. No business of any nature shall be conducted upon said premises at any time.

4. No signs of any nature shall be erected upon said premises except street signs and/or small lawn signs bearing the name of an occupant of a dwelling.

5. No public or private nuisances shall be maintained or conducted on said premises, and a nuisance shall be construed to apply to any premises which are unsightly or which are not in keeping with the general appearance and the character of the locality. The storage of objects or materials on any part of said premises shall be construed as a nuisance.

6. Neither the party of the second part nor his heirs or assigns shall keep or permit the keeping of any animals or birds excepting an ordinary and reasonable amount of household pets. In this connection, the breeding of any animals or birds is prohibited.

7. No trailer, tent, basement, garage or other buildings erected on said premises shall be used as a residence at any time whatsoever, either temporarily or permanently, nor shall any structure of a temporary nature be erected.

8. No wall or fence of any nature shall be erected at any time at or upon any line or lines dividing the lots or plots within any part of this tract nor shall there be erected any wall or fence upon any other part or portion of any lot within this tract. This shall not be construed as applying to the type fence known as a "Cape Cod" fence, which type fences are primarily intended as ornaments around a flower bed and which normally do not exceed 12 to 15 inches in height.

9. Invalidity of any of these covenants by judgment or court order shall in no wise affect any of the other covenants, which shall remain in full force and effect.

SUBJECT to easements affecting said lands granted to public utility companies now of record in the office of the Clerk of Orange County, New York, if any.

SECTION



Celentano
1 Rockwood Dr
(5-b-22)