

BOARD OF ZONING APPEALS APPLICATION

MEETING DATE: \_\_\_\_\_

PAPERWORK DUE DATE: \_\_\_\_\_

PROPERTY OWNER'S NAME: Edward Hargroves PHONE # 845-424-4810

MAILING ADDRESS: 44 Clubhouse Road, Tuxedo Park, NY 10987 FAX # \_\_\_\_\_ E-MAIL: \_\_\_\_\_

TAX MAP NUMBER: SECTION 107 BLOCK 1 LOT 23

PROPERTY LOCATION (STREET): 44 Clubhouse Road, Tuxedo Park, NY 10987

APPLICANT IS: OWNER ( ) REPRESENTATIVE (X) Title: Architect

OWNER'S NAME James Copeland / Hudson Design PHONE # 845-424-4810  
REPRESENTATIVE: ADDRESS 1949 Route 9, Garrison, NY 10524 FAX # \_\_\_\_\_

The original and nine (9) copies of this application must be filed with the Village Clerk a minimum of 30 days before the meeting date. See "Attachment A" for procedures. It shall be accompanied by an application fee of \$300.00, a public hearing fee of \$300.00 and Escrow of \$1,000.00. Make your check for \$1,600.00 payable to the Village of Tuxedo Park. This application will not be accepted unless accompanied by collated packets consisting of:

- A. Ten (10) copies of the building permit application and 10 copies of the signed and sealed survey or site plan which must include abutting property owners, streets, setbacks, buildings with dimensions, and the completed and signed Site Plan Table (Attachment B) imprinted on the plan. (All plans must be folded).
- B. Ten (10) copies of the Building Inspector's permit denial letter stating the variances required.
- C. Ten (10) copies of the completed EAF form and any other details or exhibits applicable to the situation.
- D. Ten (10) copies of a statement of hardship and/or practical difficulty involved.
- E. Ten (10) copies of the list of names, addresses, and tax map numbers of all property owners, including husband and wife as the case may be, whose property boundary is within 300 feet from the exterior boundaries of the property set forth above, and as the names of said owners appear on the last completed assessment roll of the Village of Tuxedo Park.
- F. Ten (10) copies of the deed to the subject property.

1. The undersigned hereby appeals to the Board of Zoning Appeals of the Village of Tuxedo Park from:

- a.  An order, requirement, decision, or determination made by the Building Inspector  
Dated 3/5/24
- b. Section(s) of the Village Code being appealed: 100-11, 100-8  
Variances requested (state types): 6% Lot coverage, 41.7' side yard for hot tub
- c. ( ) Other \_\_\_\_\_ Dated \_\_\_\_\_

2. Has application been made for a Building Permit or a Certificate of Occupancy  
( ) Yes (X) No (If yes, attach a copy showing denial)

3. State whether applicant has made an application for a previous variance of any kind affecting the subject premises. ( ) Yes (X) No

4. Has this Board rendered a decision upon a request for the same or similar relief sought herein for this property? ( ) Yes (X) No

5. At least 10 days prior to the public hearing of the BZA, the applicant must send a copy of the BZA public hearing notice to all property owners listed under 'E' of this application by certified, return receipt mail. The white mailing receipts and the returned green receipts must be brought to the meeting.

6. All expenses incurred for legal and engineering fees in review of the application will be reimbursed to the Village by the applicant.

Date 03/05/24 Property Owner Signature [Signature]

Applicant Signature [Signature]

BUILDING DEPARTMENT - APPLICATION/PERMIT  
VILLAGE OF TUXEDO PARK-LORILARD ROAD-TUXEDO PARK, N.Y. 10987 845-351-4745

PROPERTY LOCATION - SECTION 107 BLOCK 1 LOT 23

OWNER: Edward Hargroves PROPERTY STREET ADDRESS 44 Clubhouse Road

MAILING ADDRESS 44 Clubhouse Road TELEPHONE 845-424-4810

NATURE OF CONSTRUCTION NEW ALTERATION  ADDITION RECONSTRUCTION  
ACCESSARY USE OTHER-DESCRIBE

IF STRUCTURE BRIEF DESCRIPTION Addition to home where poor condition porch was located

ESTIMATED COST OF CONSTRUCTION \$ 400,000

THE OWNER/AGENT James Copeland - Hudson Design CERTIFIES THAT HE IS THE OWNER OR AGENT OF ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND AND OR BUILDING DESCRIBED IN THE 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 AND AGREES THAT THE VILLAGE OF TUXEDO PARK ZONING ORDINANCE AND STATE OF NEW YORK BUILDING CODES WILL BE COMPLIED WITH AS WELL AS ANY OTHER REGULATIONS RELATING TO THE CONSTRUCTION OR USE OF THE PROPOSED BUILDING AND LAND HERE IN DESCRIBED.

NOTARY: [Signature] \*\*\* SIGNED [Signature]

N.Y.S. REGISTERED ARCHITECT OR LICENSED ENGINEER NAME James Copeland - Hudson Design

ADDRESS 1949 Route 9, Garrison, NY 10524 TELEPHONE 845-424-4810

BUILDING OR CONTRACTOR WILLOW TREE BUILDERS, INC

ADDRESS 220 WILLOW TREE RD. MONSEY, NY 10952 TELEPHONE 914-391-7414

BUILDERS INSURANCE INFORMATION: WORKMENS COMPENSATION # W2604 604-5

LIABILITY # 5061-0654-00

AGENT OR COMPANY ANTHONY CIRINO

ADDRESS 426 N MAIN ST SOUTHINGTON, CT 06489 TELEPHONE 860-329-0103

VILLAGE CLERK: DATE RECEIVED \_\_\_\_\_ FEE PAID \_\_\_\_\_

BUILDING INSPECTOR: PRELIMINARY INSPECTION- APPROVED DISAPPROVED

DATE \_\_\_\_\_ COMMENTS \_\_\_\_\_

BOARD OF ARCHITECTURAL REVIEW: APPROVED DISAPPROVED - DATE \_\_\_\_\_

SIGNATURES \_\_\_\_\_

AHRB. COMMENTS \_\_\_\_\_

BOARD OF TRUSTEES: APPROVED DISAPPROVED -- DATE \_\_\_\_\_

SIGNATURES \_\_\_\_\_

TRUSTEES COMMENTS: \_\_\_\_\_

I HAVE EXAMINED THIS APPLICATION AND THE PLANS (BUILDING AND PLOT) THAT ARE A PART OF THIS APPLICATION AND FIND THAT THEY ARE IN COMPLIANCE WITH THE VILLAGE OF TUXEDO PARK ZONING ORDINANCE AND HEREBY ISSUE THIS BUILDING PERMIT.

PERMIT # \_\_\_\_\_ DATE OF ISSUE \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

SIGNED-BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER  
\_\_\_\_\_

ROBERT ANTENUCCI  
NOTARY PUBLIC STATE OF NEW YORK  
DUTCHESS COUNTY  
LIC. #01AN6355365  
COMM. EXP. 03/06/2005

INCORPORATED 1952  
(845) 351-4745 (Voice)  
(845) 351-2668 (Fax)  
Website: tuxedopark-ny.gov

VILLAGE BOARD MEETING  
THIRD WEDNESDAY OF EACH MONTH

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

March 5, 2024

Mr. Edward Hargroves  
44 Clubhouse Rd.  
Tuxedo Park, NY 10987

Re: Site plan review  
Parcel 107-1-23

Dear Mr. Hargroves,

At the March 4, 2024 meeting of the Board of Architectural Review the site plan prepared by Hudson Design dated February 20, 2024 was reviewed. During the review the following nonconformance with the Village of Tuxedo Park Zoning Zode was identified:

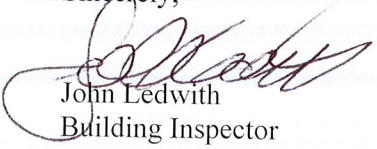
1. Village Code §100-8 Side Yard Setback, where the allowable side yard setback is 50' and you are proposing a hot tub 8.3' from the property line. A variance of 41.7' or 83.4% is required.
2. Village Code §100-11 Lot Coverage, where the existing lot coverage is 26%, the proposed lot coverage is 31%, and the maximum allowable lot coverage is 25%. A variance of 6% is required. If you apply for a variance please show the lot coverage components and the mathematical calculations that support the existing and proposed lot coverage amounts.

This letter serves as a denial letter to allow you to seek variances from the Board of Zoning Appeals if you choose.

To proceed with your project, you may alter your plans to comply with the Village Zoning Code or you may submit an application to the Board of Zoning Appeals to seek variances for those items that are not in conformity with the Village Zoning Code.

If you have any questions please contact me at 351-4745 ext. 2 or via email at [jjledwith@tuxedopark-ny.gov](mailto:jjledwith@tuxedopark-ny.gov).

Sincerely,

  
John Ledwith  
Building Inspector

07 March 2024

Board of Zoning Appeals  
Village of Tuxedo Park

**RE: Request for Variance to Construct an Addition and Exterior improvements.**  
A-4 Zoning District  
44 Clubhouse Road  
Tuxedo Park, NY 10987

Dear Members of the Board,

In response to the request for lot coverage calculations please review the following:

<u>Existing – 26%</u>			<u>Proposed – 31%</u>	
Driveway	4,170 sf	+ 480 sf	Driveway	4,650 sf
House	3,300 sf	+ 110 sf	House	3,410 sf
Garage	360 sf		Garage	360 sf
Hardscape	685 sf	+ 955 sf	Hardscape	1,640 sf

Best regards,

James M Copeland, President

**Board of Zoning Appeals**

**VARIANCE CATEGORY INDEX (VCI)**

Applicants must check off all variance categories that are relevant to their case:

- 1. **Area Variances:**
  - \*Lot Size \_\_\_\_\_
  - \*Front yard \_\_\_\_\_
  - \*Side yard \_\_\_\_\_
  - \*Rear yard \_\_\_\_\_
  - \*Building height \_\_\_\_\_
  - \*Fence height/location \_\_\_\_\_
  - \*Driveway size/location/grade \_\_\_\_\_
  - \*Improved sight line distance \_\_\_\_\_
  - \*Improved road frontage \_\_\_\_\_
  - \*Ridge Line \_\_\_\_\_
  - \*Precipice \_\_\_\_\_
  - \*Other (please identify) Lot Coverage
  
- 2. **Use Variances:**
  - \*Commercial use  
(other than home occupation) \_\_\_\_\_
  - \*Multiple dwelling use \_\_\_\_\_
  - \*Accessory Use \_\_\_\_\_
  - \*School/Religious institution  
(abutting a lake) \_\_\_\_\_
  - \*Other (please identify) \_\_\_\_\_
  
- 3. **NY State Section 7-736 of the NY Village Law**
  - \*Improved Road Frontage \_\_\_\_\_
  
- 4. **Special Exception Use Permits:**
  - \*School \_\_\_\_\_
  - \*Church/Religious Institutions \_\_\_\_\_
  - \*Home Occupation \_\_\_\_\_
  - \*Other (please specify) \_\_\_\_\_
  
- 5. **Appeal from Decision of the BAR** \_\_\_\_\_

Attachment B  
Village of Tuxedo Park

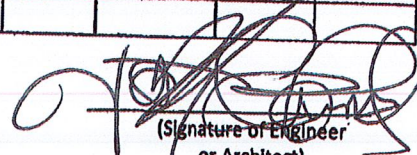
SITE PLAN TABLE - MINIMUM DATA REQUIREMENTS

Zoning District:	A4	Check one ✓
	G-O	
	RLP-O	

Village Code Category	Village Code Section	Allowance Under Current Zoning Code	Existing Condition	Proposed Condition	Existing Non-Conforming	Variance Requested	
						Feet	Percent
Lot Area	100-8	3/4	.741	.741	Yes		
Road Frontage	100-8	150'	300'	300'			
Front Yard Setback	100-8	75'	46'	46'	Yes		
Rear Yard Setback	100-8	50'	109'	106'			
Side Yard Setback	100-8	50'	6.2'	6.2' / 8.3'	Yes	41.7'	83.4%
Footprint Ground Floor Total	100-8	1,000 sf	3,076	3,186			
Decks/Porches	100-9	796.5 sf <small>25% of ground floor</small>	645 sf	90 sf			
Lot Coverage	100-11	max 25% of lot	26%	31%	Yes		6%
Driveway Sight Distance	100-18B	min 250'		NO CHANGE			
Driveway Grades	100-21	max 10%		NO CHANGE			
Driveway; Adjacent Property Lines	100-21	min 10'		NO CHANGE			
Slope	100-12	<small>no construction 75% of lot with 20% slope</small>		NO CHANGE			
Ridge Line	100-13	n/a					
Distance to Lake	100-8	n/a					
Lake Frontage	100-8	n/a					
Accessory Use Building/Shed	100-48C 7C	5'	6.2'	6.2'			
Fences Road	100-18	5' to roadway	n/a	7.6'			
Fences Property Line	100-18	2' to property	n/a	8.6'			
Driveway Width	100-21	14' max 8' min		NO CHANGE			
Building Height	100-10	3 1/2 stories or 70 feet	3 stories 37'	NO CHANGE			
Parking	100-8C	min 5' from property line	5.5'	5'			
Other							

Proposed hot tub located with in setback

James Copeland  
(Applicant)  
107-1-23  
(Section/Block/Lot)

  
(Signature of Engineer or Architect)  
Hudson Design  
(Firm)  
3.5.24  
(Date)

Note: Table must be prepared, dated and signed by Applicant's Architect or Engineer and Affixed to the site plan

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

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

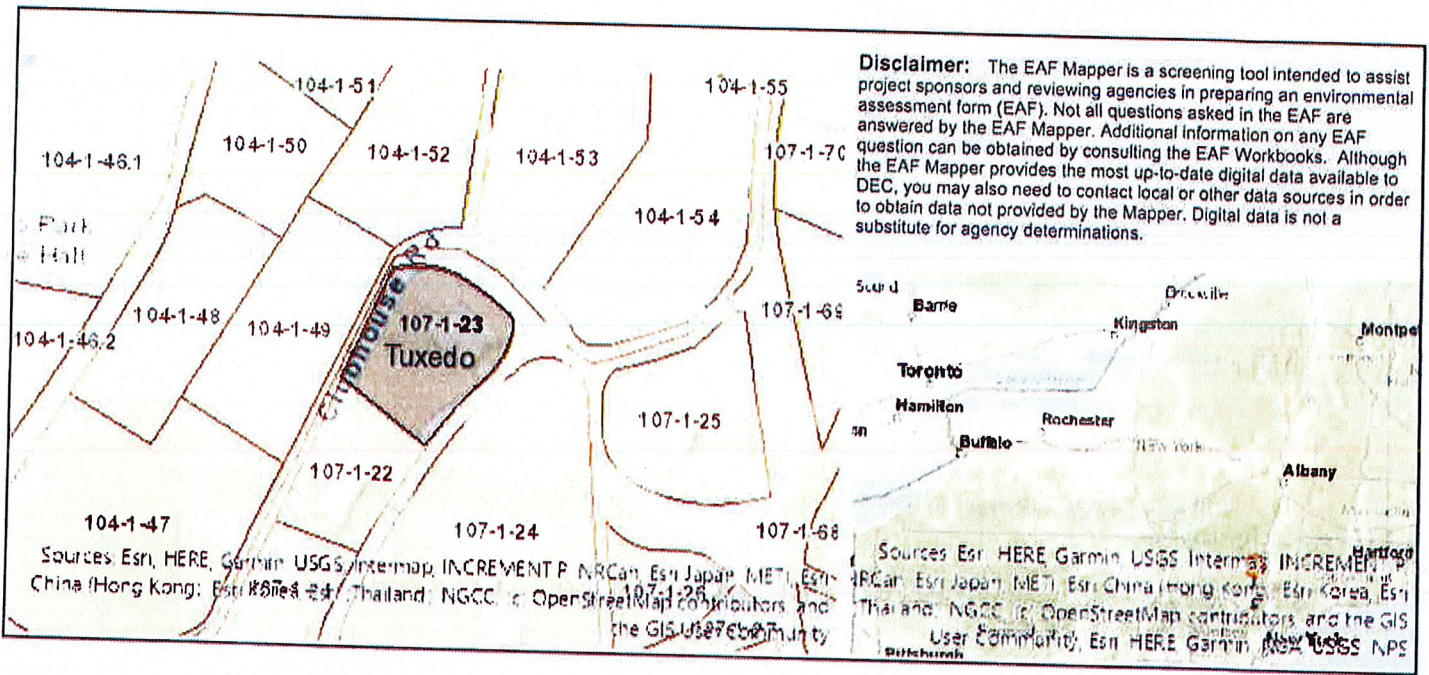
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
James Copeland / Hudson Design			
Name of Action or Project: New construction / Alterations for single family home.			
Project Location (describe, and attach a location map): 44 Clubhouse Road, Tuxedo Park, NY 10987			
Brief Description of Proposed Action: An addition and alterations to an existing single family home. New work located where an existing covered porch is in poor condition.			
Name of Applicant or Sponsor: James Copeland / Hudson Design		Telephone: 845-424-4810	
		E-Mail: kzeko@hudsondesign.pro jcopeland@hudsondesign.pro	
Address: 1949 Route 9			
City/PO: Garrison		State: NY	Zip Code: 10524
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: BAR, BZA and building permit approval from Village of Tuxedo Park		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .741 acres			
b. Total acreage to be physically disturbed? _____ .034 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .741 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
Northern Long-eared Bat, Tl...	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
New gutters and downspouts will be installed to direct new water to daylight or existing runoff and storm drains in the same (but improved) manner as the existing roof gutters.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>James M. Capeland</u> Date: <u>3.5.24</u> Signature: <u>[Signature]</u> Title: <u>Architect</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
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 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Timber Rattlesnake
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

HUDSON DESIGN

05 March 2024

Board of Zoning Appeals  
Village of Tuxedo Park

**RE: Request for Variance to Construct an Addition and Exterior improvements.**  
A-4 Zoning District  
44 Clubhouse Road  
Tuxedo Park, NY 10987

Dear Members of the Board,

On behalf of Edward and Ashleigh Hargroves, property owners of 44 Clubhouse Road, thank you for your time and consideration. The following document includes a statement of hardship in favor of granting a variance for the proposed application. We are requesting a lot coverage and side yard setback variance to allow the addition of interior living space, an outdoor patio area, a hot tub and two new parking spaces to the property.

Our application is requesting an additional 6% of lot coverage and 41.7 ft for the side yard setback for a proposed hot tub and patio. Our client's lot is unusually small when compared to other residential lots in this neighborhood. Both the lot coverage and side yard setbacks are preexisting non-conforming. This small lot size makes improvements to the property all the more difficult. To mitigate these conditions, we have set our proposed hot tub farther onto the property than the preexisting garage.

We believe this variance should be granted because the benefit of improving the value and functionality of this property will positively affect the neighborhood and should outweigh the importance of a strict adherence to the ordinances for this particular zoning lot.

Factors to be Considered by the Board:

- 1. Will an undesirable change be produced in the neighborhood's character, or a detriment to nearby properties be created by the granting of an area variance?*

The proposed addition and exterior improvements would be built with materials and details that conform with the dominant Architectural style of the home. We believe that the variance will not produce an undesirable change in the character of the neighborhood but improve upon the appearance of the neighborhood.

HUDSON DESIGN Architecture D.P.C.

1949 Route Nine Garrison, New York 10524-9725  
(ph) 845 . 424 . 4810 (fx) 845 . 424 . 4815 (w) www.hudsondesign.pro

2. *Can benefit sought by the Applicant be achieved by some method feasible for the applicant to pursue, other than an area variance?*

Any improvements to this property would be affected by preexisting non-conforming lot coverage, lot area, side and front setback issues. Per Village of Tuxedo Park Zoning Attachment 1 – Minimum Area and Bulk Regulations: Existing lots under 1 Acre are considered unbuildable unless approved by the Board of Zoning Appeals.

3. *Is the requested area variance substantial?*

This property is uniquely small for the neighborhood but, that should not restrict, with variance, improvements to the property. We have set back the proposed improvements more than the existing structures on the property and used careful consideration for our placement of lot coverage.

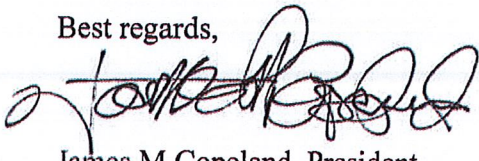
4. *Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?*

The proposed variance would have a favorable effect on the physical and environmental conditions in the neighborhood. The proposed site improvements fix the current issues on the property.

5. *Is the alleged difficulty self-created?*

The size, features and man-made elements of parcel #44 were all present at the time the Hargroves family purchased the property.

Best regards,



James M Copeland, President



ORANGE COUNTY – STATE OF NEW YORK  
 ANN G. RABBITT, COUNTY CLERK  
 255 MAIN STREET  
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE  
 \*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 14027 / 1774  
 INSTRUMENT #: 20160019029

Receipt#: 2099251  
 Clerk: DB  
 Rec Date: 03/22/2016 03:49:51 PM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 4  
 Rec'd Frm: HUDSON UNITED TITLE SERVICES  
 LLC

Party1: BRINDELL ROBERT J III  
 Party2: HARGROVES EDWARD  
 Town: TUXEDO-TUXEDO PARK  
 107-1-23

Recording:  
 Recording Fee 40.00  
 Cultural Ed 14.25  
 Records Management - Coun 1.00  
 Records Management - Stat 4.75  
 TP584 5.00  
 RP5217 Residential/Agricu 116.00  
 RP5217 - County 9.00

Sub Total: 190.00

Transfer Tax  
 Transfer Tax - State 3540.00

Sub Total: 3540.00

Total: 3730.00  
 \*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 6348  
 Transfer Tax  
 Consideration: 885000.00

Transfer Tax - State 3540.00

Total: 3540.00

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

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

*Ann G. Rabbitt*

Ann G. Rabbitt  
 Orange County Clerk

Record and Return To:

HUDSON UNITED TITLE SERVICES LLC  
 95 SOUTH MIDDLETOWN ROAD  
 NANUET, NY 10954



POND NO. 3

4.4  
12.6A(C)

104

Village of Tuxedo Park

3.2  
12.6A(C)

107

46.32  
2.1A(C) WEE WAH

46.1  
2.2A(C)

46.2  
1.6A

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Parcel	Sir	First	Street	City	State	Zip
107-1-31	James	Robinson	1170 5th Ave., Apt. 4 B	New York	NY	10029
107-1-4	Michael	O'Neal	P.O. Box 823	Tuxedo Park	NY	10987
107-1-5	Sherry	Bishko	212 Continental Rd.	Tuxedo Park	NY	10987
107-1-28	Rana	Williams	106 Central Park South, Apt 10	New York	NY	10019
107-1-24	Donald	Hanson	4 Tower Hill Rd.	Tuxedo Park	NY	10987
107-1-25	John	Moon	179 Continental Rd.	Tuxedo Park	NY	10987
107-1-26	Edward	Cromey	P.O. Box 873	Tuxedo Park	NY	10987
107-1-29	Alice Baird	Paul Privett	56 Clubhouse Rd.	Tuxedo Park	NY	10987
107-1-65.2	James Carter	Beatrice Kim	55 Clubhouse Rd.	Tuxedo Park	NY	10987
107-1-66	Richard	Donnelly	51 Clubhouse Rd.	Tuxedo Park	NY	10987
107-1-68	John	Straton	2 Ledge Lane	Tuxedo Park	NY	10987
104-1-47		Tuxedo Club	1 West Lake Rd.	Tuxedo Park	NY	10987
104-1-48	Juan	Enrique Corredor	260 Park Ave. South, Apt. 8B	New York	NY	10010
104-1-50	Mila	Harris	71 Lorillard Rd.	Tuxedo Park	NY	10987
104-1-49	Archibald	Gwathmey	P.O. Box 498	Tuxedo Park	NY	10987
104-1-52		Clos Luce, LLC	53 Tower Hill Rd.	Tuxedo Park	NY	10987
104-1-53	Jeffrey	Greenbaum & Prescott Ulrey	6 Clubhouse Rd. Ext.	Tuxedo Park	NY	10987
104-1-54	Guy	Devereux	17 Mosens Way	Newtown Square	PA	19073
107-1-21	Seth	Pulver	14 Castletown Drive	Highland Mills	NY	10930
107-1-22	Thomas	Bermingham	P.O. Box 388	Tuxedo Park	NY	10987
107-1-69&70	Richard	Bartlett	15 W 81st. St., Apt. 10C	New York	NY	10024
104-1-51	Jeffrey & Chandra	Metzler	15 Clubhouse Rd. Ext.	Tuxedo Park	NY	10987
104-1-56	Christopher & Jennifer	Kasker	14 Clubhouse Rd. Ext.	Tuxedo Park	NY	10987
107-1-20	Wilkie & evangini	Paes	7 Ford Ct.	Monroe	NY	10950

NAS-81482

Bargain and Sale Deed, with Covenant against Grantor's Acts - Individual or Corporation  
**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.**

**THIS INDENTURE**, made the 20<sup>th</sup> day of November, two thousand-fifteen

**BETWEEN ROBERT J. BRINDELL, III and LYNN BRINDELL** formerly known as LYNN LAZAROFF, as joint tenants with right of survivorship, both residing at 9 Ascot Manor, Atlanta, GA 30327, party of the first part, and

**EDWARD HARGROVES**, residing at 325 E. 79<sup>th</sup> Street #6C, New York, NY 10075, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of **TEN AND NO/100 (\$10.00) DOLLARS** lawful money of the United States, 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 situate, lying and being in the deed dated March 16, 2000 and recorded March 23, 2000 in the Orange County Clerk's Office in Liber 5264 of Deeds at Page 277.

**BEING AND INTENDED TO BE** the same premises conveyed to the party of the first part by deed dated

**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.

Sec.: 107  
Blk.: 1  
Lot: 23

*Robert J. Brindell, III*  
*By Charles A. Toal, his agent*  
**ROBERT J. BRINDELL, III, by Charles A. Toal, his agent**

*Lynn Brindell*  
*By Charles A. Toal, her agent*  
**LYNN BRINDELL, by Charles A. Toal, her agent**

*Power of Attornies Recorded  
simultaneously with deed*



*Title Resources Guaranty Company*

Title Number: **HAS-21482**

Page **1**

**SCHEDULE A DESCRIPTION**

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

BEGINNING at a point in the southeasterly bounds of Clubhouse Road said point also being located at the most northerly corner of lands of Morrissey Clubhouse Road the following four courses and distances:

1. N 35° 49' 41" E 105.0 feet to a point; thence
2. On a curve to the right having a radius of 86.60 feet for an arc length of 59.10 feet to a point; thence
3. On a curve to the right having a radius of 103.60 feet for an arc length of 109.00 feet to a point; thence
4. On a curve to the right having a radius of 181.30 feet for an arc length of 60.30 feet to a point; thence turning and running on a curve to the right having a radius of 33.0 feet for an arc length of 36.70 feet to a point; thence turning and running along the northwesterly bounds of Continental Road on a curve to the left having a radius of 302.50 feet for an arc length of 85.30 feet to a point; thence turning and running S 51-28-23 W 103.72 feet to a point; thence turning and running along lands now or formerly of Morrissey N 40-42-19 W 132.20 feet to the point or place of BEGINNING.

**FOR INFORMATION ONLY:**

Being and intended to be the same premises conveyed to the grantor by deed dated March 16, 2000 recorded March 23, 2000 in Liber 5264 Page 277 in the Orange County Clerk's Office.