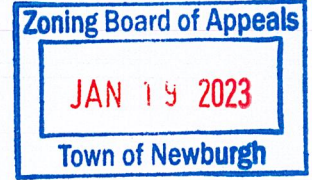




TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550



OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 9/25/23

TO: **THE ZONING BOARD OF APPEALS**
THE TOWN OF NEWBURGH, NEW YORK 12550

I (WE) 1400 RT 300 LLC PRESENTLY
RESIDING AT NUMBER 1400 RT 300 Newburgh NY 12550
TELEPHONE NUMBER 203 247 4395

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

_____ (TAX MAP DESIGNATION)
1400 RT 300 (STREET ADDRESS)
 _____ (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:

9/13/23

- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: Allow pre existing
Free standing sign structure to remain in use

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

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

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

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

No significant impact will
occur if sign remains

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

Sign has been in place for
20 plus years

- d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

Sign is pre existing to
property. Current owner did not
erect.

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

it has been in place for over 20 years without complaint.

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

the cost and impact on parking to relocate sign structure is unreasonable

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

sign has been in place letting it remain will have no significant impact.

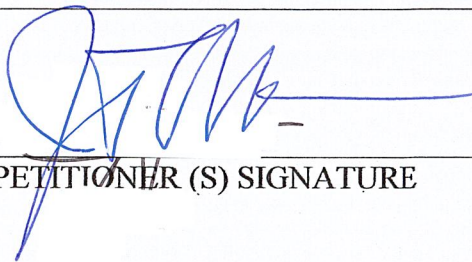
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

N/A

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

preexisting sign.

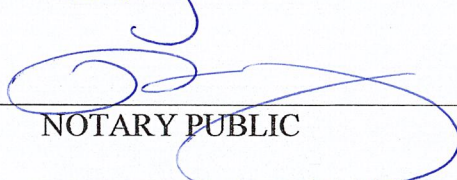
7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 18 DAY OF January 20 24



NOTARY PUBLIC



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

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

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

**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

PROXY

MARY PAT GARNITY, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 31 Seville Ave Rye
IN THE COUNTY OF Westchester AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF 1400 RT 300
Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED JOSEPH MORRIS
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 1-11-2024 Mary Garnity
OWNER'S SIGNATURE

Scott Howe
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 11 DAY OF JAN 2024
Scott Howe
NOTARY PUBLIC

SCOTT J. GOWE
NOTARY PUBLIC OF NEW YORK
I.D. # 01G06357188
MY COMMISSION EXPIRES 4/12/2025

Short Environmental Assessment Form
Part 1 - Project Information


Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
JOSEPH MORRIS 203 247 4395							
Name of Action or Project: 1400 RT 300 Newburg NY 12550							
Project Location (describe, and attach a location map): 1400 RT 300 Newburg NY 12550							
Brief Description of Proposed Action: Please grant variance to retain existing Rylon sign.							
Name of Applicant or Sponsor: JOSEPH MORRIS		Telephone: 203 247 4395					
		E-Mail: J.MORRIS@gmail.com					
Address: 111 Remington Rd							
City/PO: Ridgefield		State: CT	Zip Code: 06877				
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.			<table border="1" style="width:100%; text-align:center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:			<table border="1" style="width:100%; text-align:center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		N/A acres					
b. Total acreage to be physically disturbed?		N/A acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input 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"/>	<input 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"/>	<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: <u>NA</u>	<input type="checkbox"/>	<input 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: <u>NA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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? <u>NA</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input 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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>JOSEPH MORRIS</u></p>	<p>Date: <u>12/23/23</u></p>	
<p>Signature: </p>		

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form
Part 2 - Impact Assessment*

Part 2 is to be completed by the Lead Agency.

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
 THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

Union Plaza of Newburgh, LLC
 TO
 1400 Route 300, LLC

SECTION 60 BLOCK 3 LOT 43

RECORD AND RETURN TO:
 (Name and Address)

Patrick V. Delorio, Esq.
 2975 Westchester Avenue
 Purchase NY 10577

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE
 ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
 RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

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

PROPERTY LOCATION

- | | |
|---|--|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input checked="" type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2800 CRAWFORD (TN) | <input type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALLKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 5801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | |
| <input type="checkbox"/> 4001 MONROE (VLG) | |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | |

NO. PAGES 6 CROSS REF _____
 CERT. COPY _____ AFFT. _____
 PAYMENT TYPE: CHECK
 CASH _____
 CHARGE _____
 NO FEE _____

CONSIDERATION \$ 3,500,000.-
 TAX EXEMPT _____

MORTGAGE AMT \$ _____
 DATE _____

MORTGAGE TYPE:
 (A) COMMERCIAL
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000.
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT.PERSON/CR.UNION
 (J) NAT.PER-CR.UNI/ OR 2
 (K) CONDO

CITIES
 0900 MIDDLETOWN
 1100 NEWBURGH
 1300 PORT JERVIS

9999 HOLD

Donna L. Benson
 DONNA L. BENSON
 Orange County Clerk

RECEIVED FROM: Stewart

RECORDED/FILED
 02/01/2006/ 07:44:11
 DONNA L. BENSON
 County Clerk
 ORANGE COUNTY, NY

FILE # 20060014166
 DEED C / BK 12072 PG 0422
 RECORDING FEES 213.00
 TTX# 006389 T TAX 14,000.00
 Receipt#532527 111

STATE OF NEW YORK, COUNTY OF ORANGE ss:
 I, Kelly A. Eskew, County Clerk and Clerk of the Supreme and County Courts, Orange County, do hereby certify that I have compared this copy with the original thereof filed or recorded in my office 2/1/2006 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 01/08/2024.
Kelly A. Eskew
 County Clerk & Clerk of the Supreme County Courts
 Orange County



Bargain & sale deed, with covenant against grantor's acts

THIS INDENTURE, made the 4th day of January, two thousand six
BETWEEN

Union Plaza of Newburgh, LLC, a New York limited liability company, having an address at PO Box 2202,*Monroe, New York 10950, *40Lizenski Blvd.
party of the first part, and

1400 Route 300, LLC, a New York limited liability company, having an address at 31 Seville Avenue, Rye, New York 10580 and Gil's Pride, Inc., having an address at 31 Seville Avenue, Rye, New York 10580, as TENANTS IN COMMON, 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 Town of Newburgh, County of Orange, and State of New York, being further bounded and described in Schedule A attached hereto.

Being and intended to be the same premises conveyed in a certain deed dated July 18, 2001 by Union Plaza Associates to Union Plaza of Newburgh, LLC and recorded in the office of the Orange County Clerk in Liber 5583 of deeds at page 112 on July 24, 2001.

SUBJECT to Schedule B attached hereto and made a part hereof.

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.

SCHEDULE A – DESCRIPTION

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

BEGINNING at a rebar found in the easterly line of Union Avenue where the same is intersected by the division line of lands now or formerly Alliance Energy Company, as recorded in Liber 5154, Page 85 on South and the herein described parcel as recorded in Liber 3070 Page 324 on the North and

RUNNING THENCE North 16 degrees 15 minutes 50 seconds West 100.00 feet along said line of Union Avenue also known as New York State Highway 300 to a rebar found;

THENCE North 17 degrees 14 minutes 20 seconds West 226.65 feet along the same to a point in the southerly line of lands now or formerly Sherwood as recorded in Liber 2175, Page 1104;

THENCE North 79 degrees 45 minutes 00 seconds East 257.01 feet along said lands now of formerly Sherwood and also along a stone wall to a rebar found at a corner;

THENCE South 11 degrees 24 minutes 10 seconds East 121.32 feet still along said lands of Sherwood and along a stonewall to a bend point in the same;

THENCE South 09 degrees 48 minutes 40 seconds East 110.48 feet along the same to a corner;

THENCE North 80 degrees 54 minutes 32 seconds East 740.39 feet still along said lands of Sherwood and along said stone wall and also along the lands now or formerly Axinn as recorded in Liber 6011, Page 210 to a point in the corner of a stone wall in the line of lands now or formerly Miron as recorded in Liber 2362, Page 205 and Liber 4677, Page 38;

THENCE South 22 degrees 35 minutes 30 seconds West 127.85 feet along the same to a point in the northwesterly line of land now or formerly Miron as recorded in Liber 2109, Page 1127 and Liber 4677, Page 38 said point being a rebar found very loose;

THENCE South 81 degrees 39 minutes 40 seconds West 672.04 feet along lands of Miron to a point in the northeasterly line of the aforementioned lands of Alliance Energy Company;

FOR CONVEYANCING ONLY: TOGETHER with all the rights, title and interest of the party of the first part, if any, of, in and to the land lying in the street in front of and adjoining said premises

THENCE South 81 degrees 39 minutes 40 seconds West 219.91 feet along the same to the point and place of BEGINNING.

Excepting there from so much of the premises that was taken by the people of the State of New York by Notice of Appropriation recorded in Liber 2899 cp 309 and Liber 3248 cp 337

FOR CONVEYANCING ONLY: TOGETHER with all the rights, title and interest of the party of the first part, if any, of, in and to the land lying in the street in front of and adjoining said premises.

SCHEDULE B

AS IS, WITH ALL FAULTS. SELLER MAKES NO WARRANTY, EXPRESS OR IMPLIED WITH RESPECT TO THE PROPERTY OR ANY IMPROVEMENTS OR FIXTURES LOCATED THEREON, AND PURCHASER AGREES, IN THE EVENT TITLE SHALL CLOSE, THAT IT SHALL PURCHASE THE PROPERTY AND IMPROVEMENTS THEREON AS IS AND WITH ALL FAULTS. SELLER HEREBY DISCLAIMS AND PURCHASER HEREBY WAIVES, EXCEPT TO WARRANTY OF TITLE, ALL WARRANTIES RELATING TO THE PROPERTY AND ANY IMPROVEMENTS OR FIXTURES THEREON, EXPRESS OR IMPLIED, IF ANY, INCLUDING, BUT NOT LIMITED TO, MARKETABILITY, QUALITY, CONDITION, SUITABILITY, MERCHANTABILITY, CONFORMITY TO MODELS OR SAMPLES OR MATERIALS, FITNESS FOR A PARTICULAR PURPOSE, AND ANY AND ALL IMPLIED WARRANTIES EXISTING UNDER APPLICABLE LAW. PURCHASER WAIVES ANY CLAIM FOR DAMAGES BECAUSE OF DEFECTS, WHETHER KNOWN OR UNKNOWN. PURCHASER ACKNOWLEDGES THAT IT IS ENTERING INTO THIS AGREEMENT ON THE BASIS OF PURCHASER'S OWN INVESTIGATION OF THE PHYSICAL AND ENVIRONMENTAL CONDITIONS OF THE PROPERTY AND PURCHASE ASSUMES THE RISK THAT ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS MAY NOT HAVE BEEN REVEALED BY ITS INVESTIGATION. PURCHASER WAIVES THE RIGHT TO RECOVER FROM SELLER AND ITS AGENTS ANY AND ALL DAMAGES, LOSSES, LIABILITIES, COSTS OR EXPENSES WHATSOEVER (INCLUDING REASONABLE ATTORNEY FEES), AND CLAIMS THEREFOR, WHETHER DIRECT OR INDIRECT KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, WHICH MAY ARISE ON ACCOUNT OF OR IN ANY WAY GROWING OUT OF OR CONNECTED WITH THE PHYSICAL CONDITION OF THE PROPERTY OR ANY FEDERAL, STATE OR LOCAL LAW, STATUTE, ORDINANCE OR REGULATION APPLICABLE THERETO (INCLUDING, WITHOUT LIMITATION, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND THE RESOURCE CONSERVATION RECOVER ACT OF 1976, AS AMENDED.



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

3074-23

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/13/2023

Application No. 23-1020

To: Crissu
111 Remington Rd.
Ridgefield, CT 06877

SBL: 60-3-43
ADDRESS: 1400 Route 300

ZONE: IB

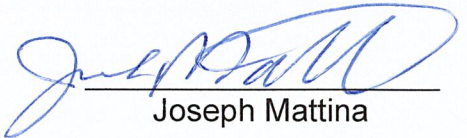
PLEASE TAKE NOTICE that your application dated 08/28/2023 for permit to alterations to a non-conforming free-standing sign on the premises located at 1400 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-14-G-1-a: The lawful use of a sign or signs existing at the time of adoption of this chapter may be continued, even though the sign does not conform to the regulations and limitations of this section, until one or more of the following occurs:

(a) The structure, size, location or accessories of any or all signs previously granted approval and permits are altered, modified, changed, reconstructed or moved.

2) 185-14-J-5-(a): No freestanding sign shall be located less than 15 feet from any front or side property line, or a distance equal to the height of said sign, whichever is greater.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

OWNER INFORMATION ***BUILT WITH OUT A PERMIT*** **YES / NO**

NAME: 787 STUDIOS **Application #** 23-1020

ADDRESS: 1400 RT 300 NEWBURGH NY 12550

PROJECT INFORMATION: **AREA VARIANCE** USE VARIANCE

TYPE OF STRUCTURE: FREE STANDING SIGN

SBL: 60-3-43 **ZONE:** IB **ZBA Application #** 3074-23

TOWN WATER: YES / NO **TOWN SEWER:** YES / NO N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
HEIGHT	18'	6'		12'	66.66%
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 ----- YES / NO
 2 OR MORE FRONT YARDS FOR THIS PROPERTY ----- YES / NO
 CORNER LOT - 185-17-A ----- YES / NO

ACCESSORY STRUCTURE:

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 ----- YES / NO
 FRONT YARD - 185-15-A ----- YES / NO
 STORAGE OF MORE THEN 4 VEHICLES ----- YES / NO
 HEIGHT MAX. 15 FEET - 185-15-A-1 ----- YES / NO
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 ----- YES / NO

NOTES:

REVIEWED BY: Joseph Mattina **DATE:** 13-Sep-23



PIZZA UNION

GASTRO · KITCHEN & BAR

HANNOUSH
JEWELERS
PANDORA

Handmade
VAPOR
Flavors

COMING SOON
GREEN LEAF
Cannabis & Wellness
1400 ROUTE 200
NEWBURGH, NY 12550

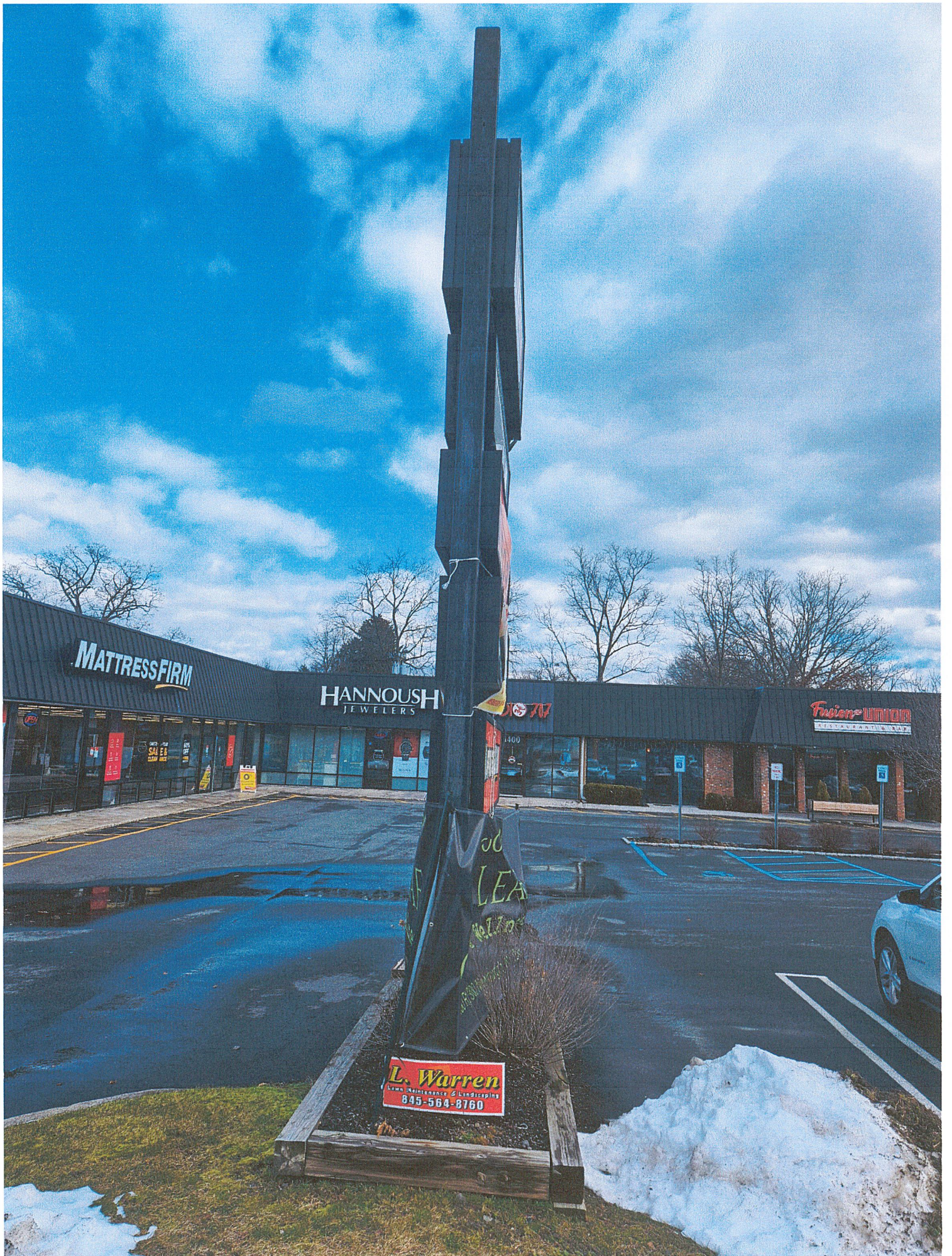
MATTRESS FIRM

Coming Soon!!!
GREEN LEAF
Cannabis & Wellness

1400 Rt 300 Newburgh, NY 12550

WATER
142





MATTRESS FIRM

HANNOUSH
JEWELERS

Fusion UNION
RESTAURANT & BAR

L. Warren
Lawn Maintenance & Landscaping
845-564-8760



PIZZA UNION

GASTRO - KITCHEN & BAR

HANNOUSH
JEWELERS
PANDORA

Hangout
VAPOR
Lounge

COMING SOON

GREEN LEAF
Cannabis Dispensary

1400 ROUTE 300
NEWBURGH, NY 12550

CEI
RAPY

MATTRESS FIRM

Coming Soon!!!

GREEN LEAF
Cannabis & Wellness

1400 Route 300, Newburgh, NY 12550

TEMPUR-PEDIC
\$300
INSTANT GIFT

FTZ

**AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

I May Rubino, being duly sworn, depose and say that I did on or before

February 8, 2024, post and will thereafter maintain at

1400 Route 300 60-3-43 IB Zone in the Town of Newburgh, New York, at or near the front

property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.

Scott Gowe

Sworn to before me this 24

day of JANUARY, 2024.

SCOTT GOWE
NOTARY PUBLIC OF NEW YORK
I.D. # 01GO6357188
MY COMMISSION EXPIRES 4/19/2025

