



INCORPORATED VILLAGE OF SEA CLIFF

**OFFICE OF THE VILLAGE OF SEA CLIFF BUILDING DEPARTMENT
300 SEA CLIFF AVE SEA CLIFF N.Y. 11579 PHONE (516) 671-0080**

Notice of Review

11/23/21

TO:

PROPERTY OWNER: Dan & Barbara Pess
PROPERTY ADDRESS: 225-227 Carpenter Ave
SECTION/ BLOCK/ LOT: 21/94/7

APPLICATION NO: 12666
APPLICATION RECV'D: 11/23/2021
ZONE: Residence B

DESCRIPTION: The applicant proposes to install a generator.

The Proposed Construction does not comply with the following Village of Sea Cliff Code Section(s):

§ 138-516 Accessory buildings.

In addition to the requirements heretofore imposed, the following additional restrictions are placed on the erection of accessory buildings:

C. An accessory building erected in a rear yard shall be located at least five feet from the rear property line and at least 10 feet from the side property line of the lot.

G. In addition to compliance with the minimum setback provisions, all generators shall be not less than 30 feet from any habitable structure on an adjoining parcel.[1]

[Added 1-14-2019 by L.L. No. 1-2019]

The applicant proposes to install a generator 2ft from the side yard where 15ft is required, 2ft from the rear yard where 5ft is required and 25ft from the nearest habitable structure where a minimum of 30ft is required.

**Shane Dommin
Village of Sea Cliff Building Department**

Note; If the proposed construction does not comply with the Village Code, applicant may apply to the Zoning Board of Appeals for relief, within 60 days hereof. If the proposed construction requires Planning Board approval, an application to the Planning Board may be made. All plans are subject to the Building Codes of New York State.



INCORPORATED VILLAGE OF SEA CLIFF

Post Office Box 340 • 300 Sea Cliff Avenue • Sea Cliff, NY 11579
(516) 671-0080 phone • (516) 671-6508 fax • www.seacliff-ny.gov

BUILDING PERMIT

APPLICATION ID # 12666 APPLICATION DATE 11/22/21 PERMIT # _____

PROPERTY ADDRESS: 227 Carpenter Avenue SECT 21 BLOCK 94 LOT 7

Owner: Daniel M. Pess
Address: 227 Carpenter Avenue City: Sea Cliff State: NY Zip: 11579
Phone: _____ Cell: _____ Email: _____

Applicant: (if applicant is different from owner state relationship to owner) SAME AS OWNER
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____ Email: _____

Architect:
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____ Email: _____

Contractor:
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____ Email: _____

Plumber: Bounce Plumbing & Heating, Inc
Address: 117 GlenAwn Avenue City: Sea Cliff State: NY Zip: 11579
Phone: 516-676-8442 Cell: _____ Email: _____

Electrician: DiMaggio Electric, Inc
Address: 24 Second Street City: Glen Cove State: NY Zip: 11542
Phone: 516-676-0994 Cell: _____ Email: _____

Other/Mechanical:
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____ Email: _____

A/C, Boiler, etc Model#

A/C, Boiler, etc Model#



PROPOSED WORK: Be as detailed as possible describing anything that is not going to be specifically provided for in plans or other supporting documents such as number of plumbing fixtures, new services, i.e. gas, water, electric, number of new branch circuits or anything else billable by permit. Billable permit items are listed in Village Code Chapter 142-A as a pdf. Link. The building dept. is responsible for assessing permit fees.

See Schedule 1 Attached



INCORPORATED VILLAGE OF SEA CLIFF

Post Office Box 340 • 300 Sea Cliff Avenue • Sea Cliff, NY 11579
(516) 671-0080 phone • (516) 671-6508 fax • www.seacliff-ny.gov

BUILDING PERMIT

Cost of Improvement: \$ 12,500

Owner: Deposits and says that they are the owner(s) in fee of the Premises, that the work proposed to be done upon the said Premises shall be completed in accordance with the approved application and accompanying plans, and that all the statements herein are true to the deponents own knowledge.

Owner Signature: David Per

Owner Signature: _____

Date: 11/22/2021
Notary: Jennifer Gerrity
JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 06/17/2023

Contractors must submit proof of current insurance (C-105.2 or U-26.3 for compensation and DB-120.1 for disability or DB-155 for disability) as required by NY State. Form CE-200 may be submitted if exempted. Nassau County requires licensing and liability insurance for residential work. Proof of these are also required of contractors prior to the issuance of the permit

OFFICIAL USE

FEES \$150 ZBA pd.

REQUIRED CERTIFICATES

Application Fee \$ 75 pd.

Permit Fees
Building _____
Plumbing _____
Electrical _____
Mechanical _____
Certificate _____
Other _____

- Cert of Occupancy
- Cert of Approval
- Cert of Completion
- Cert of Compliance
- Cert of Tenancy
- Letter in Lieu

Total Permit Fees \$

Approved by _____

Examined for approval on _____

New State Law Requires: Site visits by the Building Department prior to the issuance of any permit. Changes in project elements or design shall not be made until such changes are approved and documented with the Building Department.

Village Code Requires: Zoning variances become invalid if authorized work has not begun within six (6) months of Building Department Approval. Extensions may be applied for to the Zoning Board. (138-1304). Building Permits expire twelve (12) months after the approval. Two (2) subsequent six (6) month extensions may be applied with approval of the Building Department and payment of fees. Additional approvals require application (48-15)

ZONING BOARD OF APPEALS
PLANNING BOARD _____ (check one)

-----x
IN THE MATTER OF THE APPLICATION OF

Daniel Pess

APPLICATION

Village of Sea Cliff.
-----x

Proposing to install generator

1. Name of applicant: Daniel Pess
2. Applicant's address: 227 Carpenter Avenue, Sea Cliff, NY

3. If the applicant is not an owner of the property which is the subject of this application, state the relationship of the applicant to the owner(s):

N/A

4. The property which is the subject of this application is located at: 227 Carpenter Avenue, Village of Sea Cliff, N. Y. and is also known as Section 21, Block 94, Lot(s) 7 on the Nassau County Land and Tax Map.

5. The full name and residence address of all owners of the property (if applicant is not the sole owner) is:

Daniel Pess

BARBARA PESS

-
6. The property is located in the Res B zoning district of the Village of Sea Cliff.
7. The subject property is located on the EAST side of CARPENTER AVENUE (street).
8. The date on which the owner(s) acquired the property was 12-16-88.
9. The approximate dimensions of the property are 75 feet by 120 feet, and the total acreage of property is _____ acres.
10. The property is presently used for Residence
-
11. Are there existing buildings on the property? 2 of 2
12. Are there any outstanding village taxes on the property? NO If so, for what years? _____
13. The applicant or owner(s) wish to make use of the property for the purpose of: Residence
14. The Building Department of the Village of Sea Cliff denied an application for a building permit on 11-23-21
15. The proposed construction use of the property does not comply with the following sections of the Village Code: 138-516
-
-
-

16. This is an application for:

an appeal

a variance

a special permit

other (describe): _____

17. Description of the problem, or reasons for this application, that support the request for relief:

(Note to Applicant - this information is particularly important, and must constitute a complete statement of the grounds for the relief which you are seeking. You may use additional sheets of paper if necessary to provide a complete response)

See Schedule 1 Attached

18. Has any previous application been made to the Zoning Board of Appeals or Planning Board for the relief sought in this application, or relief similar to that sought in this application? NO If so, attach a description of each such prior application, including the date the application was made, the date of the determination by the Zoning Board of Appeals or Planning Board, and a summary of the determination by the Zoning Board of Appeals or Planning Board.

19. Has any previous application been made to the Zoning Board of Appeals or Planning Board for any other relief with respect to the property which is the subject of this application? YES
If so, attach a description of each such prior application, including the date the application was made, the date of the determination by the Zoning Board of Appeals or Planning Board, and a summary of the determination of the Zoning Board of Appeals or Planning Board.
20. Are there any outstanding violation notices affecting the subject premises? NO
21. Are there any pending court proceedings involving the subject premises? NO
22. The undersigned applicant states under penalty of perjury that the foregoing statements and information, and all statements and information contained in papers submitted herewith, are true, correct and complete, to best of the signer's knowledge.

Name of applicant: Daniel Pess
Signature of applicant: Daniel Pess
Title of signatory: Owner
Date: 11-29-21

AFFIDAVIT OF APPLICANT

STATE OF NEW YORK) SS:

COUNTY OF NASSAU)

The undersigned, being duly sworn, deposes and says that deponent has read the foregoing application subscribed by applicant, and knows the contents thereof, and that the contents of the application are true of the deponent's personal knowledge, except as to the matters stated to be upon information and belief, as to which matters deponent believes the contents to be true.

If the applicant is a corporation, the deponent is an officer thereof, to wit the N/A, and is authorized by the Board of Directors of the corporation to execute this application on behalf of the corporation.

If the applicant is a partnership, the deponent is a general partner thereof, and has authority to execute this application in the name of the partnership.

If the applicant is a limited liability company, the deponent is member thereof, and has authority to execute this application in the name of the company.

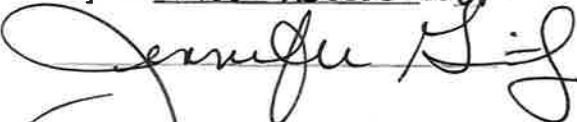
Daniel Pess

Print Name

Daniel Pess

Signature

Sworn to before me this 29th
day of November 2020.


JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 06/17/2023

AFFIDAVIT OF OWNER(S)

(To be completed only if the applicant is not the sole owner)
(All owners must sign either as owner or applicant)

STATE OF NEW YORK) SS:

COUNTY OF NASSAU)

Barbara Pess being duly sworn, deposes and says that (s)he is the owner of the property known as 227 Carpenter Avenue, Sea Cliff in the Village of Sea Cliff. No other person is an owner of the said property except as described in the attached application. The undersigned hereby acknowledges that the applicant herein is authorized to submit this application to the Village of Sea Cliff on behalf of the owner(s) of the subject property.

x Barbara Pess

Sworn to before me on this 29th
day of November 2021.

Jennifer Giff

JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 06/17/2023

STATE OF NEW YORK) SS:

COUNTY OF NASSAU)

~~Barbara~~ David Pess being duly sworn, deposes and says that (s)he is the owner of the property known as 227 Carpenter Avenue in the Village of Sea Cliff. No other person is an owner of the said property except as described in the attached application. The undersigned hereby acknowledges that the applicant herein is authorized to submit this application to the Village of Sea Cliff on behalf of the owner(s) of the subject property.

David Pess

Sworn to before me on this 29th
day of November 2021.

Jennifer Giff

JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 06/17/2023

ZONING BOARD OF APPEALS
PLANNING BOARD _____ (check one)
VILLAGE OF SEA CLIFF

In the Matter of the Application of

DISCLOSURE
AFFIDAVIT
General Municipal Law
Section 809

Daniel Pess-----X

STATE OF NEW YORK) COUNTY OF NASSAU)

ss: Daniel Pess, being duly sworn, deposes and says:

1. I am the (applicant with respect to) (owner of the premise which are the subject of) the attached application.
2. I make this affidavit for the purposes of complying with the requirements of General Municipal Law Section 809.
3. No officer of the State of New York, and no officer or employee of the County of Nassau, the Town of North Hempstead or the Village of Sea Cliff, and no party officer of any political party, has an interest in the attached application within the meaning of General Municipal Law Section 809, except as stated hereinafter (if none, state "NONE"):

<u>Name</u>	<u>Address</u>	<u>Position</u>	<u>Nature of Interest</u>
-------------	----------------	-----------------	---------------------------

NONE

Daniel Pess
Signature

Sworn to before me this 29th
day of November 2021

Jennifer Gerrity
JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE0383557
Qualified in Nassau County
Commission Expires 08/17/2023



Incorporated Village of Sea Cliff

Office of the Superintendent of Buildings

Sea Cliff Village Hall, 300 Sea Cliff Ave., Sea Cliff, New York 11579

Inspection Authorization

I hereby authorize the members of the Zoning Board and/or Planning Board, the Superintendent of Buildings, and Legal Counsel to the Zoning Board and/or Planning Board to enter upon and inspect my property prior to the Zoning Board and/or Planning Board rendering a determination on this application.

Homeowner: Daniel Pess

Date: 11-29-21

Schedule 1

(To Building Permit Application for Daniel M. Pess)

We will be installing a Briggs & Stratton 20KW whole-house air-cooled backup generator (see “General Specifications” attached).

Also attached please find a current property survey with notes as well as Exhibit A which sets forth the area in detail where the generator will be placed. Exhibit A also details where the generator would be placed in compliance with Sea Cliff Rules and Regulations (Sea Cliff Rules), as well as the location I am respectfully requesting, as detailed below.

I am requesting a variance to the Sea Cliff Rules because of the following:

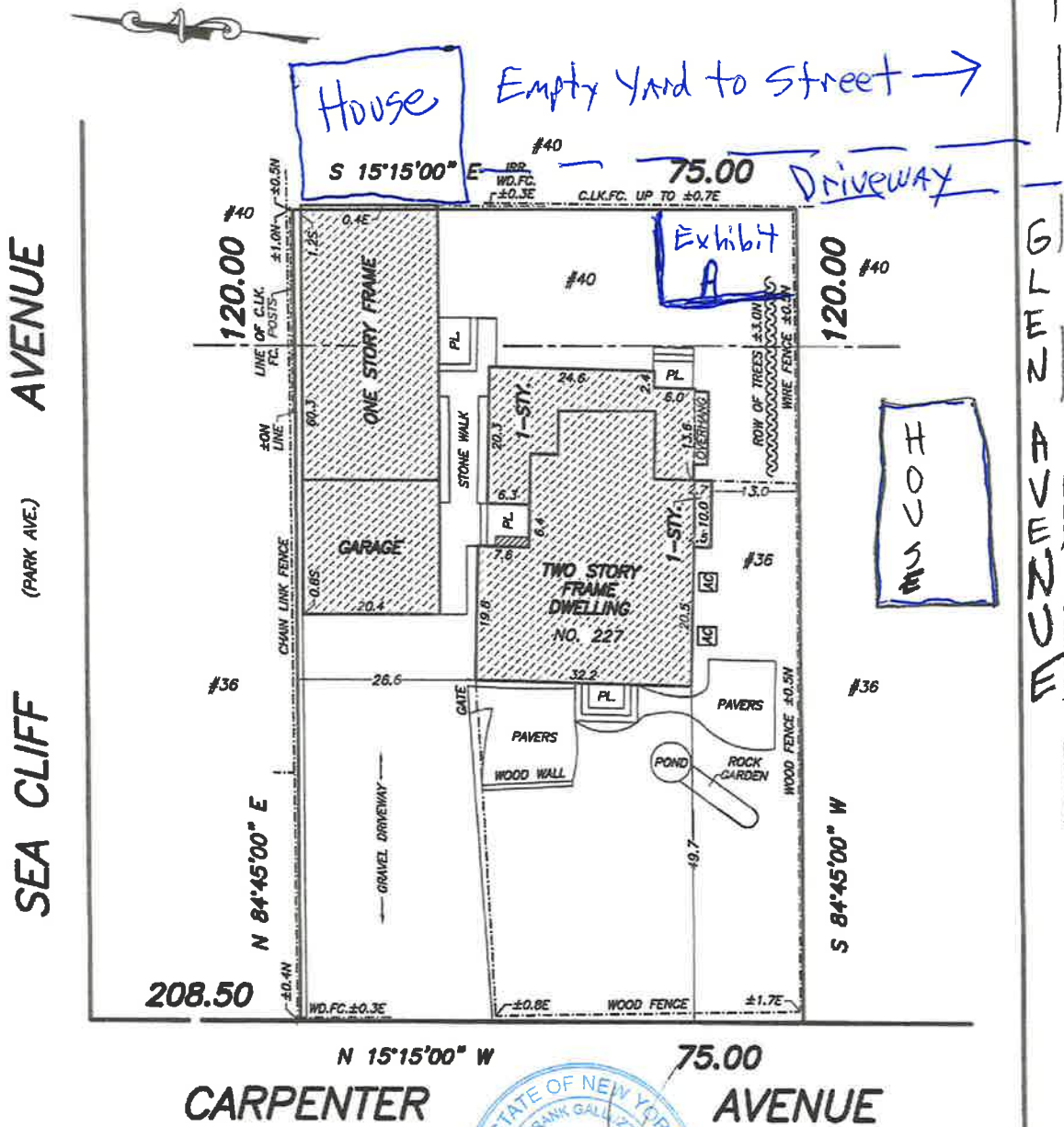
Hardship:

1. Placing the generator in accordance with Sea Cliff Rules would place the generator on top of a substantial portion of my cesspool.
2. Placing the generator in accordance with Sea Cliff Rules would create a situation whereby I would be violating one of the Sea Cliff Rules. This would create a distance of barely 25 feet from the end of the generator to the porch of the house behind me.

General:

- a. Both of my neighbors would appreciate if the generator could be placed in the furthest corner of my property.
- b. My proposed placement would be the quietest as it would be furthest away from any building that could reverberate its sound and is adjacent to a driveway and a very large, unused yard. The yard is mostly used for storage in a trailer, a boat and for parked cars.

MAP OF PROPERTY SITUATED IN
SEA CLIFF
NASSAU COUNTY, N.Y.
TAX SECT.: 21 TAX BLOCK: 94 TAX LOT(S): 7



PART OF LOTS 36 & 40 ON
"MAP OF CLIFTON PARK"
FILED ON OCTOBER 7, 1880 Q.Co. MAP #636
N.Co. MAP #143 CASE #1328
SCALE: 1"=20'



SURVEYED: SEPTEMBER 24, 2021

FINAL SURVEY

Empire State Land Surveyor, P.C.
Frank I. Galluzzo Professional Land Surveyor
Records of Albert A. Bianco
Stephen J. Reid - M. Berry Carman - G. W. Haviland
Vandewater & Lapp - Robert E. Carlin - William J. Daly
1005 Glen Cove Avenue, Glen Head, NY, 11545
empire-surveys@aol.com | (516)-240-6901

Not to Scale

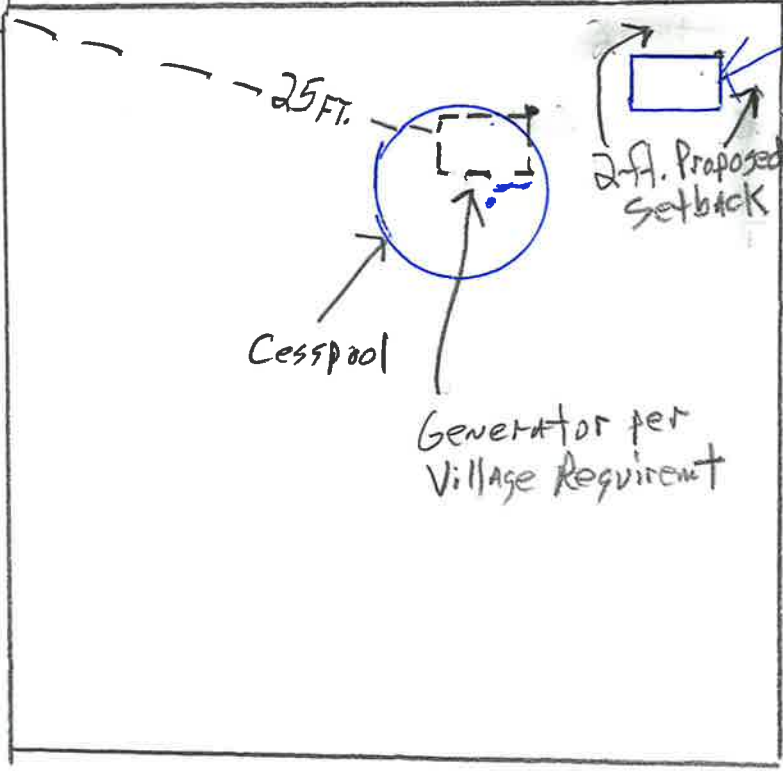
Exhibit A

○ = Cesspool

----- This is Village Requirement of 5ft. and 15ft. (1/2 inch = 5 feet) Generator is 4 1/2 ft by 2 1/2 ft including base.

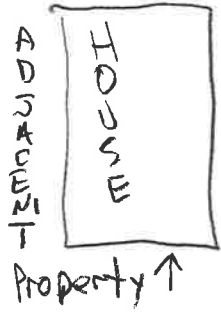
Proposed Generator Placement.

Adjacent Property
House



Proposed Generator Placement

OVER 35 Feet



Generator Specifications

16k Watt
 Rated Maximum Load Current* (at 25°C/77°F, LP)*:
 at 240 Volts 66.8 Amps
 Rated AC Voltage 120/240 Volts
 Phase Single phase
 Rated Frequency 60 Hertz
 Generator Breaker 80 Amp
 Normal Operating Range ... -25°F (-28.8°C) to 104°F (40°C)
 Output Sound Level 69.1 dB(A) at 23 ft. (7 m) at normal load
 Shipping Weight 565 lb (256 kg)

* Natural gas rating will depend on specific fuel but typical derates are between 10 to 20% off the LP gas rating.

20k Watt
 Rated Maximum Load Current* (at 25°C/77°F, LP)*:
 at 240 Volts 83.3 Amps
 Rated AC Voltage 120/240 Volts
 Phase Single phase
 Rated Frequency 60 Hertz
 Generator Breaker 100 Amp
 Normal Operating Range ... -25°F (-28.8°C) to 104°F (40°C)
 Output Sound Level 69.1 dB(A) at 23 ft. (7 m) at normal load
 Shipping Weight 580 lb (263 kg)

* Natural gas rating will depend on specific fuel but typical derates are between 10 to 20% off the LP gas rating.
 * Normal load = 5kW (1/4 load)

Engine Specifications

Displacement 60.60 ci. (993 cc)
 Bore 3.405 in. (86.5 mm)
 Stroke 3.366 in. (85.5 mm)
 Spark Plug Gap 0.020 in. (0.51 mm)
 Spark Plug Torque 180 lb-in. (20 Nm)
 Armature Air Gap 0.005 - 0.008 in. (0.13 - 0.20 mm)
 Intake Valve Clearance 0.004 - 0.006 in. (0.10 - 0.15 mm)
 Exhaust Valve Clearance . 0.004 - 0.006 in. (0.10 - 0.15 mm)
 Oil Type 5W30 Synthetic
 Oil Capacity (with filter) 78 - 80 oz. (2.3 - 2.4 L)
 Engine End Cover Bolt 220 lb-in (25Nm)

Displacement 60.60 ci. (993 cc)
 Bore 3.405 in. (86.5 mm)
 Stroke 3.366 in. (85.5 mm)
 Spark Plug Gap 0.020 in. (0.51 mm)
 Spark Plug Torque 180 lb-in. (20 Nm)
 Armature Air Gap 0.005 - 0.008 in. (0.13 - 0.20 mm)
 Intake Valve Clearance 0.004 - 0.006 in. (0.10 - 0.15 mm)
 Exhaust Valve Clearance . 0.004 - 0.006 in. (0.10 - 0.15 mm)
 Oil Type 5W30 Synthetic
 Oil Capacity (with filter) 78 - 80 oz. (2.3 - 2.4 L)
 Engine End Cover Bolt 220 lb-in (25Nm)

Common Service Parts

Air Filter 841856
 Oil -- Synthetic 100074
 Oil Filter 842921
 Resistor Spark Plug 692051
 Long Life Platinum Spark Plug 5066
 Maintenance Kit 6036

Air Filter 841856
 Oil -- Synthetic 100074
 Oil Filter 842921
 Resistor Spark Plug 692051
 Long Life Platinum Spark Plug 5066
 Maintenance Kit 6036

*This generator is rated in accordance with UL (Underwriters Laboratories) 2200 (stationary engine generator assemblies) to CSA (Canadian Standards Association) standard C22.2 No. 100-04 (motors and generators).

Power Rating

The gross power rating for individual gas engine models is labeled in accordance with SAE (Society of Automotive Engineers) code J1940 (Small Engine Power & Torque Rating Procedure), and rating performance has been obtained and corrected in accordance with SAE J1995 (Revision 2002-05). Torque values are derived at 3060 RPM; horsepower values are derived at 3600 RPM. Net power values are taken with exhaust and air cleaner installed whereas gross power values are collected without these attachments. Actual gross engine power will be higher than net engine power and is affected by, among other things, ambient operating conditions and engine-to-engine variability. Given the wide array of products on which engines are placed, the gas engine may not develop the rated gross power when used in a given piece of power equipment. This difference is due to a variety of factors including, but not limited to, the variety of engine components (air cleaner, exhaust, charging, cooling, carburetor, fuel pump, etc.), application limitations, ambient operating conditions (temperature, humidity, altitude), and engine-to-engine variability. Due to manufacturing and capacity limitations, Briggs & Stratton may substitute an engine of higher rated power for this Series engine.



VILLAGE OF SEA CLIFF, NY
NOV 3 6 2021
BUILDING DEPARTMENT

PESS SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on May 26, 2020, on motion duly made by the Chair, seconded by Mr. O'Donnell, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following short-form determination:

1. Dan and Barbara Pess, 225-227 Carpenter Avenue, Sea Cliff, New York, applied to construct a one story addition, which construction requires variances of the following Village Code sections: (a) 138-512, in that the dwelling will be 23.2 feet from the rear property line, where a minimum of 30 feet is required, (b) 138-514.1, in that the floor area will be 40%, where a maximum of 36% is permitted, (c) 138-511, in that the side yard setback will be 13 feet, where a minimum of 15 feet is required, and (d) 138-1103, in that the use of the premises with two (2) single family dwellings is proposed to be enlarged or increased on account of the enlargement of one of the dwellings, where no non-conforming use may be enlarged or increased.
2. The applicants are the record owners of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform to the plans submitted with the application, (b) applicants shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

~~James Best~~
~~BEST MICHAEL & JAMES~~
OR CURRENT OWMER
116 GLEN AVE
SEA CLIFF, NEW YORK 11579

~~PESS DANIEL & BARBARA~~
OR CURRENT OWMER
~~227 CARPENTER AVE~~
SEA CLIFF, NEW YORK 11579

CALDARI JERRY & LAURA
OR CURRENT OWMER
209 CARPENTER AVE
SEA CLIFF, NEW YORK 11579

CHU ROSE MARIE
OR CURRENT OWMER
128 GLEN AVE
SEA CLIFF, NEW YORK 11579

ST BONIFACE MARTYR RC CHURCH
OR CURRENT OWMER
~~SEA CLIFF AVE~~ *220 Carpenter Ave*
SEA CLIFF, NEW YORK 11579

KIANKA DONNA & PETER
OR CURRENT OWMER
62 DUBOIS AVE
SEA CLIFF, NEW YORK 11579

Noah Blumenthal

~~REGAN THOMAS & PATRICIA~~
OR CURRENT OWMER
125 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

Gregory Feibus

~~GRAY MICHAEL & JOANNE~~
OR CURRENT OWMER
127 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

HELITZER MORRIE & IRENE R
OR CURRENT OWMER
72 DUBOIS AVE
SEA CLIFF, NEW YORK 11579

~~NORTH JESSIE C~~
OR CURRENT OWMER
~~62 DUBOIS AVE~~
SEA CLIFF, NEW YORK 11579

RANNOU YVETTE J
OR CURRENT OWMER
58 DU BOIS AVE
SEA CLIFF, NEW YORK 11579

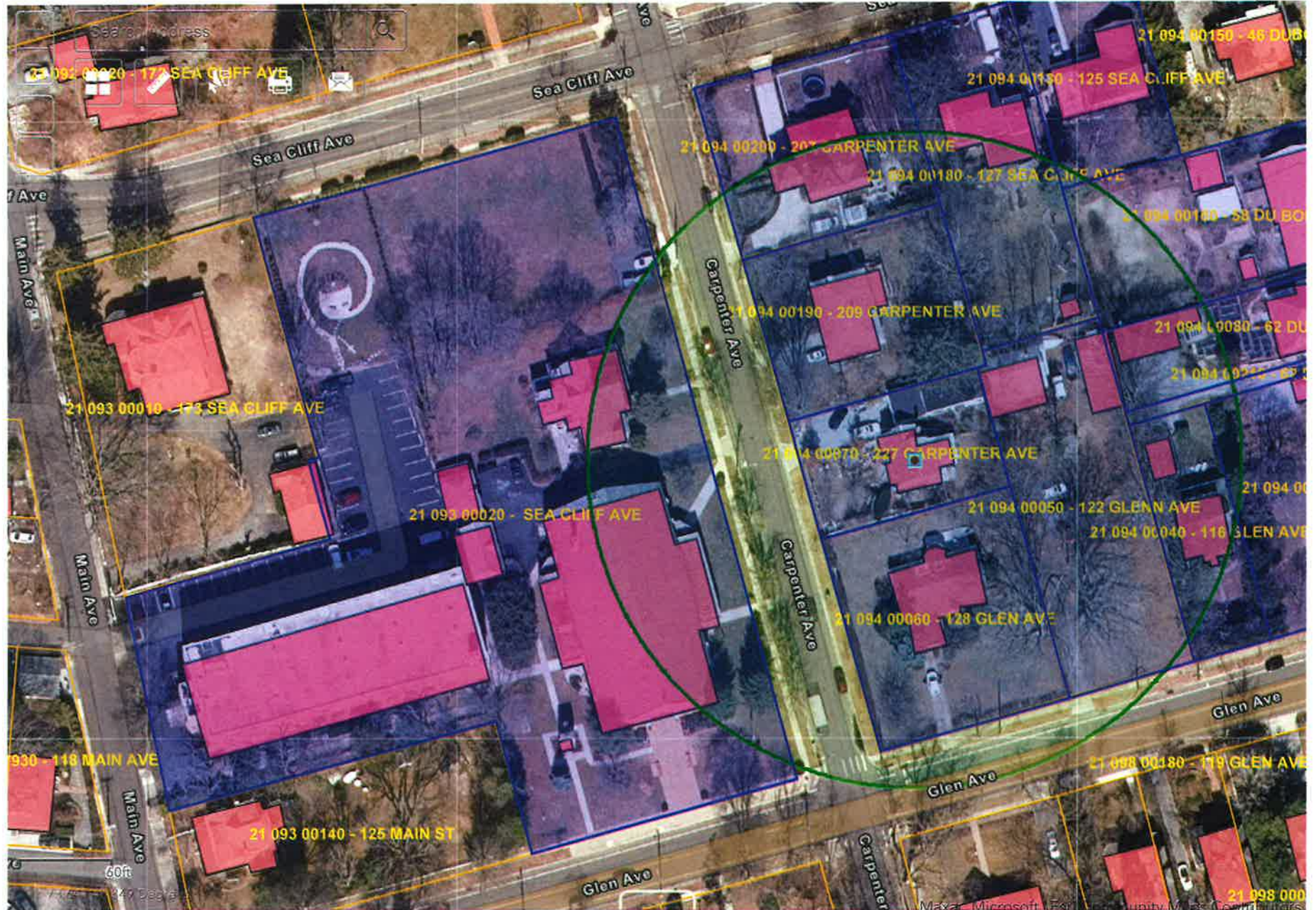
Eli Elbaum

~~SHALAN DAVID & DEBORAH~~
OR CURRENT OWMER
207 CARPENTER AVE
SEA CLIFF, NEW YORK 11579

VONHOLTWALTER F III
OR CURRENT OWMER
122 GLENN AVE
SEA CLIFF, NEW YORK 11579

Pess -

225 - 227 Carpenter Ave



Nassau County
Maureen O'Connell
County Clerk
Mineola, NY 11501



60 2019 00063407

Instrument Number: 2019- 00063407

As

D01 - DEED

Recorded On: July 31, 2019

Parties: PESS DANIEL M

TO JOSEPH J PESS TRU

Recorded By: +JOHN W CANNING

Billable Pages: 3

Num Of Pages: 4

Comment:

**** Examined and Charged as Follows: ****

D01 - DEED 60.00 Blocks - Deeds - \$300 300.00 RP5217 Residential 125.00

Tax Affidavit TP 584 5.00

Recording Charge: 490.00

	Amount	Consideration Amount	RS#/CS#			
Tax-Transfer	0.00	0.00	RE 27499	Basic	0.00 Spec ASST	0.00
-TAX PAID IN ANOTHER CNTY				Local NY CITY	0.00 Spec ADDL SONYMA	0.00
				Additional MTA	0.00 Transfer	0.00
Tax Charge:	0.00					

Property Description:

Line	Section	Block	Lot	Unit	Town Name
1	21	94	7		OYSTER BAY

**** THIS PAGE IS PART OF THE INSTRUMENT ****

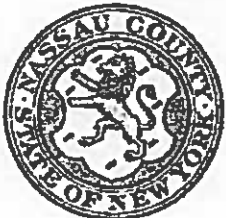
I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Nassau County, NY

File Information:

Document Number: 2019- 00063407
Receipt Number: 1562033
Recorded Date/Time: July 31, 2019 11:06.14A
Book-Vol/Pg: Bk-D VI-13831 Pg-664
Cashier / Station: 0 DAC / NCCL-CCR1FP2

Record and Return To:

JOHN W C CANNING
PO BOX 140
SEA CLIFF NY 11579



Maureen O'Connell

County Clerk Maureen O'Connell

3

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

THIS INDENTURE, made this 3rd day of July in the year 2019

BETWEEN DANIEL M. PESS and BARBARA A. PESS, his Wife

Residing at 227 Carpenter Avenue, Sea Cliff, New York 11579

party of the first part, and

JOSEPH J. PESS, Trustee, DANIEL M. PESS AND BARBARA A. PESS IRREVOCABLE TRUST

Residing at 227 Carpenter Avenue, Sea Cliff, New York 11579

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS (\$10.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the part 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

Dist: SCHEDULE "A" DESCRIPTION ANNEXED HERETO AND MADE A PART HEREOF. SAID PREMISES BEING KNOWN AND DESIGNATED BY THE STREET ADDRESS: 227 Carpenter Avenue, Sea Cliff, New York 11579

Sec: 21 BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO THE PARTY OF THE FIRST PART BY DEED DATED DECEMBER 16, 1988 RECORDED FEBRUARY 16, 1989 IN LIBER 9974 PAGE 45 IN THE OFFICE OF THE CLERK OF THE COUNTY OF NASSAU.

Blk: 94 SAID PREMISES BEING KNOWN AND DESIGNATED AS AND BY SECTION 21, BLOCK 94, LOT 7 ON THE LAND AND TAX MAP OF NASSAU COUNTY.

Lots: 7/ 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 line 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 to 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

~ / ^

Residing at: 227 Carpenter Avenue, Sea Cliff, New York 11579 -

party of the first part, and

JOSEPH J. PESS, Trustee, DANIEL M. PESS AND BARBARA A. PESS IRREVOCABLE TRUST

Residing at: 227 Carpenter Avenue, Sea Cliff, New York 11579

party of the second part,

WITNESSETH, that the party of the first part, in consideration of **TEN DOLLARS (\$10.00)** dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the part 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

Dist: SCHEDULE "A" DESCRIPTION ANNEXED HERETO AND MADE A PART HEREOF.
SAID PREMISES BEING KNOWN AND DESIGNATED BY THE STREET ADDRESS:
227 Carpenter Avenue, Sea Cliff, New York 11579

Sec: 21 BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO THE PARTY OF THE FIRST PART
Blk: 94 BY DEED DATED DECEMBER 16, 1988 RECORDED FEBRUARY 16, 1989 IN LIBER 9974 PAGE 45 IN
THE OFFICE OF THE CLERK OF THE COUNTY OF NASSAU.

Lots: 7/ SAID PREMISES BEING KNOWN AND DESIGNATED AS AND BY SECTION 21, BLOCK 94, LOT 7 ON
THE LAND AND TAX MAP OF NASSAU COUNTY.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center line 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 to 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 W. Carrigan

Daniel M. Pess

DANIEL M. PESS

Barbara A. Pess

BARBARA A. PESS

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of Nassau

ss.:

State of New York, County of Nassau

ss.:

On the 30th day of July in the year 2019
before me, the undersigned, personally appeared

On the 30th day of July in the year 2019
before me, the undersigned, personally appeared

DANIEL M. PESS

BARBARA A. PESS

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.

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.


(signature and office of individual taking the acknowledgment)


(signature and office of individual taking the acknowledgment)

JOHN W C CANNING
Notary Public, State of New York
No. 02CA4980771
Qualified in Nassau County
Commission Expires April 29, 2023.

JOHN W C CANNING
Notary Public, State of New York
No. 02CA4980771
Qualified in Nassau County
Commission Expires April 29, 2023.

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

On the _____
personally appeared

In the year _____

before me, the undersigned,

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 person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

_____ in _____
(insert the City or other political subdivision)

_____ (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

**BARGAIN AND SALE DEED
WITH COVENANTS AGAINST
GRANTOR'S ACTS**

Title No.

**DANIEL M. PESS
BARBARA A. PESS, his Wife**

**DISTRICT
SECTION: 21
BLOCK: 94
LOT: 7
COUNTY OR TOWN: NASSAU
STREET ADDRESS: 227 Carpenter Avenue
Sea Cliff, New York 11579**

TO

SCHEDULE "A"

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Sea Cliff, County of Nassau and State of New York, known and designated as part of lots nos. 36 and 40 as laid down in a certain map entitled, "Map of Clifton Park, Property of Henry Dubours, September 18, 1880, William E. Hawhurst, Surveyor" and filed in the Office of the Clerk of the County of Queens on October 7, 1880 as map no. 636, and filed in the Office of the Clerk of the County of Nassau as old map no. 143, new map no. 1328, which said parts of lots when taken together are more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Carpenter Avenue, distant 208.5 feet southerly from the corner formed by the intersection of the easterly side of Carpenter with the Southerly side of Sea Cliff Avenue;

THENCE north 84 degrees 45 minutes east 120 feet;

THENCE south 15 degrees 15 minutes east 75 feet;

THENCE south 84 degrees 45 minutes west 120 feet to the easterly side of Carpenter Avenue;

THENCE along said side of said Avenue north 15 degrees 15 minutes west 75 feet to the point or place of **BEGINNING**.