



16015-GSP USE Variance

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 GARDNERTOWN ROAD Zoning Board of Appeals

DEC - 7 2016

OFFICE (8

	Newburgh, New York 12550
	APPLICATION Town of Newburgh
OF ZONING 45) 566-49	=
	IE ZONING BOARD OF APPEALS IE TOWN OF NEWBURGH, NEW YORK 12550
	Troon Properties inc.
I (WE) _	MICHAEL MERCIER PRESENTLY
RESIDIN	NG AT NUMBER 46 PRINCE STREET, ROCKESTER, NY 1463
TELEPH	IONE NUMBER <u>585 - 244 - 7849</u>
	Y MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR LLOWING:
·	A USE VARIANCE
	AN AREA VARIANCE
	INTERPRETATION OF THE ORDINANCE
	SPECIAL PERMIT
1. L	OCATION OF THE PROPERTY:
Om D	7-1-97 (TAX MAP DESIGNATION)
£	Old Post Road (STREET ADDRESS)
· · · _	AR (ZONING DISTRICT)
S	PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW). ARTICLE XVII JOAR, JOYNG
	ARTICLE XVII JOCAR SITING \$185-83



TOWN OF NEW BURGH Crossroads of the Northeast

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		ZONING BOARD OF APPEALS
1 Augustian	P.C.	OLD TOWN HALL
VEW YOU	N. S.	308 GARDNERTOWN ROAD
	a de como de c	Newburgh, New York 12550
3. IF	VA	RIANCE TO THE ZONING LAW IS REQUESTED:
	a)	APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING
		INSPECTOR OR BUILDING PERMIT APPLICATION. SEE
		ACCOMPANYING NOTICE DATED: 11/4/16
	b)	OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF
	U	NEWBURGH OF AN APPLICATION TO THE BOARD, SEE
		ACCOMPANYING NOTICE DATED:
4 DI	EGO	DIDTION OF WARLANGE COLLETT
4. Di	ESC	RIPTION OF VARIANCE SOUGHT: TO ALLOW A SOLAR
	FR	RM IN THE AR FONE
(C)		
		SE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:
SEE ON WHO	a)	UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:
() () () () () ()		
PA		(ATTEL OU WITH THE ADDITION OF THE THE TAXABLE TO A
		(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)
	b)	THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A
	, a	SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:
	c)	THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

Page 2A

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

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

A.) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE: The property was subdivided in 2007 into 8 lots (drawing attached). The owner at that time had a builder ready to buy the property upon filing of the map. The owner owed over \$200,000 in mortgages on the property. Building lots were selling for over \$100,000 per lot at that time. The 700' road and drainage improvements were estimated at \$100,000. When the market crashed, the builder withdrew his offer. The owner could not pay the mortgage, the engineer and/or the Town recreation fees. The approved subdivision was never filed and has expired. The mortgagee foreclosed on the property.

Due to the real estate market crash and excessive Marlboro school taxes, building lots in this part of Town are now only worth about \$35,000 each (see attached comps and property reports).

8 Lot Subdivision Cost:

Land \$200,000
Engineering \$40,000
Infrastructure \$100,000
PB App & Fees \$2,950
Escrow \$5,400
Rec Fees \$16,000
\$364,350

Cost Per Lot:

 $$364,350 \div 8 = $45,550$

The Mortgagee, Troon Properties, has been trying to sell the property for six years to recoup their investment, with no offers until Green Street. Green Street will purchase the property for \$200,000 upon granting of requested variances.

- B.) THE HARSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE: The property is unique because it is large enough for (2) 2MW Solar Farms, is adjacent to lands owned by Central Hudson containing high power electric lines that come from the Danskammer Power Plant, and it is across the street from the Central Hudson power substation.
- C.) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE: The property is well screened from roads and residences by topography and forest. Only one residence has visibility of the site and that is only winter season when the trees have no leaves. That house is to the East so the panels, which will face South, will not create a glare issue.
- D.) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE: The owner/applicant has no control over the depressed real estate market caused by the high Marlboro School taxes.

This report prepared for you by Robert S Holmes

Мар

Previous · Next · 1 of 5









4 / 5

MLS#: Sell Date:

Addr:

PO:

4601469

Sold

List Price: \$34,900 Sell Price: \$34,900

Orange County

12550

02/12/2016 **6 Mariners Court**

Newburgh

Newburgh Town

City/Town: Hamlet/Loc.:

Village:

None

Sub/Devel:

Zip:

County:

P Type: Acres:

Land 1.100 Type: 1 Family Dwelling Bldng SqFt:

Lot Sz SqFt: 47,916

Sch Dist:

Marlboro

Elem:

Middle Hope

Jr High:

Marlboro Middle School

High:

Marlboro High School

\$0

Tax ID#:

334600.121.000-0001-006.000/0000 Avail Financing:

Tax: Addl Fees:

Tax Year: 0 Assmt:

Elec Co:

Garbage: Devel Status:

Lot Description:

Extra Land:

Water: Sewer: None None

Remarks

Vacant lot with over an acre of land very close to the Hudson River. Nice open area neighborhood. Close to Newbur Beacon Bridge and other commuter routes.

Directions:

Route 9W North, just north of Newburgh Bridge, get off at Lester Rd. Turn Left to Old Balmville Rd. first right on to Commonwealth Ave, but stay to left onto River Rd. Stay on until right at Anchor Dr,

first right again on to Mariners Ct.

Prepared By:

Date Printed: 11/03/2016

This report prepared for you by Robert S Holmes

Map

Previous · Next · 2 of 5









1/3

MLS#:

4550671

Sold

List Price: \$79,000 Sell Price: \$35,000

Sell Date: 02/10/2016

21 Harcourt Cosman Drive Addr: Newburgh

County:

Orange County

PO: City/Town: **Newburgh Town**

Zip:

12550

Hamlet/Loc.:

Village:

None

Sub/Devel:

P Type: Acres:

Land

Type:

1 Family Dwelling

Bldng SqFt:

1.600 Lot Sz SqFt: 69,696

Sch Dist:

Marlboro

Elem:

Middle Hope

Jr High:

Marlboro Middle School

High:

Marlboro High School

334600.007.000-0003-011.000/0000 Tax ID#:

Tax:

\$1,428

Tax Year: 2014

Avail Financing: Contract Sale

Addl Fees:

Extra Land:

Assmt:

\$13,700

Elec Co: Garbage: Central Hudson

Water:

Drilled Well

Devel Status: Lot Description: Sewer:

Septic

Remarks

Available approved lot to build your dream home in the town of Newburgh with Marlboro schools in this spacious subdivision with newer homes. 1.6 acres corner lot with 304' ft. road front on Harcourt Cosman Drive on one side 198' ft. on Dara Drive on the other side with scenic views. Only 4 miles to I-84, 4 miles to I-87, 7 miles to Metro N drain station and 65 miles North of NYC.

Directions:

21 Harcourt Cosman Drive Newburgh NY 12550

Prepared By:

Date Printed: 11/03/2016

This report prepared for you by Robert S Holmes

Map

Previous · Next · 3 of 5









1/2

MLS#:

Addr:

4550672

Sold

List Price: \$79,000

Sell Date: 02/10/2016

15 Harcourt Cosman Drive

Sell Price: \$35,000

PO: Newburgh

Newburgh Town

12550 Zip:

County: **Orange County**

City/Town: Hamlet/Loc.:

Village:

None

Sub/Devel:

P Type:

Land

Type:

1 Family Dwelling

Bldng SqFt:

Acres: 1.700 Lot Sz SqFt: 74,052

Sch Dist:

Marlboro

Elem:

Middle Hope

Jr High:

Marlboro Middle School

High:

Marlboro High School

334600.007.000-0003-009.000/0000 Tax ID#:

Avail Financing: Contract Sale

Tax: \$1,449

Addl Fees:

2014 Tax Year:

\$13,900

Assmt:

Elec Co: Garbage: **Central Hudson**

Devel Status:

Water:

Extra Land:

Drilled Well

Sewer:

Septic

Remarks

Available for sale approved lot in the town of Newburgh with Marlboro schools. 1.7 acres with scenic views. Only 4 to I-84, 4 miles to I-87, 7 miles to Metro North drain station and 65 miles North of NYC.

Directions:

15 Harcourt Cosman Drive Newburgh, NY

Prepared By:

Lot Description:

Date Printed: 11/03/2016



Property Description Report For: Curtin Ln, Municipality of Newburgh

		Status:	Active
		Roll Section:	Taxable
		Swis:	334600
		Tax Map ID #:	8-1-43.452
	A '1 1 1	Property Class:	311 - Res vac land
No Photo	o Available	Site:	RES 1
		In Ag. District:	No
		Site Property Class:	311 - Res vac land
		Zoning Code:	-
		Neighborhood Code:	35000
Total Acreage/Size:	4.10	School District:	Marlboro
Land Assessment:	2016 - \$8,500	Total Assessment:	2016 - \$8,500
Full Market Value:	2016 - \$23,600		
Equalization Rate:		Legal Property Desc:	Lt 9 Grove & Vite Submap 185-12
Deed Book:	11207	Deed Page:	1462
Grid East:	634055	Grid North:	1001150
Area			
Living Area:	0 sq. ft.	First Story Area:	0 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	0
Finished Rec Room	0 sq. ft.		
Structure			
Building Style:	0	Bathrooms (Full - Half): 0 - 0
Bedrooms:	0	Kitchens:	0
Fireplaces:	0	Basement Type:	0
Porch Type:	0	Porch Area:	0.00
Basement Garage Cap:	0	Attached Garage Cap:	0.00 sq. ft.
Overall Condition:	0	Overall Grade:	
Year Built:			
Overnores			
Owners			

Daniel Grove, II 30 East View Rd Highland Mills NY 10930 Randy B Vite 30 East View Rd

Highland Mills NY 10930

Sales

No Sales Information Available

Utilities

Sewer Type:

Private

Water Supply:

Private

Utilities: Fuel Type:	Electric 0	Heat Type: Central Air:	O No	
Improvements			.,,	
Structure	Size	Grade	Condition	Year
Land Types				
Туре	Size			
Primary Residual	1.00 acres 3.10 acres			
Special Districts	for 2016			
Description	Units	Percent	Туре	Value
FD025-Middlehope fire	0	0%		0
Exemptions				

Description Amount Exempt % Start Yr End Yr V Flag H Code Own %

Taxes

Year

Year	Description	Amount
2016	County	\$238.19
2016	School	\$674.57
2015	County	\$227.75
2015	School	\$667.87

^{*}Taxes may not reflect exemptions or changes in assessment



Property Description Report For: Curtin Ln, Municipality of Newburgh

		Status:	Active
		Roll Section:	Taxable
		Swis:	334600
		Tax Map ID #:	8-1-43.451
		Property Class:	311 - Res vac land
No Photo	Available	Site:	RES 1
		In Ag. District:	No
		Site Property Class:	311 - Res vac land
		Zoning Code:	
		Neighborhood Code:	35000
Total Acreage/Size:	2.20	School District:	Marlboro
Land Assessment:	2016 - \$7,600	Total Assessment:	2016 - \$7,600
Full Market Value:	2016 - \$21,100		
Equalization Rate:		Legal Property Desc:	Lt # 8 Grove & Vite Submap 185-12
Deed Book:	11207	Deed Page:	1462
Grid East:	634093	Grid North:	1001348
Area			
Living Area:	0 sq. ft.	First Story Area:	0 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	0
Finished Rec Room	0 sq. ft.		
Structure			
Building Style:	0	Bathrooms (Full - Half)): 0 - 0
Bedrooms:	0	Kitchens:	0
Fireplaces:	0	Basement Type:	0
Porch Type:	0	Porch Area:	0.00
Basement Garage Cap:	0	Attached Garage Cap:	0.00 sq. ft.
Overall Condition:	0	Overall Grade:	
Year Built:			
Owners			
Daniel Grove, II	Randy B Vite		

Daniel Grove, II 30 East View Rd Highland Mills NY 10930 Randy B Vite 30 East View Rd

Highland Mills NY 10930

Sales

No Sales Information Available

Utilities

Private **Sewer Type:**

Water Supply:

Private

Utilities:	Electric	Heat Type:	0
Fuel Type:	0	Central Air:	No

Improvements

Structure Size Grade Condition Ye	ear
-----------------------------------	-----

Land Types

Туре	Size
Primary	1.00 acres
Residual	1.20 acres

Special Districts for 2016

Description	Units	Percent	Type	Value
FD025-Middlehope fire	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
------	-------------	--------	----------	----------	--------	--------	--------	-------

Taxes

Year	Description	Amount
2016	County	\$212.98
2016	School	\$603.14
2015	County	\$203.63
2015	School	\$597.15

^{*}Taxes may not reflect exemptions or changes in assessment



TOWN OF NEW BURGH Crossroads of the Mortheast _____

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 GARDNERTOWN ROAD Newburgh, New York 12550

	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:
	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:
	c)	THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:
	d)	THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:
,	e)	THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:



Qualified in Monroe County

My Commission Expires January 05, 2019

TOWN OF NEWBURGH

_Crossroads of the Northeast _____

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

7. ADDITIONAL REA	SONS (IF PERTINENT):
	FARM 15 GOOD FOR THE FINULDON MENT
	Wall Men
	PETITIONER (S) SIGNATURE
STATE OF NEW YORK: C	: /
SWORN TO THIS	DAY OF November 20/6
Judy Bayer	NOTARY PUBLIC
OTARY PUBLIC-STATE OF NEW YO	RK

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

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

Troon Properties, Inc. 46 Prince Street Rochester, NY 14607 Phone: 585-244-7849

Fax: 585-256-2836

November 21, 2016

Dear Town of Newburgh,

This letter will certify that I, Michael D. Mercier, hold the position of President at Troon Properties, Inc., a New York Corporation.

MACAUL

Michael D. Mercier
President, Troon Properties, Inc.



TOWN OF NEWBURGH _______Crossroads of the Northeast ______

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

PROXY

Michael D Mercier, Pres, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 46 Prince St Rochester No 14607
HE/SHE RESIDES AT 46 Prince St Rochester NJ 14607 IN THE COUNTY OF Monroe AND STATE OF NP
AND THAT HE/SHE IS THE OWNER IN FEE OF OCO POST ROAD
5/6/6 8-1-97
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA- GREEN STREET SOUR POWER TION AND THAT HE/SHE HAS AUTHORIZED ON TO KANE AND CHORGES TO BROWN PE TO COST ENGINEERINE TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN. DATED: OWNER'S SIGNATURE WITNESS' SIGNATURE
STATE OF NEW YORK: COUNTY OF ORANGE: SWORN TO THIS 27th DAY OF September 20/6
NOTARY PUBLIC STATE OF NEW YORK No. 01BA6317368 Qualified in Monroe County

My Commission Expires January 05, 2019

16015-65P

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

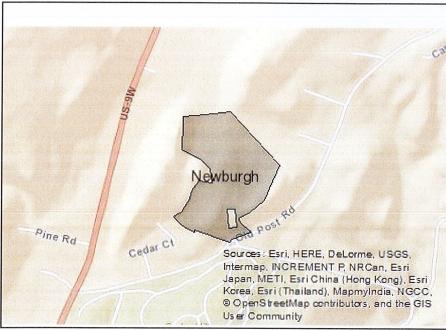
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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:				· · · · · ·
GREEN STREET SOLAR	JOE	3 #16015		
Project Location (describe, and attach a location map):				
OLD POST ROAD ACROSS FROM RIVER ROAD				
Brief Description of Proposed Action:				
VARIANCES TOPERMIT TWO 2 MW SOLAR FARMS				
·				
Name of Applicant or Sponsor:	Telephone: 585-244-7849			
TROON PROPERTIES, INC.	E-Mail:			
Address:				
46 PRINCE STREET				
City/PO:	State:	Zip Coo	de:	
ROCHESTER	NY	14607		
1. Does the proposed action only involve the legislative adoption of a plan, le	ocal law, ordinance,	NC		YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and	the environmental recourage t	that 6	a	
may be affected in the municipality and proceed to Part 2. If no, continue to	question 2.	that 🗸	ן נ	
2. Does the proposed action require a permit, approval or funding from any		NO		YES
If Yes, list agency(s) name and permit or approval:				
PLANNING BOARD SITE PLAN APPROVAL			_] [V
3.a. Total acreage of the site of the proposed action? 28.57 acres				
b. Total acreage to be physically disturbed?	0.0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	28.57 acres			
• • • • • • • • • • • • • • • • • • • •				
4. Check all land uses that occur on, adjoining and near the proposed action.	araid Masidantial (aubum	han		
Urban Rural (non-agriculture) Industrial Comm		oan)		
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (☐ Parkland	specify).			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	V		
b. Consistent with the adopted comprehensive plan?			V
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			\checkmark
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Ar If Yes, identify:	ea?	NO	YES
It is, identity.		\checkmark	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		V	
b. Are public transportation service(s) available at or near the site of the proposed action?		\checkmark	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed act	ion?	\checkmark	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
NONE REQUIRED	i	الكا	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
NONE REQUIRED			
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?			
			$\boxed{\checkmark}$
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?	i	NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			而
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			Lambord .
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a Shoreline Forest Agricultural/grasslands Early mid-succession		pply:	
Wetland Urban Suburban	паі		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered?			7
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties? NO YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains If Yes, briefly describe:	s)?		
	_		

18. Does the proposed action include construction or other activities that result in the impoundment of	NO	YES
water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	√	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed	NO	YES
solid waste management facility?		
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?	F	,
If Yes, describe:		
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST O	FMY
Applicant/sponsor name: CHARLES T. BROWN, PE Date: 12-2-2016		
Signature:		
" " " " " " " " " " " " " " " " " " "		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations. Ottawa Montreal Huton Toronto Lake Durado Bullato o Rochester Albany Boston Detroit Providence Cleveland Pennsylvania Sources New York Pittsburgh

DeLonnie, dula GS, Intermap,

Washing METI, Esri China (Hong

INGREMENT P. NRCan, Esri

Columbus

cinnat

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]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

$\mathbb{A}_{ar{t}}$	gency 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?		
2.	Will the proposed action result in a change in the use or intensity of use of land?		OMESTICAL STATE OF THE PARTY OF
3.	Will the proposed action impair the character or quality of the existing community?		
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		. П
6.	Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	b. public / private wastewater treatment utilities?		
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11.	Will the proposed action create a hazard to environmental resources or human health?		
1			

Agen	cy Use Only [If applicable]
Project:	,
Date:	
1	

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 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

MARK D. STERN, ESQUIRE, REFEREE

TO

TROON PROPERTIES, INC.

SECTION 8 BLOCK 1 LOT 97

RECORD AND RETURN TO: (name and address)

RANDALL V. COFFILL, ESQUIRE P.O. Box 3158 Port Jervis, NY 12771

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							
<u> </u>		·					
INSTRUMENT TYPE: DEED / MOR	TGAGE	_satisfactionassi	gnmentoth	ER			
ederationer bothog & aratia that		•					
PROPERTY LOCATION	4000	HALTANIPAL (TALL		CONTRACTOR AND			
2089 BLOOMING GROVE (TN) 2003 SQ. BLOOMING GROVE (VL)		MONTGOMERY (TN)	NO PAGES	CROSS REF			
2001 WASHINGTONVILLE (VLG)	4201	MAYBROOK (VLG)	CERT.COPY	ADD'I. X-REF.			
2289 CHESTER (TN)	4203	MONTGÓMERY (VLG)	MAPI	PGS.			
2201 CHESTER (VLG)	4205	WALDEN (VLG)		7			
2489 CORNWALL (TN)	4489		PAYMENT TYPE:	CHECK V			
2401 CORNWALL (VLG)	/4401			CASH			
2600 CRAWFORD (TN)	4600	NEWBURGH (TN)		CHARGE			
2800 DEERPARK (TN)	4800	NEW WINDSOR (TN)		NO FEE			
3089 GOSHEN (TN)	5089	TUXEDO (TN)	Taxable				
3001 GOSHEN (VLG)	5001	TUXEDO PARK (VLG)	CONSIDERATION	\$ 398 94428			
3003 FLORIDA (VLG)	5200	WALLKILL (TN)	TAX EXEMPT				
3005 CHESTER (VLG)	5489	WARWICK (TN)	Taxable .				
3200 GREENVILLE (TN)	5401		Mortgage am	7. \$			
3489 HAMPTONBURGH (TN)	5403	GREENWOOD LAKE (VL	.G)	• .			
3401 MAYBROOK (VLG)	5405						
3689 HIGHLANDS (TN)		WAWAYANDA (TN)	MORTGAGE T	de la constante de la constant			
3601 HIGHLAND FALLS (VLG)		WOODBURY (TN)		RCIAL/FULL 1%			
3889 MINISINK (TN)	5801	HARRIMAN (VLG)	(B) 1 OR 2				
3801 UNIONVILLE (VLG)	5809	WOODBURY (VLG)	(C) UNDER				
4089 MONROE (TN)		<u>TIES</u> MIDDLETOWN	(E) EXEMP				
4001	1100	NEWBURGH	(F) 3 TO 6	uniis Rsoncr. Union			
4003 HARRIMAN (VLG) 4005 KIRYAS JOEL (VLG)	1300	PORT JERVIS		RSONICK. UNION ER-CR.UN/1 OR 2			
WIKAW2 JOEF (AFG)	1300	LOKI DEKAIS	(K) CONDO				
	9999	HOLD					
				•			
() 00				•			
V man () tenans				•			
Charles I. White		•					

Received From Record Sparch

RECORDED/FILED

07/20/2010/ 11:06:12

DONNA L. BENSON

County Clerk

ORANGE COUNTY, NY

FILE#20100068384

DEED C / BK 13030PG 0605

RECORDING FEES 315.00

TTX# 007118 T TAX 1,596.00

Receipt#1195685 marse

DONNA L. BENSON

ORANGE COUNTY CLERK

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

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE BOUNTY OCTOBER 7, 2016

Chy G Kellet

3K: 13030 PG: 605 07/20/2010 DEED C Image: 2 of 4

Referee's Deed in Foreclosure

THIS DEED, made the ______ day of ______, two thousand and ten

BETWEEN

VINCENT F. SCATURRO by

Mark D. Stern, Esq., REFEREE 15 Matthews Street, Goshen, NY 10924

duly appointed in the action hereinafter mentioned, grantor, and

Troon Properties, Inc., 46 Prince Street, Rochester, NY 14607, grantee

WITNESSETH, that the grantor, the referee appointed in the action between

Normandy Corporation, plaintiff, and

Vincent F. Scaturro, Kim Seaboldt. Et al, defendants

foreclosing mortgage recorded on the 3rd day of March, 2006 in the Office of the Clerk of the County of Orange in Liber 12104 pg 1478 of mortgages and further assigned by Assignment of Mortgage recorded on the 27th day of July, 2007 in the office of the Clerk of the County of Orange in Liber 12494 page 1271 in pursuant of a judgment entered at a special term of the Orange County Supreme Court on the 11th day of June, 2009 and in consideration of \$175,000.00 paid by the grantee, being the highest sum bid at the sale under said judgment does hereby grant and convey unto the grantee,

ALL that certain plot, piece or parcel of land situate, lying and being described in

SCHEDULE A Attached

TO HAVE AND TO HOLD the premises here granted unto the grantee, Troon Properties, Inc., and assigns forever,

3K: 13030 PG: 605 07/20/2010 DEED C Image: 3 of 4

Referee's Deed

Page 2

IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal, the date first above written.

Mark D. Stern, Esq., Referee

STATE OF NEW YORK

)ss.:

COUNTY OF ORANGE

On the 10th day of May in the year 20<u>10</u>, before me, the undersigned, a Notary Public in and for said state, personally appeared

Mark D. Stern, Esq.

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 and that by his/her/their signature on the instrument the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York

ANDREA R. STOUT
Notary Public, State of New York
No. 4965121
Quelified in Orange County 9.00
My Commission Expires April 16,

TITLE NO. RCA-813-36533

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and State of New York, being designated as Lot No. 1 & 2 on a certain map entitled, "Scaturro Subdivision", filed in the Office of the Orange County Clerk on 8/8/1990 as Filed Map No. 9992.

EXCEPTING therefrom all that certain plot or parcel of land conveyed to Frank Scaturro (Liber 5224 op 35, Tax Lot No. 34.1) being more particularly bounded and described as follows:

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

BEGINNING at the southeasterly corner of the premises to be described herein which corner is the following course and distance from the point of intersection of Lot No. 1 and 2, Filed Map No. 9992, with the northeasterly side of Old Post Road; North 71 degrees 19' 08" West 199.24 feet; runnign thence from said point of beginning, South 09 degrees 7' 33" West (South 75 degrees 06' 02" West, deed) 99.22 feet; running thence, North 0 degrees 00' 04" Bast (North 15 degrees 26' 07" West, deed) 229.49 feet (actual) 228.49 feet (deed); running thence, South 87 degrees 03' 17" East (South 71 degrees 37' 10" East, deed) 99.35 feet; and thence, South 00 degrees 00' 05" West (South 15 degrees 26' 12" West, deed) 223.45 feet to the southeasterly corner of the premises and the point or place of BEGINNING.

For conveyancing only, to be conveyed

Together with all right, title if intended and interest of, in and to any streets and road abutting the above described premises, to the center line thereof.

Certificate and Report of Title - New York FORM 2215-5





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

2616-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 11/04/2016

Application No. 16-1029

To: Troon Properties, Inc. 46 Prince St

Rochester, NY 14607

SBL: 8-1-97

ADDRESS: Bessie Ln

ZONE: AR

PLEASE TAKE NOTICE that your application dated 11/04/2016 for permit to create a solar "electric generating" farm in a residential district on the premises located at Bessie Ln is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section:

1) 185-83 Solar farms shall be permitted in an I district

Joseph Mattina

Cc: Town Clerk & Assessor (500')

File



Town of Newburgh Code Compliance

OWNER INFORMATION	BUIL	T WITH OU	T A PERMIT		NO	
NAME:Tr	Troon Properties Inc		Applicati	ion#	16-1029	
ADDRESS: 46 Prince St. Rochester NY 14607						
PROJECT INFORMATIO	N:	AREA VARIANCE		<u>USE VARIANCE</u>		E
TYPE OF STRUCTURE:		Bessie Lane / Old Post Rd				
SBL: 8-1-97	ZONE:	A-R				10
TOWN WATER: YES /	NO	TOW	N SEWER:	YES /	NO	V
	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE	
LOT AREA						
LOT WIDTH						
LOT DEPTH						
FRONT YARD						
REAR YARD						
SIDE YARD						
MAX. BUILDING HEIGHT						
BUILDING COVERAGE						
SURFACE COVERAGE						
INCREASING DEGREE OF NO 2 OR MORE FRONT YARDS F CORNER LOT - 185-17-A	OR THIS PE	ROPERTY			`	YES / NO YES / NO YES / NO
ACCESSORY STRUCTU GREATER THEN 1000 S.F. O FRONT YARD - 185-15-A STORAGE OF MORE THEN 4 HEIGHT MAX. 15 FEET - 185- 10% MAXIMUM YARD COVER	R BY FORM				\ \	YES / NO
IOTES: Vacant Parcel / A/R zone						
VARIANCE(S) REQUIRE	D:					
1 185-83 Solar farms shall be	located in a	n "I" district.				
2						
3						
REVIEWED BY:	Joseph Ma		DA	ATE:	4-Nov-16	



Property Description Report For: Bessie Ln, Municipality of Newburgh

Status:

Active

Roll Section:

Taxable

Swis:

334600

Tax Map ID #:

8-1-97

Property Class:

312 - Vac w/imprv

Site:

RES 1

In Ag. District:

No

Site Property Class:

312 - Vac w/imprv

Zoning Code:

Neighborhood Code:

35000

School District:

Marlboro

Total Assessment:

2016 - \$39,600

2016 - \$110,000

2016 - \$37,300

28.20

No Photo Available

Lt 1 Pt Lt 2 Scaturro **Legal Property Desc:** Submap 9992

Deed Book:

Total Acreage/Size:

Land Assessment:

Full Market Value:

Equalization Rate:

Grid East:

13030 633377 Deed Page:

605

Grid North:

999834

Area

Living Area:

Second Story Area:

Finished Basement:

Finished Rec Room

Additional Story Area:

0 sq. ft.

0 sq. ft.

0 sq. ft.

0 sq. ft. 0 sq. ft. **Half Story Area:** 3/4 Story Area:

First Story Area:

0 sq. ft. 0 sq. ft.

0 sq. ft.

Number of Stories:

0

Structure

Building Style:

Bathrooms (Full - Half): 0 - 0

Kitchens:

Fireplaces:

Basement Type:

0

Porch Type:

Bedrooms:

Porch Area:

0.00

Basement Garage Cap:

Attached Garage Cap:

0.00 sq. ft.

Overall Condition:

Overall Grade:

Year Built:

Owners

Troon Properties, Inc. 46 Prince St

Rochester NY 14607

Sales

Sale Date

Price

Property Class

Sale **Type**

Value Prior Owner Usable Length Parcels

Arms

Addl.

Deed Book and Page

5/10/2010	\$398,944	312 - Vac w/imprv	Land Only	Scaturro, Vincent F	No	No	No	13030/605
4/5/2000	\$10	312 - Vac w/imprv	Land Only	Scaturro, Angelo	No	No	No	5271/284
						- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		

Utilities

Sewer Type: Utilities:

Fuel Type:

Private Electric Water Supply: Heat Type:

Central Air:

Private 0 No

Improvements

Structure	Size	Grade	Condition	Year
Barn-pole	22 × 26	Economy	Fair	1900
Barn-1.0 gen	26 × 36	Economy	Fair	1900

Land Types

TypePrimary
Undeveloped

Residual

Size

1.00 acres25.00 acres2.20 acres

Special Districts for 2016

Description	Units	Percent	Туре	Value
FD025-Middlehope fire	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %

Taxes

Year	Description	Amount
2016	County	\$1,280.01
2016	School .	\$3,142.69
2015	County	\$1,221.02
2015	School	\$3,111.48

^{*}Taxes may not reflect exemptions or changes in assessment

