



# TOWN OF NEWBURGH

Crossroads of the Northeast # 2025-33(a)

ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
Newburgh, NY 12550

OFFICE OF ZONING BOARD  
DARRIN SCALZO, CHAIRMAN  
SIOBHAN JABLESNIK, SECRETARY

TELEPHONE 845-566-4901

FAX LINE 845-564-7802



## APPLICATION

DATED: 9/2/2025

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

I (WE) Dana Saintmire (Goldsmith) PRESENTLY

RESIDING AT NUMBER 8 Oliver Drive Newburgh, NY 12550

TELEPHONE NUMBER 845-863-7656

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:

SBL: 63-4-5 (TAX MAP DESIGNATION)

8 Oliver Drive (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

Section 185

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: 8/25/2025
- 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: minimum rear-yard setback

\_\_\_\_\_

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:

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

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:

Replacing deteriorating, existing deck with new deck

- 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:

It will allow for better use of space

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The existing deck is being replaced by a similar deck that is set back from property line

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

It will enhance safety and appearance

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

Existing deck is in poor condition and needs to be replaced



7. ADDITIONAL REASONS (IF PERTINENT):

Replacing existing deck from when home was purchased  
in January 2022

Dan Goldsman

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2 DAY OF September 20 25

Jennifer Nicoletti

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 13 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

*~Crossroads of the Northeast~*

**CODE COMPLIANCE DEPARTMENT**  
21 HUDSON VALLEY PROFESSIONAL PLAZA  
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801  
FAX LINE 845-564-7802

# 2025-3362

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 08/25/2025**

**Application No. 25-0862**

**To: Dana Saintmire**  
8 Oliver Drive  
Newburgh, NY 12550

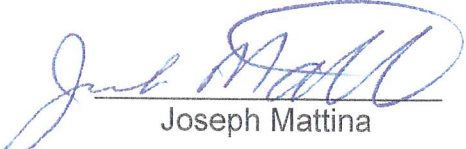
**SBL: 63-4-5**  
**ADDRESS: 8 Oliver Dr**

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 08/13/2025 for permit to replacing the existing rear deck with a new 12' x 8.33' deck on the premises located at 8 Oliver Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 5: requires a 40' rear yard setback

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# TOWN OF NEWBURGH ZONING CHART

NAME: DANA SAINTMIRE ADDRESS: 8 OLIVER DR  
NEWBURGH NY 12550

STRUCTURE: 12' x 8.33' REAR YARD DECK TYPE OF VARIANCE: AREA

S.B:L: 63-4-5 ZONE: R3 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
REAR YARD SETBACK	BULK TABLE SCHEDULE 5	40'	22'	18'	45%

COMMENTS:  
ALSO SEE APPLICATION 25-0861

REVIEWED BY: JOSEPH MATINA DATE: 8-25-2025 APPLICATION: 25-0862

















# TOWN OF NEWBURGH

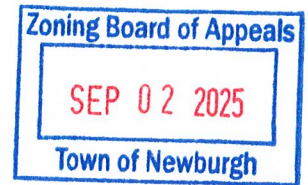
Crossroads of the Northeast  
ZONING BOARD OF APPEALS  
21 Hudson Valley Professional Plaza  
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# 2025-33(n)

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DARRIN SCALZO, CHAIRMAN  
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TELEPHONE 845-566-4901

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## APPLICATION

DATED: 9/2/2025

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

I (WE) Dana Shintmire (Goldsmith) PRESENTLY

RESIDING AT NUMBER 8 Oliver Drive Newburgh, NY 12550

TELEPHONE NUMBER 845-863-7656

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:

SBL: 63-4-5 (TAX MAP DESIGNATION)

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R3 (ZONING DISTRICT)

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8/25/2025

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**(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:

Replacing deteriorating, existing deck with new deck

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It will allow for better use of space

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The existing deck is being replaced by a similar deck that does not come over property line

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

It will enhance safety and appearance

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

Existing deck is in poor condition and needs to be replaced

7. ADDITIONAL REASONS (IF PERTINENT):

Replacing existing deck from when home was purchased in  
January 2022.

Dan Goldsmith

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 2 DAY OF September 20 25



Jennifer Nicoletti  
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.

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





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21 HUDSON VALLEY PROFESSIONAL PLAZA  
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801  
FAX LINE 845-564-7802

# 2025-33 (b)

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/25/2025

Application No. 25-0861

To: Dana Saintmire  
8 Oliver Drive  
Newburgh, NY 12550

SBL: 63-4-5  
ADDRESS: 8 Oliver Dr

**ZONE: R3**

PLEASE TAKE NOTICE that your application dated 08/13/2025 for permit to extending the 8' x 18' side yard deck to a 12' x 18' on the premises located at 8 Oliver Dr is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 5: requires a 40' rear yard setback.

Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# TOWN OF NEWBURGH ZONING CHART

NAME: DANA SAINTMIRE ADDRESS: 8 OLIVER DR

NEWBURGH NY 12550

STRUCTURE: 12' X 18' SIDE YARD DECK TYPE OF VARIANCE: AREA

S:B:L: 63-4-5 ZONE: R3 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
REAR YARD SETBACK	BULK TABLE SCHEDULE 5	40'	18'	22'	55%

COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 8-25-2025 APPLICATION: 25-0861

























# 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: <i>Dana Saintmire (Goldsmith)</i>			
Project Location (describe, and attach a location map): <i>8 Oliver Drive</i>			
Brief Description of Proposed Action: <i>Replacing existing, deteriorating decks with new decks to improve safety and enhance appearance</i>			
Name of Applicant or Sponsor: <i>Dana Saintmire (Goldsmith)</i>		Telephone: <i>845-863-7656</i>	
Address: <i>8 Oliver Drive</i>		E-Mail: <i>dsaintmire@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?		NO	YES
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.		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
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 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
b. Consistent with the adopted comprehensive plan?	<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?	<input type="checkbox"/>	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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present level?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input 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"/>	<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: <u>N/A</u>	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u>	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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? <u>Indiana Bat</u>	NO	YES	
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input checked="" 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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" 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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Dana Saintmire (Goldsmith)</u>      Date: <u>9/2/2025</u></p> <p>Signature: <u>Du Goldsmith</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?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

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

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)





ORANGE COUNTY – STATE OF NEW YORK  
KELLY A. ESKEW, COUNTY CLERK  
255 MAIN STREET  
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 15184 / 1184  
INSTRUMENT #: 20220020706

Receipt#: 3009966  
Clerk: PM  
Rec Date: 03/18/2022 08:25:07 AM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 5  
Rec'd Frm: ORAL W. SMITH AGENCY, INC.

Party1: GATT DANIEL P  
Party2: GOLDSMITH CHRISTOPHER  
Town: NEWBURGH (TN)  
63-4-5

Recording:

Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 205.00

Transfer Tax  
Transfer Tax - State 1510.00

Sub Total: 1510.00

Total: 1715.00  
\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 7710  
Transfer Tax  
Consideration: 377500.00

Transfer Tax - State 1510.00

Total: 1510.00

Payment Type: Check \_\_\_\_  
Cash \_\_\_\_  
Charge \_\_\_\_  
No Fee \_\_\_\_

Comment: \_\_\_\_\_

STATE OF NEW YORK, COUNTY OF ORANGE ss:  
I, Kelly A. Eskew, 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 3/18/2022 and the same is a correct  
transcript thereof in witness whereof, I have hereunto set my  
hand and affixed my official seal 09/02/2025.

*Kelly A. Eskew*

County Clerk & Clerk of the Supreme County Courts  
Orange County

*Kelly A. Eskew*

Kelly A. Eskew  
Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

**Bargain and Sale Deed**  
**With Covenant Against Grantor's Acts**

63-4-5

WC-7757

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT -- THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 27 day of January in the year 2022

**BETWEEN**

Daniel P. Gatt and Kelly J. Gatt  
8 Oliver Drive  
Newburgh, New York 12550

party of the first part, and

Christopher Goldsmith and Dana Saintmire, as Joint Tenants with rights of  
40 Echo Lane  
Newburgh, New York 12550  
survivorship @

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of

TEN dollars,

lawful money of the United States, and other good and 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 for 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, being more particularly described on Schedule A.

BEING AND INTENDED TO BE the same premises conveyed by Deed from Maria T. Ponessa, surviving tenant by the entirety who held title with Louis J. Ponessa Jr. deceased to Daniel P. Gatt and Kelly J. Gatt, grantor herein, which Deed was dated May 20, 2015 and recorded May 27, 2015 in the Orange County Clerk's Office in Liber 13898 page 1241.

**TOGETHER** with all rights, 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,

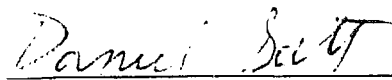
**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs of successors and assigns of the party of the second part forever.

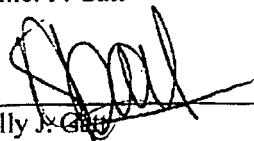
**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**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 reads "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:**

  
\_\_\_\_\_  
Daniel P. Gatt

  
\_\_\_\_\_  
Kelly J. Gatt





***Howard W. Weeden, PLS, PC***  
***Professional Land Surveying Services since 1991***  
62 Main Street, Walden, New York 12586  
tel.: 845.778.7643 fax.: 845.778.7307  
hwwpls@yahoo.com



January 11, 2022

**SURVEY DESCRIPTION FOR GOLDSMITH & SAINTMIRE**

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 and being Parcel F as shown on a map entitled "DuPont Park, Subdivision of a Portion of the Powder Mill Property", said map filed in the Orange County Clerk's office on 11 April 1921 as map number 990 and being more particularly bounded and described as follows;

Beginning at a point on the westerly side of Oliver Drive, said point being the northeasterly most corner of the lands reputedly of Hamilton; thence from said point or place of beginning and along the lands reputedly of said Hamilton, along the lands reputedly of Knapp, along the lands reputedly of Galati, and along the lands reputedly of Topliff, North 43 degrees 25 minutes 00 seconds West a distance of 275.40 feet; thence along the lands reputedly of Eichler and along the lands reputedly of Nosek, and passing over an iron pin found on line at 80.96 feet, North 80 degrees 25 minutes 00 seconds East a distance of 185.00 feet; thence along the westerly side of said Oliver Drive, South 01 degrees 42 minutes 00 seconds East a distance of 230.93 feet to the point or place of beginning, as surveyed by Howard W. Weeden, P.L.S., P.C., Walden, New York, on 1 December 2021 and containing 0.486 acres of land, more or less.

# ACKNOWLEDGMENT

## STATE OF NEW YORK COUNTY OF ULSTER

On the 27<sup>th</sup> day of January, in the year 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel P. Gatt

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) so acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

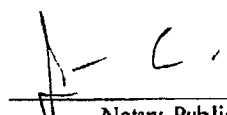
**JONATHAN E. KOSCHEI**  
NOTARY PUBLIC, State of New York  
NO. 4999812  
Qualified in Ulster County  
Commission Expires August 3, 2022

## STATE OF NEW YORK COUNTY OF

On the 27 day of January, in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared

Kelly J. Gatt

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) so acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

**JONATHAN E. KOSCHEI**  
NOTARY PUBLIC, State of New York  
NO. 4999812  
Qualified in Ulster County  
Commission Expires August 3, 2022

## Bargain and Sale Deed With Covenant Against Grantor's Acts

Daniel P. Gatt and Kelly J. Gatt

TO

Christopher Goldsmith and Dana Saintmire

SECTION: 63

BLOCK: 4

LOT: 5

COUNTY OR TOWN: Orange County

### STREET ADDRESS:

8 Oliver Drive  
Newburgh, NY 12550

### RETURN BY MAIL TO:

Todd A. Kelson, Esq.  
Todd A. Kelson, P.C.  
542 Union Avenue  
New Windsor, New York 12553

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Dana Goldsmith, being duly sworn, depose and say that I did on or before  
September 11, 2025, post and will thereafter maintain at  
8 Oliver Dr 63-4-5 R3 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.

Dana Goldsmith

Sworn to before me this 4

day of September, 2025.

Jennifer Nicoletti

