



Steven M. Neuhaus  
County Executive

### Orange County Department of Planning Submittal Form for Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l,m, & n

Referral ID#  
(County Use Only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:	Town of Newburgh
Local Referring Board:	Zoning Board of Appeals
Applicant:	Cosimo J. Colandrea
Project Name:	Buick GME
Location of Project Site:	39 Route 17K Newburgh

Tax Map #:	100-5-37212
Tax Map #:	100-5-22.2
Tax Map #:	
Local File No.:	2552-16
Size of Parcel*:	1.76 Acres
<small>*If more than one parcel, please include sum of all parcels.</small>	
Current Zoning District (include any overlays):	FR

Reason for County Review: ON NYS Route 17K

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from \_\_\_\_\_ to \_\_\_\_\_

Ordinance Modification (cite section): \_\_\_\_\_

Local Law

Site Plan      Sq. feet proposed (non-residential only): \_\_\_\_\_

Subdivision      Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

                            Number of lots proposed: \_\_\_\_\_

                            Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Special Use Permit

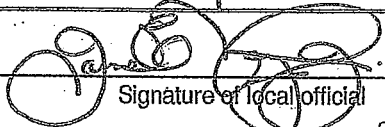
Lot Line Change

Variance      AREA USE (circle one) Allowed Maximum Amount of  
                            SIGNAGE of Increasing the Degree of  
                            New Conformity

Other

Is this an update to a previously submitted referral? YES / NO (circle one)

Local board comments or elaboration:

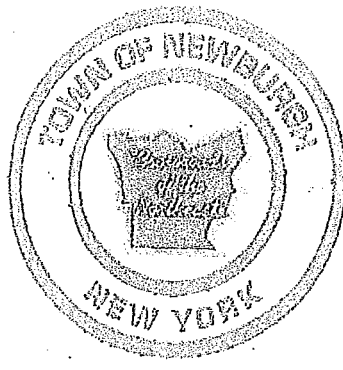
      3/30/16      Chairperson  
Signature of local official      Date      Zoning Board of Appeals

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924  
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com





# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

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: 2/22/2016
- 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: Area Variance to enlarge an existing sign on the property whose square footage will exceed code by 56 Square Feet.

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:

The increased size of one sign is a mandate of the automobile dealership franchisor, not the property owner.

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 neighborhood will be unchanged as the variance request is to simply enlarge and existing sign. All nearby properties remain commercial in an IB zone and would not be effective detrimentally.

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:

As an automobile dealership of Buick-GMC many issues, including signage, are mandated by General Motors.

The location and size of signage is dictated by General Motors.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

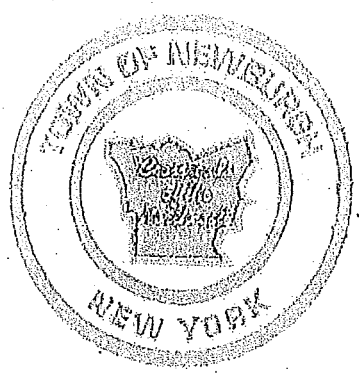
As the proposed sign is to be located where the existing permitted sign is located and is only slightly increased by 56 Square Feet above allowable code.

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

Same answer as (c) above.

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

As a General Motors Franchisee sign size and location is mandated by General Motors. Recent policy and Facility upgrades dictate that Colandrea Buick-GMC increase the size of the subject sign.



# TOWN OF NEWBURGH

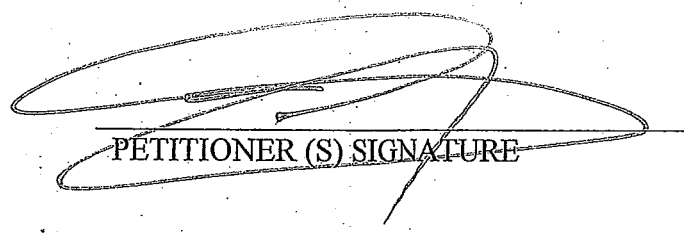
*Crossroads of the Northeast*

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

OFFICE OF ZONING BOARD  
(845) 566-4901

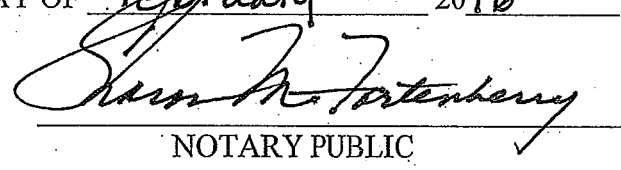
### 7. ADDITIONAL REASONS (IF PERTINENT):

Please see attached supporting documentation, pictures, etc.

  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 29<sup>th</sup> DAY OF February 2016

  
NOTARY PUBLIC

SHARON M. FORTENBERRY  
Notary Public; State of New York  
No. 4949078  
Qualified in Orange County  
Commission Expires April 3, 2019

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)



# TOWN OF NEWBURGH


*Crossroads of the Northeast*

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

## PROXY

Cosimo J. Colandrea, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 1 Burning Tree Dr., Newburgh, NY 12550  
IN THE COUNTY OF Orange AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF 100-5-37.212 &  
100-5-22.2.

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Douglas V. Crossley of  
Crossley Associates  
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 2/29/2016 

OWNER'S SIGNATURE

  
WITNESS SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 29<sup>th</sup> DAY OF February 2016

SHARON M. FORTENBERRY  
Notary Public, State of New York  
No. 4949078  
Qualified in Orange County  
Commission Expires April 3, 2019

  
NOTARY PUBLIC

## Short Environmental Assessment Form

### Part I - Project Information

#### Instructions for Completing

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

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

<b>Part I - Project and Sponsor Information</b>		
Cosimo J. Colandrea		
Name of Action or Project: Colandrea Buick-GMC Automobile Facility Signage increase		
Project Location (describe, and attach a location map): 39 Route 17K, Newburgh, New York 12550.		
Brief Description of Proposed Action:  Replace 1 Road sign which will increase the maximum allowed by code by 56 Sq. Ft.		
Name of Applicant or Sponsor:  Cosimo J. Colandrea	Telephone: 845-565-5800	E-Mail: thepupymaster@yahoo.com
Address: 1 Burning Treet Drive		
City/PO: Newburgh, New York	State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?	7.8	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?	27.5	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 type="checkbox"/> Industrial <input checked="" 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		





18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: Douglas V. Crossley Date: 3/25/2016

Signature: Crossley Associates for Cosimo J. Colandrea

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"/>

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.

Town of Newburgh Zoning Board of Appeals

Name of Lead Agency

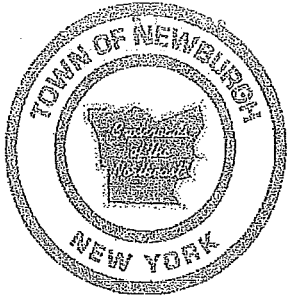
Date

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)



**TOWN OF NEWBURGH**

*~Crossroads of the Northeast~*

**CODE COMPLIANCE DEPARTMENT  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550**

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

**2551-16**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 02/22/2016**

**Application No. 16-0084**

**To: Cosimo Colandrea  
39 Rte. 17K  
Newburgh, NY 12550**

**SBL: 100-5-37.212 & 22.2  
ADDRESS: 39 Route 17K**

**ZONE: IB**

**PLEASE TAKE NOTICE** that your application dated 02/11/2016 for permit to enlarge existing non conforming sign which will exceed code for signage square footage by 56 square feet. The proposed new road second sign is larger than the existing sign by +/- 175 square feet. The application on the premises located at 39 Route 17K is returned herewith and disapproved on the following grounds:

**Town of Newburgh Municipal Code Sections:**

- 1) 185-14-B-1-C Maximum allowed signage allowed is 1/2 the total street frontage.**
- 2) 185-19-C-1 Shall not increase the degree of non-conformity. (larger with additional signage)**

  
**Joseph Mattina**

**Cc: Town Clerk & Assessor (500')  
File**

# Town of Newburgh Code Compliance

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

NAME: \_\_\_\_\_ COSIMO COLANDREA \_\_\_\_\_      **2551-16**

ADDRESS: \_\_\_\_\_ 39 RT 17K NEWBURGH NY 12550 \_\_\_\_\_

**PROJECT INFORMATION:**

TYPE OF STRUCTURE:      ENLARGING A NON CONFORMING FREE STANDING SIGN

SBL:      100-5-37.212422.2      ZONE:      I-B

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
TOTAL ALLOWED S.F.	552 SF		608 SF	56 SF	
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1       YES

2 OR MORE FRONT YARDS FOR THIS PROPERTY      YES / NO

CORNER LOT - 185-17-A       YES

**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:      **TAKEN DOWN AN EXISTING ZBA APPROVED 2ND FREE STANDING SIGN AND RELOCATING TO A NEW LOCATION AND ADDING 175 SF OF ADDITIONAL SIGNAGE.**

**VARIANCE(S) REQUIRED:**

- 1 185-14-B-1-c Maximum allowed signage allowed is 1/2 the total street frontage.
- 2 185-19-C-1 Shall not increase the degree of non-conformity. Additional signage on 2nd free standing signs
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY:      Joseph Mattina      DATE:      22-Feb-16

**Colandrea Buick-GMC Signage:**

2-8-2016 Review

**Road Frontage/allowed signage:**

- Main Lot (100-5-67)
- Upper Lot (100-5-22.2)

Total: 1,104 Lin. Ft.  
Divided by: 2  
Allowable signage is= 552 Square Feet.

**Proposed/Existing signage:**

		<u>Square Footage</u>
• Existing Brand sign: (P137)	11.2525 x 11.2525 x 2 sides=	253.2375
• Proposed Certified Used car sign Replacement (P137):	11.325' x 11.325' x 2 sides=	256.5113
• Showroom Building Face sign:		
- Colandrea:	2' x 17'6"=	35.00
- Buick;	2' x 13'0"=	26.00
- GMC:	2' x 9'6" =	19.00
• Building Service Signage:		
Certified Service:	16" x 13'0"=	<u>17.3333</u>
		607.081
	Say:	608 Square Feet.

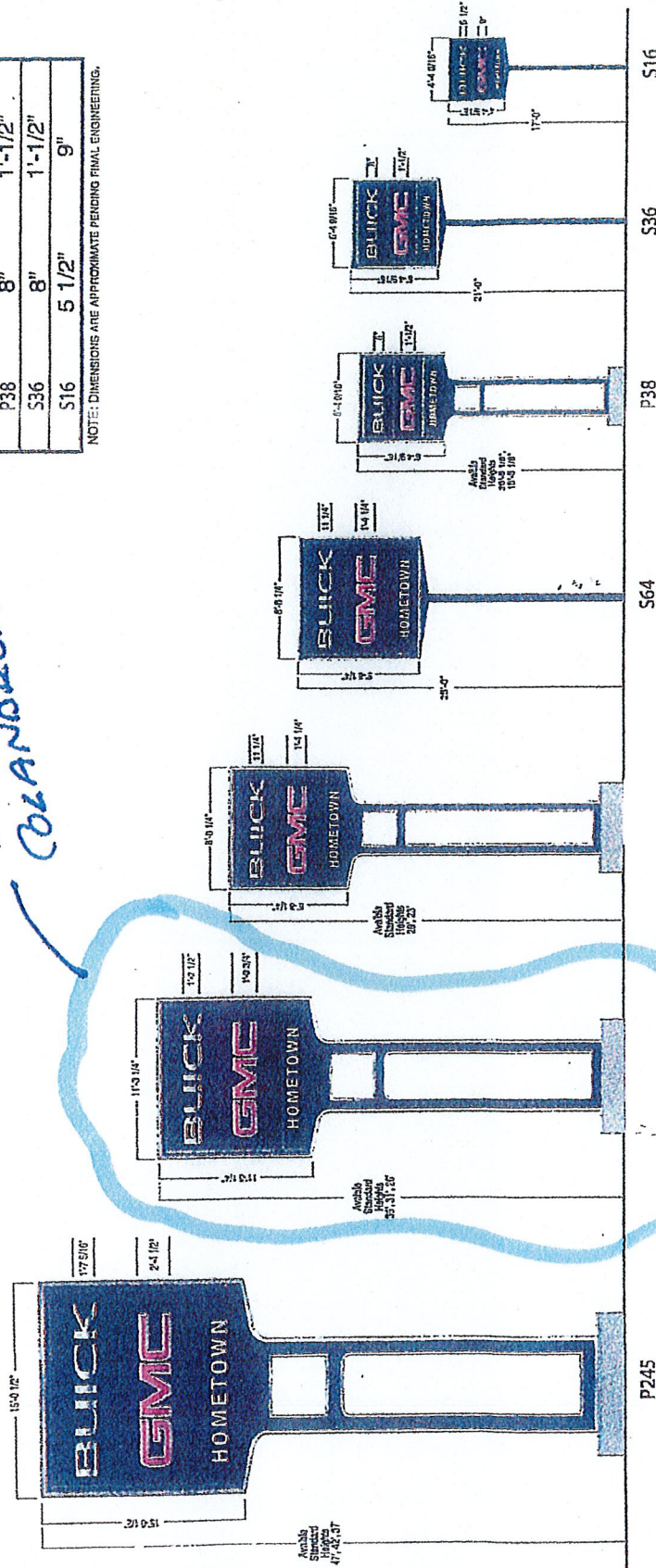
**Note:** Total Signage exceeds code by 56 Square Feet.

Buick GMC Sign Family

3/2016  
COLANDREA

COPY SIZE BY SIGN		
SIGN	BUICK	GMC
P245	1'-7 5/16"	2'-4 1/2"
P137	1'-2 1/2"	1'-9 3/4"
P92	11 1/4"	1'-4 1/4"
S64	11 1/4"	1'-4 1/4"
P38	8"	1'-1 1/2"
S36	8"	1'-1 1/2"
S16	5 1/2"	9"

NOTE: DIMENSIONS ARE APPROXIMATE PENDING FINAL ENGINEERING.



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ARCHITECTURAL GRAPHICS INC.

2655 International Parkway  
Virginia Beach, VA 23452

Phone: 757.301.7008  
Fax: 866.418.9462

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ARCHITECTURAL GRAPHICS INC.

Call Toll-Free  
844.511.7565

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

OFFICE OF ZONING BOARD  
(845) 566-4901

September 20th, 2004

Colandrea Pontiac/Buick  
39 Route 17-K  
Newburgh, New York, 12550

Re: Your "DECISION AND RESOLUTION" from the Zoning Board of Appeals  
Section: 100 Block: 5 Lot: 37.21 For signage

To Whom It May Concern:

In going through our files, I can not find any indication that we sent you the enclosed copy of your Decision and Resolution.

We know that the permits have already been obtained, but we are sending you a copy of the Decision and Resolution that was rendered by the Zoning Board Of Appeals.

Marie Roberts  
Acting Secretary

Zoning Board of Appeals

Enc.



TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS

-----X  
In the matter of the application of:

DECISION AND RESOLUTION

COLANDREA, PONTIAC, BUICK, INC.

Tax Map # 100-5-37.21

for a variance to erect building signs totaling 85 square feet and one existing free standing sign. Article V, Section 185-14 (B)(1)(c)

B.I. #1550

-----X  
The property which is the subject of this application is located at 39 Route 17K,

Newburgh, New York and is designated on the tax map as Section 100, Block 5, Lot 37.21. It is located in the "IB" Zone.

Applicant is an automobile dealership which proposes to add building signage and a second free standing sign in order to adequately notify its customers of its business. Based upon the subject property's street frontage of 652 feet, the total amount of signage allowed is 326 square feet. Applicant currently has an existing free standing sign of 256.5 square feet, leaving 69.5 square feet of available sign square footage. Applicant's proposal to add building signage totaling 85 square feet and a second free standing sign at 96.0 square feet requires a variance from the total signage requirements of Town Code Section 185-14(B)(1)(c).

A public hearing on the application was scheduled for June 24, 2004 at the Town Hall, 1496 Route 300, Newburgh, New York. Notice of said public hearing, including the subject, date, place and time, was duly published and mailed. Proper affidavits of publication and mailing have been received from the applicant.

The public hearing was held on June 24, 2004. The applicant's representative, Saxton Sign Corporation, appeared at the public hearing and testified before the Board. The testimony and exhibits at the Public Hearing established that the applicant's property is located at the busy intersection of Route 17K and the New York State Thruway Ramp. Applicant will need additional signage throughout various locations of the building in order to inform its customers of its business and of the various services provided by the dealership. According to applicant the existing free standing sign is not sufficient signage to identify their building to the public.

Applicant proposes to add another free standing sign approximately 96 square feet and to place building mounted signage totaling 85 square feet. Pursuant to Article V, Section 185-14 (B)(1)(c) applicant will require an area variance as the maximum amount of signage permitted based on the street frontage of 652 feet is 326 square feet. There was no opposition against applicant's proposal.

The Board determines that this is an application for area variances and that the criteria which the Board must consider in determining whether or not to grant the variances is the factors set forth in Town Law Section 267-b. In considering the benefit to the applicant if the variances are granted as weighed against the detriment to the health, safety and welfare of the neighborhood and community by such grant, the Board has considered the following five factors:

**I. WHETHER AN UNDESIRABLE CHANGE WILL BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES WILL BE CREATED BY GRANTING OF THE VARIANCE?**

The subject property is situated in an interchange business district. Applicant supplied this Board with drawings and configurations of proposed signage and it appears that applicant's proposed signs will be consistent with the character of the neighborhood. Although the Board is sensitive to the detrimental impact that excessive signage may have on a neighborhood, this Board finds that the signs at issue will have no detrimental impacts.

**II. WHETHER THE BENEFIT SOUGHT BY THE APPLICANT CAN BE ACHIEVED BY SOME METHOD FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE?**

The Board finds that the applicant cannot achieve the benefit sought by feasible means other than the requested variance. According to the applicant, other than the existing one free standing sign, there are no building identification signs for the public's awareness. This Board agrees with the applicant that additional signs are necessary in order to properly identify the building for the public.

III. WHETHER THE REQUESTED AREA VARIANCE IS SUBSTANTIAL?

The variance is substantial. However, this factor alone does not require denial of the requested variance.

IV. WHETHER THE PROPOSED VARIANCE WILL HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD?

The amount of signage proposed including the additional freestanding sign will not have an adverse impact on the neighborhood when considering the amount of signage found at other adjacent dealerships and nearby commercially developed properties.

V. WHETHER THE ALLEGED DIFFICULTY WAS SELF CREATED?

The applicant's difficulty is self-created. However, this factor alone does not require denial of the requested variance.

RESOLUTION

The Board determines that the applicant has met the requisites of Town Law § 267-b. The Board hereby grants the requested variance to the signage regulations of Town Code §185-14(B)(1)(c) to permit the erection of a second free standing sign at 96 square feet and various building mounted signs totaling 85 square feet.

The Board finds that such variance is the minimum necessary to address the circumstances of this application.

Present and Voting on motion to grant application:

Grace Cardone	Aye
Paul Blanchard	Absent
Ruth Eaton	Aye
Michael Maher	Aye
Robert Kunkel	Aye


John McKelvey

Aye

Ronald Hughes

Aye

Dated: July , 2004  
Newburgh, New York

  
GRACE CARDONE Chairwoman  
Town of Newburgh, Zoning  
Board of Appeals

**REAL PROPERTY TAX SERVICE AGENCY**

John I. McCarey - Director  
124 Main Street  
Goshen, NY 10924  
(914) 291-2498

**REQUEST FOR COMBINATION**

DATE: 2-8-2016

TOWN/VILLAGE/CITY: Town of Newburgh

SCHOOL DISTRICT: Newburgh Enlarge City School District

**For Tax Map Department Use**

- |                                     | <u>S-B-L</u>           |
|-------------------------------------|------------------------|
| <input type="checkbox"/>            | 1. <u>100-5-37.212</u> |
| <input checked="" type="checkbox"/> | 2. <u>100-5-22.2</u>   |
| <input type="checkbox"/>            | 3. _____               |
| <input type="checkbox"/>            | 4. _____               |
| <input type="checkbox"/>            | 5. _____               |
| <input type="checkbox"/>            | 6. _____               |

<u>DEED</u>	<u>OWNER</u>
Book: 13317 Page: 1199	<u>Cosimo J. Colandrea</u>
Book: 2526 Page: 330	<u>Cosimo J. Colandrea</u>

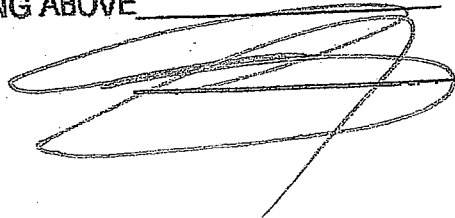
CHECK OFF PARCEL TO DECIMAL OFF.

A REQUEST IS MADE TO COMBINE THE ABOVE NAMED SECTION, BLOCK, AND LOTS INTO ONE PARCEL FOR TAX PURPOSES.

ALL THE DUE TAXES ARE PAID  
ON THESE PARCELS AND THEY ARE ALL IN THE SAME SCHOOL DISTRICT.

ASSESSOR'S SIGNATURE  
AUTORIZING AND CONFIRMING ABOVE \_\_\_\_\_

OWNER'S SIGNATURE





On the 20<sup>th</sup> day of April 1979, before me personally came Fred W. Herrmann

On the day of 19, before me personally came

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

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

*David C. Tower*  
Notary Public, State of New York  
Residing in Newburgh, N. Y.  
Commission Expires March 30, 1981

*Just original 3/30/16*

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. *179* 15B352806

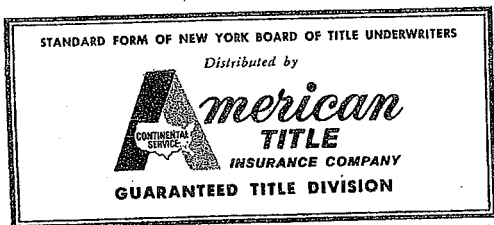
FRED W. HERRMANN

TO  
COSIMO J. COLANDREA

SECTION  
BLOCK  
LOT  
COUNTY OR TOWN

*55-13*

Recorded At Request of American Title Insurance Company  
RETURN BY MAIL TO:



*Benny B. Silver*  
807 Broadway  
PO Box 2264  
Newburgh, N.Y. Zip No. 12550

A Member of The Continental Insurance Companies

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

RECEIVED  
J.S.T. 208  
REAL ESTATE  
APR 6 1979  
TRANSFER TAX  
ORANGE  
COUNTY

LIBER 2129 PAGE 777

Orange County Clerk's Office, s.s.  
Recorded on the 20<sup>th</sup> day of April 1979 at 1:00 P.M. in Liber 2129 of Clerk's Office at page 777 and Examined by *Jack A. Sullivan* Clerk

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

*David P. Torker*

*Fred W. Herrmann*  
FRED W. HERRMANN



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

BEGINNING at a point within the bounds of lands now or formerly of Fred W. Herrmann (reputed owner), said point being, N66 degrees-41'-28"W 5.00 feet and S23 degrees-19'-32"W 54.00 feet from a New York State Highway Monument on the southerly side of Route 17K; thence, from said point of beginning and through the lands of Fred W. Herrmann (reputed owner) the following courses, S23 degrees-18'32"W 255.00 feet to a point; thence, at right angle to the last mentioned course, N66 degrees-41'-28"W 230.00 feet to a point; thence, at right angle to the last mentioned course, N 23 degrees-18'-32"E 255.00 feet to a point; thence, at right angle to the last mentioned course S66 degrees-41'-28"E 230.00 feet to the place of beginning, containing 1.35 acres more or less, the afore described courses being located 100 feet from their respective parallel four faces of a brick house located on the hereinbefore described parcel.

FD  
JB  
BW

BEING a portion of the premises conveyed to Fred W. Herrmann by the following three deeds: (1) Ella Elizabeth Herrmann dated March 27, 1946 and recorded April 29, 1946 in Liber 994 of deeds at page 446; (2) Marie Herrmann Lunsman dated March 27, 1946 and recorded April 29, 1946 in Liber 994 page 450 and (3) Leonhard J. Herrmann, also known as Leonard J. Herrmann; and Rose Herrmann Seeka dated March 27, 1946 and recorded April 29, 1946 in Liber 994 of deeds at page 454.

TOGETHER with the right to use the driveway as it presently exists which said driveway serves the residence dwelling and passes over lands upon which the grantor retains a life estate as well as lands of said grantee. Said right-of-way shall be for all ordinary purposes of ingress and egress and shall be free and unobstructed.

The grantor herein retains unto himself a life estate in and to the hereinbefore described premises and during the term of his natural life or for so long as he should desire to occupy the same. His occupancy shall be without any financial responsibility as to taxes, but it shall be the grantor's responsibility to make all repairs to said premises, pay all fuel bills, and utility bills and to maintain this property in the same condition as it was at the time of closing excepting reasonable wear and tear.

*Real*

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

*55-25*

LIBER 2129 PAGE 774

*(74)BB352800*

THIS INDENTURE, made the *23rd* day of *APRIL*, nineteen hundred and SEVENTY-NINE  
BETWEEN FRED W. HERRMANN, residing on Route 17K, Town of Newburgh,  
County of Orange, State of New York

party of the first part, and COSIMO J. COLANDREA residing at 9 Dogwood Lane,  
Town of Newburgh, County of Orange, State of New York

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, 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

SEE ATTACHED SCHEDULE A

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

NEW-614

057500

THIS INDENTURE, made the 5<sup>th</sup> day of June, nineteen hundred and eighty-s: BETWEEN SHARON MEDLAR, residing at 10 Hillcrest Avenue, Walden, New York 12586,

*Sharon Medlar* 3/30/16 *SS*

party of the first part, and COSIMO J. COLANDREA, residing at P.O. Box 3257, Newburgh, New York 12550,

party of the second part,

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

-----TEN-----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 Newburgh-Cochecton Turnpike, State Highway 17K, in the Town of Newburgh, County of Orange and State of New York, described as follows:

SECTION 100 BLOCK 5 LOT 22.2

BEGINNING at a point in the south line of said Turnpike 151 feet east of the northeast corner of lands of the party of the first part and running thence southerly and parallel to the line of lands of Charles Crowley south 28 degrees 34 minutes west 450 feet to a point; thence running parallel to the south line of said Turnpike south 71 degrees 18 minutes east 150 feet to a point; thence north 28 degrees 34 minutes east 450 feet to the south line of said Turnpike; thence westerly along the southerly line of said Turnpike 150 feet to the point of beginning.

BEING a portion of the premises heretofore conveyed to Fred W. Herrmann by three deeds, each dated March 27, 1946, made by Ella Elizabeth Herrmann, Marie Herrmann Lunsman, and Leonhard J. Herrmann and Rose Herrmann Selke, each of said deeds being recorded in the Orange County Record of Deeds on April 29, 1946, in Liber 994, at pages 446, et seq.

SUBJECT to the following restrictions:

1. That no building or other structure shall be erected within 50 feet of the north line of said premises.
2. That no dwelling shall be erected on said premises which shall cost less than \$5,000.00.
3. That no outbuildings shall be erected within 75 feet of the north line of said premises.
4. That no junk, refuse or other unsightly materials shall be stored or accumulated on said premises.

The above described premises are also described in accordance with a survey dated June 2, 1986 made by Peter R. Hustis, licensed surveyor as follows:

BEGINNING at a point, said point being the intersection of the Southerly line of NYS Route 17-K, with the Easterly line of Hermann Avenue; thence along the Southerly line of NYS Route 17-K, North 67-59-40 East 44.02 feet; South 67-26-12 East 120.20 feet, and South 73-11-49 East 0.29 feet to a point; thence along lands now or formerly Colandrea, South 28-34-00\*East 258.18 feet to the point or place of beginning.

Subject to the existing easements and right of ways of record, if any.

\*West 279.08 feet to a point; thence along lands now or formerly Hoffer, North 71-18-00 West 150.00 feet to a point; thence along the Easterly line of Hermann Avenue, North 28-34-00

LIBER 2526 PG 331

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises, **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

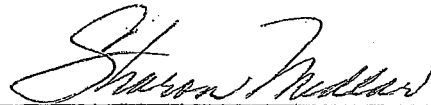
**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

**IN PRESENCE OF:**



SHARON MEDLAR

LIBER 2526 PG 332

STATE OF NEW YORK, COUNTY OF ORANGE  
On the 5<sup>th</sup> day of June 19 86, before me personally came SHARON MEDLAR

ss: STATE OF NEW YORK, COUNTY OF  
On the day of 19, before me personally came

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

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

*Susan Gardineer*

SUSAN GARDINEER  
Notary Public, State of New York  
4631850  
Residing in Orange County  
Commission Expires 10/31/88

STATE OF NEW YORK, COUNTY OF  
On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

ss: STATE OF NEW YORK, COUNTY OF  
On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

that he is the of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

LIBER 2526 PG 333



**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. \_\_\_\_\_

SECTION 100  
BLOCK 5  
LOT 22.2  
COUNTY OR TOWN

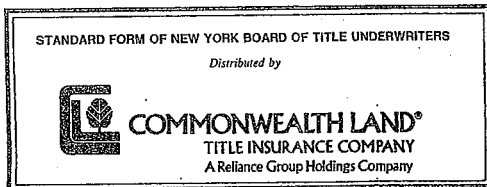
SHARON MEDLAR

TO

COSIMO J. COLANDREA

Recorded at Request of COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:



LAW OFFICES  
WERNER AND WERNER  
180 NORTH PLANK ROAD  
POST OFFICE BOX 769  
NEWBURGH, NEW YORK 12550  
(914) 562-1154  
Zip No. \_\_\_\_\_

SERVE THIS SPACE FOR USE OF RECORDING OFFICE

RECEIVED  
\$ 780.00  
REAL ESTATE  
JUN 6 1986  
TRANSFER TAX  
ORANGE COUNTY

LIBER 2526 PG 334

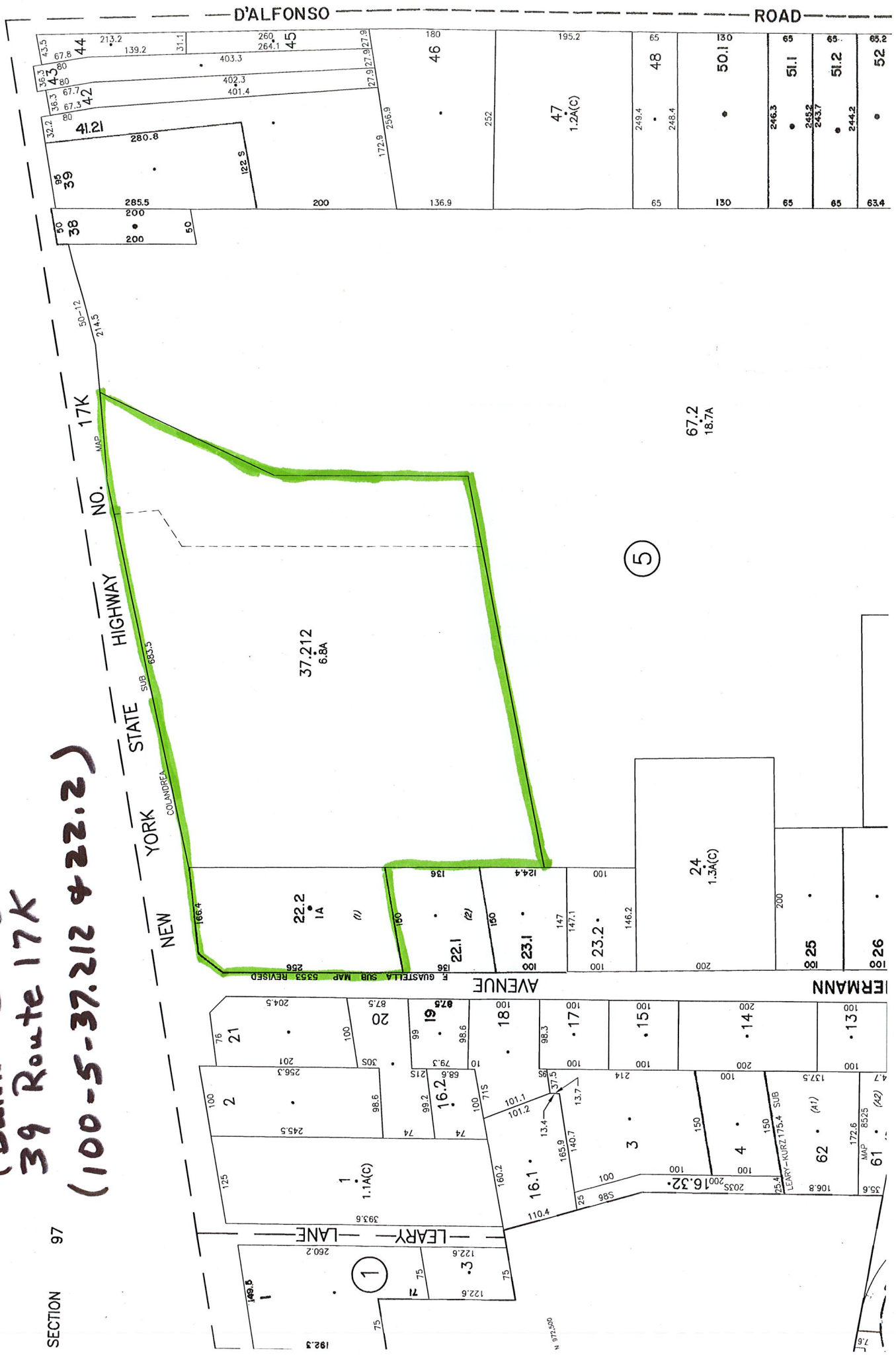
Orange County Clerk's Office, S.S.  
Recorded on the 6<sup>th</sup> day of June 1986 at 11:23 o'clock A.M. in Liber 2526 and Examined at page 333  
*Murray*

180-  
171-  
2-

*Kear-Don*

**COLANDREA**  
**(Buick GMC)**  
**39 Route 17K**  
**(100-5-37.212 & 22.2)**

SECTION 97



5

67.2  
18.7A

1

7.6

972-200