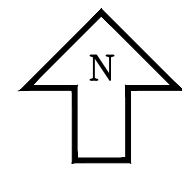


**AREA MAP**  
SCALE: 1" = 100'



**OWNERS CERTIFICATION**

THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

SIGMA-TREMBLAY LLC. DATE

**SITE DATA:**

OWNER: TOJE DELAVERGNE LLC.  
 ADDRESS: DELAVERGNE AVE WAPPINGERS FALLS NY, 12590  
 TAX ID No.: 134601-6158-09-246621  
 AREA: 14611.5 SF / 0.335 AC  
 ZONE: VM-VILLAGE MIXED

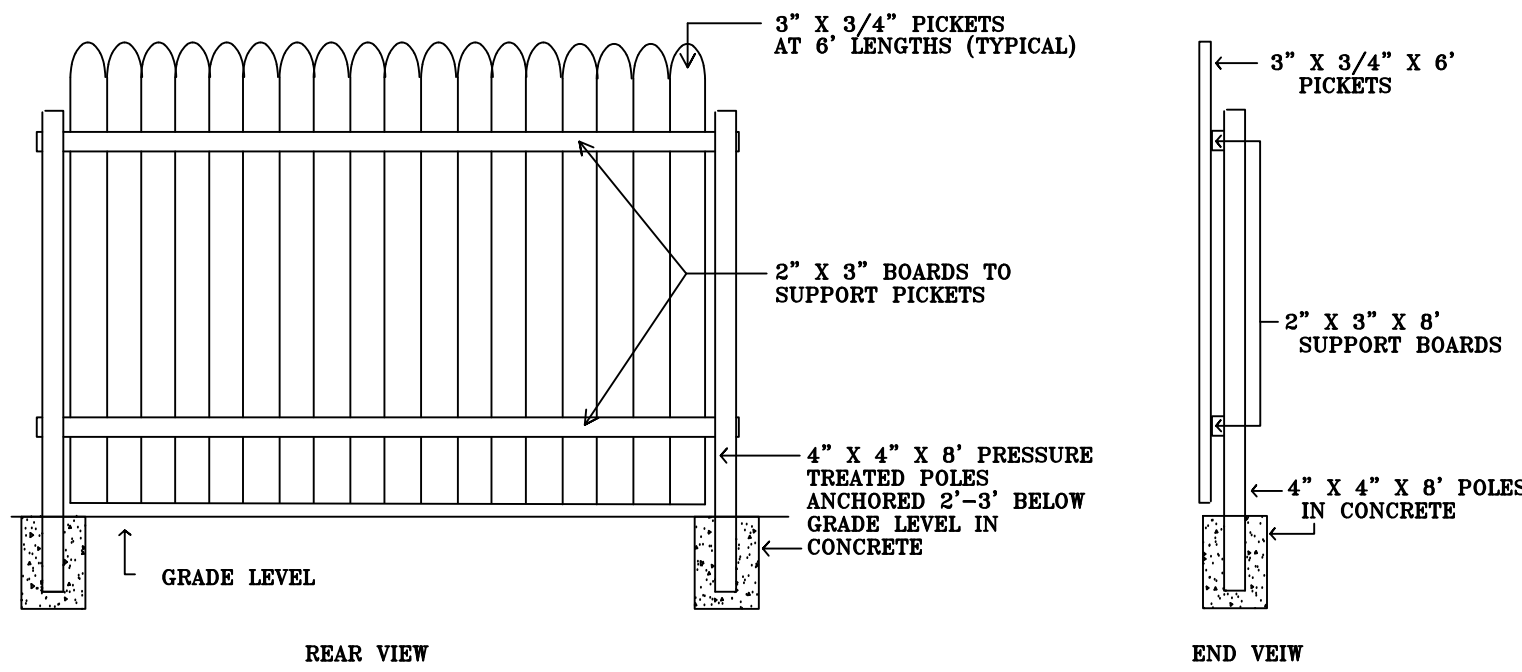
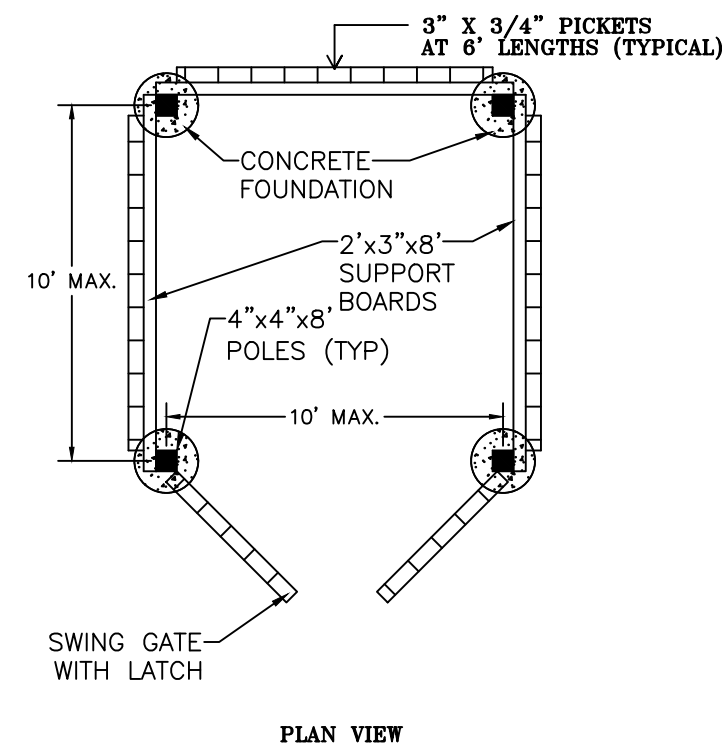
SITE AREA BREAKDOWN:	AREA (SF/AC)	PERCENTAGE
BUILDING:	0	0%
GREENSPACE:	3976.5/0.091	27.2%
IMPERVIOUS:	10635.0/0.244	72.8%

SITE DIMENSIONS:	REQUIRED	PROPOSED
MIN LOT AREA:	N/A	0.335 AC
MAX BUILDING HT.:	3 STORY	N/A
MIN LOT WIDTH:	25 FT	N/A
MIN FRONT SETBACK:	10 FT	N/A
MIN SIDE SETBACK:	0 FT	N/A
MIN REAR SETBACK:	10 FT	N/A
MAX LOT COVERAGE:	75%	72.8%
MIN GREENSPACE:	10%	27.2%

BOUNDARY AND EXISTING CONDITIONS INFORMATION SHOWN HEREON TAKEN FROM A PLAN ENTITLED "SURVEY OF PROPERTY AND TOPOGRAPHIC MAP PREPARED FOR TOJE DELAVERGNE LLC OF THE PREMISES DESIGNATED AS TAX GRID NO. 6158-09-246621 LOCATED ON THE NORTH SIDE OF DELAVERGNE AVENUE IN THE VILLAGE OF WAPPINGERS FALLS TOWN OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK.", PREPARED BY KENNETH B. SALZMANN LAND SURVEYOR, NY LICENCE NO. 49712 DATED 9/23/22

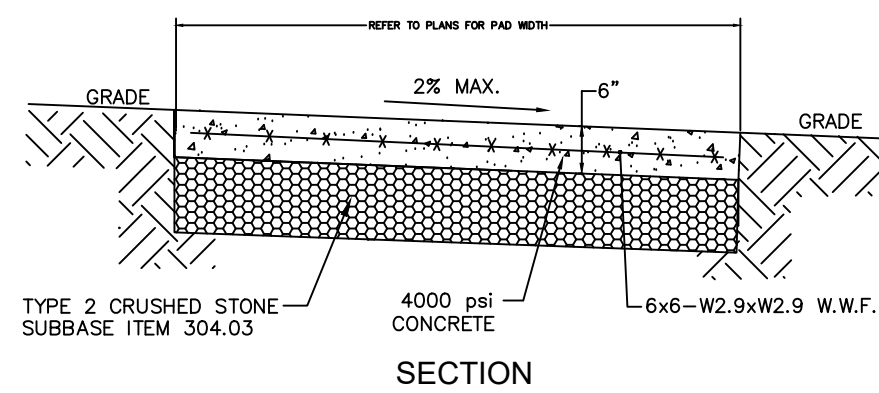
CONTRACTOR SHALL CONTACT "DIG SAFELY NEW YORK" PRIOR TO COMMENCING CONSTRUCTION. 1-800-962-7962. CONTRACTOR SHALL BE RESPONSIBLE FOR THE MARK OUT OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION.

UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW



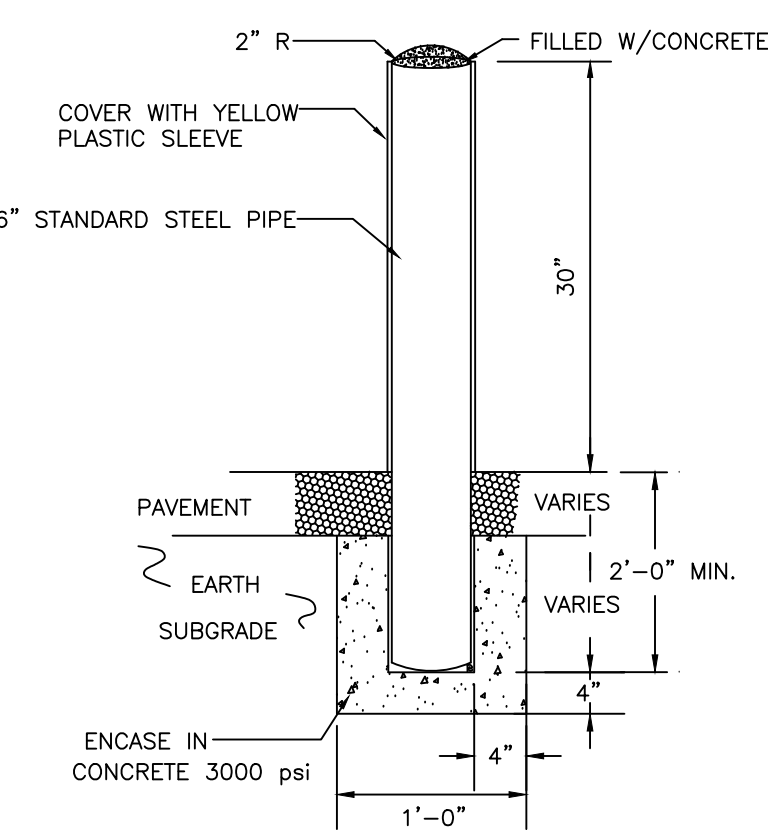
- NOTES:
- EACH POLE SHALL BE SET IN A CONCRETE FOUNDATION A MINIMUM OF 12" IN DIAMETER AND 3'-6" DEEP.
  - ALL CONCRETE FOR POLES SHALL HAVE AN ULTIMATE COMPRESSIVE STRENGTH AFTER 28 DAYS OF 4,000 PSI.

**DUMPSTER ENCLOSURE DETAIL**  
NOT TO SCALE

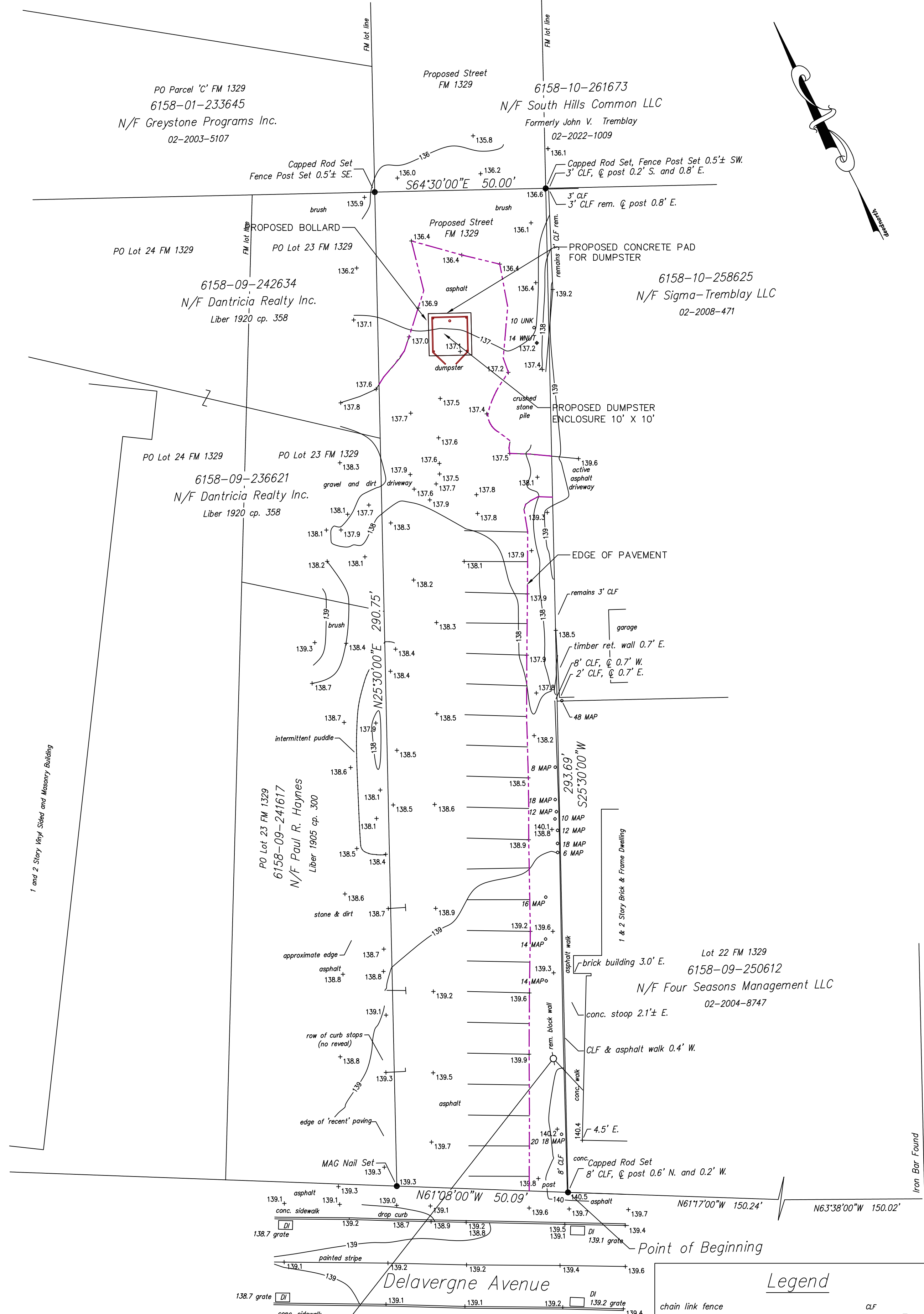


- NOTES:
- SLAB TO BE MONOLITHIC POUR WITH MINIMUM 6" THICKNESS OF 4,000 PSI CONCRETE.
  - REINFORCE WITH 6"x6"/W2.9xW2.9 WELDED WIRE FABRIC.
  - SOIL TO HAVE BEARING CAPACITY MINIMUM 2,500 PSF
  - SLOPE IN ANY DIRECTION TO NOT EXCEED 2% SIZE

**CONCRETE PAD DETAIL**  
NOT TO SCALE



**BOLLARD DETAIL**  
NOT TO SCALE



**Legend**

chain link fence	CLF
common ownership	—
concrete	CONC.
contour	85
curb	—
deed	Liber 1234 cp. 567 OR 02-2001-2345
fence	— OR F.
now or formerly	N/F
overhead wires	—
part of	PO
property line	—
remains	REM
shortened line	—
sign	b
spot grade	+129.6
top curb / bottom of curb	139.8
tree and size	24 MAP
utility pole	⊕

**LAWRENCE J. PAGGI, PE, PC**  
 CONSULTING ENGINEERING  
 43 BROAD STREET  
 FISHKILL, NEW YORK 12524  
 TELEPHONE: (845) 897-2375

FINAL	DATE
J.M.L.	11/15/23

PRELIMINARY

REVISIONS	DATE	BY
1. REVISED PER PLANNING COMMENTS		J.M.L.

CHECKED BY: CRP  
 DRAWN BY: J.M.L.

**TOJE DELAVERGNE LLC.**  
 DELAVERGNE AVE, WAPPINGERS FALLS, NY 12590  
 VILLAGE OF WAPPINGERS FALLS  
 COUNTY OF DUTCHESS, STATE OF NEW YORK

AMENDED SITE PLAN

DATE: **OCTOBER 04, 2023**  
 SCALE: **1" = 20'**  
 JOB NUMBER:  
 SHEET NUMBER:

**C100**  
1 OF 1

November 15, 2023

Tom Morris, Chairperson  
Village of Wappingers Falls  
7 Spring Street  
Wappingers Falls, New York 12590

Re: Delavergne Avenue  
Proposed Site Plan  
Tax Grid No.: 134601-6158-09-246621

Dear Chairman Morris and Members of the Board:

Please find enclosed five (5) copies of the proposed Site Plan for the above referenced property. This information is submitted for review by the Planning Board Members and its consultants, and the Applicant respectfully requests that this matter be placed on the December 7<sup>th</sup> Agenda for the Board's consideration.

This matter was last discussed before the planning board at the November 2<sup>nd</sup>, 2023 meeting. During this meeting the board discussed comments received from Village Planner, Michelle Robinson Greig, and Village Engineer, Todd W. Atkinson. Responses to those comments are outlined below:

Engineer Review by Todd W. Atkinson:

1. Plan and Application should be signed and sealed.

**Response: Application has been signed. Final copies of plans will be signed and sealed once given conditional approval.**

2. The proposed structure may not be permitted within the access easement. Applicant should provide copy of the deed and easement description.

**Response: Comment acknowledged, a title search is currently ongoing to find the details of any and all easements associated with this property. Any information found will be provided to the board for review as soon as it becomes available.**

3. Manhole is located near proposed enclosure location. Applicant to identify the purpose of the manhole and associated utilities.

**Response: Further investigation of this "manhole" determined that it was a piece of debris and not the lid of a utility structure. References to this lid have been removed from the site plan.**

Village Planner review by Michelle Robinson Greig:

1. A refuse enclosure is an accessory structure, defined as “any structure affixed to land or any movable structure which is customarily incidental, subordinate to, and associated with, a permitted principal structure.” If there is no principal structure or principal use on a site, an accessory structure is not allowed. Off-street parking is not permitted as a principal use in the Village. The Code Enforcement Officer should determine whether the off-street parking on the lot is a pre-existing, nonconforming principal use to which the refuse enclosure would be accessory.

**Response: We acknowledge the authority of the code enforcement officer and await his determination.**

2. The applicant should submit information regarding the access easement on the property so the Planning Board can ensure that the proposed improvements will not limit access to any adjacent properties that benefit from the easement.

**Response: Comment acknowledged, a title search is currently ongoing to find the details of any and all easements associated with this property. Any information found will be provided to the board for review as soon as it becomes available.**

If you require any further information or have any questions relative to the above, please do not hesitate to contact our office.

Sincerely,

*Christian Paggi*

Christian R. Paggi, PE

Enclosures

**LAWRENCE J. PAGGI, PE, PC**

**Consulting Engineering**

43 Broad Street  
Fishkill, New York 12524

Phone 845 897 2375

Fax 845 897 2239

E-mail admin@paggiengineers.com

December 14, 2023

Tom Morris, Chairperson  
Village of Wappingers Falls  
7 Spring Street  
Wappingers Falls, New York 12590

Re: Delavergne Avenue  
Proposed Site Plan  
Tax Grid No.: 134601-6158-09-246621

Dear Chairman Morris and Members of the Board:

Please find enclosed five (5) copies of the title report for the above referenced property, prepared by David Pisanelli of River City Abstract. Please note that five (5) copies of the proposed Site Plan for the above referenced property were previously submitted on November 15<sup>th</sup>, along with responses to comments received from the Board's consultants. The Applicant respectfully requests that this matter be placed on the January 4<sup>th</sup> Agenda for the Board's consideration.

Having reviewed the enclosed information, it appears that the proposed dumpster enclosure will not impact any of the existing easements or impede access from any adjoining properties that currently have rights over the property. The enclosure is proposed in an area where a dumpster exists today, along the northerly property line abutting parcel 261673 to the north. As indicated in the report, a declaration of abandonment was recorded with the deed to that property, so there is no easement over the subject property benefitting parcel 261673.

If you require any further information or have any questions relative to the above, please do not hesitate to contact our office.

Sincerely,



Christian R. Paggi, PE

Enclosures

Dear Richard,

You have asked us to review Bottini's Delavergne Avenue property and adjacent properties in the Village of Wappinger Falls in connection with access the Bottini Parcel (#246621). Our findings are detailed below.

**Parcel 246621 / Toje Delavergne / Doc. 02-2020-4658:**

This property is a .34-acre+/- parcel owned by Toje Delavergne LLC, and is a portion of the "proposed street" as shown on Filed Map No. 1329.

Title was taken subject to the rights of Lots 22 and 23 on Filed Map No. 1329, as well as lots shown on Filed Map No. 1415 and 1414, to use the "proposed street" for ingress and egress in perpetuity.

Title was also taken subject to the rights of Dantricia Realty, Inc., its successors and/or assigns, specifically Lots 24 and 25, a portion of Parcel C and the rear portion of Lot 23 on Filed Map No. 1329, to use the "proposed street" for ingress and egress in perpetuity.

**Parcel 241617 / Paul R. Haynes / L 1905 cp 300:**

This property abuts the Toje property on the southwest.

There are no references in the Haynes chain with respect to an easement over the "proposed street." However, the Toje deed is subject to the rights of this lot (Lot #23) to use the "proposed street" for ingress and egress in perpetuity.

**Parcels 236621, 232622 and 242634 / Dantricia Realty Inc. / L 1920 cp 358:**

Dantricia Realty Inc. owns three parcels that abut the Toje property on the northwest.

The Toje deed is subject to the rights of Dantricia Realty Inc.,, specifically Lots 24 and 25, a portion of Parcel C and the rear portion of Lot 23 on Filed Map No. 1329, to use the "proposed street" for ingress and egress in perpetuity.

**Parcel 250612 / Four Seasons Management LLC / Doc. 02-2004-8747:**

This property abuts the Toje property on the southeast.

The Toje deed is subject to the rights of this lot (Lot #22), but prior deeds in the Four Seasons chain (Liber 1162 cp 444 and Liber 1482 cp 223) clearly state that this lot does not have an "interest or easement in the proposed street lying west of the lot" and that there is "no right to the use thereof except in the event of the opening, laying out and dedication of said street for street purposes."

**Parcel 258625 / Sigma-Tremblay LLC / Doc. 02-2008-471:**

This property abuts the Toje property on the northeast.

Title was conveyed with an easement for ingress and egress measuring approximately 50 +/- feet wide and 293 +/- feet in length, being a portion of the "proposed street" as shown on Filed Map No. 1329, to use the "proposed street" for ingress and egress in perpetuity.

**Parcel 261673 / South Hills Commons LLC / Doc. 02-2022-1009:**

This property abuts the property to the north.

Prior owner John V. Tremblay acquired title by deeds in Document No. 02-2007-658 and Document No. 02-2007-659.

Title was conveyed SUBJECT TO easements in Liber 1165 cp 86 and Liber 1009 cp 442, and TOGETHER WITH an easement over the "proposed street" as shown on Filed Map No. 1414, 1415 and 1329.

John V. Tremblay sold the property to South Hills Commons LLC subject to easements as described in Liber 1165 cp 86 and Liber 1009 cp 442.

Declaration of Abandonment was recorded with this deed, so South Hills has no easement over the Toje Property.

**Declaration of Abandonment / Toje Development & John V. Tremblay (currently South Hills Commons property) / Doc. 02-2022-1008:**

This Declaration of Abandonment applies to the "proposed street" as it is shown on Filed Maps 1414, 1415 and 1329.

John V. Tremblay abandoned and released any easement or ROW over the Toje Delavergne property.

Toje Delavergne abandoned and released any easement or ROW over the John Tremblay (now South Hills Commons LLC) property.

Copies of the referenced maps and pertinent deeds have been enclosed for your review.

**SURVEY OF PROPERTY  
OF  
MRS. MARGARET PATON**

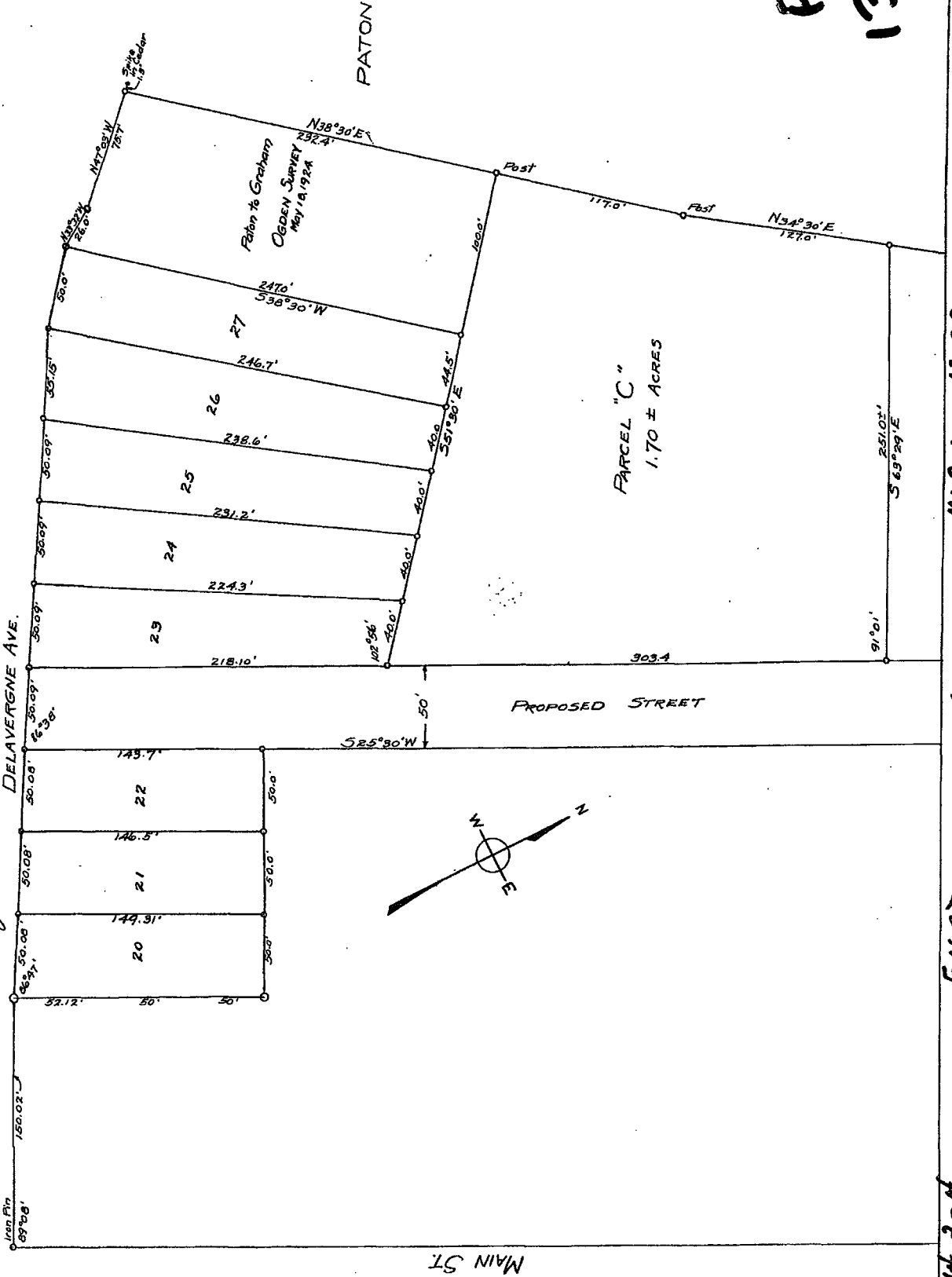
SHOWING LOTS 20-27 INCLUSIVE, FACING DELAVERGNE AVE.  
AND PARCEL "C"

WAPPINGERS FALLS, N. Y.  
SCALE 1 IN. = 50 FT.

J.V. MAURO, LIC. LAND SURVEYOR NO. 6424  
SEPT. 15, 1924

*J.V. Mauro*  
9/15/24

*I hereby certify that this map  
is from surveys made by me  
to be correct.*  
*J.V. Mauro*

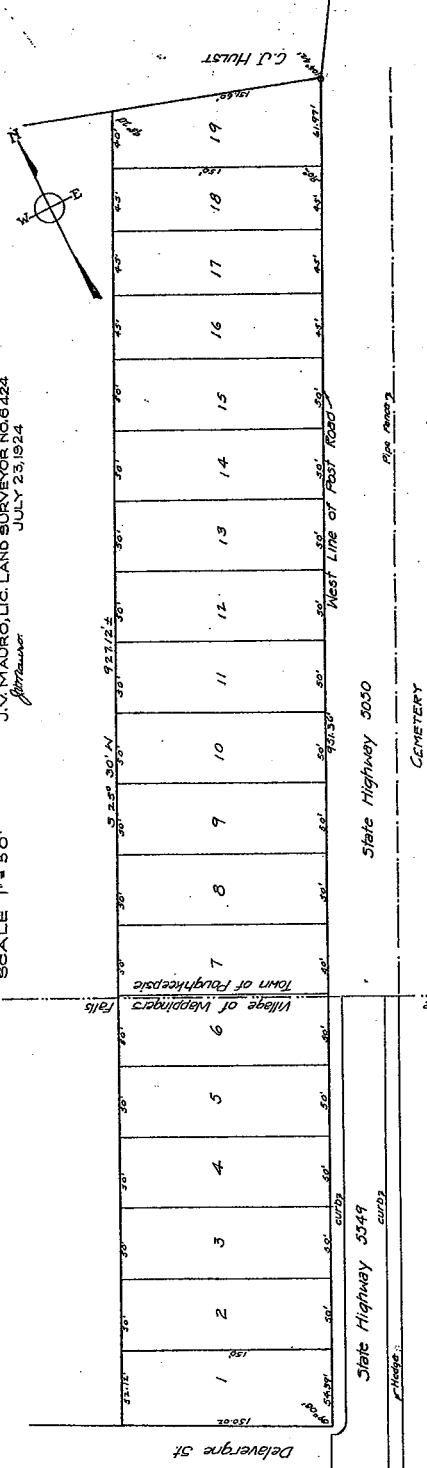


**F.M.  
1329**



MAP  
OF  
PORTION OF PROPERTY OF  
MRS. MARGARET PATON  
IN TOWN OF PUGHKEEPSIE & IN VILLAGE  
OF WAPPINGER FALLS,  
SHOWING LOT SUBDIVISION ALONG POST ROAD  
SCALE 1" = 50'  
J.V. MAURO, L.C. LAND SURVEYOR NO. 6424  
JULY 23, 1924

*I hereby certify this plan from survey made by me to be correct.*  
J.V. Mauro



1326

Map # 1326

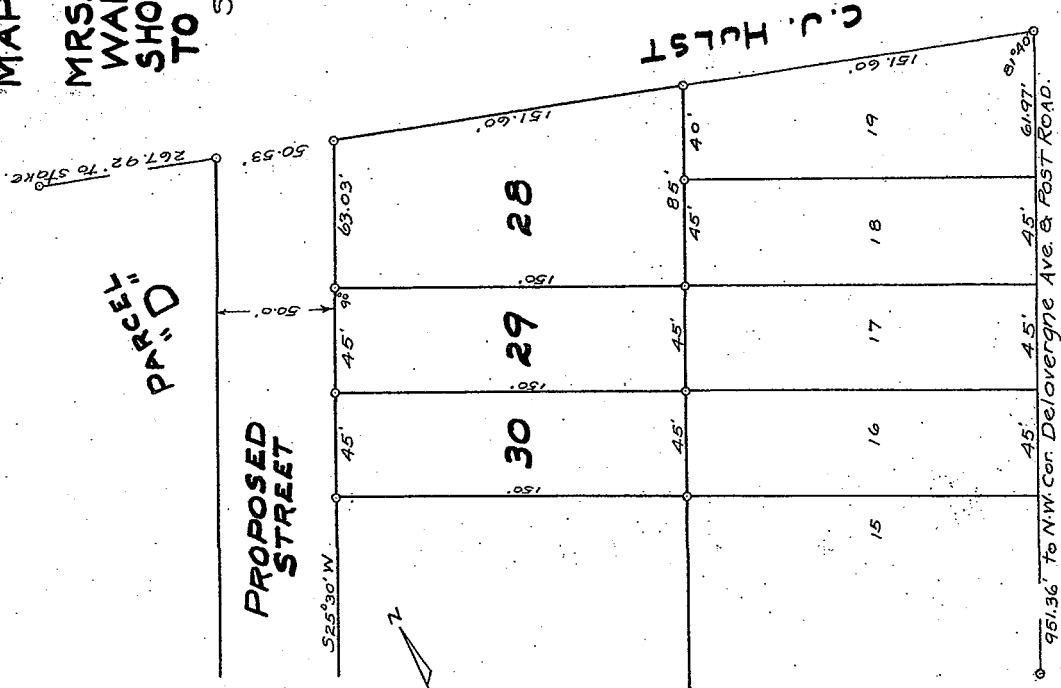
Filed July 29, 1924

15-6-60

**MAP OF PROPERTY  
OF  
MRS. MARGARET PATON  
WAPPINGER FALLS, N.Y.  
SHOWING LOTS 28, 29, & 30  
TO BE TRANSFERRED.**

SCALE 1" = 50'

*Attorney  
Professional Engineer & Surveyor  
720. 6424 6/19/26.*



15-5-24  
 FILED JUN 23, 1926  
 MAP NO. 1414

1414

**MAP OF PROPERTY OF  
MRS. MARGARET PATON  
WAPPINGER FALLS, N.Y.  
SHOWING PARCEL "D"  
TO BE TRANSFERRED.**

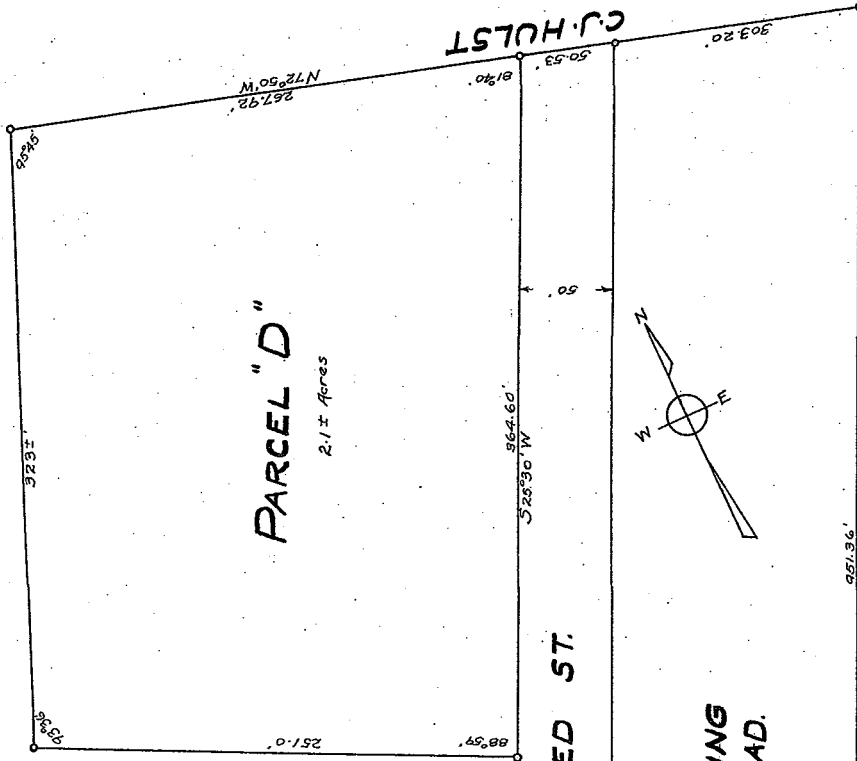
SCALE 1" = 50 FT.

*Attorneys* Professional Engineer & Surveyor  
N.Y.S. LIC. NO. 6424  
6/21/26.

HARRY GRAHAM

PARCEL "D"

2.17 Acres



15-6-28

POST ROAD

Map No. 1415

Filed June 25, 1926

1405



Dutchess County Clerk Recording Page

Record & Return To :

TEAHAN & CONSTANTINO  
PO BOX 1969  
POUGHKEEPSIE, NY 12601-

Date Recorded : 09/16/2010

Time Recorded : 1:12:00

Document # : 02 2010 4658

Received From : FELDMAN JACOBSON  
ABSTRACT

Grantor : DANTRICIA REALTY INC  
Grantee : TOJE DELAVERGNE LLC

Recorded In : Deed  
Instrument Type :

Tax District : Town of  
Poughkeepsie

Examined and Charged As Follows :

Recording Charge : \$315.00

Number of Pages : 4

Transfer Tax Amount : \$232.00

Transfer Tax Number : #778

\*\*\* Do Not Detach This Page

\*\*\* This Is Not A Bill

Red Hook Transfer Tax :

E & A Form: Y

TP-584 : Y

County Clerk By : ksw / \_\_\_\_\_

Receipt # : R49448

Batch Record : A101



0220104658

Bradford Kendall  
County Clerk



**BARGAIN & SALE DEED WITH COVENANT  
AGAINST GRANTOR'S ACTS**

7/P 4p.  
60  
250  
5  
232  
597

THIS INDENTURE, made the 14 day of SEPTEMBER, Two Thousand and Ten

BETWEEN

**DANTRICIA REALTY, INC.**  
70 Patricia Lane  
Clinton Corners, New York 12514

party of the first part, and

**TOJE DELAVERGNE LLC**  
2785 West Main Street  
Wappingers Falls, New York 12590

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN DOLLARS AND NO CENTS (\$10.00), lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, together with any improvements thereon, situate, lying and being in the TOWN OF POUGHKEEPSIE, VILLAGE OF WAPPINGERS FALLS, County of Dutchess, New York more particularly described as shown on attached Schedule A, more commonly known as Delavergne Avenue, Wappingers Falls, New York. ✓

**BEING** the same premises conveyed by Dantricia Realty, Inc. to Dantricia Realty, Inc. by Deed dated February 22, 2010 recorded on February 24, 2010 in the Office of the Clerk of the County of Dutchess as Document No. 02-2010-928.

**BEING** and intended to be a portion of the "proposed street" as shown on "Survey of Property of Mrs. Margaret Paton", dated September 15, 1924 and prepared by J. V. Mauro, L.S., as recorded in the Dutchess County Clerk's Office as Map No. 1329, being the portion of said "proposed street" as lies in the Village of Wappingers Falls.

**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;

**SUBJECT** to the rights of Dantricia Realty, Inc., its successors and/or assigns, to use said "proposed street" for ingress and egress in perpetuity, being Lots 24 and 25 and a portion of Parcel C and a portion of the rear of Lot 23 on said filed Map No. 1329, being the remaining lands still owned by Dantricia Realty, Inc. and being a portion of the premises conveyed by Daniel Licari and Patricia Licari to Dantricia Realty, Inc. by Deed dated October 8, 1992 recorded on October 22, 1992 in the Office of the Clerk of the County of Dutchess in Liber 1920 of Deeds at page 358, more commonly referred to as tax grid numbers 134601-6158-09-236621-0000 and 134601-6158-09-242634-0000 and 134601-6158-09-232622-0000.

**SUBJECT** to the rights of Lots 22 and 23 on said filed Map No. 1329 and any others including but not limited to lots referred to on filed Map Nos. 1415 and 1414, to use said "proposed street" for ingress and egress in perpetuity.

FELDMAN-JACOBSON ABSTRACT  
TITLE NO. 10-10-040054  
RF: 286-58

### Schedule A Description

Underwriter No. RF 245-98  
Title Number 1010040054

ALL that certain plot, piece or parcel of land situate lying and being in the Village of Wappingers Falls, Town of Poughkeepsie, County of Dutchess and State of New York, being a portion of a Proposed Street as shown on a filed map entitled "Survey of Property of Mrs. Margaret Paton", said filed map being filed in the Dutchess County Clerk's Office as Map No. 1329, bounded and described as follows:

BEGINNING at a point on the northerly line of Delavergne Avenue, said point being the intersection of the northerly line of Delavergne Avenue with the westerly line of Lot 222 as shown on said filed Map No. 1329, being lands now or formerly Four Seasons Management LLC (Document No. 02-2004-8747); thence along the northerly line of Delavergne Avenue, North 61 Deg. 08' 00" West 50.09 feet to a point; thence along lands now or formerly Haynes (Liber 1905 cp 300) and along lands now or formerly Dantricia Realty Inc. (Liber 1920 cp 358), North 25 Deg. 30' 00" East 290.75 feet to a point; thence along lands now or formerly Tremblay (Document No. 02-2007-658), South 84 Deg. 30' 00" East 50.00 feet to a point; thence along lands now or formerly Sigma-Tremblay LLC (Document No. 02-2008-471) and along Lot 22 as shown on said filed Map No. 1329, being lands now or formerly Four Seasons Management LLC (Document No. 02-2004-8747), South 25 Deg. 30' 00" West 293.89 feet to the point or place of BEGINNING.

**SUBJECT** to all easements, covenants, restrictions, and rights-of-way of record, if any;

**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.

**DANTRICIA REALTY, INC.**

By: *Daniel J. Licari Secretary*  
**DANIEL J. LICARI, Secretary**

STATE OF NEW YORK )  
                                  ) ss.:  
COUNTY OF DUTCHESS )

On the 14 day of SEPTEMBER, in the year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared DANIEL J. LICARI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Paul R. Jaynes*  
Notary Public  
PAUL R. JAYNES  
Notary Public, State of New York  
No. 02HA4642759  
Qualified in Dutchess County  
Commission Expires May 31, 2011

RECORD AND RETURN TO:

Richard I. Cantor, Esq.  
Teahan & Constantino, Esqs.  
P.O. Box 1969  
2780 South Road  
Poughkeepsie, New York 12601-0969

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

THIS INDENTURE, made the 27th day of December 91 .

BETWEEN

DAVID E. BARTON and ANN O. BARTON  
8 DeLavergne Avenue  
Wappingers Falls, NY 12590  
grantor

PAUL R. HAYNES  
161 West Main Street  
Wappingers Falls, NY 12590  
grantee

WITNESSETH, that the grantor, in consideration of TEN AND NO/100----- Dollars, paid by the grantee  
-----and other good and valuable consideration-----  
hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

ALL that certain piece or parcel of land situate, lying and  
being in the Town of Poughkeepsie, Village of Wappingers Falls, County  
of Dutchess and State of New York and is bounded and described as  
follows:

BEGINNING at a point, said point being in the Northerly line of  
DeLavergne Avenue and distant 350.35 feet Westerly from the Northwest  
corner of DeLavergne Avenue and West Main Street as shown on a map of  
property of Margaret Paton filed in the Office of the Clerk of the  
County of Dutchess, September 29, 1924 as number 1329; said point also  
being the Southeasterly corner of the herein described parcel; said  
parcel being the Southerly part of Lot No. 23 as shown on said map; and  
running thence along the Northerly line of said DeLavergne Avenue  
North 61 degrees 08 minutes 00 seconds West 50.09 feet; thence leaving  
the Northerly line of said DeLavergne Avenue and running along the  
Easterly line of Lot No. 24 as shown on said Map North 28 degrees 19  
minutes 00 seconds East 174.93 feet; thence leaving the Easterly line  
of said Lot No. 24 and running through said Lot No. 23 South 51 degrees  
34 minutes 00 seconds East 42.50 feet to the Westerly line of a  
proposed street; thence along the Westerly line of said proposed street  
South 25 degrees 30 minutes 00 seconds West 168.10 feet to the point of  
beginning.

BEING a portion of the premises conveyed by T. Wallace Pledger and  
Dorothy Pledger to David E. Barton and Ann O. Barton by deed dated May  
22, 1978 and recorded in the Dutchess County Clerk's Office on May 23,  
1978 in Liber 1482 of deeds at page 223.

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.  
TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the  
grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said  
premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

*David E. Barton*  
DAVID E. BARTON L. S.  
*Ann O. Barton*  
ANN O. BARTON L. S.

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 deponent resides  
at No. \_\_\_\_\_  
deponent is \_\_\_\_\_ of \_\_\_\_\_  
the corporation described in and which  
executed, the foregoing instrument; deponent 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; deponent signed deponent's name thereto by like order.

STATE OF NEW YORK, COUNTY OF DUTCHESS ss.:  
On the 27th day of December 19 91, before  
me personally came DAVID E. BARTON and  
ANN O. BARTON

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

ROLAND E. BUTTS  
NOTARY PUBLIC, State of New York  
No. 4601679  
Qualified in Dutchess County  
Commission Expires 12-31 1988



**DUTCHESS COUNTY CLERK'S RECORDING PAGE**  
 THIS PAGE IS PART OF THE INSTRUMENT-DO NOT REMOVE  
 THERE IS NO FEE FOR THE RECORDING OF THIS PAGE  
 ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY

RECORD & RETURN TO:  
 (Name, Address & Zip)

PAUL R. HAYNES  
 161 WEST MAIN ST.  
 WAPPINGERS FALLS, N.Y. 12590

TYPE OR PRINT IN BLACK ONLY

GRANTOR/MORTGAGOR

DAVID E. BARTON  
 and ANN O. BARTON

TO

PAUL R. HAYNES

GRANTEE/MORTGAGEE

**DO NOT WRITE BELOW THIS LINE**

RECEIVED FROM: Andy Chart (CHECK) CASH NO FEE

INSTRUMENT TYPE RECORDED IN: (DEED) MORTGAGE ASSIGNMENT DISCHARGE OTHER: \_\_\_\_\_

- |                            |                       |                    |
|----------------------------|-----------------------|--------------------|
| <b>MORTGAGE TYPES:</b>     | <b>TAX DISTRICTS:</b> |                    |
| 01 1-2 FAMILY              | 01 AMENIA             | 13 PLEASANT VALLEY |
| 02 COMMERCIAL              | 02 BEEKMAN            | 14 T/POUGHKEEPSIE  |
| 03 1-6 DWELLINGS           | 03 CLINTON            | 15 RED HOOK        |
| 04 (E) CR UN/NAT PER       | 04 DOVER              | 16 RHINEBECK       |
| 05 (NE) CR UN/NAT PER      | 05 EAST FISHKILL      | 17 STANFORD        |
| 06 CONDOMINIUM             | 06 FISHKILL           | 18 UNION VALE      |
| 07 HELD                    | 07 HYDE PARK          | 19 WAPPINGER       |
| 08 NO TAX / SERIAL #       | 08 LAGRANGE           | 20 WASHINGTON      |
| 09 CORR / RE-REC / COL SEC | 09 MILAN              |                    |
| 10 NO TAX / NO SERIAL #    | 10 NORTH EAST         | 30 CITY OF BEACON  |
|                            | 11 PAWLING            | 31 C/POUGHKEEPSIE  |
|                            | 12 PINE PLAINS        | 40 OTHER           |

DEED # 45  
 RECEIVED  
 \$ 100.00  
 REAL ESTATE  
 TT# 3054  
 TRANSFER TAX  
 DUTCHESS  
 COUNTY

Examined By: Coral  
 Rec.Fee 8.00  
 Rec.Mgmt \$5.00  
 Total 13.00  
\$25.00 8+a

MORTGAGE OR SUPPLEMENTAL INSTRUMENT	
No.	Examined by
Rec.Fee	Serial No.
Rec.Mgmt \$5.00	Am. Advanced
Ref.	Spec. Add Tax
Total	Total Tax Rec'd

Rec.Fee	No.
Rec.Mgmt \$5.00	
Ref.	Examined By:
Total	

Affidavit filed Y N  
 FEE 6.00

# OF PAGES: 2

Dutchess County Clerk  
 by: [Signature]

DUTCHESS COUNTY CLERK'S OFFICE SS:  
 Recorded on Jan 6, 1992  
 at 9:22 O'Clock A.M.  
William L. Parsley, Jr.  
 County Clerk

WLP  
 DUTCHESS COUNTY CLERK

RESERVE THIS FOR TIME STAMP

DUTCHESS COUNTY  
 CLERK'S OFFICE  
 JAN 6 9 22 AM '92

Co.C-40R

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

THIS INDENTURE, made the 8th day of October, nineteen hundred and ninety-two  
BETWEEN DANIEL LICARI and PATRICIA LICARI, husband and wife,  
residing at 7 Deer Lane, Hopewell Junction, NY 12533

party of the first part, and DANTRICIA REALTY, INC. with offices at  
7 Deer Lane, Hopewell Junction, NY 12533

party of the second part,

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

-----ONE----- \$1.00 dollars,

lawful money of the United States, 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 Village of Wappingers Falls, Town of Poughkeepsie, <sup>Ind.</sup>  
County of Dutchess, State of New York, bounded and described as  
follows:

BEGINNING at a point, said point being the intersection of  
the westerly line of lands now or formerly Barton, Liber 1482,  
cp 223, with the northerly line of Delavergne Avenue and running  
thence along said northerly line of Delavergne Avenue, North 61°  
08' 00" West 50.09 feet; thence along other lands now or formerly  
Barton, Liber 1482, cp 223, the following: North 25° 30' 00" East  
168.10 feet; North 51° 34' 00" West 42.49 feet; and South 28° 19'  
00" West 174.88 feet; thence along the said northerly line of  
Delavergne Avenue North 61° 08' 00" West 100.18 feet; thence  
along lands now or formerly Duso Products, Inc., Liber 1168,  
cp 472, North 33° 28' 18" East 238.57 feet; thence along lands  
now or formerly Duso Products, Inc., Liber 1158, cp 200, the  
following: South 51° 30' 00" East 120.00 feet, and North 25°  
30' 00" East 72.65 feet; thence along lands now or formerly  
Wappingers Realty, Inc., Liber 1021 cp 518, (being the reputed  
Town of Poughkeepsie/Village of Wappingers Falls line) South  
64° 30' 00" East 50.00 feet; thence along lands now or formerly  
Armstrong and lands now or formerly Barton, Liber 1482, cp 223,  
South 25° 30' 00" West 293.69 feet to the point or place of  
BEGINNING. Containing 0.86 of an acre of land, more or less.

TOGETHER WITH, all that certain plot, piece or parcel of  
land situate, lying and being in the Village of Wappingers Falls,  
and Town of Poughkeepsie, County of Dutchess, State of New York,  
bounded and described as follows:

BEGINNING at a point, said point being North 33° 28' 18"  
East 238.57 feet from the intersection of the easterly line of  
lands now or formerly Duso Products, Inc., Liber 1168 at Page  
472 with the northerly line of Delavergne Avenue and running  
thence over and through lands now or formerly Duso Products, Inc.,  
Liber 1158 at Page 200 the following: North 33° 28' 18" East  
46.10 feet and South 64° 30' 00" East (along the reputed  
Village of Wappingers-Town of Poughkeepsie line) 110.53 feet;

019927268

thence along lands now or formerly Wappingers Realty, Inc., Liber 1021 at Page 518 South 25° 30' 00" West 72.65 feet; thence along lands now or formerly Wappingers Realty, Inc., Liber 1916 at Page 409 and Liber 1023 at Page 309 North 51° 30' 00" West 120.00 feet to the point of BEGINNING. Containing 0.15 of an Acre of land more or less.

SUBJECT to the existing easements and rights of way of record, if any.

BEING the same premises conveyed to the grantors in separate deeds as follows:

Wappingers Realty, Inc. dated June 24, 1992 and recorded in liber 1915 at page 342; and Duso Products, Co. dated June 24, 1992 and recorded in liber 1915 at page 343 of the Dutchess County Clerk's Office.

0219927268

0219927268

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 incumbered in any way whatever, except as aforesaid.

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

The word "party" shall be construed as if it 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:

Daniel Licari  
 Daniel Licari

Patricia Licari  
 Patricia Licari

STATE OF NEW YORK, COUNTY OF DUTCHESS 551

On the 8th day of October 1992, before me personally came DANIEL LICARI and PATRICIA LICARI

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

*Mary Lou Mangone*  
Notary Public - STATE OF NEW YORK

MARY LOU MANGONE  
Notary Public, State of New York  
Qualified in Dutchess County  
Commission Expires March 30th, 1994

STATE OF NEW YORK, COUNTY OF DUTCHESS 551

On the day of 1992, 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 551

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 551

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.

Vertical stamp: 10/10/92 - 10/10/92

*Ally*

**Bargain and Sale Deed**  
WITH COVENANT AGAINST GRANTOR'S ACTS  
Title No. \_\_\_\_\_

SECTION  
BLOCK  
LOT  
COUNTY OR TOWN

TO

RETURN BY MAIL TO:

LYONS & SUPPLE, ESQS.  
PO BOX 46  
Wappingers Falls, New York  
Zip No. 12590

Reserve this space for use of Recording Office.



DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

JOSEPH SAYEGH  
942 ROUTE 376 STE 201  
WAPPINGERS FALLS NY 12590

RECORDED: 08/25/2004  
AT: 16:43:38  
DOCUMENT #: 02 2004 8747

RECEIVED FROM: PRO TITLE

GRANTOR: STROLIGO JOHN  
GRANTEE: FOUR SEASONS MANAGEMENT LLC

RECORDED IN: DEED  
INSTRUMENT TYPE:

TAX  
DISTRICT: T/POUGHKEEPSIE

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 91.00 NUMBER OF PAGES: 3  
TRANSFER TAX AMOUNT: 1,420.00  
TRANSFER TAX NUMBER: #000831

E & A FORM: Y  
TP-584: Y

\*\*\* DO NOT DETACH THIS  
\*\*\* PAGE  
\*\*\* THIS IS NOT A BILL

COUNTY CLERK BY: TYP / \_\_\_\_\_  
RECEIPT NO: R74804  
BATCH RECORD: B00065

*Colette M. Lafuente*

COLETTE M. LAFUENTE  
County Clerk



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

THIS INDENTURE, made on August 10, 2004

BETWEEN JOHN STROLIGO and ERIKA J. STROLIGO, both residing at  
165 Crest Drive, Tarrytown, New York 10591

14  
+ 1420  
- 36  
3 7  
55  
1511

party of the first part, and

FOUR SEASONS MANAGEMENT, LLC, with offices at 12 Northern Avenue  
#G2 Cold Spring, New York 10516

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 Village of Wappingers Falls, Town of Poughkeepsie, Dutchess County, New York, which on a map of property of Mrs. Margaret Paton, filed in the Dutchess County Clerk's Office on September 29th, 1924 as Map No. 1329, is known as Lot No. 22 and is bounded and described as follows:

BEGINNING at a point on the northerly side of Delavergne Avenue where the same is intersected by the division line between Lots 21 and 22 on said map; thence westerly along the northerly side of Delavergne Avenue, North 61 degrees 17' 00" West 50.08 feet to lands now or formerly Dantricia Realty, Inc. as acquired by deed Liber 1920 cp 358; thence northerly along said last mentioned lands of Dantricia Realty, INC., North 28 degrees 37' 00" East 143.70 feet to lands now or formerly Armstrong as acquired by deed Liber 1628 cp 338; thence easterly along said last mentioned lands of Armstrong, South 64 degrees 30' 00" East 50.00 feet to the division line between Lots 21 and 22 on said map; thence along said last mentioned division line, South 25 degrees 30' 00" West 146.50 feet to the point and place of BEGINNING.


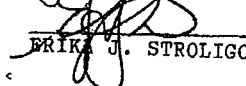
Being the same premises conveyed by David E. Barton and Ann O. Barton to John Stroligo and Erika J. Stroligo by deed dated October 31, 1995 and recorded in the Dutchess County Clerk's Office on November 9, 1995 in Liber 1970 at page 278.

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:

  
JOHN STROLIGO  
  
ERIKA J. STROLIGO

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Westchester ss.:

On August 10, 2004 before me, the undersigned, personally appeared JOHN STROLIGO and ERIKA J. STROLIGO personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

*Teresa A. McManus*  
(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE  
Notary Public, State of New York  
No. 01MC4562656  
Qualified in Westchester County  
Commission Expires June 23, 2006  
State of \_\_\_\_\_ County of \_\_\_\_\_ ss.:

On \_\_\_\_\_ before me, the undersigned, personally appeared \_\_\_\_\_

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in \_\_\_\_\_

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. PRQ- 7022 -DS

JOHN STROLIGO and  
ERIKA STROLIGO

TO

FOUR SEASONS MANAGEMENT, LLC.

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of \_\_\_\_\_ County of \_\_\_\_\_ } ss.:

On \_\_\_\_\_ before me, the undersigned, personally appeared \_\_\_\_\_

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof):

Teresa A. McManus  
Notary Public, State of New York  
No. 01MC4562656  
Qualified in Westchester County  
Commission Expires June 23, 2006

that he/she/they know(s) \_\_\_\_\_

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said \_\_\_\_\_

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(  if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken. And that said subscribing witness(es) made such appearance before the undersigned in \_\_\_\_\_ )

(signature and office of individual taking acknowledgment)

134601

SECTION 6158  
BLOCK 09  
LOT 250612  
COUNTY OF DUTCHESS  
TOWN OF POUGHKEEPSIE

RETURN BY MAIL TO:

JOSEPH S. SAYEGH, ESQ.  
SAYEGH, CERVONE & MACKAY, P.C.  
SUMMERLIN PLAZA  
942 ROUTE 376, SUITE 201  
WAPPINGERS FALLS, NY Zip No. 12590

Reserve this space for use of Recording Office.



58-40  
450

# This Indenture,

Made the 21<sup>st</sup> day of December  
Nineteen Hundred and Sixty-four

Between MICHAEL DiZILLO residing at No. 8 Delavergne Avenue,  
in the Village of Wappingers Falls, County of Dutchess and State  
of New York

party of the first part, and

T. WALLACE PLEDGER and DOROTHY PLEDGER, his wife, both residing  
in the Town of Patterson, County of Putnam and State of New York

Witnesseth that the party of the first part, in consideration of

parties of the second part,  
-----TEN-----Dollar (\$10.00)  
lawful money of the United States, and other good and valuable consideration  
paid by the parties of the second part, does hereby grant and release unto the  
parties of the second part, their distributees and assigns forever, all  
that lot or parcel of land situate in the Village of Wappingers Falls  
Town of Poughkeepsie, Dutchess County, N.Y., which on a map of pro-  
perty of Mrs. Margaret Paton, filed in the Dutchess County Clerk's  
Office on September 29th, 1924 as Map No. 1329, is known as Lot No.  
22 and is bounded and described as follows:

BEGINNING at a point in the north line of Delavergne Avenue said  
point being 250.18 feet west of the intersection of Main Street and  
said Delavergne Avenue; thence westerly along the north line of  
Delavergne Avenue 50.08 feet. to a point being the intersection of  
the northerly line of Delavergne Avenue with the easterly line of  
a proposed street as laid down on said map, said point being the  
southwest corner of the lot hereby conveyed; thence northerly at an  
angle of 86 degrees 38 minutes 143.7 feet along the easterly line  
of said proposed street to a point in the easterly line of said pro-  
posed street, being the northeast corner of the lot hereby conveyed;  
thence easterly 50.00 feet to a point being the northwest corner of  
Lot No. 21 and the northeast corner of the lot hereby conveyed; thence  
southerly along the west line of Lot No. 21 as laid down on said  
map, 146.5 feet to the point or place of beginning.

SUBJECT to a right of way granted by Walter C. Phillips and  
wife to the New York Telephone Company, the American Telephone &  
Telegraph Company and The Garner Print Works and Bleachery, dated  
February 17th 1917 and recorded in the Dutchess County Clerk's Office  
in Liber 397 of Deeds at page 258 on March 24th, 1917.

It is not intended hereby to transfer or convey to the party  
of the second part any right, title, interest or easement in the pro-  
posed street lying west of the lot above described and shown on  
said map and it is understood that he has no right to the use thereof  
except in the event of the opening, laying out and dedication of said  
street for street purposes.

order Doc #: DEED 1162 444 Printed Page 1 of 1

Handwritten signatures and initials at the bottom left of the page.

Being the same premises conveyed by Margaret Paton to Dominic DiZillo and Jennie DiZillo, his wife, by deed dated September 6, 1933 and recorded in the Dutchess County Clerk's Office in Liber 568 of deeds at page 115.

Being the same premises conveyed by Dominic DiZillo and Jennie DiZillo, his wife to Michael DiZillo by deed dated June 28, 1946 and recorded in the office of the Clerk of the County of Dutchess on June 28, 1946 in Liber 643 of Deeds at Page 454.

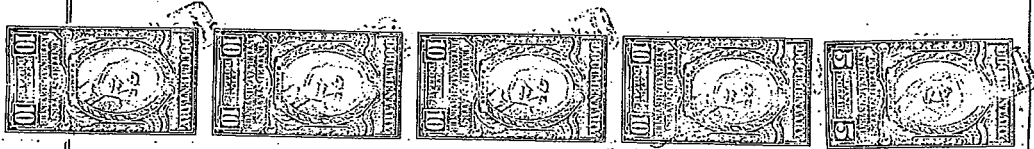
ALL that certain lot, piece or parcel of land situate, lying and being in the Village of Wappingers Falls, Town of Poughkeepsie, County of Dutchess and State of New York and is bounded and described as follows:

BEGINNING at a point, said point being in the Northerly line of Delavergne Avenue and distant 350.35 feet Westerly from the Northwest corner of Delavergne Avenue and West Main Street as shown on a map of property of Margaret Paton filed in the Office of the Clerk of the County of Dutchess September 29, 1924 as number 1329; said point also being the Southeasterly corner of the herein described parcel; said parcel being the Southerly part of Lot No. 23 as shown on said map; and running thence along the Northerly line of said Delavergne Avenue North 61 degrees 08 minutes 00 seconds West 50.09 feet; thence leaving the Northerly line of said Delavergne Avenue and running along the Easterly line of Lot No. 24 as shown on said Map North 28 degrees 19 minutes 00 seconds East 174.93 feet; thence leaving the Easterly line of said Lot No. 24 and running through said Lot No. 23 South 51 degrees 34 minutes 00 seconds East 42.50 feet to the Westerly line of a proposed street; thence along the Westerly line of said proposed street South 25 degrees 30 minutes 00 seconds West 168.10 feet to the point of beginning.

Subject to the rights of Public Utilities of record.

Subject to restrictions of record, if any.

Being a portion of the premises conveyed by Donato Alfonso, Roselia Alfonso and Mary Landi to Michael DiZillo by deed dated October 10, 1958 and recorded March 24, 1960 in the office of the Clerk of the County of Dutchess in Liber 1022 of Deeds at page 383.



<b>DEED</b>		OR SUPPLEMENTAL INSTRUMENT	
CERT	\$1.00	NO.	8641
PAGE	450	PAID BY	<i>Am Am</i>
REF.		STAMPS	59.40
EX IND			
TOT.	550		

Dutchess County Clerk's Office  
 Received on the 24 day of Dec 1964  
 at Wappingers Falls, N.Y. M. Recorded in  
 Book No. 1162 of Deeds  
 at page 444 and examined  
 FREDERIC A. SMITH, CLERK

*Frederic A. Smith*

DUTCHESS COUNTY  
 DEC 24 1 55 PM '64  
 COUNTY CLERK'S  
 OFFICE

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

THIS INDENTURE, made the 22<sup>nd</sup> day of May, nineteen hundred and seventy-eight

BETWEEN

T. WALLACE PLEDGER and DOROTHY PLEDGER, his wife,  
both residing at No. 8 Delavergne Avenue, in the  
Village of Wappingers Falls, County of Dutchess and  
State of New York

party of the first part, and

DAVID E. BARTON and ANN O. BARTON, both residing  
at Top O Hill Road, Wappingers Falls, County of  
Dutchess and State of New York

party of the second part,

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

-----TEN and 00/100 (\$10.00)----- dollars,

lawful money of the United States, and other good and valuable 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 Village of Wappingers Falls, Town of Poughkeepsie, Dutchess  
County, New York, and which on a map of property of Margaret Paton made Sep-  
tember 15, 1924 and duly filed in the Office of the Clerk of the County of Dut-  
chess as number 1329 is known and designated as lot number 21 and is bounded  
and described as follows:

BEGINNING in the north line of Delavergne Avenue 200.10 feet westerly  
from an iron pin driven in the ground at the northwest corner of Main Street  
and Delavergne Avenue, as shown on said map, said place of beginning being the  
southeast corner of the lot hereby conveyed and being 100.16 feet easterly from  
the corner of Delavergne Avenue and a proposed street shown on said map; thence  
running northerly along the west line of lot number 20 on said map 149.31 feet;  
thence westerly 50 feet to the Northeast corner of lot number 22; thence southerly  
along the east line of lot number 22, 146.5 feet to the North side of Delavergne  
Avenue; thence easterly along the North side of Delavergne Avenue, 50.08 feet to  
the point or place of beginning.

Subject to any easement rights which the New York Telephone Company,  
American Telephone and Telegraph Company, and the Garner Print Works and Bleachery  
may have in said premises.

Subject to restrictions and restrictive covenants of record.

Subject to public utility easements of record.

ALSO ALL that lot or parcel of land situate in the Village of Wappingers  
Falls, Town of Poughkeepsie, Dutchess County, N.Y., which on a map of property  
of Mrs. Margaret Paton, filed in the Dutchess County Clerk's Office on September  
29th, 1924 as Map No. 1329, is known as Lot No. 22 and is bounded and described  
as follows:

BEGINNING at a point in the north line of Delavergne Avenue said point  
being 250.18 feet west of the intersection of Main Street and said Delavergne  
Avenue; thence westerly along the north line of Delavergne Avenue 50.08 feet  
to a point being the intersection of the northerly line of Delavergne Avenue with  
the easterly line of a proposed street as laid down on said map, said point being  
the southwest corner of the lot hereby conveyed; thence northerly at an angle of

1482 223

223

1482 224 224

86 degrees 38 minutes 143.7 feet along the easterly line of said proposed street to a point in the easterly line of said proposed street, being the northeast corner of the lot hereby conveyed; thence easterly 50.00 feet to a point being the northwest corner of Lot No. 21 and the northeast corner of the lot hereby conveyed; thence southerly along the west line of Lot No. 21 as laid down on said map, 146.5 feet to the point or place of beginning.

SUBJECT to a right of way granted by Walter C. Phillips and wife to the New York Telephone Company, the American Telephone & Telegraph Company and The Garner Print Works and Bleachery, dated February 17th 1917 and recorded in the Dutchess County Clerk's Office in Liber 397 of Deeds at page 258 on March 24th, 1917.

It is not intended hereby to transfer or convey to the party of the second part any right, title, interest or easement in the proposed street lying west of the lot above described and shown on said map and it is understood that he has no right to the use thereof except in the event of the opening, laying out and dedication of said street for street purposes.

Being the same premises conveyed by Margaret Paton to Dominic DiZillo and Jennie DiZillo, his wife, by deed dated September 6, 1933 and recorded in the Dutchess County Clerk's Office in Liber 568 of deeds at page 115.

Being the same premises conveyed by Dominic DiZillo and Jennie DiZillo, his wife to Michael DiZillo by deed dated June 28, 1946 and recorded in the office of the Clerk of the County of Dutchess on June 28, 1946 in Liber 643 of Deeds at Page 454.

AND ALSO ALL that certain lot, piece or parcel of land situate, lying and being in the Village of Wappingers Falls, Town of Poughkeepsie, County of Dutchess and State of New York and is bounded and described as follows:

BEGINNING at a point, said point being in the Northerly line of Delavergne Avenue and distant 350.35 feet Westerly from the Northwest corner of Delavergne Avenue and West Main Street as shown on a map of property of Margaret Paton filed in the Office of the Clerk of the County of Dutchess, September 29, 1924 as number 1329; said point also being the Southeasterly corner of the herein described parcel; said parcel being the Southerly part of Lot No. 23 as shown on said map; and running thence along the Northerly line of said Delavergne Avenue North 61 degrees 08 minutes 00 seconds West 50.09 feet; thence leaving the Northerly line of said Delavergne Avenue and running along the Easterly line of Lot No. 24 as shown on said Map North 28 degrees 19 minutes 00 seconds East 174.93 feet; thence leaving the Easterly line of said Lot No. 24 and running through said Lot No. 23 South 51 degrees 34 minutes 00 seconds East 42.50 feet to the Westerly line of a proposed street; thence along the Westerly line of said proposed street South 25 degrees 30 minutes 00 seconds West 168.10 feet to the point of beginning.

Subject to the rights of Public Utilities of record.  
Subject to restrictions of record, if any.

Being a portion of the premises conveyed by Donato Alfonso, Roselia Alfonso and Mary Landi to Michael DiZillo by deed dated October 10, 1958 and recorded March 24, 1960 in the office of the Clerk of the County of Dutchess in Liber 1022 of Deeds at page 383.

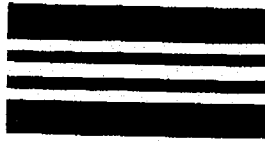
DUTCHESS COUNTY CLERK'S OFFICE  
RECEIVED ON THE 23 DAY OF MAY 1978  
AT 3 M 10 M P. M. RECORDED IN  
BOOK No. 1482 OF Deeds  
AT PAGE 223 AND EXAMINED

*John Heilmann* CLERK

RECEIVED  
is 181.50  
DUTCHESS COUNTY

DUTCHESS COUNTY  
CLERK'S OFFICE  
RECEIVED

MAY 23 3 10 PM '78



DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

MARK E WRIGHT ESQ  
PO BOX 422  
FISHKILL NY 12524

RECORDED: 01/18/2008

AT: 09:52:52

DOCUMENT #: 02 2008 471

RECEIVED FROM: CLOVE VALLEY

GRANTOR: TREMBLAY JOHN V  
GRANTEE: SIGMA TREMBLAY LLC

RECORDED IN: DEED  
INSTRUMENT TYPE:

TAX  
DISTRICT: T/POUGHKEEPSIE

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 212.00 NUMBER OF PAGES: 5

TRANSFER TAX AMOUNT:

TRANSFER TAX NUMBER: #003364

E & A FORM: Y

TP-584: Y

\*\*\* DO NOT DETACH THIS  
\*\*\* PAGE  
\*\*\* THIS IS NOT A BILL

COUNTY CLERK BY: AAC / \_\_\_\_\_  
RECEIPT NO: R03934  
BATCH RECORD: C00155

  
BRADFORD KENDALL  
County Clerk



Bargain and Sale Deed with Covenant against Grantor's Acts Individual or Corporation (Single Sheet)

(14) 500  
40  
165  
3  
212

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

**THIS INDENTURE**, made the *10<sup>th</sup>* day of *January*, two thousand and eight **BETWEEN**

JOHN V. TREMBLAY  
4 DeLavernge Avenue  
Wappinger Falls, NY 12590

Party of the first part, and

SIGMA -- TREMBLAY, LLC  
4 DeLavernge Avenue  
Wappinger Falls, NY 12590

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 SEE SCHEDULE "A" ATTACHED

Being the same premises conveyed to JOHN V. TREMBLAY by deed from JACK ARMSTRONG and ANN ARMSTRONG, his wife, dated 04/25/02 and recorded 05/08/02 as Document No. 02-2002-4398 in the Dutchess County Clerk's Office.

**TAX ID# 134601-6158-10-258625-00**

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, 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:**

  
JOHN V. TREMBLAY


STATE OF NEW YORK, COUNTY OF DUTCHESS

ss.:

On January 10, 2008 before me, the undersigned, personally appeared

JOHN V. TREMBLAY

Personally know to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
*(signature and office of individual taking acknowledgment)*

MARK E. WRIGHT  
Notary Public, State of New York  
Qualified in Dutchess County  
Commission Expires July 31, 20 10

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

STATE OF


COUNTY OF

ss.:

On \_\_\_\_\_, 2008 before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

*(insert city or political subdivision and state or county or other place acknowledgement taken)*

  
*(signature and office of individual taking acknowledgment)*

RETURN BY MAIL TO:

Attn: Mark E. Wright, Esq.  
P.O. Box 422  
Fishkill, NY 12524

**UNITED GENERAL TITLE INSURANCE COMPANY**

Title No. 546-D-UGT

**SCHEDULE A  
PROPERTY DESCRIPTION**

ALL that piece or parcel of land with buildings and improvements thereon lying, being and described as follows:

**PARCEL I**

ALL that certain plot, piece or parcel of land situate, lying and being is the VILLAGE OF WAPPINGERS FALLS, and TOWN OF POUGHKEEPSIE, County of Dutchess and State of New York, being designated as Lot No.20 on a certain map filed September 29, 1924 in the Office of the Dutchess County Clerk as Filed Map No. 1329, being 50.08 feet wide on DeLavernge Avenue, 50 feet wide in the rear, 152.12 feet deep on the East and 149.31 feet deep on the West thereon.

**PARCEL II**

ALL that plot, piece, or parcel of land situate, lying and being in the VILLAGE OF WAPPINGERS FALLS, TOWN OF POUGHKEEPSIE, County of Dutchess and State of New York, being bounded and described as follows:

BEGINNING at a point on the East side of a proposed street as shown on filed Map No. 1329, 143.7 feet northerly from a nail set in the northerly side of DeLavernge Avenue, said point being the northwesterly corner of Lot No. 22, Filed Map No. 1329; thence South 86 degrees 38' East 150 feet along rear lines of Lots 22, 21 and 20 to a point; thence North 25 degrees 30' East 150 feet along the rear lines of Lots No. 4, 5 and 6, filed Map No. 1326, to a point approximately 1.56 feet North off Village line, thence North 64 degrees 30' West 150 feet to the East side of said proposed street; thence South 25 degrees 30' West 150 feet, more or less, to the point or place of BEGINNING.

TOGETHER with an easement for ingress and egress bounded and described as follows:

All that certain plot, piece, or parcel of and situate, lying and being in the VILLAGE OF WAPPINGER FALLS, TOWN OF POUGHKEEPSIE, County of Dutchess and State of New York, being bounded and described as follows:

BEGINNING at a point on the northerly side of Delavernge Avenue at the southwest corner of Lot No. 22, filed Map 1329; thence along said Lot 22 and lands now or formerly Duso Product Inc. (Liber 1538 page 994) on a course of North 25 degrees 30' East 293 +/- feet to a point; thence North 64 degrees 30' West 50 +/- feet to a point; thence South 25 degrees 30' West 293 +/- feet to the northerly line of Delavernge Avenue; thence along same, South 86 degrees 30' East 50 +/- feet to the point or place of BEGINNING.

BEING MORE RECENTLY DESCRIBED AS FOLLOWS:

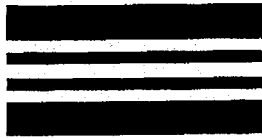
ALL that certain plot, piece or parcel of land situate, lying and being is the VILLAGE OF WAPPINGERS FALLS, TOWN OF POUGHKEEPSIE, County of Dutchess, and the State of New York, known and designated as Lot No. 20, as shown on a map entitled "Survey of Property of Mrs. Margaret Paton," filed in the Dutchess County Clerk's Office as Map No. 1329, and an adjoining parcel to the North, bounded and described as follows:

ALTA Commitment Schedule A  
546-D-UGT Form 151NY



Beginning at a point in the Northerly line of DeLavernge Avenue, said point being an iron rod found at the Southwesterly corner of lands now or formerly Campilii-Snyder P. T., P. C. (Liber 1996, cp 692); thence along the said Northerly line of DeLavernge Avenue North 61-17-00 West 50.08 feet to a point; thence along the Easterly line of Lot No. 21, as shown on the said map, North 25-30-00 East 149.31 feet to a point; thence along the Northerly lines of the said Lot No. 21 and Lot No. 22, as shown on the said map, on a correct bearing of North 64-30-00 West 100.00 feet to a point; thence along the Easterly line of lands now or formerly Dantricia Realty, Inc. (Liber 1920, op 358). North 25-30-00 East 150.00 feet to a point; thence along the Southerly line of lands now or formerly Tremblay (Deed Document Number 22007/658) South 64-30-00 East 150.00 feet to a point; thence along the Westerly lines of lands now or formerly Snyder & Campilii (Deed Document Number 22001/9441), lands now or formerly Snyder & Campilii (Deed Document Number 22001/1888), and the said lands now or formerly Campilii-Snyder P. T., P. C. (Liber 1996, cp 692), South 25-30-00 West 302.12 feet to the point or place of beginning. Containing 0.69 of an acre of land.

Together with and subject to the existing easements and rights-of-way of record, if any.



DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

PAUL SUPPLE  
5 CLIFF ST  
BEACON NY 12508

RECORDED: 01/25/2007

AT: 10:19:12

DOCUMENT #: 02 2007 658

RECEIVED FROM: ROMBOUT ABSTRACT CO

GRANTOR: WAPPINGERS REALTY INC  
GRANTEE: TREMBLAY JOHN V

RECORDED IN: DEED  
INSTRUMENT TYPE:

TAX  
DISTRICT: T/POUGHKEEPSIE

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 215.00 NUMBER OF PAGES: 6  
TRANSFER TAX AMOUNT: 596.00  
TRANSFER TAX NUMBER: #003850  
E & A FORM: Y  
TP-584: Y  
\*\*\* DO NOT DETACH THIS  
\*\*\* PAGE  
\*\*\* THIS IS NOT A BILL

COUNTY CLERK BY: MOK / \_\_\_\_\_  
RECEIPT NO: R06034  
BATCH RECORD: B00111

  
BRADFORD KENDALL  
County Clerk



**BARGAIN AND SALE DEED**

THIS INDENTURE, made August <sup>31</sup> 26, 2005, between Wappingers Realty, Inc., a corporation, having an address at PO Box 362, Wappingers Falls, NY 12590 ("Grantor"), and John V. Tremblay, having an address at 3733 Sunnyside Street, Shrub Oak, NY 10588 ("Grantee"). MAN SJ

WITNESSETH, that Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which hereby are acknowledged, does hereby grant and release unto Grantee and his heirs, executors, administrators, successors and assigns forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Poughkeepsie, the County of Dutchess, and the State of New York, being more particularly described in Exhibit A attached hereto and made a part hereof,

TOGETHER with all right, title and interest, if any, of Grantor in and to any streets and roads abutting said premises to the center lines thereof,

TOGETHER with the appurtenances, and all the estate and rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto Grantee and his heirs, executors, administrators, successors and assigns forever.

Grantor is the owner of said premises. Said premises is not located in an agricultural district.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law, covenants that it 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 before using any part of the total of the same for any other purpose.

The execution and delivery of this Deed has been duly authorized by the directors of Grantor in compliance with the requirements of Section 909 of the Business Corporation Law and no further corporate action is required by either the directors or shareholders of Grantor.

IN WITNESS WHEREOF, Grantor has duly executed this deed  
on the date first above written.

WAPPINGERS REALTY, INC.

By Frances Mierzwa  
President

FRANCES MIERZWA

Acknowledgment for Wappingers Realty, Inc.:

STATE OF NEW YORK, COUNTY OF DUTCHESS, ss.

On the <sup>31<sup>st</sup></sup> day of August 2005, before me, the undersigned, personally appeared Frances Mierzwa, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Grace L. Sillman*

Notary Public

My commission expires on

GRACE L. SILLMAN  
Notary Public, State of New York  
No. 4865179  
Qualified in Dutchess County  
My Comm. Expires July 21, 2006

UNITED GENERAL TITLE INSURANCE COMPANY

OWNER'S TITLE INSURANCE POLICY

CONTINUATION OF SCHEDULE A

Policy No. 35150593

File No. RAD-17744UGT

All that certain lot, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, and State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of West Main Street (a/k/a Rte. 9-D) where the division line between lands now of formerly Ahn and the parcel herein described intersect said road line; thence southerly along the westerly line of West Main Street (a/k/a NYS Rte. 9-D) S 14°16'00" W 196.97 feet to a point; thence westerly along Lot 15 as shown and delineated on a certain map entitled "MAP OF PORTION OF PROPERTY OF MRS. MARGARET PATON" filed in the Dutchess County Clerk's Office as map number 1326 N 75°44'00" W 150.00 feet to a point; thence southerly along Lot 7-15 as shown on F. M. 1326, aforementioned S 14°16'00" W 450.00 feet to a point; thence westerly now or formerly Armstrong and lands now or formerly Licari N 75°44'00" W 150.00 feet and N 73°44'41" W 50.06 feet to a point; thence in a generally northerly and westerly direction along lands reputedly of Wappingers Realty, Inc. N 14°14'34" E 35.01 feet and N 65°18'36" W 280.17 feet to a point; thence in a generally northerly direction along a right of way and lands now or formerly Wang and lands now or formerly Marcojohn

N 27°16'00" E 23.00 feet

N 23°16'00"E 126.91 feet

and N 11°41'00"E 322.01 feet to a point;

thence easterly along lands now or formerly Ahn S 84°04'00" E 621.65 feet to a point on the westerly line of West Main Street (a/k/a NYS Rte. 9-D) and the point or place of beginning.

The parcel described hereon is known as Tax Map Designations 6158-01-237655 and 6158-01-261673 as per Town of Poughkeepsie Tax Assessment rolls.

Subject to an easement and right of way as described in Deed Liber 1165, page 86.

Subject to an easement as described in Deed Liber 1009, page 442.

Subject to a permanent easement and right of way for the Tri-Municipal Sewer Commission.

TOGETHER with an easement over the proposed street shown per certain map entitled "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING LOTS 28, 29 & 30 TO BE TRANSFERRED" filed as Map No. 1414, "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING PARCEL D TO BE TRANSFERRED", filed as Map No. 1415 and "SURVEY OF PROPERTY OF MRS. MARGARET PATON, SHOWING LOTS 20-27 INCLUSIVE, FACING DELAVERGNE AVENUE, AND PARCEL C", filed as Map No. 1329. All the above maps are recorded in the Dutchess County Clerk's Office.

TOGETHER with any right title or interest in then Grantor to any gores, strips of land or easements if any which may adjoin the above premises.

(14) 6/22 6/23  
45 45  
11/5 2/20  
P/12/11  
811

**BARGAIN AND SALE DEED**

Dated August <sup>31</sup> 2005

from ~~Wappingers Realty, Inc.~~

Wappingers Realty, Inc.

as Grantor

to

John V. Tremblay

as Grantee

Street Address: Route 9D  
City: Poughkeepsie  
County: Dutchess

Record and return to:  
Paul Supple  
5 Cliff Street  
Beacon, NY 12508



DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

PAUL SUPPLE  
5 CLIFF ST  
BEACON NY 12508

RECORDED: 01/25/2007

AT: 10:21:19

DOCUMENT #: 02 2007 659

RECEIVED FROM: ROMBOUT ABSTRACT CO

GRANTOR: DUSO PRODUCTS INC  
GRANTEE: TREMBLAY JOHN V

RECORDED IN: DEED  
INSTRUMENT TYPE:

TAX  
DISTRICT: T/POUGHKEEPSIE

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 215.00 NUMBER OF PAGES: 6

TRANSFER TAX AMOUNT: 114.00

TRANSFER TAX NUMBER: #003851

E & A FORM: Y

\*\*\* DO NOT DETACH THIS

\*\*\* PAGE

\*\*\* THIS IS NOT A BILL

TP-584: Y

COUNTY CLERK BY: MOK / \_\_\_\_\_  
RECEIPT NO: R06035  
BATCH RECORD: B00112

  
BRADFORD KENDALL  
County Clerk





BARGAIN AND SALE DEED

Duso PRODUCTS,  
INC.

THIS INDENTURE, made August 31, 2005, between  
Duso Products, Inc., having an address at 36 Delavergne Ave., Wappingers  
Falls, NY 12590 ("Grantor"), and John V. Tremblay, having an  
address at 3733 Sunnyside Street, Shrub Oak, NY 10588  
("Grantee").

WITNESSETH, that Grantor, in consideration of Ten  
Dollars and other valuable consideration, the receipt and  
sufficiency of which hereby are acknowledged, does hereby grant  
and release unto Grantee and his heirs, executors,  
administrators, successors and assigns forever,

ALL that certain plot, piece or parcel of land, with  
the buildings and improvements thereon erected,  
situate, lying and being in Poughkeepsie, the County of  
Dutchess, and the State of New York, being more  
particularly described in Exhibit A attached hereto and  
made a part hereof,

TOGETHER with all right, title and interest, if any, of  
Grantor in and to any streets and roads abutting said  
premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and  
rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto  
Grantee and his heirs, executors, administrators, successors and  
assigns forever.

Grantor is the owner of said premises. Said premises  
is not located in an agricultural district.

Grantor covenants that Grantor has not done or suffered  
anything whereby said premises have been encumbered in any way  
whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law,  
covenants that he will receive the consideration for this convey-  
ance 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 before using any part of the total of the same  
for any other purpose.

IN WITNESS WHEREOF, Grantor has duly executed this deed

on the date first above written.

DUSO PRODUCTS, INC.

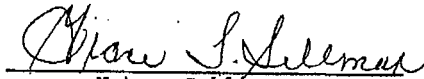
BY: Henry Mierzwa  
Henry Mierzwa

VICE PRESIDENT

DUSO PRODUCTS, INC.

STATE OF NEW YORK, COUNTY OF DUTCHESS, ss.

On August <sup>31</sup>, 2005, before me, the undersigned, personally appeared Henry Mierzwa, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

My commission expires on

GRACE L. SILLMAN  
Notary Public, State of New York  
No. 4865179  
Qualified in Dutchess County  
My Comm. Expires July 21, 2026

UNITED GENERAL TITLE INSURANCE COMPANY

OWNER'S TITLE INSURANCE POLICY

CONTINUATION OF SCHEDULE A

Policy No. 35150593

File No. RAD-17744UGT

All that certain lot, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, and State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of West Main Street (a/k/a Rte. 9-D) where the division line between lands now of formerly Ahn and the parcel herein described intersect said road line; thence southerly along the westerly line of West Main Street (a/k/a NYS Rte. 9-D) S 14°16'00" W 196.97 feet to a point; thence westerly along Lot 15 as shown and delineated on a certain map entitled "MAP OF PORTION OF PROPERTY OF MRS. MARGARET PATON" filed in the Dutchess County Clerk's Office as map number 1326 N 75°44'00" W 150.00 feet to a point; thence southerly along Lot 7-15 as shown on F. M. 1326, aforementioned S 14°16'00" W 450.00 feet to a point; thence westerly now or formerly Armstrong and lands now or formerly Licari N 75°44'00" W 150.00 feet and N 73°44'41" W 50.06 feet to a point; thence in a generally northerly and westerly direction along lands reputedly of Wappingers Realty, Inc. N 14°14'34" E 35.01 feet and N 65°18'36" W 280.17 feet to a point; thence in a generally northerly direction along a right of way and lands now or formerly Wang and lands now or formerly Marcojohn

N 27°16'00" E 23.00 feet

N 23°16'00" E 126.91 feet

and N 11°41'00" E 322.01 feet to a point;

thence easterly along lands now or formerly Ahn S 84°04'00" E 621.65 feet to a point on the westerly line of West Main Street (a/k/a NYS Rte. 9-D) and the point or place of beginning.

The parcel described hereon is known as Tax Map Designations 6158-01-237655 and 6158-01-261673 as per Town of Poughkeepsie Tax Assessment rolls.

Subject to an easement and right of way as described in Deed Liber 1165, page 86.

Subject to an easement as described in Deed Liber 1009, page 442.

Subject to a permanent easement and right of way for the Tri-Municipal Sewer Commission.

TOGETHER with an easement over the proposed street shown per certain map entitled "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING LOTS 28, 29 & 30 TO BE TRANSFERRED" filed as Map No. 1414, "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING PARCEL D TO BE TRANSFERRED", filed as Map No. 1415 and "SURVEY OF PROPERTY OF MRS. MARGARET PATON, SHOWING LOTS 20-27 INCLUSIVE, FACING DELAVERGNE AVENUE, AND PARCEL C", filed as Map No. 1329. All the above maps are recorded in the Dutchess County Clerk's Office.

TOGETHER with any right title or interest in then Grantor to any gores, strips of land or easements if any which may adjoin the above premises.

(14) 60  
45  
105  
165  
5384  
114  
329-

**BARGAIN AND SALE DEED**

Dated August <sup>31</sup> 2005

DUSO PRODUCTS, INC.

as Grantor

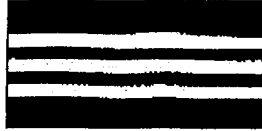
to

John V. Tremblay,

as Grantee

Street Address: 14A Delavergne Ave.  
City: Poughkeepsie  
County: Dutchess

Record and return to:  
Paul Supple  
5 Cliff Street  
Beacon, NY 12508



Dutchess County Clerk Recording Page

Record & Return To:

Date Recorded: 3/9/2022  
Time Recorded: 2:37 PM

STENGER DIAMOND & GLASS LLP  
1136 ROUTE 9  
  
WAPPINGERS FALLS, NY 12590

Document #: 02 2022 1008

Received From: NORTH RIVER ABSTRACT

Grantor: TOJE DELAVERGNE LLC  
Grantee: TREMBLAY JOHN V

Recorded In: Deed Tax District: Town of Poughkeepsie  
Instrument Type: DECLAR

Examined and Charged As Follows :

Recording Charge: \$150.00  
Transfer Tax Amount: \$0.00  
Includes Mansion Tax: \$0.00  
Transfer Tax Number: 5441

Number of Pages: 21  
\*\*\* Do Not Detach This Page  
\*\*\* This is Not A Bill

Red Hook Transfer Tax:

RP5217: N  
TP-584: Y

County Clerk By: jmo  
Receipt #: 7771  
Batch Record: 48

Bradford Kendall  
County Clerk



0220221008

Deed  
Rel  
T/P  
209 H/S  
155

TR  
209  
1415/10  
155

**DECLARATION OF ABANDONMENT OF AN EASEMENT AND RIGHT OF WAY**

WHEREAS, John D. Tremblay, residing at 3733 Sunnyside Street, Shrub Oak, NY 10588 owns two parcels of real property in the Town of Poughkeepsie, County of Dutchess and State of New York, By two deeds Filed 1/25/2007 in the Dutchess County Clerk's Office at Doc. No. 02-2007-658 and Doc. No. 02-2007-659 which share a common boundary and are described as Exhibit A and Exhibit B in the exhibits annexed hereto; and

WHEREAS, the parcels owned by John V. Tremblay are benefitted with an Easement and Right of Way over the proposed street shown per certain map entitled, "Map of Property of Mrs. Margaret Payton, Wappingers Falls, NY, showing Lots 28, 29, and 30 to be transferred" as Filed Map No. 1414 "Map of Property of Mrs. Margaret Payton, Wappingers Falls, NY showing Parcel D to be transferred" filed as Map. No. 1415 and "Survey of Property of Mrs. Margaret Payton showing Lots 20 through 27 inclusive facing Delavergne Avenue in Parcel C", filed as Map No. 1329, all of which maps are recorded in the Office of the Dutchess County Clerk and,

WHEREAS, the Easement and Right of Way described in the preceding paragraph is recognized to be a paper street because it has not been improved since the date of the filing of the maps described in the preceding paragraph, and,

WHEREAS, Toje Delavergne LLC is the owner of a parcel of real property in the Village of Wappingers, County of Dutchess and State of New York, which is described in a Deed filed in the office of the Dutchess County Clerk on September 16, 2010 at Doc. No. 02-2010-4658, said Deed is annexed hereto and made a part hereof as Exhibit C, and

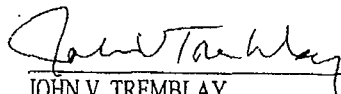
WHEREAS, the property owned Toje Delavergne LLC is benefitted by that portion of the Easement and Right of Way which is located on the property owned by Tremblay and the area of which is described in the annexed Exhibit "D", and,

WHEREAS, nothing herein shall effect Tremblay's fee interest in Exhibit "D" over which easement and right-of-way run.

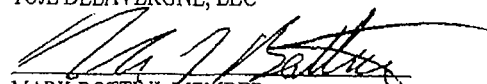
WHEREAS, Toje Delavergne LLC and John V. Tremblay now each wish to abandon any interest that they may have in the purported Easement and Right of Way as described in the annexed Exhibit D,

NOW, THEREFORE, the parties hereto agree as follows:

1. All of the introductory paragraphs of this Agreement shall be deemed incorporated into this Agreement as if set forth at length herein. ✓
2. John V. Tremblay does hereby declare his abandonment and release of any interest in the Easement and Right of Way and the area in which it is described at Exhibit C. ✓
3. Toje does hereby declare his abandonment and release of any interest in the Easement and Right of Way and the area in which it is described at Exhibit D. ✓
4. Toje Delavergne LLC specifically retains its interest and does not abandon that interest in any portion of the purported Easement and Right of Way which is located south of the northerly boundary described at Exhibit C.
5. It is the intention of the parties to this Agreement that this Agreement confirms the abandonment of any interest in the Easement and Right of Way described at Exhibit C and Exhibit D, with the intent that they each, being the only parties with an interest in the easement area, have now extinguished the same.

  
\_\_\_\_\_  
JOHN V. TREMBLAY

TOJE DELAVERGNE, LLC

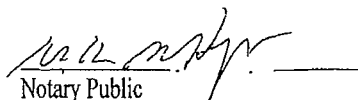
  
\_\_\_\_\_  
MARK BOTTINI, MEMBER



Acknowledgment

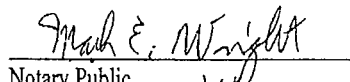
STATE OF NEW YORK )  
 ) ss:  
COUNTY OF DUTCHESS )

On the 15 day of February 2022 before me, the undersigned a Notary Public in and for said State, personally appeared MARK BOTTINI personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public  
KENNETH M. STENGER  
Notary Public, State of New York  
No. 02ST4648578  
Qualified in Dutchess County  
Commission Expires September 21, 2023

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF DUTCHESS )

On the 28<sup>th</sup> day of February 2022 before me, the undersigned a Notary Public in and for said State, personally appeared JOHN V. TREMBLAY personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public  
MARK E. WRIGHT  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 4671043  
QUALIFIED IN DUTCHESS COUNTY  
COMMISSION EXPIRES 10/13/2022

DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

PAUL SUPPLE  
5 CLIFF ST  
BEACON NY 12508

RECORDED: 01/25/2007  
AT: 10:19:12  
DOCUMENT #: 02 2007 658

RECEIVED FROM: ROMBOUT ABSTRACT CO

GRANTOR: WAPPINGERS REALTY INC  
GRANTEE: TREMBLAY JOHN V

RECORDED IN: DEED  
INSTRUMENT TYPE:

TAX  
DISTRICT: T/POUGHKEEPSIE

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 215.00 NUMBER OF PAGES: 6  
TRANSFER TAX AMOUNT: 596.00  
TRANSFER TAX NUMBER: #003850

E & A FORM: Y  
TP-584: Y

\*\*\* DO NOT DETACH THIS  
\*\*\* PAGE  
\*\*\* THIS IS NOT A BILL

COUNTY CLERK BY: MOK /  
RECEIPT NO: R06034  
BATCH RECORD: B00111



  
BRADFORD KENDALL  
County Clerk



Exhibit A

**BARGAIN AND SALE DEED**

THIS INSTRUMENT, made August 31, 2005, between MANN SJ  
Mappingers Realty, Inc., a corporation, having an address at PO  
Box 362, Mappingers Falls, NY 12590 ("Grantor"), and John V.  
Tremblay, having an address at 3733 Sunnyside Street, Shrub Oak,  
NY 10588 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten  
Dollars and other valuable consideration, the receipt and  
sufficiency of which hereby are acknowledged, does hereby grant  
and release unto Grantee and his heirs, executors,  
administrators, successors and assigns forever,

ALL that certain plot, piece or parcel of land, with  
the buildings and improvements thereon erected,  
situate, lying and being in Foughkeepsie, the County of  
Dutchess, and the State of New York, being more  
particularly described in Exhibit A attached hereto and  
made a part hereof,

TOGETHER with all right, title and interest, if any, of  
Grantor in and to any streets and roads abutting said  
premises to the center lines thereof,

TOGETHER with the appurtenances, and all the estate and  
rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto  
Grantee and his heirs, executors, administrators, successors and  
assigns forever.

Grantor is the owner of said premises. Said premises  
is not located in an agricultural district.

Grantor covenants that Grantor has not done or suffered  
anything whereby said premises have been encumbered in any way  
whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law,  
covenants that it will receive the consideration for this convey-  
ance 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 before using any part of the total of the same  
for any other purpose.

The execution and delivery of this Deed has been duly  
authorized by the directors of Grantor in compliance with the re-  
quirements of Section 909 of the Business Corporation Law and no  
further corporate action is required by either the directors or  
shareholders of Grantor.

IN WITNESS WHEREOF, Grantor has duly executed this deed  
 on the date first above written.

WAPPINGERS REALTY, INC.  
 By Francis Mirzwa  
 President

FRANCIS MIRZWA

Acknowledgment for Wappingers Realty, Inc.:

STATE OF NEW YORK, COUNTY OF DUTCHESS, ss.

On the <sup>31<sup>st</sup></sup> day of August 2005, before me, the undersigned, personally appeared Frances Mierzwa, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Grace S. Sillman*  
Notary Public  
My commission expires on

GRACE L. SILLMAN  
Notary Public, State of New York  
No. 4855179  
Qualified in Dutchess County  
My Comm. Expires July 21, 2006

UNITED GENERAL TITLE INSURANCE COMPANY

OWNER'S TITLE INSURANCE POLICY

CONTINUATION OF SCHEDULE A

Policy No. 35150593

File No. RAD-17744UGT

All that certain lot, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, and State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of West Main Street (a/k/a Rte. 9-D) where the division line between lands now of formerly Ahn and the parcel herein described intersect said road line; thence southerly along the westerly line of West Main Street (a/k/a NYS Rte. 9-D) S 14°16'00" W 196.97 feet to a point; thence westerly along Lot 15 as shown and delineated on a certain map entitled "MAP OF PORTION OF PROPERTY OF MRS. MARGARET PATON" filed in the Dutchess County Clerk's Office as map number B326 N 75°44'00" W 150.00 feet to a point; thence southerly along Lot 7-15 as shown on F. M. 1326, aforementioned S 14°16'00" W 450.00 feet to a point; thence westerly now or formerly Armstrong and lands now or formerly Licari N 75°44'00" W 150.00 feet and N 73°44'41" W 50.06 feet to a point; thence in a generally northerly and westerly direction along lands reputedly of Wappingers Realty, Inc. N 14°14'34" E 35.01 feet and N 65°18'36" W 280.17 feet to a point; thence in a generally northerly direction along a right of way and lands now or formerly Wang and lands now or formerly Marcejohn

N 27°16'00" E 23.00 feet

N 23°16'00" E 126.91 feet

and N 11°41'00" E 322.01 feet to a point;

thence easterly along lands now or formerly Ahn S 84°04'00" E 621.65 feet to a point on the westerly line of West Main Street (a/k/a NYS Rte. 9-D) and the point or place of beginning.

The parcel described hereon is known as Tax Map Designations 6158-01-237655 and 6158-01-261673 as per Town of Poughkeepsie Tax Assessment rolls.

Subject to an easement and right of way as described in Deed Liber 1165, page 86.

Subject to an easement as described in Deed Liber 1009, page 442.

Subject to a permanent easement and right of way for the Tri-Municipal Sewer Commission.

TOGETHER with an easement over the proposed street shown per certain map entitled "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING LOTS 28, 29 & 30 TO BE TRANSFERRED" filed as Map No. 1414, "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING PARCEL D TO BE TRANSFERRED", filed as Map No. 1415 and "SURVEY OF PROPERTY OF MRS. MARGARET PATON, SHOWING LOTS 20-27 INCLUSIVE, FACING DELAVERGNE AVENUE, AND PARCEL C", filed as Map No. 1329. All the above maps are recorded in the Dutchess County Clerk's Office.

TOGETHER with any right title or interest in then Grantor to any gores, strips of land or easements if any which may adjoin the above premises.

141  
11/23/05  
811

MARGARET AND BALE DEER

Dated August 21, 2005

from MARGARET AND BALE DEER

Wappingers Realty, Inc.

as Grantor

to

John V. Tremblay

as Grantee

Street Address: Route 9D  
City: Poughkeepsie  
County: Dutchess

Record and return to:  
Paul Supple  
5 Cliff Street  
Beacon, NY 12508

DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

PAUL SUPPLE  
5 CLIFF ST  
BEACON NY 12508

RECORDED: 01/25/2007  
AT: 10:21:19  
DOCUMENT #: 02 2007 659

RECEIVED FROM: ROMBOUT ABSTRACT CO

GRANTOR: DUSO PRODUCTS INC  
GRANTEE: TREMBLAY JOHN V

RECORDED IN: DEED TAX  
INSTRUMENT TYPE: DISTRICT: T/POUGHKEEPSIE

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 215.00 NUMBER OF PAGES: 6  
TRANSFER TAX AMOUNT: 114.00  
TRANSFER TAX NUMBER: #003851

E & A FORM: Y \*\*\* DO NOT DETACH THIS  
TP-584: Y \*\*\* PAGE  
\*\*\* THIS IS NOT A BILL

COUNTY CLERK BY: MOK / \_\_\_\_\_  
RECEIPT NO: R06035  
BATCH RECORD: B00112

  
BRADFORD KENDALL  
County Clerk



order Doc #: 0220221008 Printed Page 11 of 21

adfile Doc #: 022007659 Printed Page 1 of 6

*Exhibit B*



**BARGAIN AND SALE DEED**

*Also PRODCATS, Inc.*

THIS INDENTURE, made August 31, 2005, between  
[redacted], having an address at 36 Delavergne Ave., Wappingers  
Falls, NY 12590 ("Grantor"), and John V. Tremblay, having an  
address at 3733 Sunnyside Street, Shrub Oak, NY 10588  
("Grantee").

WITNESSETH, that Grantor, in consideration of Ten  
Dollars and other valuable consideration, the receipt and  
sufficiency of which hereby are acknowledged, does hereby grant  
and release unto Grantee and his heirs, executors,  
administrators, successors and assigns forever,

ALL that certain plot, piece or parcel of land, with  
the buildings and improvements thereon erected,  
situate, lying and being in Poughkeepsie, the County of  
Dutchess, and the State of New York, being more  
particularly described in Exhibit A attached hereto and  
made a part hereof,

TOGETHER with all right, title and interest, if any, of  
Grantor in and to any streets and roads abutting said  
premises to the center lines thereof,

TOGETHER with the appurtenances, and all the estate and  
rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto  
Grantee and his heirs, executors, administrators, successors and  
assigns forever.

Grantor is the owner of said premises. Said premises  
is not located in an agricultural district.

Grantor covenants that Grantor has not done or suffered  
anything whereby said premises have been encumbered in any way  
whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law,  
covenants that he will receive the consideration for this convey-  
ance 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 before using any part of the total of the same  
for any other purpose.

IN WITNESS WHEREOF, Grantor has duly executed this deed

on the date first above written.

BY: Henry Horvath  
Henry Horvath  
DUSO PRODUCTS, INC.

VICE PRESIDENT  
DUSO PRODUCTS, INC.

STATE OF NEW YORK, COUNTY OF DUTCHESS, ss.

On August <sup>31</sup>, 2005, before me, the undersigned, personally appeared Henry Mierawa, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

My commission expires on

GRACE L. SULLIVAN  
Notary Public, State of New York  
No. 4885179  
Qualified in Dutchess County  
My Comm. Expires July 21, 2026

UNITED GENERAL TITLE INSURANCE COMPANY

OWNER'S TITLE INSURANCE POLICY

CONTINUATION OF SCHEDULE A

Policy No 35150593

File No RAD-17744UGT

All that certain lot, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, and State of New York and being more particularly bounded and described as follows

BEGINNING at a point on the westerly line of West Main Street (a/k/a Rte. 9-D) where the division line between lands now of formerly Ahn and the parcel herein described intersect said road line, thence southerly along the westerly line of West Main Street (a/k/a NYS Rte. 9-D) S 14°16'00" W 196.97 feet to a point, thence westerly along Lot 15 as shown and delineated on a certain map entitled "MAP OF PORTION OF PROPERTY OF MRS. MARGARET PATON" filed in the Dutchess County Clerk's Office as map number 1326 N 75°44'00" W 150.00 feet to a point, thence southerly along Lot 7-15 as shown on F. M. 1326, aforementioned S 14°16'00" W 450.00 feet to a point, thence westerly now or formerly Armstrong and lands now or formerly Lican N 75°44'00" W 150.00 feet and N 73°44'41" W 50.06 feet to a point, thence in a generally northerly and westerly direction along lands reputedly of Wappingers Realty, Inc. N 14°14'34" E 35.01 feet and N 65°18'36" W 280.17 feet to a point, thence in a generally northerly direction along a right of way and lands now or formerly Wang and lands now or formerly Marcojohn

N 27°16'00" E 23.00 feet

N 23°16'00" E 126.91 feet

and N 11°41'00" E 322.01 feet to a point,

thence easterly along lands now or formerly Ahn S 84°04'00" E 621.65 feet to a point on the westerly line of West Main Street (a/k/a NYS Rte. 9-D) and the point or place of beginning.

The parcel described hereon is known as Tax Map Designations 6158-01-237655 and 6158-01-261673 as per Town of Poughkeepsie Tax Assessment rolls

Subject to an easement and right of way as described in Deed Liber 1165, page 86

Subject to an easement as described in Deed Liber 1009, page 442

Subject to a permanent easement and right of way for the Tri-Municipal Sewer Commission.

TOGETHER with an easement over the proposed street shown per certain map entitled "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING LOTS 28, 29 & 30 TO BE TRANSFERRED" filed as Map No. 1414, "MAP OF PROPERTY OF MRS. MARGARET PATON, WAPPINGER FALLS, N.Y. SHOWING PARCEL D TO BE TRANSFERRED", filed as Map No. 1415 and "SURVEY OF PROPERTY OF MRS. MARGARET PATON, SHOWING LOTS 20-27 INCLUSIVE, FACING DELAVERGNE AVENUE, AND PARCEL C", filed as Map No. 1329. All the above maps are recorded in the Dutchess County Clerk's Office.

TOGETHER with any right title or interest in then Grantor to any gores, strips of land or easements if any which may adjoin the above premises

(14) 1649  
15-  
16-  
17-  
18-  
19-  
20-  
329-

**BARGAIN AND SALE DEED**

Dated August 21, 2005

TO HAVE AND TO HOLD unto the said JOHN V. TRAMBLAY, his heirs and assigns forever

DUSO PRODUCTS, INC.

as Grantor

to

John V. Trambly

as Grantee

Street Address. 14A Delavergne Ave.  
City. Poughkeepsie  
County: Dutchess

Record and return to.  
Paul Supple  
5 Cliff Street  
Beacon, NY 12508

Dutchess County Clerk Recording Page

Record & Return To

TEAHAN & CONSTANTINO  
PO BOX 1969  
POUGHKEEPSIE, NY 12601-

Date Recorded 09/16/2010  
Time Recorded 1 12 00  
Document# 0220104658

Received From FELDMAN JACOBSON  
ABSTRACT

Grantor DANTRICIA REALTY INC  
Grantee TOJE DELAVERGNE LLC

Recorded In Deed  
Instrument Type

Tax District Town of  
Poughkeepsie

Examined and Charged As Follows

Recording Charge \$315 00  
Transfer Tax Amount \$232 00  
Transfer Tax Number #778  
Red Hook Transfer Tax  
E & A Form Y  
TP-584 Y

Number of Pages 4

\*\*\* Do Not Detach This Page  
\*\*\* This Is Not A Bill

County Clerk By ksw / \_\_\_\_\_  
Receipt # R49448  
Batch Record A101



0220104658

Bradford Kendall  
County Clerk



Exhibit C

TIP 4p  
60  
250  
230  
547

**BARGAIN & SALE DEED WITH COVENANT  
AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made the 14 day of SEPTEMBER, Two Thousand and Ten

BETWEEN

**DANTRICIA REALTY, INC.**  
70 Patricia Lane  
Clinton Corners, New York 12514

party of the first part, and

**TOJE DELAVERGNE LLC**  
2785 West Main Street  
Wappingers Falls, New York 12590

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS AND NO CENTS (\$10.00), lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, together with any improvements thereon, situate, lying and being in the TOWN OF POUGHKEEPSIE, VILLAGE OF WAPPINGERS FALLS, County of Dutchess, New York more particularly described as shown on attached Schedule A, more commonly known as Delavergne Avenue, Wappingers Falls, New York.

BEING the same premises conveyed by Dantricia Realty, Inc. to Dantricia Realty, Inc. by Deed dated February 22, 2010 recorded on February 24, 2010 in the Office of the Clerk of the County of Dutchess as Document No. 02-2010-928.

BEING and intended to be a portion of the "proposed street" as shown on "Survey of Property of Mrs. Margaret Paton", dated September 15, 1924 and prepared by J. V. Mauro, L.S., as recorded in the Dutchess County Clerk's Office as Map No. 1329, being the portion of said "proposed street" as lies in the Village of Wappingers Falls.

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;

SUBJECT to the rights of Dantricia Realty, Inc., its successors and/or assigns, to use said "proposed street" for ingress and egress in perpetuity, being Lots 24 and 25 and a portion of Parcel C and a portion of the rear of Lot 23 on said filed Map No. 1329, being the remaining lands still owned by Dantricia Realty, Inc. and being a portion of the premises conveyed by Daniel Licari and Patricia Licari to Dantricia Realty, Inc. by Deed dated October 8, 1992 recorded on October 22, 1992 in the Office of the Clerk of the County of Dutchess in Liber 1920 of Deeds at page 358, more commonly referred to as tax grid numbers 134601-6158-09-23621-0000 and 134601-6158-09-242634-0000 and 134601-6158-09-232622-0000.

SUBJECT to the rights of Lots 22 and 23 on said filed Map No. 1329 and any others including but not limited to lots referred to on filed Map Nos. 1415 and 1414, to use said "proposed street" for ingress and egress in perpetuity.

FELDMAN-JACOBSON ABSTRACT  
TITLE NO. 10-18-040054  
RE. 286-58

Schedule A Description

Underwriter No. RF 248-06  
Title Number 1010040064

ALL that certain plot, piece or parcel of land situated lying and being in the Village of Wappingers Falls, Town of Poughkeepsie, County of Dutchess and State of New York, being a portion of a Proposed Street as shown on a filed map entitled "Survey of Property of Mrs. Margaret Paton", said filed map being filed in the Dutchess County Clerk's Office as Map No. 1329, bounded and described as follows ✓

BEGINNING at a point on the northerly line of Delavergne Avenue, said point being the intersection of the northerly line of Delavergne Avenue with the westerly line of Lot 22 as shown on said filed Map No. 1329, being lands now or formerly Four Seasons Management LLC (Document No. 02-2004-8747), thence along the northerly line of Delavergne Avenue, North 61 Deg. 08' 00" West 50.08 feet to a point; thence along lands now or formerly Haynes (Liber 1905 cp 300) and along lands now or formerly Dantincia Realty Inc. (Liber 1920 cp 358), North 25 Deg. 30' 00" East 290.75 feet to a point; thence along lands now or formerly Tremblay (Document No. 02-2007-658), South 84 Deg. 30' 00" East 50.00 feet to a point; thence along lands now or formerly Sigma-Tremblay LLC (Document No. 02-2008-471) and along Lot 22 as shown on said filed Map No. 1329, being lands now or formerly Four Seasons Management LLC (Document No. 02-2004-8747), South 25 Deg. 30' 00" West 293.89 feet to the point or place of BEGINNING



SUBJECT to all easements, covenants, restrictions, and rights-of-way of record, if any;

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

DANTRICIA REALTY, INC.

By Daniel J. Licari Secretary  
DANIEL J. LICARI, Secretary

STATE OF NEW YORK )  
COUNTY OF DUTCHESS ) ss

On the 14 day of SEPTEMBER, in the year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared DANIEL J. LICARI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument

Paul R. Jaynes  
Notary Public  
PAUL R. JAYNES  
Notary Public, State of New York  
NY 02HAB12759  
Qualified in Dutchess County  
Commission Expires May 31, 2011

RECORD AND RETURN TO

Richard J Cantor, Esq.  
Teahan & Constantino, Esqs  
P.O. Box 1969  
2780 South Road  
Poughkeepsie, New York 12601-0969

# Exhibit D

## ***Robert V. Oswald Jr. - Land Surveying***

P.O. Box 1  
Lagrangeville, New York 12540  
845-226-6436  
fax - 845-226-1316

February 23, 2022

50' wide proposed road  
(Road Abandonment)

Description of a certain parcel of land situated in the Town of Poughkeepsie, County of Dutchess and the State of New York.

Beginning at a point and said the southeasterly corner of the herein described parcel and said point being the northeasterly corner of the lands of now or formerly Toje Delavergne Document no. 2010-4658, and being the southeasterly corner of the herein described Proposed Road, thence in a westerly direction NORTH 73-44-41 WEST 50.06 feet to the southeasterly corner of the lands of Greystone Programs Inc. thence in a northerly direction over and through the lands of South Hills Common the following courses and distances, NORTH 14-14-34 EAST 35.01 feet to a point, thence NORTH 14-16-00 EAST 558.95 feet to northwesterly corner of the Proposed Road with the northerly line of the lands of South Hills Common, thence in a easterly direction along the northerly line of South Hills Common SOUTH 84-04-00 EAST 50.58 feet to the northeasterly corner of the Proposed Road, thence in a southerly direction over and through the lands of South Hills Common, SOUTH 14-16-00 WEST 603.03 feet to the point of beginning.



**Dutchess County Clerk Recording Page**

Record & Return To:

Date Recorded: 3/9/2022

Time Recorded: 2:37 PM

STENGER DIAMOND & GLASS LLP  
1136 ROUTE 9  
WAPPINGERS FALLS, NY 12590

Document #: 02 2022 1009

Received From: NORTH RIVER ABSTRACT

Grantor: TREMBLAY JOHN V  
Grantee: SOUTH HILLS COMMON LLC

Recorded In: Deed  
Instrument Type:

Tax District: Town of Poughkeepsie

**Examined and Charged As Follows :**

Recording Charge: \$325.00  
Transfer Tax Amount: \$996.00  
Includes Mansion Tax: \$0.00  
Transfer Tax Number: 5442

Number of Pages: 6

**\*\*\* Do Not Detach This Page  
\*\*\* This is Not A Bill**

Red Hook Transfer Tax:

RP5217: Y  
TP-584: Y

County Clerk By: jmo  
Receipt #: 7771  
Batch Record: 48

Bradford Kendall  
County Clerk



0220221009

090-NV-DU-74978  
7A 5p  
70  
255  
996  
B 21

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

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

(7/P) 5p 70  
255  
305  
996  
1321

THIS INDENTURE, made as of the 28 day of February in the year 2022,

BETWEEN

JOHN V. TREMBLAY, with an address at 3733 Sunnyside Street, Shrub Oak, New York 10588, party of the first part,

and

SOUTH HILLS COMMON LLC, a New York limited liability company, with offices at 5 Willard Court, Poughquag, New York 12570,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of in consideration of TEN (\$10.00) and 00/100 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 lot, piece or parcel of land situate, lying and being in the Town of Poughkeepsie, County of Dutchess and the State of New York and being more particularly bounded and described on the attached Schedule "A".

- Parcel I : Property Address: Route 9D, Poughkeepsie, NY 12603  
Tax Grid No.: 6158-01-261673
- Parcel II : Property Address: Delavergne Avenue, Poughkeepsie, NY 12603  
Tax Grid No.: 6158-01-237655

BEING AND INTENDED to be the same premises conveyed to party of the first part, by a deed from Wappingers Realty Inc., dated 8/31/2005 and recorded 1/25/2007 at Document No. 02-2005-658 and the second deed from Duso Products, Inc., dated 8/31/2005 and recorded 1/25/2007 at Document No. 02-2007-659.

It is intention of the Grantor and Grantee that the two (2) separately described parcels in this deed be merged into a single parcel more particularly described in the annexed Schedule "B" and that the merged parcel shall be treated as a single parcel for tax purposes which shall bear a single tax identification number.

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

## Schedule A Description

Title Number 20-NV-DU-74978

Page 1

All that certain lot, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, and State of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of West Main Street (a/k/a Rte. 9-D) where the division line between lands now of formerly Ahn and the parcel herein described intersect said road line; thence southerly along the westerly line of West Main Street (a/k/a NYS Rte. 9-D) S 14°16'00" W 196.97 feet to a point; thence westerly along Lot 15 as shown and delineated on a certain map entitled "MAP OF PORTION OF PROPERTY OF MRS. MARGARET PATON" filed in the Dutchess County Clerk's Office as map number 1326 N 75°44'00" W 150.00 feet to a point; thence southerly along Lot 7-15 as shown on F. M. 1326, aforementioned S 14°16'00"W 450.00 feet to a point; thence westerly now or formerly Armstrong arid lands now or formerly Licari N 75°44'00"W 150.00 feet and N 73°44'41" W 50.06 feet to a point; thence in a generally northerly and westerly direction along lands reputedly of Wappingers Realty, Inc. N 14°14'34" E 35.01 feet and N 65°18'36" W 280.17 feet to a point; thence in a generally northerly direction along a right of way and lands now or formerly Wang and lands now or formerly Marcojohn

N 27°16'00" E 23.00 feet

N 23°16'00" E 126.91 feet and

N 11°41'00" E 322.01 feet to a point;

thence easterly along lands now or formerly Ahn S 84°04'00" E 621.65 feet to a point on the westerly line of West Main Street (a/k/a NYS Rte. 9-D) and the point or place of beginning.

The parcel described hereon is known as Tax Map Designations 6158-01-237655 and 6158-01-261673 as per Town of Poughkeepsie Tax Assessment rolls.

Subject to an easement and right of way as described in Deed Liber 1165, page 86.

Subject to an easement as described in Deed Liber 1009, page 442,

Subject to a permanent easement and right of way for the Tri-Municipal Sewer Commission.

***Robert V. Oswald Jr. - Land Surveying***

P.O. Box 1  
Lagrangeville, New York 12540  
845-226-6436  
fax - 845-226-1316

November 4, 2021

South Hills Common  
Deed description

Description of a certain parcel of land situated in the Town of Poughkeepsie, County of Dutchess and the State of New York.

Beginning at a point along the westerly line of Route 9D and said point being the northeasterly corner of the herein described parcel with the southeasterly corner of the lands of now or formerly Condo Property Liber 1877 Page 522, thence in a southerly direction along the westerly line of Route 9D, SOUTH 14-16-00 WEST 196.97 feet to the northeasterly corner of the lands of now or formerly Wappinger Falls Cemetery Liber 448 Page 228, thence in a westerly direction along the northerly line of Wappinger Falls Cemetery, NORTH 75-44-00 WEST 150.00 feet to the northwesterly corner of Wappinger Falls Cemetery, thence in a southerly direction along the westerly line of the Wappinger Falls Cemetery and the lands of now or formerly Nicholas Garnot Liber 1973 Page 173 and the lands of now or formerly the lands of Marco Bulivar Document no. 2014 page 239 and the lands of now or formerly Campal Snyder Family Farm LLC Document no. 2016-3971 and the lands of Gerald O'Brien Document no. 2016-177, SOUTH 14-16-00 WEST 450.00 feet to the southeasterly corner of the herein described parcel with the northeasterly corner of the lands of now or formerly Sigma-Tremblay LLC Document no. 2008-471, thence in a westerly direction along the northerly line of Sigma-Tremblay LLC, NORTH 75-44-00 WEST 150.00 feet to the northeasterly corner of the lands of now or formerly Toje Delavergne Document No. 2010-4658, thence in a westerly direction along the northerly line of Toje Delavergne, NORTH 73-44-41 WEST 50.06 to the easterly corner of the lands of now or formerly Greystone Programs Inc. Document No. 2003-5107, thence in a northerly and westerly direction along the lands of Greystone Programs Inc. the following courses and distances, NORTH 14-14-34 EAST 35.01 feet thence

Page 2

NORTH 65-18-36 WEST 280.17 feet to the southwesterly corner of the herein described parcel, thence in a northerly direction along the westerly

line of the herein described parcel the following courses and distances, NORTH 27-16-00 EAST 23.00 feet to a point thence NORTH 23-16-00 EAST 126.91 feet to the southeasterly corner of the lands of now or formerly Marcojohn Liber 1596 Page 949, thence in a northerly direction along the easterly line of Marcojohn and westerly line of the herein described parcel NORTH 11-41-00 EAST 322.01 feet to the northwesterly corner of the herein described parcel with the aforesaid lands of Condo Property, thence in a easterly direction along southerly line of the Condo Property, SOUTH 84-04-00 EAST 621.65 feet to the point of beginning. Containing 6.51 acres of land more or less.

Subject to the rights of public utilities of record.

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:

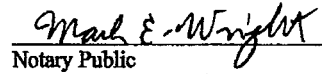
  
John V. Tremblay

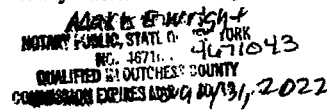
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

On February 28<sup>th</sup>, 2022 before me, the undersigned a Notary Public in and for said State, personally appeared **John V. Tremblay**, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public



**Record and Return:**  
Kenneth M. Stenger, Esq.  
Stenger, Diamond & Glass, LLP  
1136 Route 9  
Wappingers Falls, NY 12590



FM 1326 - 16-19+

261673

6.5 A(d)

SOUTH HILLSWAY

POUGHKEEPSIE

233645

FM 1329 - 27+  
221631  
4.1 A(C)

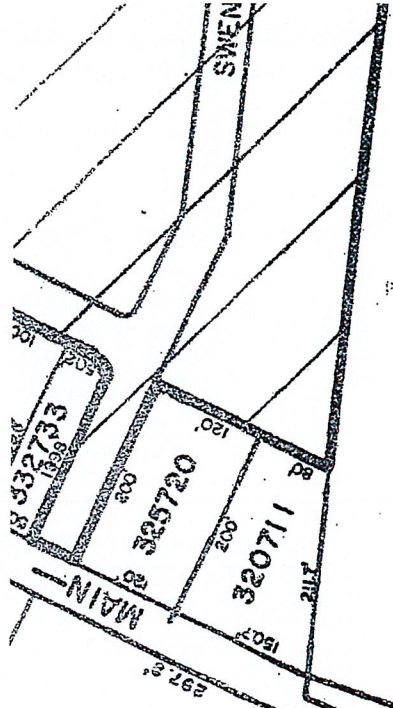
WAPPINGERS FALLS  
VILLAGE - POK

DELAVERGNE AV

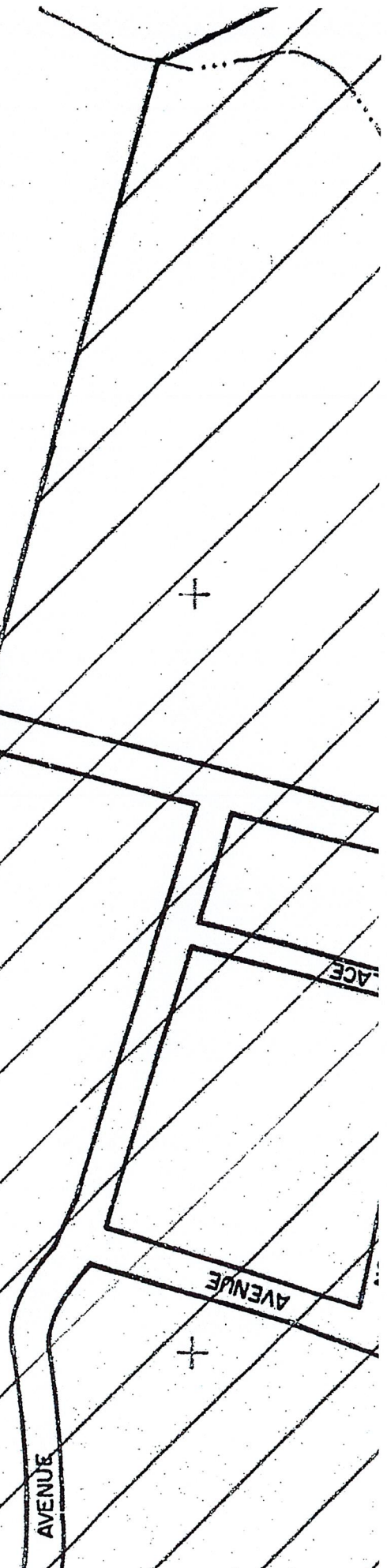
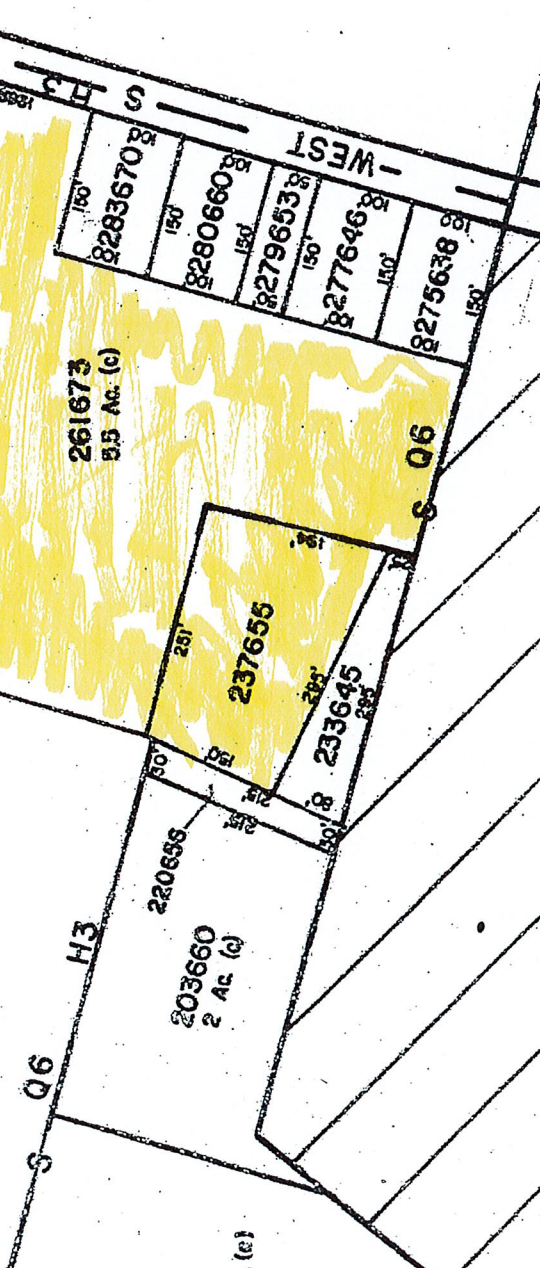
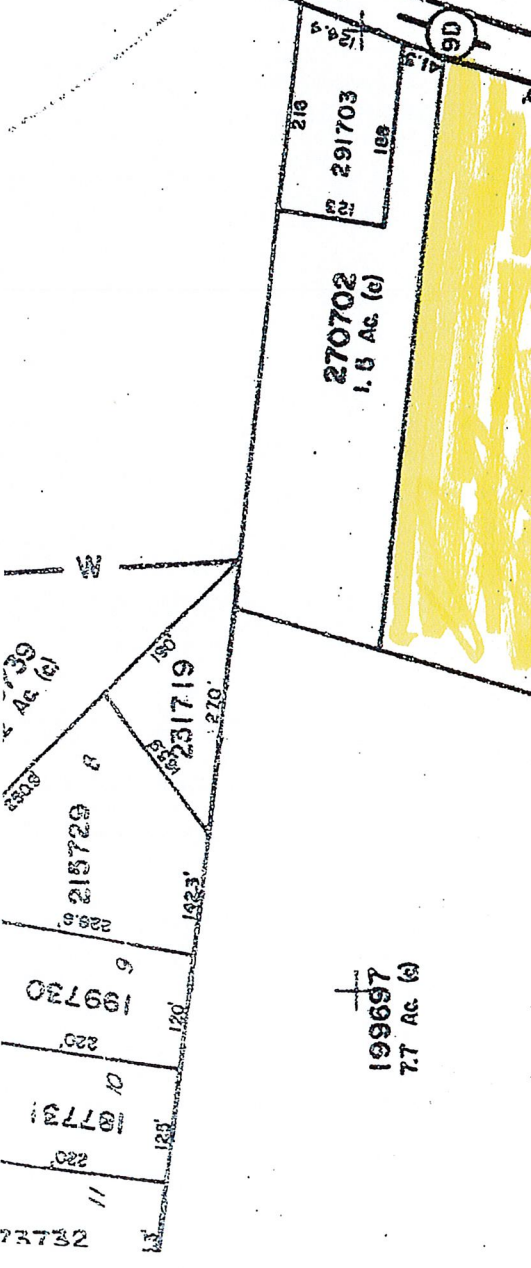
NELSON AV

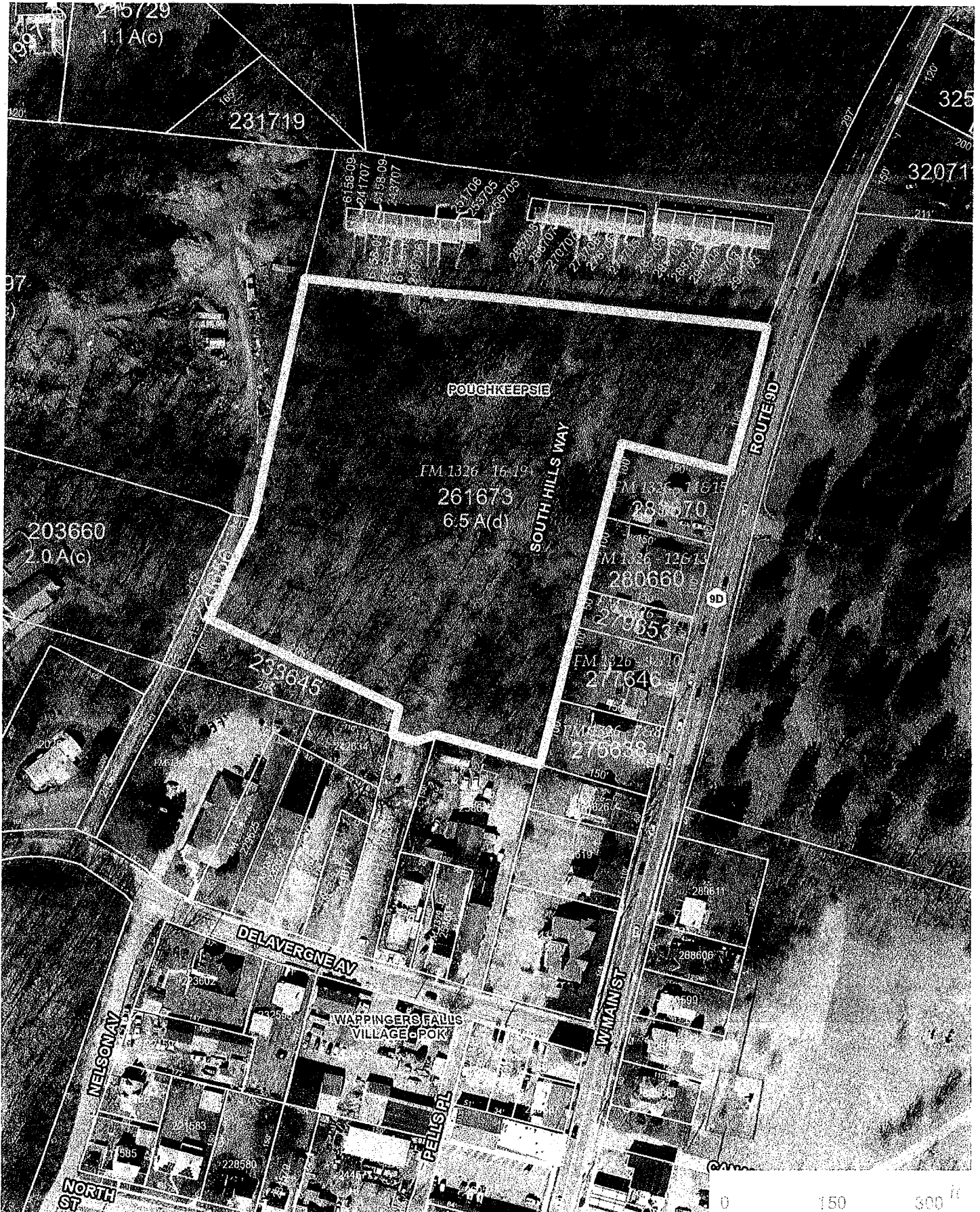
PELUS PL





Whippings Falls Cemetery  
 369660  
 2894 Ac. (e)





# ERNST MARTIN JR, PE, LS

Professional Engineer & Land Surveyor

emartinpels@gmail.com

Mill Pond Place, PO Box 553  
Hughsonville, NY 12537  
(914) 489-3235

November 13, 2023

HAND DELIVERED

Village of Wappingers Falls Planning Board  
2582 South Avenue  
Wappingers Falls, New York 12590

Re: Property Line Realignment  
Market Properties, Inc. & Dutchess Bleachery, LLC  
58 McKinnley Street

Dear Board Members:

Enclosed for your review and consideration please find the following:

1. 5 copies, "Application for Planning Board Review"
2. 5 copies, "Property Line Realignment Plat"
3. 5 copies, "Short Environmental Assessment Form"
4. Application Fee in the amount of \$100.00
5. Escrow Fee in the amount of \$750.00

The Owners/Applicants are desirous to realign the property line at 58 McKinnley Street to reflect the actual site conditions regarding the parking area and rear patio.

Would you kindly place this application on your next meeting scheduled for December 7<sup>th</sup>. Should you have any questions, please contact me at (914) 489-3235 or via email [emartinpels@gmail.com](mailto:emartinpels@gmail.com).

Very truly yours,



Ernst Martin, Jr., PE, LS  
EM/me



# VILLAGE OF WAPPINGERS FALLS

BUILDING DEPARTMENT  
OFFICE OF CODE ENFORCEMENT  
OFFICE OF THE FIRE INSPECTOR  
2582 SOUTH AVENUE  
WAPPINGERS FALLS, NY 12590  
PHONE: (845) 297-5277 FAX: (845) 296-0379  
E-mail: [bmurphy@wappingersfallsny.gov](mailto:bmurphy@wappingersfallsny.gov)  
[www.wappingersfallsny.gov](http://www.wappingersfallsny.gov)

## APPLICATION FOR PLANNING BOARD REVIEW

Submission Date: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Meetings are held at the American Legion Hall, 7 Spring Street on the first Thursday of the month at 7:00 p.m. All information must be completely filled out and returned no later than 15 business days before meeting date. For the complete list of Planning Meeting Dates and Deadlines go to the Building, Planning and Zoning page on the village website [www.wappingersfallsny.gov](http://www.wappingersfallsny.gov).

A filing fee is required in connection with any application to the Planning Board for approval.

**The Planning Board is responsible for the review and approval of all applications concerning:**

- Opening a new business in the Village
- Installing a new sign
- Building a new structure in a commercial zone
- Subdivision / Site Review/ Lot Line Adjustment

**Items to be submitted for review:** (Only items pertaining to project)

- PDF Emailed to Building Dept. and Ten (10) hard copy sets of construction/site/elevation/plans - Engineer drawings showing all areas to be affected. Or a sketch of the proposed floor plan layout (*All sets of plans must be folded*)
- Legal Documents (Right of Ways/Easements/Lease/Contracts of Sale, etc.)
- Consent Form (*The applicant must provide consent form, from homeowner authorizing him/her to file for Planning Review*)
- Application fee
- Application for proposed sign - Including Renderings/sketch of proposed sign/ Elevation/size/ exact color samples.

*(Separate Application)*



VILLAGE OF WAPPINGERS FALLS

BUILDING DEPARTMENT  
2582 SOUTH AVENUE  
WAPPINGERS FALLS, NY 12590  
PHONE: (845) 297-5277 FAX: (845) 296-0379  
E-mail: bmurphy@wappingersfallsny.gov  
www.wappingersfallsny.gov

APPLICATION FOR PLANNING BOARD REVIEW

All information must be completely filled out and returned no later than the stated submission date.

Date Submitted: \_\_\_\_\_ Date of Meeting: \_\_\_\_\_

**Property Identification:**

Address: 58 MCKINLEY STREET

Zoning District: \_\_\_\_\_ Existing site area: \_\_\_\_\_

**Owner<sup>(S)</sup> Information:**

Name: MARKET PROPERTIES, INC / DUTCHESS BLEACHERY, LLC

Address: 400 MARKET INDUSTRIAL PARK, SUITE 50

City: WAPPINGERS FALLS State: NY Zip: 12590

Contact Numbers: (H) (845) 297-1413 (C) \_\_\_\_\_

(E-mail) INFO@MARKETPROPERTIES.NET

**Applicant Information:**

(Please provide if someone other than the property owner is the applicant)

Name: SAME AS ABOVE

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Numbers: (H) \_\_\_\_\_ (C) \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Lead Design Professional: (If applicable)**

(Indicate the primary design professional associated with this application)

Name: ERNST MARTIN, JR

Title: PE & LS

Architect  Engineer/SURVEYOR

Company: ERNST MARTIN, JR, PE, LS

Address: MILL POND PLACE, BOX 553, HUGHSONVILLE, NY

Telephone #: (914) 489-3235 12537

E-mail Address: EMARTINPELS@GMAIL.COM



VILLAGE OF WAPPINGERS FALLS

APPLICATION FOR PLANNING BOARD REVIEW

(Continued)

**Proposed Site:**

*(Property where improvements are proposed)*

Existing Use(s): OFFICE/STORAGE

Proposed square footage: 0

**Project Description :** *(Please print or type)*

*(Describe the project in detail indicating all areas of work, type(s) of improvement and materials to be used as a part of the proposed improvements. Use additional sheets if necessary.)*

PROPOSED PROPERTY LINE REALIGNMENT  
BETWEEN MARKET PROPERTIES, INC & DUTCHESS  
BLEACHERY, LLC

**Items to be submitted for review:** (Only items pertaining to project)

- Ten (10) sets of plans.
- Legal Documents (Right of Ways/Easements/Lease/Contracts of Sale, etc.)
- Consent Form
- Application for proposed sign
- Application Fee
- Proof that the taxes, utility bills and fines for the property are paid in full.

**With the completion of this application, I hereby state that the information provided and all Accompanying documentation is accurate to the best of my knowledge, and that the attached plans contain all information required by the appropriate checklist.**

John V. Fedigan  
Signature of Applicant Signed

10-17-23  
Date

**Office use only:**

[ ] FEE : \_\_\_\_\_ Receipt No. : \_\_\_\_\_ Cash / Check # \_\_\_\_\_ Date: \_\_\_\_\_

Revised by : \_\_\_\_\_  
Zoning Administrator/Code Enforcement Officer

Revision date : \_\_\_\_\_



# VILLAGE OF WAPPINGERS FALLS

Office of Building, Planning & Zoning  
2582 South Avenue  
Wappingers Falls, NY 12590  
Phone: (845) 297-5277 Fax: (845) 296-0379  
E-mail: bmurphy@wappingersfallsny.gov  
www.wappingersfallsny.gov

## CONSENT FORM

Name of property owner: MARKET PROPERTIES, INC  $\neq$   
Address of property owner: DUTCHESS BLEACHERY, LLC  
400 MARKET INDUSTRIAL PARK, SUITE 50  
City: WAPPINGERS FALLS State: NY Zip: 12590  
Phone number of property owner: (Include home, work, mobile number and e-mail address):  
(H) \_\_\_\_\_ (C) \_\_\_\_\_  
(W) (845) 297-1413 (Email) \_\_\_\_\_  
Address of site where work is being conducted: 58 MCKINLEY STREET

Description of work: PROPERTY LINE REALIGNMENT  
BETWEEN MARKET PROPERTIES, INC  $\neq$  DUTCHESS  
BLEACHERY, LLC

Name of person doing work: ERNST MARTIN, JR, PE, LS  
Address of person doing work: BOX 553  
City: HUGHSONVILLE State: NY Zip: 12587  
Phone number of person doing work (Include home, work, mobile numbers and e-mail address):  
(H) \_\_\_\_\_ (C) (914) 489-3235  
(W) \_\_\_\_\_ (Email) EMARTINPELS@GMAIL.COM

I, as property owner for the above mentioned property, am aware of all work described above and give my consent to the aforementioned person to do the work.

John V. Fedigan  
Signature of Property Owner

10-17-23  
Date Signed





PART "A"  
OWNER AFFIDAVIT

State of New York }  
County of Dutchess } ss:

John V. Fedigan being duly sworn, deposes and says:


1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize ERNST MARTIN, JR, PE, LS, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Village of Wappingers Falls Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

John V. Fedigan  
Applicant/Owner

\_\_\_\_\_  
Applicant/Owner

Sworn to before me this 17 day of  
October, 2023.

Sara Clausen  
Notary Public

 **SARA CLAUSEN**  
Notary Public, State of New York  
Reg. No. 01CL6389206  
Qualified in Dutchess County  
Commission Expires 03/25/2027

PART "B"  
APPLICANT / AGENT AFFIDAVIT

State of New York }  
County of Dutchess } ss:

John V. Fedigan being duly sworn, deposes and says:


1. That I/we are the OWNER(S)/AGENT named in the foregoing application for Planning Board for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at or conducts business at 400 INDUSTRIAL PARK SUITE <sup>50</sup> in the County of DUTCHESS and the State of NEW YORK.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
4. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Village Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Village of Wappingers Falls Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

John V. Fedigan  
Applicant/Agent  
JOHN V FEDIGAN

Ernst Martin Jr  
Applicant/Agent  
ERNST MARTIN JR  
AS AGENT

Sworn to before me this 17 day of  
October, 2023.

Sara Clausen  
Notary Public

 **SARA CLAUSEN**  
Notary Public, State of New York  
Reg. No. 01CL6389206  
Qualified in Dutchess County  
Commission Expires 03/25/2027

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

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

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

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <b>MARKET PROPERTIES, INC &amp; DUTCHESS BLEACHED LLC</b>			
Project Location (describe, and attach a location map): <b>58 MCKINLEY STREET</b>			
Brief Description of Proposed Action: <b>REALIGN PROPERTY LINES</b>			
Name of Applicant or Sponsor: <b>MARKET PROPERTIES, INC &amp; DUTCHESS BLEACHED LLC</b>		Telephone: <b>297-1413</b>	<b>NET</b>
		E-Mail: <b>INFO@MARKETPROPERTIES</b>	
Address: <b>400 MARKET INDUSTRIAL PARK, SUITE 50</b>			
City/PO: <b>WAPPINGERS FALLS</b>		State: <b>NY</b>	Zip Code: <b>12590</b>
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 YES <input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
Urban      Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial      Residential (suburban)			
Forest Agriculture Parkland      Aquatic      Other (specify): _____			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
		X	
b. Consistent with the adopted comprehensive plan?		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: <u>BALD EAGLE, INDIANA BAT</u>	NO	YES	
			X
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	X		
		X	
	X		
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	NO	YES	
			X
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
			X
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
			X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	X		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
			X
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	NO	YES	
	X		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: Shoreline    Forest    Agricultural/grassland    Early mid-successional    XWetland <u>WADDINGER CREEK</u>			
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	
			X
16. Is the project site located in the 100 year flood plain?	NO	YES	
			X
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
	X		
a. Will storm water discharges flow to adjacent properties?			
b. Will storm water discharges be directed to established conveyance systems off and storm drains)? If Yes, briefly describe: _____	X		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	NO	YES
_____	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <u>BLEACHERY BROWNFIELD</u>	NO	YES
_____		X
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>MARKET PROPERTIES, INC.</u> Date: <u>10/29/23</u>		
Signature: <u>[Signature]</u> AS AGENT		

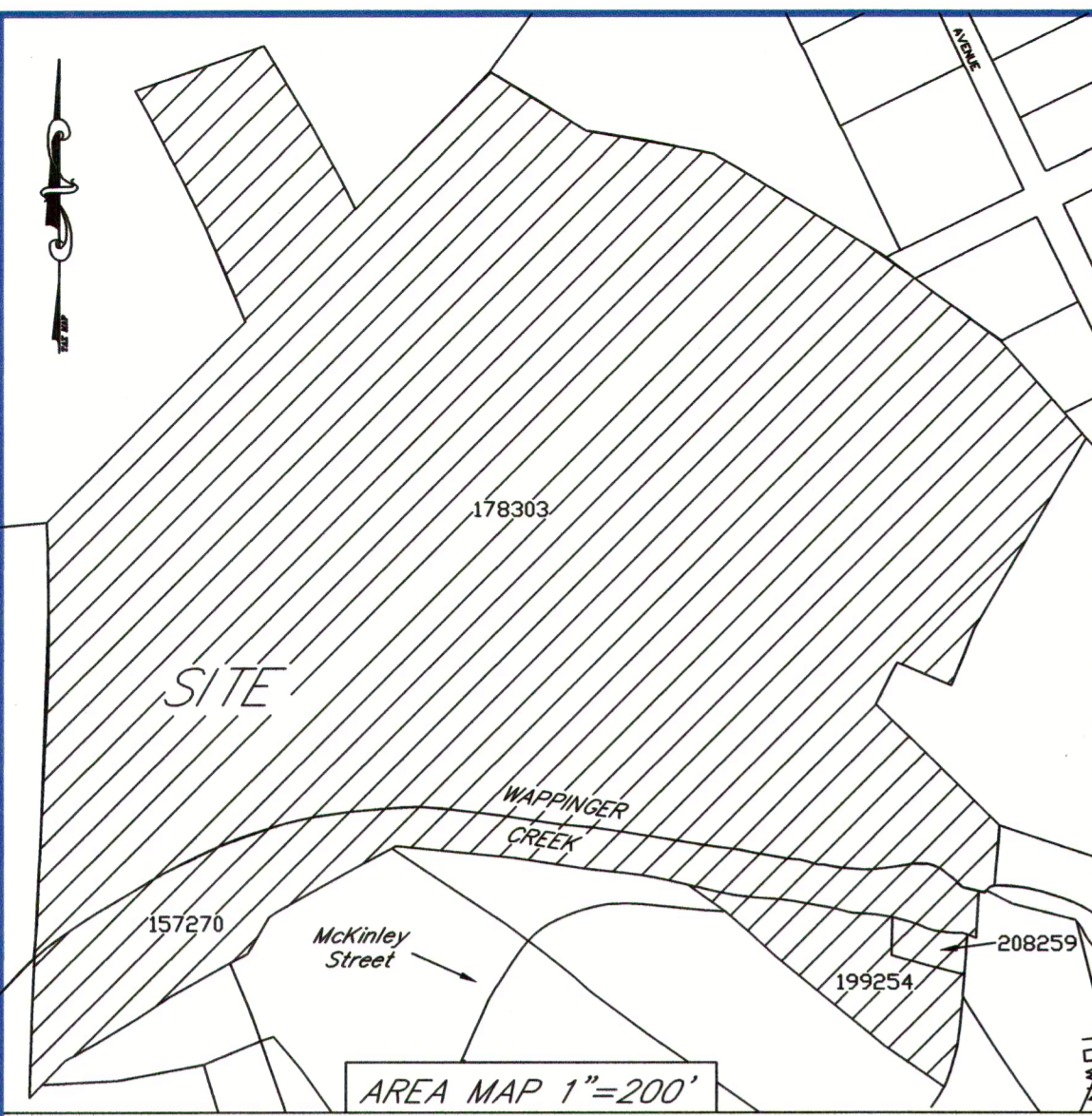
**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	NO	
2. Will the proposed action result in a change in the use or intensity of use of land?	NO	
3. Will the proposed action impair the character or quality of the existing community?	NO	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	NO	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	NO	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	NO	
7. Will the proposed action impact existing:		
a. public / private water supplies?	NO	
b. public / private wastewater treatment utilities?	NO	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	NO	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	NO	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	NO	
11. Will the proposed action create a hazard to environmental resources or human health?	NO	

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

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)



**DUTCHESS COUNTY DEPARTMENT OF HEALTH  
PERMISSION TO FILE**

This plan does not constitute a realty subdivision as defined by Article XI, Title II, Section 1115, of the Public Health Law of the State of New York and Article XI of the Dutchess County Sanitary Code.

Permission is hereby granted for the filing of this map with the Clerk of Dutchess County. Approval for arrangements for water supply and/or sewage disposal is neither sought nor granted.

Authorized Representative of the Commissioner of Health \_\_\_\_\_ Date \_\_\_\_\_

The undersigned owner(s) of the property hereon states that they are familiar with this map, its contents and its legends, and hereby consent to said terms and conditions as stated hereon and to the filing of this map in the office of the Clerk of Dutchess County.

**Owner/Applicant:**

Market Properties, Inc. \_\_\_\_\_ Date \_\_\_\_\_  
 Robert E. Fedigan  
 400 Market Industrial Park, Suite 50  
 Wappingers Falls, NY 12590

**Owner/Applicant:**

Dutchess Bleachery LLC \_\_\_\_\_ Date \_\_\_\_\_  
 John V. Fedigan  
 400 Market Industrial Park, Suite 50  
 Wappingers Falls, NY 12590

**SCHEDULE OF AREA AND BULK REGULATIONS Zone CMU**

CMU DISTRICT	REQUIRED	EXISTING	PROPOSED
Principal Building Height	2 Stories Min./6 Stories Max.	* 1 Story	* 1 Story
Minimum Lot Width	100 ft.	85.87 Ft.	91.86 Ft.
Maximum Lot Coverage	85%	55%	50%
Minimum Green Space	5%	16%	14%
Front Setback (Principal)	2 Ft. Min./12 Ft. Max.	11.0 Ft.	11.0 Ft.
Front Setback (Secondary)	2 Ft. Min./12 Ft. Max.	N/A	N/A
Side Setback	0 Ft. Min./24 Ft. Max.	14.6 Ft./22.6 Ft.	20.0 Ft./22.6 Ft.
Rear Setback	0 Ft. Min.	0.6 Ft. (Over)	4.4 Ft.
Frontage Buildout	80% Min. at Setback	* 52.5%	* 52.5%

\* PRE-EXISTING, NON-CONFORMING

**SURVEYOR'S CERTIFICATION**

I hereby certify that the boundary information shown hereon is the result of an actual field survey performed by me or under my direct supervision on or before the date shown hereon.

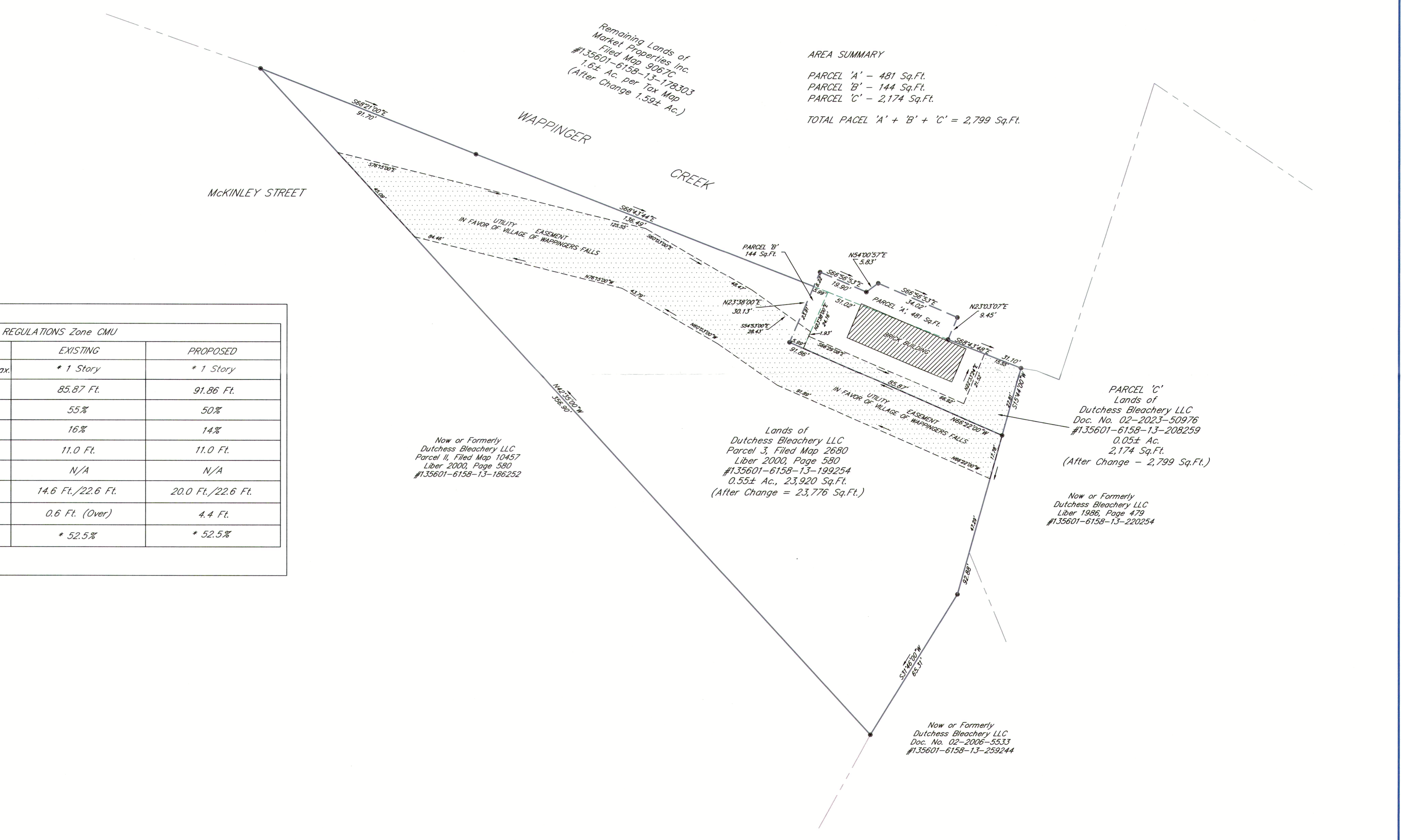
Ernst Martin, Jr. PE, LS - NYSLS Lic. No. 049421

Lot Line Change  
for  
**MARKET PROPERTIES, INC.**  
&  
**DUTCHESS BLEACHERY LLC**  
File Map #2680

Situate in the  
Village of Wappingers Falls Dutchess County, New York  
Scale: 1"=20' October 31, 2023

Ernst Martin, Jr. PE, LS  
Professional Engineer & Land Surveyor  
NYSLS Lic. No. 049421  
NYSPE Lic. No. 056362  
Mill Pond Place  
PO Box 553  
Hughsonville, NY 12537  
(914) 489-3235

REVISION DATES:

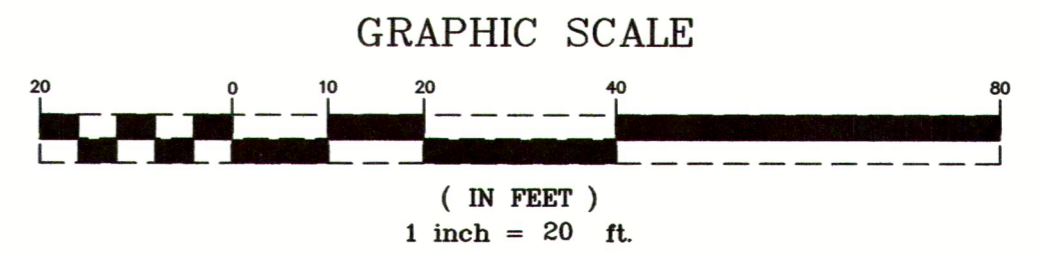
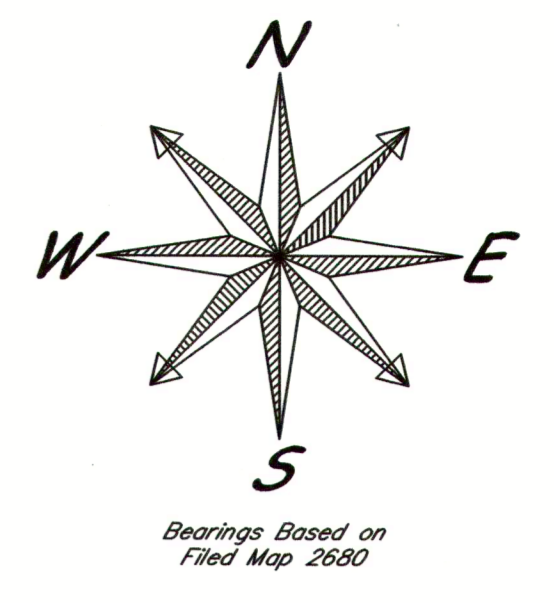


**LEGEND**

———— Existing Property Line  
 - - - - - Proposed Property Line  
 - - - - - Property Line to be Abandoned

**AREA SUMMARY**

PARCEL 'A' - 481 Sq.Ft.  
 PARCEL 'B' - 144 Sq.Ft.  
 PARCEL 'C' - 2,174 Sq.Ft.  
 TOTAL PARCEL 'A' + 'B' + 'C' = 2,799 Sq.Ft.



Danny Petrizzo  
1546 Route 9  
Wappingers Falls, NY 12549

December 3, 2023

Village of Wappinger Falls  
Zoning / Planning & Village Board  
2582 South Ave.  
Wappingers Falls, NY 12590

Dear Wappinger Falls Village Boards,

I am writing to you as the owner of the property located at 1546 Route 9, Wappingers Falls, NY 12549, the former Planet Wings restaurant, which currently stands vacant. I am reaching out to make a heartfelt plea for your consideration in allowing a change of use for this property from a restaurant retail space to an adult-use cannabis retail dispensary.

The building has been empty for some time, and the ongoing costs associated with maintaining a vacant property are creating a significant financial burden. The opportunity to lease the space to a cannabis retail operator presents a solution to my current hardship as a landlord. It also offers an advantageous prospect for the Village of Wappinger Falls by securing a strong, responsible tenant committed to generating healthy cannabis tax revenue for the community.

In the effort to manage the time crunch imposed by NYS & the Office of Cannabis Management, our proposal to the Village is an initial accelerated approval for phase 1 of the tenant's operation focused on delivery-only services. This has zero impact on local traffic, no public entry, no signage, and operations are limited to just 3-4 vehicles and approximately 4 employees. The preparation inside the building for delivery operations is minimal and only requires security install and minor modification to an existing area to create a compliant secure storage room.

This approach not only addresses immediate financial concerns by covering overhead costs but also allows for the generation of tax revenue quickly after the Village approval. Simultaneously, the tenant and I would undertake the process of obtaining the special use variance and the special use permit for a full retail operation.

I impel the Village to consider this proposal favorably. The timing is critical both in terms of the constraints of cannabis licensing and the financial pressures of maintaining the property. Your support in this matter would not only help alleviate a significant personal burden but also bring about positive economic benefits for our community.

The tenant and I would like to request a meeting, formal or informal, at the board's earliest convenience to discuss the project and determine the best path forward of the two phased approach.

Thank you for your time and consideration. I look forward to the possibility of contributing positively to our Village's growth and prosperity.

Sincerely,  


Danny Petrizzo



Pages 1-3	Application for Planning Board Review
Page 4	Consent Form
Page 5-8	Short Environmental Assessment Form
Page 9	Owner Affidavit
Page 10	Addendum to Application for Planning Board Review <ul style="list-style-type: none"><li>• Info in the Business Operator / Cannabis Retail Licensee</li><li>• Proposed Location / Zoning Analysis</li><li>• Traffic Study</li><li>• Construction Timeline</li><li>•</li></ul>
Page 11	Addendum to Application for Planning Board Review <ul style="list-style-type: none"><li>• Tenants Operating Procedures</li><li>• Financial Stability</li><li>• Added Social Responsibility to Our Community</li><li>• Responsible Employer Work Force Development in Our Community</li></ul>



BUILDING DEPARTMENT  
OFFICE OF CODE ENFORCEMENT  
OFFICE OF THE FIRE INSPECTOR  
2582 SOUTH AVENUE  
WAPPINGERS FALLS, NY 12590  
PHONE: (845) 297-5277 FAX: (845) 296-0379  
E-mail: [bmurphy@wappingersfallsny.gov](mailto:bmurphy@wappingersfallsny.gov)  
[www.wappingersfallsny.gov](http://www.wappingersfallsny.gov)

## APPLICATION FOR PLANNING BOARD REVIEW

Submission Date: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Meetings are held at the American Legion Hall, 7 Spring Street on the first Thursday of the month at 7:00 p.m. All information must be completely filled out and returned no later than 15 business days before meeting date. For the complete list of Planning Meeting Dates and Deadlines go to the Building, Planning and Zoning page on the village website [www.wappingersfallsny.gov](http://www.wappingersfallsny.gov).

A filing fee is required in connection with any application to the Planning Board for approval.

**The Planning Board is responsible for the review and approval of all applications concerning:**

- Opening a new business in the Village
- Installing a new sign
- Building a new structure in a commercial zone
- Subdivision / Site Review/ Lot Line Adjustment

**Items to be submitted for review:** (Only items pertaining to project)

- PDF Emailed to Building Dept. and Ten (10) hard copy sets of construction/site/elevation/plans - Engineer drawings showing all areas to be affected. Or a sketch of the proposed floor plan layout (*All sets of plans must be folded*)
- Legal Documents (Right of Ways/Easements/Lease/Contracts of Sale, etc.)
- Consent Form (*The applicant must provide consent form, from homeowner authorizing him/her to file for Planning Review*)
- Application fee
- Application for proposed sign - Including Renderings/sketch of proposed sign/ Elevation/size/ exact color samples.

*(Separate Application)*



## APPLICATION FOR PLANNING BOARD REVIEW

All information must be completely filled out and returned no later than the stated submission date.

Date Submitted: \_\_\_\_\_ Date of Meeting : \_\_\_\_\_

### Property Identification:

Address: 1546 Route 9, Wappingers Falls, NY 12549

Zoning District: Village Rt 9 Corridor Existing site area: .4 Acres

### Owner Information:

Name : Danny Petrizzo - Property owner Demco LLC owned by Danny Petrizzo

Address : 48 King George Road

City: Poughkeepsie State: NY Zip: 12603

Contact Numbers: (H) 845-485-9464 (C) 845-656-2400

(E-mail) dannypetrizzo@gmail.com

### Applicant Information:

(Please provide if someone other than the property owner is the applicant)

Name : Same

Address: Same

City: Same State: Same Zip: Same

Contact Numbers: (H) Same (C) Same

E-mail Address: Same

### Lead Design Professional: (If applicable)

(Indicate the primary design professional associated with this application)

Name: T.B.D.

Title: \_\_\_\_\_

Company: Architect Engineer  
TBD / Likely Mazarelli Architects

Address: 44 N Clover St. Poughkeepsie

Telephone # : \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Proposed Site:**

*(Property where improvements are proposed)*

**Existing Use(s):** Vacant Restaurant / Retail

**Proposed square footage:** 1900 same as existing.

**Project Description :** *(Please print or type)*

*(Describe the project in detail indicating all areas of work, type(s) of improvement and materials to be used as a part of the proposed improvements. Use additional sheets if necessary.)*

Existing retail / Restaurant use - Change to Adult Use Cannabis Retail Store. Interior footprint to remain mostly the same with minor adjustments. Interior decor to change. Minimal electrical work, minimal plumbing work, new signage. Exterior to remain the same with some curb appeal improvements. Preference to convert 10x20 refrigeration that extends outside into storage.

Additional info on the proposed use is attached.

**Items to be submitted for review:** (Only items pertaining to project)

- Ten (10) sets of plans.
- Legal Documents (Right of Ways/Easements/Lease/Contracts of Sale, etc.)
- Consent Form
- Application for proposed sign
- Application Fee
- Proof that the taxes, utility bills and fines for the property are paid in full.

**With the completion of this application, I hereby state that the information provided and all Accompanying documentation is accurate to the best of my knowledge, and that the attached plans contain all information required by the appropriate checklist.**

  
\_\_\_\_\_  
Signature of Applicant Signed

12/4/23  
\_\_\_\_\_  
Date

**Office use only:**

[ ] **FEE :** \_\_\_\_\_ **Receipt No. :** \_\_\_\_\_ **Cash / Check #** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Revised by :** \_\_\_\_\_ **Revision date :** \_\_\_\_\_  
Zoning Administrator/Code Enforcement Officer



Office of Building, Planning & Zoning  
2582 South Avenue  
Wappingers Falls, NY 12590  
Phone: (845) 297-5277 Fax: (845) 296-0379  
E-mail: [bmurphy@wappingersfallsny.gov](mailto:bmurphy@wappingersfallsny.gov)  
[www.wappingersfallsny.gov](http://www.wappingersfallsny.gov)

## CONSENT FORM

Name of property owner: Danny Petrizzo  
Address of property owner: 48 King George Rd  
City: Poughkeepsie State: NY Zip: 12603  
Phone number of property owner: (Include home, work, mobile number and e-mail address):  
(H) \_\_\_\_\_ (C) \_\_\_\_\_  
(W) 845-485-9464 (Email) dannypetrizzo@gmail.com  
Address of site where work is being conducted: 1546 Rt 9, Wappingers Falls, NY 12549

Description of work: Existing retail / restaurant use- change to Adult Use Cannabis Retail  
Store. Minimum interior layout change.

Name of person doing work: TBD. Various vendors, local workforce.  
Address of person doing work: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone number of person doing work (Include home, work, mobile numbers and e-mail address):  
(H) \_\_\_\_\_ (C) \_\_\_\_\_  
(W) \_\_\_\_\_ (Email) \_\_\_\_\_

I, as property owner for the above mentioned property, am aware of all work described above and give my consent to the aforementioned person to do the work.

Signature of Property Owner

12/4/23  
Date Signed

*Short Environmental Assessment Form*

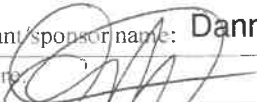
**Instructions for Completing**

**Part I - Project Information.** The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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 I. 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 I - Project and Sponsor Information</b>		
<b>Danny Petrizzo</b>		
Name of Action or Project: <b>Licensed Adult Use Retail Dispensary</b>		
Project Location (describe, and attach a location map): <b>1546 Route 9, Wappingers Falls, NY 12549</b>		
Brief Description of Proposed Action: <b>Keep existing retail but change from restaurant reail to Licensed Adult Use Retail Retail Store.</b>		
Name of Applicant or Sponsor: <b>Danny Petrizzo</b>	Telephone: <b>845-485-9464</b>	
	E-Mail: <b>DannyPetrizzo@gmail.com</b>	
Address: <b>48 King George Road</b>		
City/PO: <b>Poughkeepsie, NY 10263</b>	State:	Zip Code:
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.	<b>NO</b>	<b>YES</b> <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	<b>NO</b> <input checked="" type="checkbox"/>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? <span style="float: right;">.04 as existing acres</span>		
b. Total acreage to be physically disturbed? <span style="float: right;">none acres</span>		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">.04 acres</span>		
4. Check all land uses that occur on, adjoining and near the proposed action.		
Urban	Rural (non-agriculture)	Industrial
		<del>Commercial</del>
		<del>Residential (suburban)</del>
Forest Agriculture Parkland	Aquatic	Other (specify): _____

	<input type="checkbox"/>	
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____	<b>NO</b>	<b>YES</b>
<u>NO change from existing</u>	<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: _____	<b>NO</b>	<b>YES</b>
<u>Existing connection to public. Less water use than prior use. Typical retail bathroom and cleaning use</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	<b>NO</b>	<b>YES</b>
<u>Existing connection. Less waist than prior use</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<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>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>NO</b>	<b>YES</b>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: Shoreline    Forest    Agricultural/grassland    Early mid-successional    Wetland		
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?	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties?  b. Will storm water discharges be directed to established conveyance systems off and storm drains)? If Yes, briefly describe: _____	<b>NO</b>	<b>YES</b>
<u>No chage from existing</u>	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, explain purpose and size:	<input type="checkbox"/>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	<input 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? If Yes, describe:	<input type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <b>Danny Petrizzo</b>		Date: <b>12/4/23</b>
Signature: 		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	



	No. or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	■	
11. Will the proposed action create a hazard to environmental resources or human health?	■	

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

new use does not impact any of the above and will use less water and wairst since the use will not be a restaurant. Traffic study has been commissioned to show no impact on traffic.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Danny Petrizzo

Name of Lead Agency

12/4/23

Date

Danny Petrizzo

Print or Type Name of Responsible Officer in Lead Agency

Owner

Title of Responsible Officer

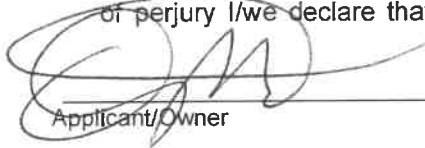
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

State of \_\_\_\_\_ }  
County of Dutchess } ss:

Danny Petrazo being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Danny Petrazo & Donny Moskovic, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Village of Wappingers Falls Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

  
Applicant/Owner

\_\_\_\_\_  
Applicant/Owner

Sworn to before me this 9th day of  
December, 2023.

Maria Vera  
Notary Public

**MARIA M VERA-QUINTANA**  
Notary Public, State of New York  
Reg. # 01VE0015827  
Qualified in Dutchess County  
Commission Expires November 7, 2027

Special Use Variance  
Conversion from Restaurant Retail to Adult Use Cannabis Retail  
1546 Route 9, Wappingers Falls (Village)  
Former Planet Wings  
Addendum to Application For Planning Board Review

Please accept the foregoing request for a Special Use Variance to operate an Adult Use Retail Dispensary at 1546 Route 9 under the auspices of the Marihuana Regulation & Taxation Act (MRTA) signed into law on March 31, 2021, legalizing adult-use cannabis (also known as marijuana, or recreational marijuana) in New York State.

The operator is a family owned and led private cannabis company seeking to operate in Dutchess County, New York. The cannabis industry experience of their team stems from medical cannabis operations in NY since 2015.

The tenant, Unbothered Bud LLC is an adult-use cannabis retail licensee comprised of an experienced team of entrepreneurs and seasoned cannabis industry professionals. The ownership and leadership team possesses the financial wherewithal, operational savvy, and institutional know-how to execute its plans to open the only cannabis retail business in the village.

The tenant is committed to contracting with reputable local companies for all services including construction, compliance, security, and banking. This dispensary will serve as an industry leader and model for operating a professional., transparent, safe, and secure site.

**PROPOSED LOCATION/SITE CONTROL/ZONING ANALYSIS**

We have entered into a lease agreement with the Tenant at 1546 Route 9. The entirety of the property falls safely outside of any restricted buffer zones as outlined by New York State for proximity to schools and houses of worship.

1: Property located more than 200 ft. of the nearest house of worship.

2: Property located well in excess of 1000 ft. of nearest school:

**TRAFFIC STUDY**

We have engaged Dynamic Traffic to perform a traffic assessment and ensure the traffic impact of our location falls well below the accepted standard of a significant increase in traffic. The study will be submitted immediately upon receipt as a supplement to this package.

**CONSTRUCTION TIMELINE**

Once awarded approval to construct a cannabis dispensary from the village the tenant is committed to ensuring they develop the facility quickly and they have already dedicated significant time and resources to planning their operations at this location. It is intended to leverage the footprint and entrances of the current existing structure with minimal changes to the existing layout.

The goal is for the tenant to be operational no later than Summer 2024.

### **Tenants Standard Operating Procedures**

The dispensary will operate in accordance with the days and hours set forth by the relevant State and local ordinances. The Standard Operating Procedures will be in full compliance with the provisions of the MRTA's regulations, and covers plans and procedures for the following but not limited to:

- Security and Surveillance
- Receipt of Cannabis Products and Storage
- Cleaning and Sanitation
- Inventory and Quality Control Procedures
- Employee Responsibility

### **FINANCIAL**

The tenant is financially capable of opening and operating its planned dispensary and has been verified by the Landlord.

The tenant's team has extensive experience in both medical and adult-use cannabis operations across various states. Given our experience, they have conservatively forecast projections, and have ensured the adequate capital base to sufficiently execute.

### **ADDED SOCIAL RESPONSIBILITY TO OUR COMMUNITY**

Diverse workforce, a working environment free from discrimination, replete with advancement opportunities.

Respecting values of being a responsible corporate citizen and an integral member of the Wappingers business community.

Giving back to our community through existing and planned philanthropic and charitable endeavors locally.

Good working partnerships with law enforcement, healthcare, and non-profit professionals.

### **Responsible Employer Workforce Development Within Our Community**

The tenant is committed to building a workforce based on providing opportunities in career growth and development within our community.

- Hourly wages in excess of New York State minimum wage to all employees
- Time Off
- ADA and Disabled Employee Friendly Working Environment
- Reasonable accommodations for nursing mothers
- Paid-family leave
- Health Insurance
- Earned Time Off/Paid Time for Volunteer Activities
- Paid Company Volunteer Days
- Flexible Schedules
- Educational Opportunities
- Professional development and mentoring program