

TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

APPLICATION

OFFICE OF ZONING BOARD
(845) 566-4901

DATED: 9/4/2020

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

I (WE) Three Kidds Newburgh LLC PRESENTLY
RESIDING AT NUMBER P.O. Box 14 Bridgehampton NY 11932
TELEPHONE NUMBER (631) 537-1068

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

- A USE VARIANCE
- AN AREA VARIANCE
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

75-1-21.12 (TAX MAP DESIGNATION)

2 Plainview Lane (STREET ADDRESS)

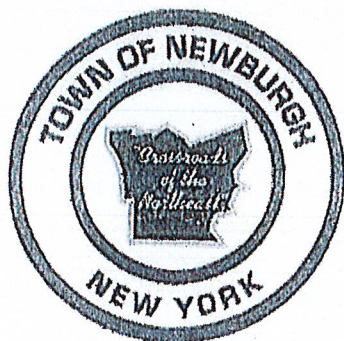
R-3 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-14-K-2-A

185-14-K-2-B

185-14-K-2-C



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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: 08/04/2020
- 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: 2 free standing signs greater than 20 square feet and taller than 48 inches above grade.

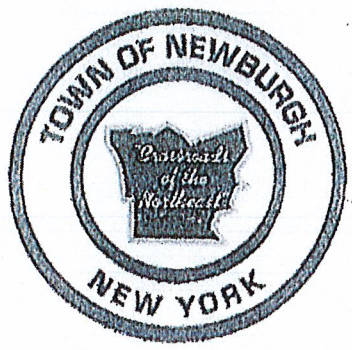
5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

- 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:

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



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

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:

The freestanding signs will be located at the entrance to the residential development set back behind the property line boundary. The signs will be indirectly illuminated with a style matching the architecture of the residential development.

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 signs will be single sided and mounted on monument walls which will not be easily visible from a distance and therefore 2 signs at a height greater than 48 inches above grade and area greater than 20 square feet will help people see the development's entrance when within a close proximity.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

It will not negatively impact the appearance of the area, nor will it be obstructive. Since the signs will be wall mounted, the sign itself will not be easily visible unless one is near turning into the entrance.

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

At most viewing angles small plantings and the monument walls will be all that are visible which are designed to be aesthetically pleasing.

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

The design is necessary to be aesthetically pleasing for the entrance to the development, while providing sign visibility while traveling in either direction.



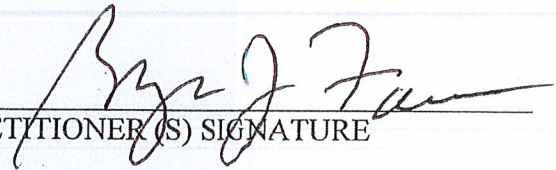
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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

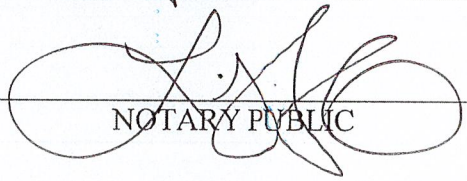


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ~~ORANGE~~ ^{Suffolk}

SWORN TO THIS 4th DAY OF September 2020

LYNN SPRUFERA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SP6330543
Qualified in Suffolk County
My Commission Expires 09-14-2023



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 10 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)



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PROXY

BRYAN FARVELL, Trustee, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 2317 Montauk Highway, BH NY 11932
IN THE COUNTY OF Suffolk AND STATE OF NY
AND THAT HE/SHE IS THE ~~OWNER~~^{Trustee} IN FEE OF

Three Kids Newburgh
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED JMC

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.
DATED: 9/4/20

[Signature]
OWNER'S SIGNATURE

[Signature]
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ~~ORANGE~~: Suffolk
SWORN TO THIS 4th DAY OF September 2020

[Signature]
NOTARY PUBLIC

LYNN SPRUFERA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SP6330543
Qualified in Suffolk County
My Commission Expires 09-14-2023

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.

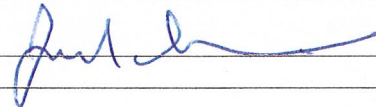
Part 1 – Project and Sponsor Information			
Name of Action or Project: Gardnertown Commons - Sign Variance			
Project Location (describe, and attach a location map): Gardnertown Road			
Brief Description of Proposed Action: Proposed entrance signs to the residential development located on Gardnertown Road.			
Name of Applicant or Sponsor: Three Kidds Newburgh LLC		Telephone: 631 537 1068	
Address: 2317 Montauk Highway		E-Mail: k.messinger@farrellbuilding.com	
City/PO: PO Box 14, Bridgehampton		State: NY	Zip Code: 11932
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Zoning Board of Appeals		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____		19.77 acres	
b. Total acreage to be physically disturbed? _____		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____		19.77 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	NO	YES <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: _____	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
	<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: _____ _____	<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
	<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: <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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: JMC JOSEPH SARETTINO Date: 9/9/20

Signature:  Title: PRESIDENT

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"/>

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

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.

- 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.

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)

PRINT FORM



ORANGE COUNTY - STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10824

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



BOOK/PAGE: 13962 / 1485
 INSTRUMENT #: 20150068185
 Receipt#: 2028335
 Clerk: MRL
 Rec Date: 10/27/2015 10:45:47 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 5
 Rec'd Frm: EQUITY SETTLEMENT SERVICES INC.
 Party1: ORANGE COUNTY TRUST COMPANY
 Party2: THREE KIDDS NEWBURGH LLC
 Town: NEWBURGH (TN)
 75-1-21.1

Recording:
 Recording Fee 45.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00
 RP5217 All others - State 241.00
 RP5217 - County 9.00

Sub Total: 320.00

Transfer Tax
 Transfer Tax - State 6000.00

Sub Total: 6000.00

Total: 6320.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
 Transfer Tax #: 2204
 Commercial Transfer Tax
 Consideration: 1500000.00

Transfer Tax - State 6000.00

Total: 6000.00

Payment Type: Check ___
 Cash ___
 Charge ___
 No Fee ___

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE



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

tion 75
ck 1
s 21.1
21.2
21.3
21.4
21.5

THIS INDENTURE, made on September 25, 2015
BETWEEN ORANGE COUNTY TRUST COMPANY, having an office for business as 212 Dolson Avenue, Middletown, New York 10940

DA

party of the first part, and KIDS
THREE KIDS NEWBURGH LLC
C/O FARRELL BUILDINGS COMPANY, INC., having a mailing address at 2317 Montauk Highway, Bridgehampton, New York 11932

party of the second part,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, said lands being more particularly bounded and described in Schedule "A" attached hereto and made a part hereof.

BEING the same lands and premises described in a Deed, dated March 5, 2014, from Gardnertown Commons Associates, LLC to Orange County Trust Company, and recorded in the Orange County Clerk's Office on March 14, 2014 in Liber 13728 at Page 0830.

SUBJECT TO notes, easements and setbacks on Filed Map #417-10; agreements in Liber 12970 Page 1838, Liber 13090 Page 410 and Liber 13090 Page 422; rights of others in and to any portion of the premises lying in the bed of the public road; and public utility easements of record.

This Deed is being executed as part of the regular course of business of the party of the first part, and does not constitute all or substantially all of the corporate assets.

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:

ORANGE COUNTY TRUST COMPANY

By: MaryEllen Rogulski
MaryEllen Rogulski,
Senior Vice President

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Orange ss.:

On September 25, 2015 before me, the undersigned, personally appeared MARYELLEN ROGULSKI

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 of Thomas P. Clarke]
THOMAS P. CLARKE
NOTARY PUBLIC, STATE OF NEW YORK
NO. 4936137

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)
State of Orange County 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.

ORANGE COUNTY TRUST COMPANY

TO

~~CARDNERTOWN COMMONS ASSOCIATES, LLC~~
Three Kidds Newburgh 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);

THOMAS P. CLARKE
Notary Public, State of New York
No. 4936137
Qualified in Orange County
Commission Expires June 13, 2018

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)

SECTION 75

BLOCK 1

LOTS 21.1, 21.2, 21.3, 21.4, and 21.5

COUNTY OR TOWN of Newburgh, Orange County

RETURN BY MAIL TO:

Jane Kratz Esq
P.O. Box 939
Bridghampton No. NY 11932

Reserve this space for use of Recording Office.

SCHEDULE "A"

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

BEGINNING at a point in the northeasterly corner of lands herein described, said point being the intersection of the southerly line of Gardertown Road with the northwesterly line of Creek Run Road; thence running along the northwesterly line of said Creek Run Road, being the southeasterly line of lands herein described on the following four (4) courses and distances: (1) South 26 degrees 33 minutes 40 seconds West, as per Liber 2099 of Deeds at Page 444, a distance of 432.09 feet to an iron pipe; (2) South 33 degrees 55 minutes 10 seconds West, a distance of 310.74 feet; (3) South 73 degrees 58 minutes 10 seconds West, a distance of 125.47 feet; and (4) South 45 degrees 44 minutes 30 seconds West, a distance of 25.40 feet to a point being the southeasterly corner of lands herein described and lying on the northeasterly line of lands now or formerly Gould; thence running along the northeasterly line of lands of said Gould, being a southwesterly line of lands herein described (5) North 56 degrees 43 minutes 09 seconds West, a distance of 222.60 feet to a point the northerly corner of lands of said Gould; thence running along the northwesterly line of lands of said Gould, being a southeasterly line of lands herein described (6) South 36 degrees 17 minutes 00 second West, a distance of 162.50 feet to a point being the southerly corner of lands herein described and lying on the northeasterly line of lands now or formerly Manning; thence running along a portion of northeasterly line of lands of said Manning and continuing along the northeasterly lines of lands now or formerly Maher, lands now or formerly Ford, lands now or formerly Muscarella, lands now or formerly Puchalski, lands now or formerly Morrill, lands now or formerly VanStrander, and lands now or formerly Fernandez being the southwesterly line of lands herein described (7) North 62 degrees 53 minutes 00 seconds West, a distance of 1,150,84 feet to a point being the northerly corner of lands of said Fernandez, the northeasterly corner of lands now or formerly Berkowitz, the westerly corner of lands herein described and lying on the southeasterly line of lands now or formerly The Taft Company; thence running along a portion of the southeasterly line of lands of said The Taft Company, being the northwesterly line of lands herein described (8) North 50 degrees 25 minutes 00 second East, a distance of 547.80 feet to a point being the easterly corner of lands of said The Taft Company, the northwesterly corner of lands herein described and lying on the southerly line of Gardertown Road; thence running along the southerly line of said Gardertown Road, being the northerly line of lands herein described on the following ten (10) courses and

distances: (9) South 75 degrees 49 minutes 42 seconds East, a distance of 198.97 feet; (10) South 78 degrees 22 minutes 00 seconds East, a distance of 154.05 feet; (11) South 75 degrees 35 minutes 00 second East, a distance of 255.91 feet; (12) South 73 degrees 53 minutes 00 second East, a distance of 126.01 feet; (13) south 64 degrees 23 minutes 00 second East, a distance of 112.04 feet; (14) South 66 degrees 50 minutes 30 seconds East, a distance of 116.65 feet; (15) South 78 degrees 45 minutes 00 second East, a distance of 92.62 feet; (16) North 76 degrees 45 minutes 00 second East, a distance of 139.10 feet; (17) North 67 degrees 15 minutes 00 second East, a distance of 165.43 feet; and (18) North 73 degrees 20 minutes 00 second East, a distance of 93.96 feet to the point or place of beginning.

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;

Section: 75 Block: 1 Lot(s): 21.1, 21.2 21.3, 21.4 and 21.5

For information only: Gardnertown Road And Creek Run Road-V/L,
Newburgh, NY 12550



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

2058-20

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/04/2020

Application No. 20-0613

To: 3 Kidds Newburgh, LLC
PO Box 14
Bridgehampton, NY 11932

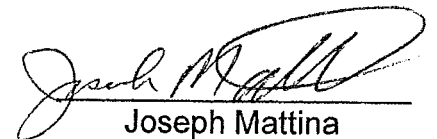
SBL: 75-1-21.12
ADDRESS: 2 Plainview Lane

ZONE: R3

PLEASE TAKE NOTICE that your application dated 07/14/2020 for permit to install 2 free standing signs on the premises located at 2 Plainview Lane is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-14-K-2-A: One freestanding, attached wall or suspended wall sign,
- 2) 185-14-K-B: The maximum area per sign shall be 20 square feet.
- 3) 185-14-K-C: If such signs are freestanding, the maximum height shall be 48 inches above the finished grade.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

Town of Newburgh Code Compliance

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

NAME: Three Kidds Newburgh LLC **Building permit #** 20-0613

ADDRESS: PO Box 14 Bridgehampton NY 11932

PROJECT INFORMATION: AREA VARIANCE USE VARIANCE

TYPE OF STRUCTURE: Free standing signs

SBL: 75-1-21.12 **ZONE:** R-3 **ZBA Application #** 2858-20

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

	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
FREE STANDING	1 PER		2.00	1.00	100.00%
AREA	20 SF		24.5 SF	4.5 SF	22.50
HEIGHT	4'		5'	1'	20.00%
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING 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: Requesting 2 free standing signs on the Gradnertown Rd entrance

VARIANCE(S) REQUIRED:

- 1 185-14-K-2-A: One sign per multi family development
- 2 185-14-K-2-B: Maximum sign area is 20 square feet.
- 3 185-14-K-2-C: Maximum allowed height from grade is 48"
- 4 _____

REVIEWED BY: Joseph Mattina **DATE:** 4-Aug-20



Sign #1

Sign #2



Sign #1

Sign #1





Sign #2



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

STATE OF NEW YORK: COUNTY OF ORANGE:

I STEPHEN NESTER, being duly sworn, depose and say that I did on or before

October 8, 2020, post and will thereafter maintain at

2 Plainview Ln 75-1-21.12 R3 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.



Sworn to before me this 28th

day of September, 2020.



KIMBERLY ROMANINO

NOTARY PUBLIC-STATE OF NEW YORK

No. 01RO6134291

Qualified In Putnam County

My Commission Expires September 26, 2021

