

ZB# 97-45

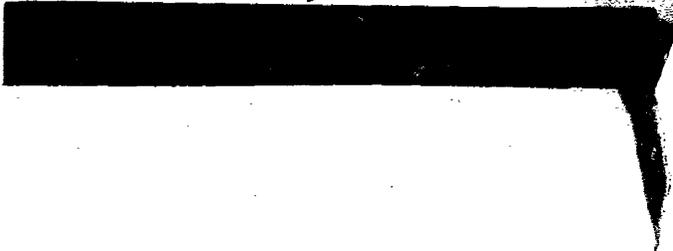
Marie & Aadu Wahlbon

55-1-53.22

#97-45 - Wahlbon, Art + Marie

R-1

55-1-53.22



Prelim.

November 10, 1997

4:15 P.M.

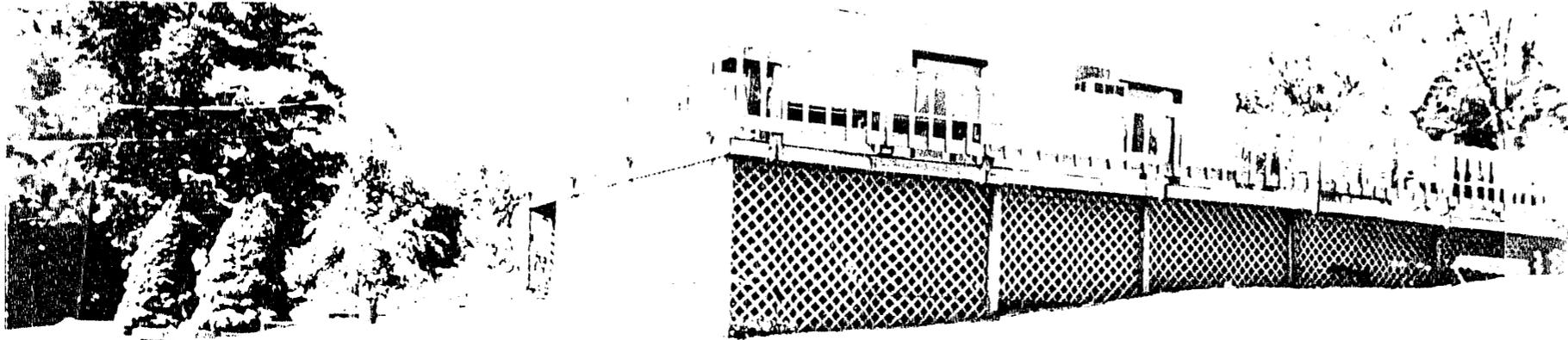
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Title Report 4

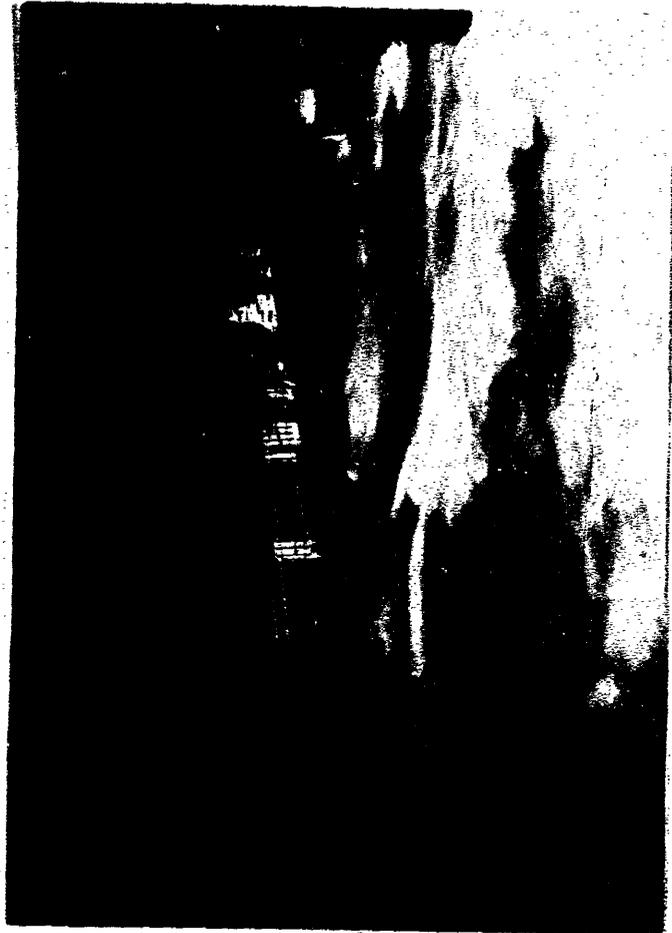
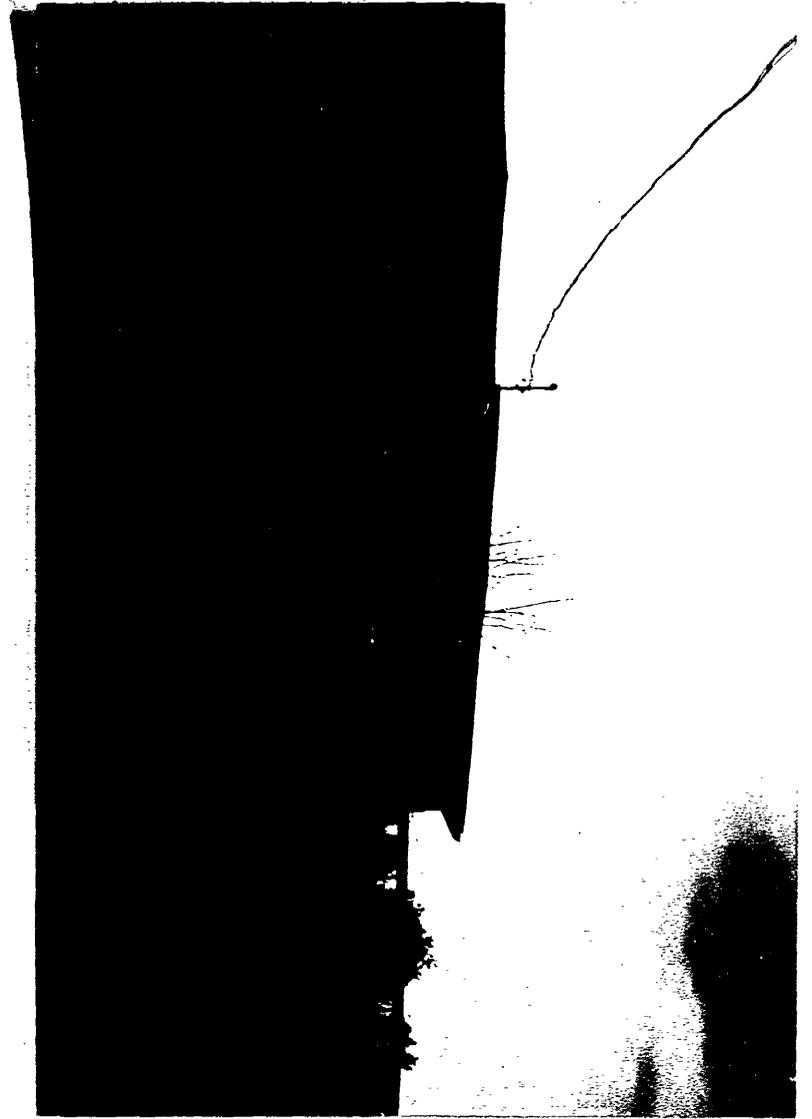
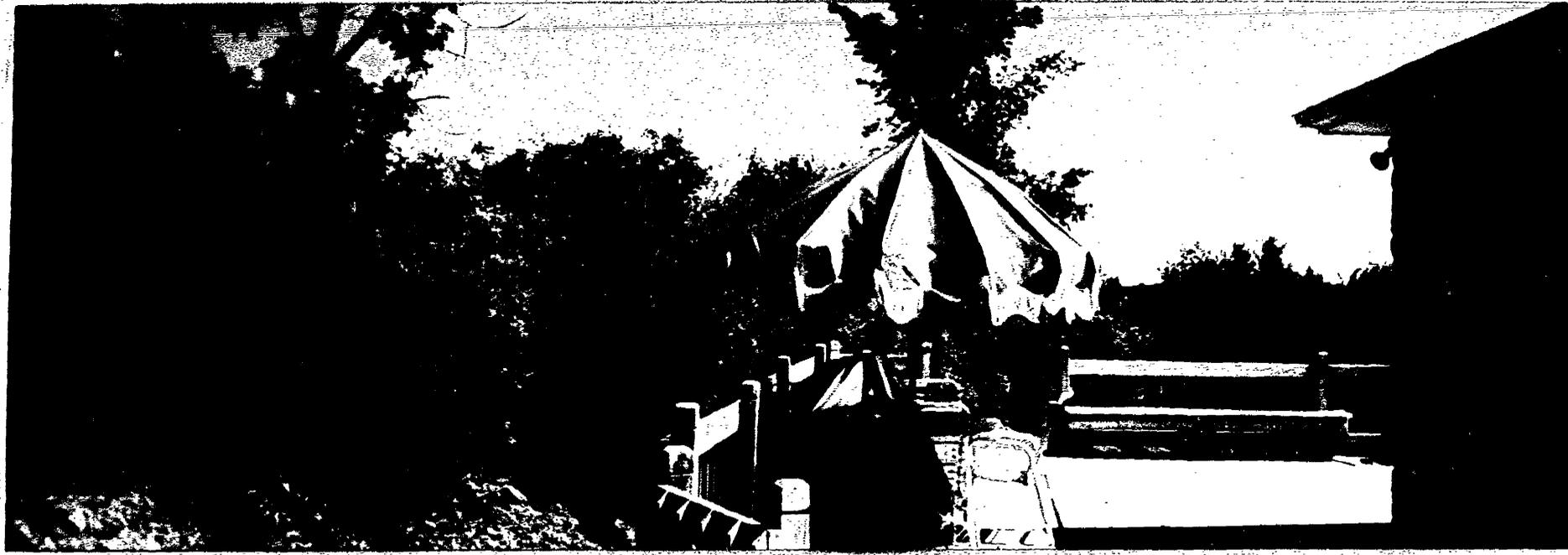
Public Hearing:

Jan. 12, 1998

Grays
Granted

Refund \$203.00





55-1-53.22

#97-45 - Wabbon, Ut + Iowa

8-1

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Wahlbon, Art

FILE# 97-45

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE _____

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid
ck # 4654
12/10/97*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid
ck # 4655
12/10/97*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE *11/10: 3 pgs.* \$ 13.50

2ND PRELIMINARY- PER PAGE *11/12/98: 3 pgs.* \$ 13.50

3RD PRELIMINARY- PER PAGE \$ _____

PUBLIC HEARING - PER PAGE \$ _____

PUBLIC HEARING (CONT'D) PER PAGE \$ _____

TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: *11/10/97* \$ 35.00

2ND PRELIM. *11/12/98* \$ 35.00

3RD PRELIM. \$ _____

PUBLIC HEARING. \$ _____

PUBLIC HEARING (CONT'D) \$ _____

TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____

TOTAL \$ 92.00

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$ _____

REFUND DUE TO APPLICANT . \$ 203.00

Refund

Marie or Annu Wahlbon
281 Bull Rd.
Washingtonville, NY 10992

4654

Dec. 10 1997

50-7131/2219

PAY TO THE ORDER OF Town of New Windsor \$ 50.00
Fifty and 00/100 DOLLARS

WALDEN SAVINGS BANK
WASHINGTONVILLE OFFICE
131 EAST MAIN ST.
WASHINGTONVILLE, NY 10992

FOR ZBA #97-45

Marie Wahlbon

⑆221971316⑆06 03 023797⑆ 4654

Marie or Annu Wahlbon
281 Bull Rd.
Washingtonville, NY 10992

4655

Dec. 10 1997

50-7131/2219

PAY TO THE ORDER OF Town of New Windsor \$ 300.00
Three hundred 00/100 DOLLARS

WALDEN SAVINGS BANK
WASHINGTONVILLE OFFICE
131 EAST MAIN ST.
WASHINGTONVILLE, NY 10992

FOR ZBA #97-45

Marie Wahlbon

⑆221971316⑆06 03 023797⑆ 4655

-----x
In the Matter of the Application of

MARIE & AADU WAHLBON

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#97-45.
-----x

WHEREAS, ARTHUR and MARIE WAHLBON, 281 Bull Road, Washingtonville, New York 10992, have made application before the Zoning Board of Appeals for a 35 ft. rear yard variance for an existing deck at the above residence in an R-1 zone; and

WHEREAS, a public hearing was held on the 12th day of January, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared before the Board on behalf of himself and his wife for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a one family home located in a neighborhood of one family homes.

(b) The deck has been in place for approximately 14 years.

(c) It would be economically infeasible to move the deck to comply with the Zoning Local Law.

(d) The requested variance would be sufficient if granted to allow the existing deck to remain in place.

(e) The deck interfere with no course of drainage and do not cause ponding or accumulation of water.

(f) There are other similar decks adjacent to other houses in the neighborhood.

(g) A review of the photographs and the property shows that the deck does not interfere with any sight lines or create any other hazard.

(h) There is a considerable space of woods behind the property.

(i) Even if the deck were to be replaced, a variance would still be required in order to construct same.

(j) The house is so constructed that without a deck a person exiting from the rear of the house would fall a considerable distance, probably sustaining serious injury.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

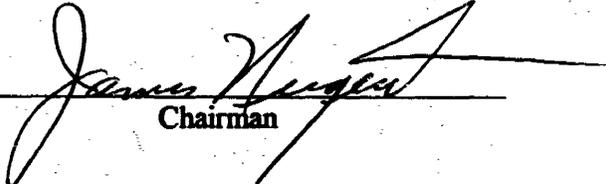
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 35 ft. rear yard variance for an deck located at the above-referenced property in an R-1 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: March 9, 1998.


Chairman

file

NEW WINDSOR ZONING BOARD OF APPEALS

55-1-53.22

In the Matter of the Application of

MARIE & AADU WAHLBON

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

#97-45.

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8. The interests of justice will be served by allowing the granting of the requested area variance.

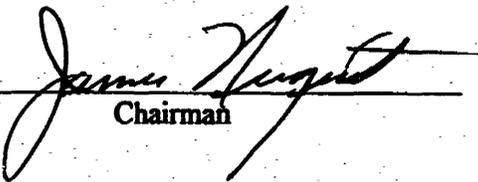
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 35 ft. rear yard variance for an deck located at the above-referenced property in an R-1 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: March 9, 1998.


Chairman

WAHLBON, MARIE & AADU

MR. NUGENT: Let the record show nobody is here as a spectator for this public hearing coming up. If anybody is here, you should sign the spectator sheet.

Mr. Aadu Wahlbon appeared before the board for this proposal.

MR. NUGENT: Request for 35 ft. rear yard variance for existing deck at 281 Bull Road in an R-1 zone. Is that a corner lot?

MS. BARNHART: It's a huge lot.

MR. NUGENT: This lot looks like you can have a baseball field on there.

MR. WAHLBON: It's a nice size yard.

MR. KRIEGER: How big is the lot?

MR. BABCOCK: 3.7 acres.

MR. NUGENT: Why does he need a variance?

MR. BABCOCK: Cause it's too close to the property line.

MR. KRIEGER: Back corner of the property.

MR. NUGENT: Built the house back on the property.

MR. WAHLBON: There was an existing house.

MS. OWEN: Your property line would be like right here where these trees start?

MR. WAHLBON: Right.

MR. KRIEGER: That must be fun to mow. What is immediately behind your property?

MR. WAHLBON: Woods.

MR. KRIEGER: Now, is this deck and the home located in its present location before you bought the property?

MR. WAHLBON: Well, there's a situation that I have to answer it just so, I married into this piece of property, let's put it that way, and my wife that I have now, she had lived in the house about 14, 15 years.

MR. REIS: Is that how long the deck has been there?

MR. WAHLBON: Approximately that amount of time, yes.

MR. KRIEGER: Does it cause any ponding of water or accumulation of water?

MR. WAHLBON: No.

MR. KRIEGER: Does it interfere with any course of water flow?

MR. WAHLBON: No.

MR. KRIEGER: Does it interfere with any septic system or well?

MR. WAHLBON: No.

MR. KRIEGER: You don't know what vegetation was there because when you got there, the deck was there?

MR. WAHLBON: We don't allow it, we keep it low.

MR. REIS: This doesn't affect or impact your neighbors in any way?

MR. WAHLBON: No, until the summertime, we can't even see other neighbors.

MR. KRIEGER: Have you received--

MR. WAHLBON: Totally wooded.

MR. KRIEGER: Have you received any complaints or heard of any complaints of any kind at any time about this

deck?

MR. WAHLBON: No.

MR. KRIEGER: Anybody complain about it?

MR. WAHLBON: No, not that kind of deck, it's a nice deck. Here's another picture, another view of the deck that is front view, this is our driveway, this white part here is our driveway coming up from Bull Road.

MR. KRIEGER: And this is a home located in the neighborhood of one family homes?

MR. WAHLBON: Yes.

MR. NUGENT: I'll accept a motion.

MR. KRIEGER: In order for it to be changed, you'd have to tear it down and rebuild it and if you wanted it on the back of the house, you'd still need a variance, correct?

MR. WAHLBON: Ah-huh.

MR. BABCOCK: That's correct.

MS. OWEN: I make a motion that we approve a 35 foot rear yard variance for Mr. Walhbon.

MR. REIS: Second the motion.

ROLL CALL

MS. OWEN	AYE
MR. REIS	AYE
MR. NUGENT	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim:
Nov. 10, 1997
#97-45

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 10/24/97

APPLICANT: Art & Marie, Wahlbon
281 Bull Road
Washingtonville, NY 10992

496-3053

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 10/24/97

FOR : For existing deck

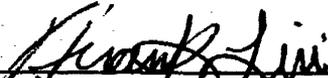
LOCATED AT: 281 Bull Road

ZONE: R-1

DESCRIPTION OF EXISTING SITE: 55-1-53.22 One family house.

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing deck exceeds minimum 40' rear yard set-backs.


BUILDING INSPECTOR

PERMITTED 50'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1

USE: G-6

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

15'

35'

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing is completed and before it is covered from inside and plumbing rough-in.
5. Insulation.
6. Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Permit number must be called in with each inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises AARU'É MARIE WAHLBOM

Address 281 BULL ROAD Phone 496-3053

Mailing Address 281 BULL ROAD, WASHINGTONVILLE N.Y. 10992

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the _____ side of _____
(N,S,E or W)
and _____ feet from the intersection of _____
2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____
3. Tax Map Description: Section 55 Block 1 Lot 53.22
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy _____ b. Intended use and occupancy A-1
5. Nature of work (check if applicable) New Bldg Addition Alteration Repair Removal Demolition Other
6. Is this a corner lot? EXISTING 50x28 WRAP around DECK
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____
Heating Plant: Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____
If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost _____ fee \$ 50
(To be Paid on this Application)
11. School District _____

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

____ / ____ / 19 ____

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi, Ernst Schmidt
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 564-4618 523-4618
(914) 563-4693 FAX

Eldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:
Planning Board Highway Dept Sewer Water Zoning Board of Appeals

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Arthur J. Wahlberg
(Signature of Applicant)

281 BOLL ROAD WASHINGTONVILLE, N.Y.
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawing.

N

← W

E

BULL ROAD

S

W



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553-6196
Telephone: (914) 563-4610
Fax: (914) 563-4693

November 26, 1997

Marie R. Wahlbon &
Aadu L. Wahlbon
281 Bull Road
Washingtonville, NY 10992

Re: Tax Map Parcel #55-1-53.22

Dear Mr. & Mrs. Wahlbon:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's office.

Sincerely,

Leslie Cook /po
LESLIE COOK
Sole Assessor

/po
Attachments

cc: Pat Barnhart, ZBA

Popoloski, Michael J. Jr.
45 Shaw Road
Rock Tavern, NY 12575

Duddy, John K. & Nancy D.
5 Feitsma Lane
Rock Tavern, NY 12575

Costa, John
39 Shaw Rd.
Rock Tavern, NY 12575

Maehrlein, Charles H. & Alice I.
29 Shaw Rd.
Rock Tavern, NY 12575

County of Orange
255-275 Main St.
Goshen, NY 10924

Migliorini, Joseph R. & Deborah A.
305 Bull Rd.
Washingtonville, NY 10992

DeFreese, Reuben & Margaret
301 Bull Rd.
Washingtonville, NY 10992

Beneducci, Joseph F. & Marie L.
6 Hampshire Dr.,
Washingtonville, NY 10992

Zaccaro, Joseph P. & Laura J.
6 Hillside Rd.
Monroe, NY 10950

Lyall, John D.
289 Bull Rd.
Washingtonville, NY 10992

Cassidy, Raymond & Lisa
21 Shaw Rd.
Rock Tavern, NY 12575

Ferrari, Paul & Joan E.
255 Bull Rd.
Washingtonville, NY 10992

Pasquale, William A. & Faith L.
245 Bull Rd.
Washingtonville, NY 10992

Ferrari, Lodoveco & Josephine
265 Bull Rd.
Washingtonville, NY 10992

Harrington, Wendall K. &
Erickson, Bo G.
235 Bull Rd.
Washingtonville, NY 10992

Hawkins, George C. &
Diane L. Clark
9 Feitsma Lane
Rock Tavern, NY 12575

Kassa, Michael A. Jr. & Barbara A.
7 Feitsma Lane
Rock Tavern, NY 12575

Perkovic, Denis
918 Walpha Parkway
Waterford, MI 48328 56-1-9

Saltini, Flora & Peter
104 24 37th Rd.
Corona, LI, NY 11368

Rivera, Anthony & Margene
116 Bull Rd.
Washingtonville, NY 10992

Molfetas, Veronica A.
12 Glenn Round Rd.
Rock Tavern, NY 12575

DeFreese, Rueben Samuel & Deborah A.
292 Bull Rd.
Washingtonville, NY 10992

Huston, Edmund &
Eleanor Murphy
296 Bull Rd.
Washingtonville, NY 10992

Ferrone, Barbara P. &
Giannico, Susan, Trustees
of the Barbara P. Perone Living Trust
124 Bull Rd.
Washingtonville, NY 10992

Washingtonville Soccer Club, Inc.
Box 24
Washingtonville, NY 10992

Hunter, Albert & Bertha May
46 Shaw Rd.
Rock Tavern, NY 12575

Smith, Roger A.
PO Box 123
Rock Tavern, NY 12575

Lewis, Jean P.
15 Shaw Rd.
Rock Tavern, NY 12575

Hull, Elease
2410 8th Ave.
New York, NY 10027

Cook, Theresa &
Unverricht, Charles
3 Shaw Rd.
Rock Tavern, NY 12575

DeFreeze, Philip W. & Joyce
12 Shaw Rd.
Rock Tavern, NY 12575

Den, Randolph & Masako
315 Bull Rd.
Rock Tavern, NY 12575

Monczyn, Joseph K. & Janet E.
24 Carpenter Rd.
Rock Tavern, NY 12575

McHenry, Dennis P. & Carolyn S.
18 Shaw Rd.
Rock Tavern, NY 12575

Pls. publish immediately. Send bill to Applicant at below address:

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 45

Request of Marie and Gade Wahlbon

for a VARIANCE of the Zoning Local Law to Permit:

existing deck w/ insufficient rear yard;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs-Col. G

for property situated as follows:

281 Bull Road, New Windsor, N.Y. 12553.

known and designated as tax map Section 55, Blk. 1, Lot 53.22.

SAID HEARING will take place on the 12th day of January, 1998 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman

By: Patricia A. Barnhart, Secy.

7.091

Standard N.Y.S. Form 9901; Engraved with steel; with optional standard grantor's note - full or copy (10 copies direct)

ALVIN BLUMBERG, INC. - LAW BLANK PUBLISHERS

HW 22553

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

THIS INDENTURE, made the 28th day of October, nineteen hundred and ninety-six
BETWEEN Marie R. Wahlbon, f/k/a Marie R. Sharpe, residing at
281 Bull Road, Washingtonville, NY

party of the first part, and Marie R. Wahlbon, f/k/a Marie R. Sharpe and
Aldu I. Wahlbon, husband and wife, residing
at 281 Bull Road, Washingtonville, NY

party of the second part,
WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs
or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of New Windsor, County of Orange, State of
New York, and being more particularly described
as follows:

SEE SCHEDULE "A" ANNEXED HERETO.

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 all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD
the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of
the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby
the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to
the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Marie R. Wahlbon, f/k/a Marie R. Sharpe
Marie R. Wahlbon, f/k/a
Marie R. Sharpe

AMENDED SCHEDULE "A"

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, and being more particularly described as follows:

BEING shown and designated as Lot No. 3 on a map entitled "Final Platt Subdivision of Property for Calvin A. and Frances M. Platt", dated September 15, 1971, last revised October 29, 1973 and filed in the Orange County Clerk's Office on November 15, 1973 as Map No. 3108.

Being also described as:

Beginning at a point on the westerly side of Bull Road, the southerly corner of Lot 2 on said map 3108 and runs thence;

- (1) Along said Lot 2 N 48° 58' 00" West 322.56 feet; thence,
- (2) Further along Lot 2 and Lot 1 N 41° 02' 00" East 224.81 feet to a corner of lands N/F Beneducci; thence,
- (3) Along Beneducci and lands N/F Hughes N 51° 59' 00" East 166.63 feet to a corner of lands N/F Zorn;
- (4) Along Zorn and along filed map Lot 4 N 48° 26' 30" West 283.62 feet to a point on the line of lands of Gearn; thence,
- (5) Along lands of Gearn S 39° 06' 00" West 815.24 feet; thence,
- (6) S 48° 58' 00" East 100.00 feet to a corner of lands N/F Ferrari; thence,
- (7) Along said Ferrari N 39° 06' 00" East 373.68 feet; thence,
- (8) Further along same S 48° 58' 00" East 454.32 feet to the said westerly side of Bull Road; thence,
- (9) Along said Bull Road N 47° 05' 30" East 50.28 feet to the point or place of beginning.

SUBJECT to covenants, easements and restrictions of record, if any.

BEING and intended to be the same premises as conveyed to Marie Sharpe by deed dated May 24, 1989 and recorded in the Orange County Clerk's office in Liber 3145 at Page 116 on June 15, 1989.

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On the 28th day of October 19 96 before me personally came MARIE R. WAHLBON E/k/a MARIE R. SHARPE

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that s/he executed the same.

Nancy J. Schneider
Notary Public

NANCY J. SCHNEIDER
Notary Public, State of New York
No. 478821
Qualified in Orange County
Commission Expires 12/31/98

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Mortgage and Sale deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

MARIE R. WAHLBON f/k/a MARIE R. SHARPE

TO

MARIE R. WAHLBON f/k/a MARIE R. SHARPE and AADU I. WAHLBON

SECTION 55
BLOCK 1
LOT 53.22

COUNTY OR TOWN Orange/New Windsor

RETURN BY MAIL TO:

Nancy J. Schneider, Esq.
11 East Main Street
Washingtonville, NY

Zp No. 10992

Reserve this space for use of Recording Office.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

(This Page is Part of the Instrument)

SECTION 55 BLOCK 1 LOTS 1-23

PRINT OR TYPE: BLACK INK ONLY

MARIE MANNING, n/k/a MARIE SHARPE,
individually and as Executrix

TO

MARIE SHARPE, surviving spouse by
the entirety.

RECORD AND RETURN TO:
(Name and Address)

NANCY J. SCHNEIDER, ESQ.
505 ROUTE 208 - SUITE 24
MONROE, NEW YORK 10950

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

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 054361 DATE 3-29-89 AFFIDAVIT FILED: _____ 19 _____
EXECUTOR'S

INSTRUMENT TYPE: DEED MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

BG20 Blooming Grove _____	SERIAL NO. _____	CHECK <input checked="" type="checkbox"/> CASH _____ CHARGE _____
CH22 Chester _____	Mortgage Amount \$ _____	
CO24 Cornwall _____	Exempt Yes _____ No _____	MORTGAGE TAX \$ _____
CR26 Crawford _____	3-6 Cooking Units Yes _____ No _____	TRANSFER TAX \$ <u>E</u>
DP28 Deepark _____	Received Tax on above Mortgage	
GO30 Goshen _____	Basic \$ _____	
GR32 Greenville _____	MTA \$ _____	RECORD. FEE \$ <u>11-</u>
HA34 Hamptonburgh _____	Spec. Add. \$ _____	REPORT FORMS \$ <u>5-</u>
HI36 Highland _____	TOTAL \$ _____	CERT. COPIES \$ _____
MK38 Minisink _____		
ME40 Monroe _____		
MY42 Montgomery _____		
MH44 Moul Hope _____		
NT46 Newburgh (T) _____		
NW48 New Windsor <input checked="" type="checkbox"/>		
TU50 Tuxedo _____		
WL52 Walkkill _____		
WK54 Warwick _____		
WA56 Wawayanda _____		
WO58 Woodbury _____		
MN09 Middletown _____		
NC11 Newburgh _____		
PJ13 Port Jervis _____		
9999 Hold _____		

MARION S. MURPHY
Orange County Clerk

by: _____

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on the 13th day of
April 1989 at 11:35
O'Clock A M. in Liber/Film 3117
Deeds at page 5 and examined.

Marion S. Murphy
County Clerk

RECEIVED
\$ E
REAL ESTATE
APR 13 1989
TRANSFER TAX
ORANGE COUNTY 11

LIBER 3117 PAGE 5

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, JOSEPH A. MACCHI, COUNTY CLERK AND CLERK OF THE SUPREME COURT 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 April 13, 1989
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL
Oct 24, 1996 Joseph A. Macchi
COUNTY CLERK & CLERK OF THE SUPREME COURT, ORANGE COUNTY

TOWN OF NEW WINDSOR
SEC. 55
BLK. 1 LOT 53.23
(Bull Rd., Washingtonville, N.Y.)
COUNTY OF ORANGE

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

THIS INDENTURE, made the 29th day of March, nineteen hundred and eighty-nine
BETWEEN MARIE MANNING, n/k/a MARIE SHARPE, individually and as
Executrix, residing at Bull Road, Washingtonville, New
York 10992

as executor of the last will and testament of
JOHN SHARPE, JR., late of
Town of New Windsor
who died on the 25th day of December, nineteen hundred and eighty-six
party of the first part, and

MARIE SHARPE, surviving spouse by the entirety,
residing at Bull Road, Washingtonville, New York 10992

party of the second part,
WITNESSETH, that the party of the first part, to whom letters
testamentary were issued by the Surrogate's Court, Orange County, New York
on April 4th, 1988 and by virtue of the power and authority given in and by said last will
and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of

no consideration dollars,
paid by the party of the second part, does hereby grant and
release unto the party of the second part, the distributees 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 New Windsor, County of Orange, State of New York,
and being more particularly bounded and described as follows:

LYING generally to the east of the eastern boundary of lands owned by
the Karl Roecker and Euphemia E. Roecker and and between said eastern
boundary of Karl Roecker and Euphemia E. Roecker and the western most
border of lands now or formerly of Beneducci and being described on the
Tax Rolls of the Town of New Windsor, County of Orange as Roll Section
No. 1, 55-1-53.23.

BEING the same premises conveyed by Calvin A. Platt and Frances M. Platt,
his wife, to Karl Roecker and Euphemia E. Roecker, husband and wife, by
deed dated September 23, 1975 and recorded September 24, 1975 in the
Orange County Clerk's Office in Liber 2018 of Deeds at Page 268.

BEING the same premises conveyed by Karl Roecker and Euphemia E. Roecker,
husband and wife, to John Sharpe and Marie Manning, by deed dated
December 18th, 1978 and recorded in the Orange County Clerk's Office
in Liber 2119 of Deeds at page 96.

This premises being conveyed by Marie Manning, n/k/a Marie Sharpe,
individually and as Executrix to Marie Sharpe, surviving spouse by the
entirety, in accordance with the Last Will and Testament of John
Joseph Sharpe, Jr., paragraph 4 and 5 which was dated September 25, 1984
and proceeding was held in Surrogate's Court of Orange County.

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 individ-
ually, 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 distributees 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 incumbered in any way whatever, except as aforesaid.
Subject to the trust fund provisions of section thirteen of the Lien Law.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF: X Marie Sharpe
MARIE SHARPE

STATE OF NEW YORK, COUNTY OF ORANGE
On the 29th day of March 1989, before me personally came

MARIE SHARPE

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Kathleen A. Dean
NOTARY PUBLIC

KATHLEEN A. DEAN
Notary Public, State of New York
No. 4830819
Qualified in Orange County
Commission Expires March 30, 1991
OCTOBER 31, 1989

STATE OF NEW YORK, COUNTY OF _____
On the _____ day of _____, 19____, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF _____
On the _____ day of _____, 19____, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No. _____

that he is the _____ of _____

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereon by like order.

STATE OF NEW YORK, COUNTY OF _____
On the _____ day of _____, 19____, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____

that he knows _____

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Executor's Deed

TITLE NO. _____

MARIE MANNING, n/k/a MARIE SHARPE,
individually and as Executrix,
TO

MARIE SHARPE, surviving spouse by
the entirety.

STANDARD FORM OF
NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



GUARANTEED TITLE DIVISION

A Member of The Centennial Insurance Companies

Town of New Windsor

SECTION 55

BLOCK 1

LOT 53.23

COUNTY/SHEWANAK of Orange
STREET ADDRESS Bull Road,
Washingtonville, NY 10992

Recorded at Request of American Title Insurance Company

RETURN BY MAIL TO:

NANCY J. SCHNEIDER, ESQ.
505 ROUTE 208 - SUITE 24
MONROE, NEW YORK 10950

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

97-45

Date: 12/10/97.

I. Applicant Information:

- (a) 281 Bull Rd.
John + Marie Wahlborn, Washingtonville, N.Y. 10992 914-496-3053
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- Use Variance Sign Variance
 Area Variance Interpretation

III. Property Information:

- (a) R-1 281 Bull Rd., Washingtonville N.Y. 55-1-53. 22 4.1 acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 1978
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? yes
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No
- _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____

(b) ^{N/A} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application. ^{N/A}

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes ___ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. <u>50'</u>	<u>15'</u>	<u>35'</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only
** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

THE REQUEST WE ARE ASKED FOR WILL
WILL NOT HAVE A ADVERSE EFFECT BECAUSE OF
THE SMALL CHANGE EFFECTED, WE HAVE 4.1 ACERS.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (___) Denied (___)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

WAHLBON, ART

Mr. Art Wahlbon appeared before the board for this proposal.

MR. TORLEY: Request for 35 ft. rear yard variance for existing deck at 281 Bull Road in an R-1 zone. Tell us what you want to do.

MR. WAHLBON: Okay, we have a, what would you say a part of our house right from where the house starts to where the property line is, it's got us trapped by specifications of the, you have to excuse me, I need time to concentrate a little bit. Okay, so we don't have enough room, so now I'm under the impression that I have to solicit more room, get permission from the people in the neighborhood to accommodate this situation.

MR. KANE: You have an existing deck on your house?

MR. WAHLBON: Existing deck and when that deck was built 14 or 15 years ago, I didn't build it, this is an old house, somebody else added to it the decking and whatnot. Now that it's out of compliance, you know.

MR. KANE: And you need an additional 35 feet from the back end of the deck to the rear part of your property?

MR. KRIEGER: He has 4.7 acre lot, just happens the house sits way in the back corner.

MR. WAHLBON: We're right to the back.

MR. KANE: We can make this fairly easy. We need to do everything at the public hearing. So what we'd like for you to do is bring us a couple of pictures of the deck and the area behind your property, okay, and bring us a schematic of how your deck lays on your property. Okay?

MR. KRIEGER: If you would address yourself to the criteria set forth on this sheet here, those are the criteria by state law that the Zoning Board of Appeals must consider when they consider the decision, if you

take that with you and if you would bring your deed and title policy with you to the public hearing so I can look at them, I don't need copies and I don't need to keep them. I will give them right back to you.

MR. TORLEY: You're looking for an area variance. Nowhere as scary as the previous applicant.

MR. WAHLBON: No, I'm pretty well resolved of, I feel good about it, you know common sense prevails.

MR. TORLEY: Frequently.

MR. WAHLBON: Hopefully, anyhow.

MR. KANE: Just some pictures and a nice drawing of the property, the layout of your house on the property so that we can see that and if you bring two copies so each table can look at that.

MR. WAHLBON: Could I superimpose something on our paperwork that we have now and make--

MR. KRIEGER: Anything that makes it clear to them so they can make a clear decision.

MR. TORLEY: Please make sure your measurements are correct, you request a 35 foot rear yard variance and assume you're granted a 35 foot variance. It turns out you actually needed a 36 foot variance, you have to start all over again.

MR. KANE: Did Michael help you with these measurements, did the building inspector? This is what you need.

MR. WAHLBON: I have had a little help here or there and I was in construction for a long time. I'm good with measurements.

MR. TORLEY: We're taking your word and the measurements, please doublecheck because you don't want to do this twice.

MR. KANE: I move we set up Mr. Wahlbon for his, for a

November 10, 1997

18

public hearing on his requested variance at 281 Bull Road.

MS. OWEN: Second it.

ROLL CALL

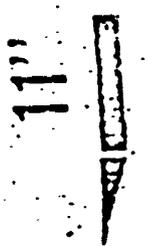
MS. OWEN	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

MR. TORLEY: You're all set. This will explain what you need to do, make sure you talk to your neighbors, they are going to get a letter.

MR. WAHLBON: How far?

MR. TORLEY: Five hundred feet from the border.

MR. WAHLBON: Okay, very good.



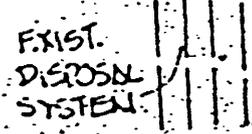
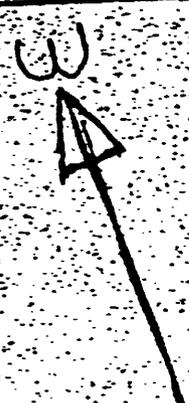
N 1/4 P. GEARH

4.7 ACRES 815.24

AREA = 3.774 AC.

3

TO BE RETAINED BY
OWNER
NO FURTHER SUBDIV
WITHOUT PLANNING B



50.51'

IRON PIPE

137.07

10' WIDE WATER EASEMENT
FOR LOT #3

120

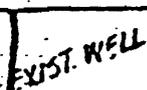
50.00

124.81

274.81

100.00

450
45A

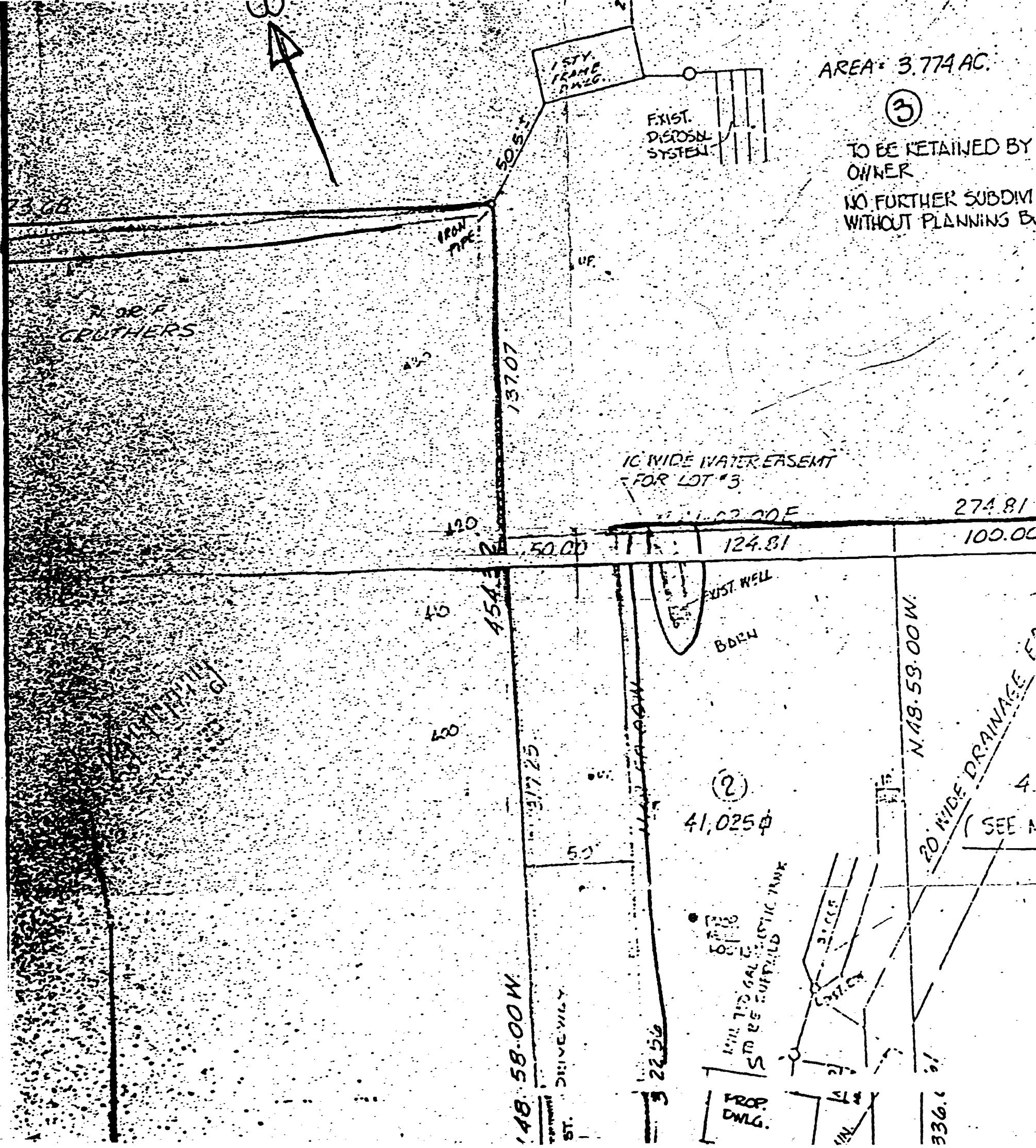


BORN

200 W.

73.68

N 1/4 P. GROTHERS



AREA = 3.774 AC.

③

TO BE RETAINED BY OWNER
NO FURTHER SUBDIVISION
WITHOUT PLANNING BOARD

73.68

7,000 F.
CROTHERS

1STY. FRAME DWLG.

EXIST. DISPOSN. SYSTEM

IRON PIPE

50.51

137.07

10 WIDE WATER EASEMENT
FOR LOT #3

274.81

120

111.02.00 F

50.00

124.81

100.00

454.3

EXIST. WELL

BORN

40

40

377.25

②

41,025.0

50

N 48.53.00 W.

20 WIDE DRAINAGE
(SEE A)

148.58.00 W.

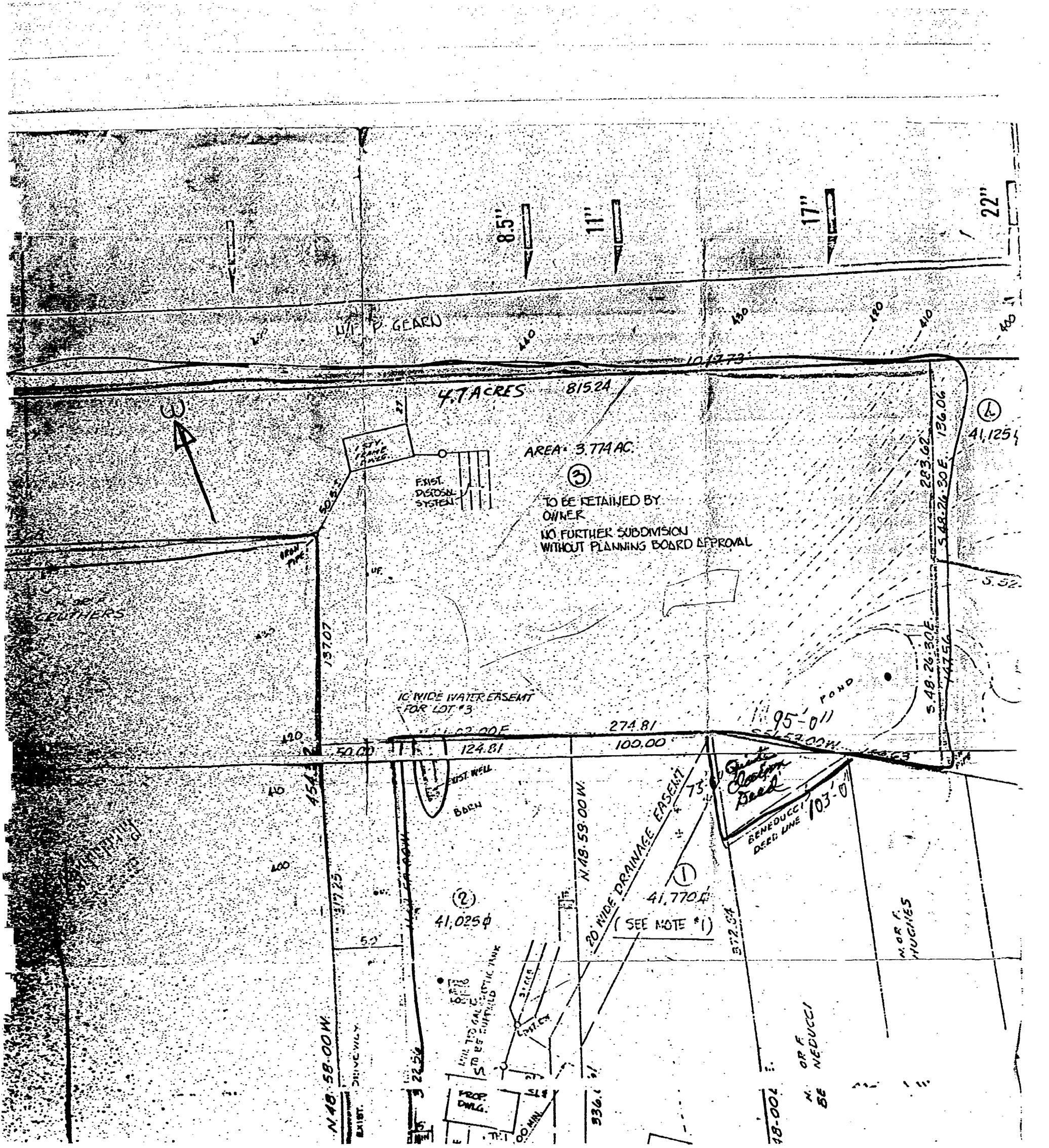
DRIVEWAY

22.56

PROP. DWLG.
S TO BE SUPPLIED FROM
WELL 710 GAL. CAPACITY TANK

PROP. DWLG.

336.6



W. P. GEARU

4.7 ACRES 815.2A

AREA 3.774 AC.

TO BE RETAINED BY OWNER
NO FURTHER SUBDIVISION
WITHOUT PLANNING BOARD APPROVAL

EXIST. DISCH. SYSTEM

10' WIDE WATER EASEMENT FOR LOT #3

95'-0" Pond

EXIST. WELL
BARN

N. 18.59.00W.

274.81
100.00

Beneducci
DEED LINE 103'-0"

41,025.0

41,770.0
(SEE NOTE #1)

336.6

OR F. NEDUCCI

N. 48.58.00W.
EXIST. DRIVEWAY

PROP. DWG.
COM. MIN.

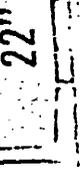
M. O. R. HUGHES

18-001

41,125.1

5.48-26.30E. 136.06
5.48-26.30E. 136.06
1475.6

W. P. CRUTHERS



50.25

137.07

50.00

154.32

160

16.3725

5.2

22.54

572.54

160.63

5.52

10.1773

136

180

410

400.1

140

124.81

73.00

160.63

(L)

(3)

(1)

(2)



RECEIVED JAN - 7 1997

Hill-N-Dale Abstractors, Inc.

20 SCOTCHTOWN AVENUE

GOSHEN, NEW YORK 10924

OFFICE: 914-294-5110 COUNTY BUILDING: 914-294-6913 NEWBURGH TIE LINE: 914-564-6150 FAX: 914-294-9581

AGENT FOR

FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

PAUL G. MILLER, President

ELMER T. BUDD, Vice President

JOHN E. BACH, Treasurer

JOHN M. WOOD, Secretary

1/02/97

Kenneth D. Johnson, Esq.
PO Box 272
Walden NY 12586

RE: HN 22553

Dear Ken:

Enclosed is title report HN 22553 and we draw your specific attention to Objections W, BB and CC therein.

Further, we direct your attention to the following matter:

Application requested insurance on Tax Lot 53.23 as well as 53.22.

Tax Lot 53.23 was included in deed Liber 1325 cp 270 to Leo Hughes but not included in deed Liber 1867 cp 970 Hughes to Platt. Platt then quitclaimed this parcel to Roecker (Liber 2018 cp 268) and Roecker quitclaimed it to Sharpe and Manning (Liber 2119 cp 96). Next, the premises were conveyed to Sharpe by Liber 3117 cp 5). An adverse chain of title was created in 1980 when the premises were sold, for 1979 unpaid taxes, to the County of Orange. This deed (Liber 2262 cp 83) sold the interest of Leo Hughes the (then) record owner. The County of Orange still holds title to this parcel.

We will consider issuing title insurance on Tax Lot 53.23 upon recording of a deed from the County of Orange to Marie R. Wahlbon f/k/a Marie Sharpe (assuming they are one and the same person). We are informed by the Office of the Orange County Commissioner of Finance that all inquires regarding this parcel must be addressed to John McCarey, Realtor.

Very truly yours,

ELMER T. BUDD

ETB/lmc

3000
Rec'd 10/26/54
L 1325 of 270

76.05
270

FORM 201X (Rev. 1-1-54) - 24 CENTS PER COPY
State of New York, Dep. of Taxation and Finance

TUTTLEMAN registered U.S. PAT. OFFICE
Tuttle Law Print Publishers, Buffalo, N.Y.

This Indenture,

Made the 13th day of October
Nineteen Hundred and Fifty-four

Between

State of New York
County of _____

SS.

Recorded on the _____ day
of _____ A. D., 19 _____ at
_____ o'clock _____ M. in the
of DEEDS at page _____
and examined.

Clerk

WILLIAM J. ORTHENS resident at Lagrangeville (no street
number) Dutchess County, New York, and CHARLES BOOS, office and
home office address 2 Cannon Street, Poughkeepsie, New York

parties of the first part, and

LEO HUBBS, and XXXXXXXXXXXX XX XXXXXXXX XXXXXXXX XXXX XXXXX
residing at 1504 W. 41st Street, Sunnyside, L. I., N. Y.

parties of the second part,
Witnesseth that the parties of the first part, in consideration of

ONE HUNDRED Dollars (\$100.00)
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

three acres in pieces or parcels of land situate in the Town of New
Milford, County of Orange, and State of New York, bounded and des-
cribed as follows:

Beginning at an old pipe set in the southwest corner line of Shaw
Road, said point being a corner of land of Seaman; and running
thence along said line S 51° 00' W 105.34 feet to another old pipe;
thence still along the line of said land and the range thereof
S 51° 40' E 383.22 feet to a point in the northwesterly line of Bull
Road; thence along the same S 55° 55' W 55.79 feet; S 55° 03' W
383.98 feet and S 42° 22' W 169.21 feet; thence leaving said road
and crossing 10 feet to the westerly from a corner of a Garage N 48° 55'
W 33.32 feet to a corner; thence N 41° 06' E 873.78 feet to the above
mentioned line of Shaw Road; thence along the same S 55° 03' E 60.86
feet and S 55° 40' E 296.93 feet to the point or place of beginning.
Containing 6.81 Acres

ALSO

beginning at the most westerly corner of the 8.81 acre parcel
to be conveyed by Deeds Nos. 2088, to Hughes, and running thence
along said parcel S 43° 08' E 100.00 feet; thence along other lands
of Cutler's and Bobb's N 21° 03' W 873.69 feet; N 48° 55' W 100.00 feet;
and N 41° 03' E 378.49 feet to the point or place of beginning.
Containing 0.80 acres.

EXCEPTING AND RESERVING the right of way of the Central Hudson
Gas & Electric Corp., of New York, telephone Co. pole line now crossing
the above described premises.

SUBJECT to the rights of way of any telephone or telegraph
company or electric light or power company or any other public
utility company as now established, or of record, if any there be.

SUBJECT to building and zoning ordinances, if any.

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

710.60020



TUTBLANK REGISTERED U.S. PAT. OFFICE
Tuttle Law Print Publishers Hartford

Form 187X N. Y. DEED—Covenant Against Grantor with Lien Covenant

REC 1867 PG 970

This Indenture,

State of New York }
County of } ss.

Made the 2nd day of March
Nineteen Hundred and Seventy-One

Recorded on the _____ day
of _____ A. D., 19 _____ at
_____ o'clock _____ M. in liber
of DEEDS at page _____
and examined.

Between LEO HUGHES residing at
no number Bull Road, Washingtonville,
New York,

Clerk

Act 3-2-71
Rec 3-4-71

party of the first part, and
CALVIN A. PLATT and FRANCES M. PLATT, his wife, residing at 99
Union Road, Spring Valley, New York,

parties of the second part,
Witnesseth that the party | *of the first part, in consideration of*

ONE and 00/100-----Dollar (\$1.00)
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 PLOT, PIECE OR PARCEL OF LAND, with the buildings and
improvements thereon erected; situate, lying and being in the Town
of New Windsor, County of Orange and State of New York, bounded and
described as follows:

BEGINNING at an iron pipe in the northwesterly line of Bull
Road at a point South 55 degrees 52 minutes West 35.79 feet and
South 56 degrees 08 minutes West 234.21 feet from the lands of
Hermar Cook and runs thence along said road South 56 degrees 08
minutes West 154.77 feet and South 48 degrees 44 minutes West 169.21
feet; thence leaving said road and passing 10 feet northeasterly
from a corner of a garage North 46 degrees 58 minutes West 554.32
feet to a corner; thence North 41 degrees 06 minutes East 673.75
feet to the line of Shaw Road; thence along the same South 58 degrees
06 minutes East 50.86 feet and South 53 degrees 49 minutes East 146.93
feet to lands of Josef Zorn and wife; thence along their line South
51 degrees 52 minutes 50 seconds West 266.10 feet and South 49 degrees
02 minutes 50 seconds East 147.56 feet to a stake; thence through
the lands of Leo P. Hughes South 54 degrees 00 minutes 00 seconds
West 166.63 feet to an iron pipe and South 53 degrees 48 minutes 00
seconds East 372.84 feet to the place of beginning.

ALSO all that certain piece or parcel of land situate in the
Town of New Windsor, County of Orange and State of New York, bounded
and described as follows:

BEGINNING at the most westerly corner of the 8.81 acre parcel
to be conveyed by Cruthers and Boos to Hughes and running thence
along said parcel South 46 degrees 58 minutes East 100.00 feet;
thence along other lands of Cruthers and Boos South 41 degrees 06
minutes West 373.68 feet; North 46 degrees 58 minutes West 100.00
feet; and North 41 degrees 06 minutes East 373.68 feet to the point
or place of beginning. Containing 0.86 acres.

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

LIBER 2018 PG 203

THIS INDENTURE, made the 23rd day of September, 1975

BETWEEN CALVIN A. PLATT and FRANCES M. PLATT, his wife,
residing at Bull Road, New Windsor, New York 12550

parties of the first part, and

KARL ROECKER and EUPHEMIA ROECKER, his wife,
residing at Orange Gate Apartments, Apt. 54C,
Middletown, New York 10940

parties of the second part,

WITNESSETH, that the parties of the first part, in consideration of One (\$1.00)-----

-----Dollars,

lawful money of the United States,

paid by the parties of the second part does hereby remise, release and quitclaim unto the parties of the second part,

their heirs and assigns forever,

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

Lying generally to the East of the Eastern boundary of lands owned by the parties of the first part and between said Eastern boundary of the parties of the first part and the western most border of lands now or formerly of Beneducci and being described on the Tax Rolls of the Town of New Windsor, County of Orange as Roll Section 1, 55-1-53.23.

L 2018 of 268
New 9/24/75

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

~~LIBER 2119 PAGE 96~~

THIS INDENTURE, made the 18th day of December, nineteen hundred and seventy-eight, BETWEEN KARL ROECKER and EUPHEMIA E. ROECKER, husband and wife, residing at (no number) Bull Road, New Windsor, New York,

party of the first part, and JOHN SHARPE, residing at 523 Forty-Third Street, Union, New Jersey; and MARIE MANNING, residing at 24 Patricia Lane, Washingtonville, New York, as joint tenants with rights of survivorsh:

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars paid by the party of the second part, does hereby remise, release and quitclaim 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 New Windsor, County of Orange, State of New York, and being more particularly bounded and described as follows:

LYING generally to the east of the eastern boundary of lands owned by the parties of the first part and between said eastern boundary of the parties of the first part and the western most border of lands now or formerly of Beneducci and being described on the Tax Rolls of the Town of New Windsor, County of Orange as Roll Section No. 1, 55-1-53.23.

BEING the same premises conveyed by Calvin A. Platt and Frances M. Platt, his wife, to the sellers herein by deed dated September 23, 1975 and recorded September 24, 1975 in the Orange County Clerk's Office in Liber 2018 of Deeds at Page 268.

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 all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

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

IN PRESENCE OF:

55 Ach 12-18-78

Rec 12-20-78



KARL ROECKER



EUPHEMIA E. ROECKER

TOWN OF NEW WINDSOR
COUNTY OF ORANGE
SEC. 55 BLK. 1 LOT 53.23 (Bull Rd., Washingtonville, N.Y.)

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

THIS INDENTURE, made the 29th day of March, nineteen hundred and eighty-nine
BETWEEN MARIE MANNING, n/k/a MARIE SHARPE, individually and as
Executrix, residing at Bull Road, Washingtonville, New
York 10992

as executor of the last will and testament of
JOHN SHARPE, JR.
Town of New Windsor
who died on the 25th day of December, nineteen hundred and eighty-six
party of the first part, and

MARIE SHARPE, surviving spouse by the entirety,
residing at Bull Road, Washingtonville, New York 10992

party of the second part,
WITNESSETH, that the party of the first part, to whom letters
testamentary were issued by the Surrogate's Court, Orange County, New York
on April 4th, 1988 and by virtue of the power and authority given in and by said last will
and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of

no consideration dollars,
paid by the party of the second part, does hereby grant and
release unto the party of the second part, the distributees 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 New Windsor, County of Orange, State of New York,
and being more particularly bounded and described as follows:

LYING generally to the east of the eastern boundary of lands owned by
the Karl Roecker and Euphemia E. Roecker and and between said eastern
boundary of Karl Roecker and Euphemia E. Roecker and the western most
border of lands now or formerly of Beneducci and being described on the
Tax Rolls of the Town of New Windsor, County of Orange as Roll Section
No. 1, 55-1-53.23.

BEING the same premises conveyed by Calvin A. Platt and Frances M. Platt,
his wife, to Karl Roecker and Euphemia E. Roecker, husband and wife, by
deed dated September 23, 1975 and recorded September 24, 1975 in the
Orange County Clerk's Office in Liber 2018 of Deeds at Page 268.

BEING the same premises conveyed by Karl Roecker and Euphemia E. Roecker,
husband and wife, to John Sharpe and Marie Manning, by deed dated
December 18th, 1978 and recorded in the Orange County Clerk's Office
in Liber 2119 of Deeds at page 96.

This premises being conveyed by Marie Manning, n/k/a Marie Sharpe,
individually and as Executrix to Marie Sharpe, surviving spouse by the
entirety, in accordance with the Last Will and Testament of John
Joseph Sharpe, Jr., paragraph 4 and 5 which was dated September 25, 1984,
and proceeding was held in Surrogate's Court of Orange County.

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 individ-
ually, 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 distributees 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 incumbered in any way whatever, except as aforesaid.
Subject to the trust fund provisions of section thirteen of the Lien Law.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:
X Marie Sharpe
MARIE SHARPE

LIBER 3117 PAGE 85

Rec 4-13-89

Call Herd

This Indenture, made this seventh day of September, in the year one thousand nine hundred and eighty-three

Between John S. Keller as Commissioner of Finance of the County of Orange, State of New York, the office of which Commissioner of Finance is located at No. 255-275 Main Street, Goshen, New York, party of the first part, and County of Orange residing at 255-275 Main Street Goshen, New York 10924 party of the second part.

Witnesseth that whereas, by and under the provisions of the Tax Law of the State of New York, the Commissioner of Finance of the County of Orange is authorized and required to advertise and sell real estate upon which the taxes, with interest at the rate of ten per cent per annum from the first day of February after the same are levied, shall remain unpaid for one year from that date, and

Whereas, default was so made in the payment of such taxes on sundry parcels of land within Orange County, and the said Commissioner of Finance of the said County of Orange did cause a list of said lands charged with such taxes, with the notice required by Section 1014 of the Real Property Tax Law, to be published as required by said section, and

Whereas, pursuant to said notice and law, the Commissioner of Finance of Orange County, for the time being did, on the eighteenth day of March, in the year one thousand nine hundred and eighty, sell at public auction so much of said parcels of land as was sufficient to pay the taxes, interest and charges thereon, and

Whereas, the said party of the second part became entitled, by purchase at said tax sale for -1979- taxes, to the title of the hereinafter described premises, and

Whereas, the said piece or parcel of land has not been redeemed within the time prescribed by law for the redemption thereof; and due notice of redemption having been duly published as required by law;

Now, Therefore, in consideration of the premises, and the sum of Twenty-one and 81/100 dollars paid into the Treasury of this County by the said party of the second part, the receipt whereof is hereby acknowledged, the said party of the first part hath granted, released and conveyed and doth hereby grant, release and convey to the said party of the second part, its heirs and assigns forever, all that lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, and State of New York, described as follows, viz:

Hughes, Leo

Parcel 1795-1980 Tax Sale

Section 55 Block 1 Lot 53.23 on County Tax Map

Liber 2262 p 83

For Certificate