

**B**



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:	DABROWSKI BROTHERS INC
Project Name:	
Location of Project Site:	611 Route 32 Wallkill

Tax Map #:	4-3-4
Tax Map #:	
Tax Map #:	
Local File No.:	2556-16 B 2557-16 B
Size of Parcel*:	

\*If more than one parcel, please include sum of all parcels.

Reason for County Review: ON NYS Route 32

Current Zoning District (include any overlays): RR

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)

Special Use Permit      Number of lots proposed: \_\_\_\_\_

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

Variance      AREA / <sup>TWO</sup>USE (circle one) 2 PRIOR BUILTS - 2 USE VARIANCES EACH 1 NO 2

Other      CONFORMING USE SHALL NOT BE EXTENDED / ENLARGED 2 NON CONFORMING BUILDINGS SHALL NOT BE MODIFIED IN ANYWAY.

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

Local board comments or elaboration:

4/1/16 Chairperson  
Signature of local official Date Title  
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

APPLICATION

OFFICE OF ZONING BOARD  
(845) 566-4901

(B) Prior Built  
12X14 office  
1st floor  
add'd

Use VARIANCES

DATED: 4-1-16

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

I (WE) DABROSKI BROS. INC. PRESENTLY

RESIDING AT NUMBER 611 ROUTE 32 N

TELEPHONE NUMBER FRED 914-474-8086 OR STAN 914-443-9342

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:

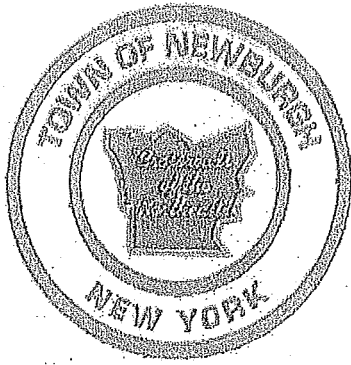
SBL: 4-3-4 (TAX MAP DESIGNATION)

611 ROUTE 32 (STREET ADDRESS)

RA (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).

185-19-A-1  
185-19-BA



# 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: 3-15-16
- 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: USE VARIANCE

### 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:  
A PURCHASE OFFER AGREEMENT HAS BEEN ENTERED AND WE FEAR THE BUYER WILL BACK OUT IF VARIANCE IS DENIED.  
(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:  
THE ADDITION IS MINOR COMPARED TO SIZE OF LOT AND STATED SETBACKS AS PER MAP PROVIDED.
- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:  
THE STRUCTURE IN QUESTION PRE-EXISTED MOST OF THE NEIGHBORS. IT HAS EXISTED FOR 25 YEARS.



**BERKSHIRE HATHAWAY**  
HomeServices  
Hudson Valley Properties

## Purchase Offer Agreement

This Agreement is a legal contract. It is recommended that the parties consult with their respective attorneys before signing. This contract is subject to the approval of both sides respective attorneys.

This offer, made this date 12/8/2015 between (Seller(s)) Dabroski Brothers Inc  
residing at \_\_\_\_\_ and (Purchaser(s)) Stephen D'Alatri and Matthew D'Alatri

residing at \_\_\_\_\_ The Seller agrees to sell and the Buyer agrees to purchase the property usually known and designated as: 611 State Route 32 Newburgh, NY 12559 under the following terms:

\$ 145,000 Total Sales Price WALKILL  
\$ 7,250 Payment Upon Signing Superseding Contract  
\$ 137,750 Cash Balance at Closing

Contracts to be drawn and presented on or about 12/14/15  
Transfer of Title to be complete on or about 1/31/16

The Purchaser(s) obligation to proceed to closing is contingent upon obtaining a Commercial mortgage in the amount of \$ 116,000 at prevailing rate of interest.

Seller(s) shall provide Purchaser(s) with copies of existing Certificates of Occupancy for all improvements, survey, if applicable, and all other Permits and Certifications that pertain to the property.

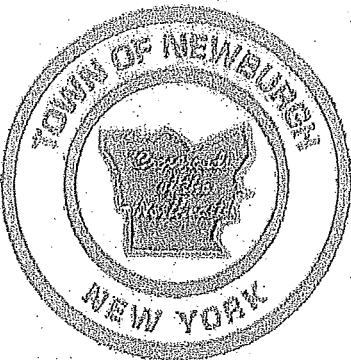
Non-Real Estate Items Included in the Sale: N/A

Other Agreements: Title to be taken in a to be established LLC

The parties acknowledge that RE/Max Benchmark Realty Group and BHHS Hudson Valley are the Brokers who brought about their meeting of the minds and Seller(s) agrees to pay the Brokers Commission pursuant to the Listing Agreement. The Seller(s) authorizes and directs their attorney to effect the payment of the commission from the proceeds of the sale at the closing of the titles.

ACCEPTANCE  
SELLER  
L.S. [Signature]  
L.S. [Signature]  
ATTORNEY: Johnson & Bloomer Esq.  
ADDRESS: 264 North Plank Rd  
PHONE: 845-389-8845 FAX: 845-565-0071  
Salesperson: \_\_\_\_\_ Office: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

ACCEPTANCE  
BUYER  
L.S. [Signature]  
L.S. [Signature]  
ATTORNEY: Meghan Mossey  
ADDRESS: 42 Catharine Street Poughkeepsie, N  
PHONE: 845-297-5152 FAX: 845-625-1473  
Salesperson: Brian Mossey Office: LaGrange  
Phone: 845-288-4367 Fax: \_\_\_\_\_



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

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

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

WE OUT GREW OUR SPACE AND DID NOT  
REALIZE A MODIFICATION (MODEST) WAS  
SUBJECT TO REVIEW.

6. IF AN AREA VARIANCE IS REQUESTED: *NA*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

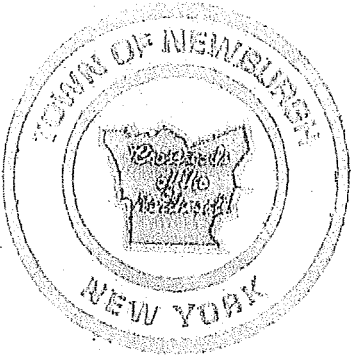
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# 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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30th DAY OF March 2016

**ROLAND A. BLOOMER**  
Notary Public, State of New York  
Qualified in Ulster County  
Registration # 02BL6204796  
Commission Expires June 8, 2017

  
\_\_\_\_\_  
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)

# 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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <i>USE VARIANCE OF EXISTING ADDITION.</i>			
Project Location (describe, and attach a location map): <i>SEE MAP PROVIDED</i>			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor: <i>DABROSKI BROS. INC.</i>		Telephone: <i>914-474-8086 or 914-443-934</i>	
		E-Mail: <i>NA</i>	
Address: <i>9 OR 10 CRANBERRY CT</i>			
City/PO: <i>WALLKILL</i>		State: <i>NY</i>	Zip Code: <i>12589</i>
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?		<i>21</i> acres	
b. Total acreage to be physically disturbed?		<i>21</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1.834</i> 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 checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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?		NO <input type="checkbox"/>	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: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>GARAGE SPACE FOR OFFICE SPACE</u>		NO <input type="checkbox"/>	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: <u>WELL</u>		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>SEPTIC</u>		NO <input checked="" type="checkbox"/>	YES <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?		NO <input checked="" type="checkbox"/>	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: _____		NO <input checked="" type="checkbox"/>	YES <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 checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <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		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

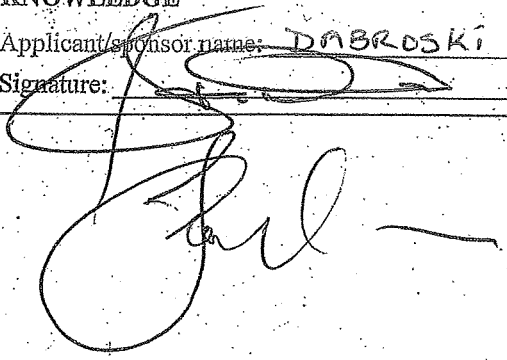


18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
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

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

Applicant/sponsor name: DABROSKI BROS. INC. Date: 4-1-16

Signature: \_\_\_\_\_



4/1/16

Agency Use Only [If applicable]

Project:

Date:


*Short Environmental Assessment Form*  
*Part 2 - Impact Assessment*

NA

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 type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:	
Date:	

*Short Environmental Assessment Form*  
*Part 3 Determination of Significance SA*

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

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



**TOWN OF NEWBURGH**

*~Crossroads of the Northeast~*

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

*Prior Built  
12x14 office addition*



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

*2557-16*

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**Date: 03/15/2016**

**Application No. 16-0170**

**To: Dabroski Brother Inc  
PO BOX 7425  
Newburgh, NY 12550**

*10 CRANBERRY CT  
WALKER II*

**SBL: 4-3-4  
ADDRESS: 611 Route 32**

**ZONE: RR**

*TWO  
USE VARIANCES*

PLEASE TAKE NOTICE that your application dated 03/11/2016 for permit to keep a prior built 12' x 14' office addition on the premises located at 611 Route 32 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 185-19-A-1 A non-conforming use shall not be enlarged or extended.
- 2) 185-19-B A non-conforming building shall not be modified in any way.

*Joseph Mattina*  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

(B)

2557-16

OWNER INFORMATION **BUILT WITH OUT A PERMIT**  YES

NAME: Dabroski Brothers

ADDRESS: PO Box 7425 Newburgh NY 12550

PROJECT INFORMATION: **10 CRANBURY Gt Walkill**

TYPE OF STRUCTURE: 12 x 14 Office addition @ 611 Rt. 32 Walkill NY 12589

SBL: 4-3-4 ZONE: R-R

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
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 / 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: **Added a 12 x 14 addition onto a non-conforming structure.  
 4-18-2013 Fire inspection showed the business was closed.**

Two Use

**VARIANCE(S) REQUIRED:**

- 1 185-19-A-1 A non-conforming use shall not be enlarged or extened
- 2 185-19-B A non-conforming building shall not be modified in any way
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 15-Mar-16

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE RD 33-22907  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE: BLACK INK ONLY

Joseph A. Favino  
TO  
Dabroski Brothers, Inc.

SECTION 4 BLOCK 3 LOT 4

RECORD AND RETURN TO:  
(Name and Address)

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY.

Alan Axelrod, Esq.  
34 Rt 17K  
Newburgh, NY 12550

*John original*  
*4/1/16*

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 59671 DATE 8-17-93 AFFIDAVIT FILED \_\_\_\_\_ 19\_\_\_\_

INSTRUMENT TYPE: DEED  MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

- BG20 Blooming Grove \_\_\_\_\_
- CH22 Chester \_\_\_\_\_
- CO24 Cornwall \_\_\_\_\_
- CR26 Crawford \_\_\_\_\_
- DP28 Deerpark \_\_\_\_\_
- GO30 Goshen \_\_\_\_\_
- GR32 Greenville \_\_\_\_\_
- HA34 Hamptonburgh \_\_\_\_\_
- HJ36 Highlands \_\_\_\_\_
- MK38 Minisink \_\_\_\_\_
- ME40 Monroe \_\_\_\_\_
- MY42 Montgomery \_\_\_\_\_
- MH44 Mount Hope \_\_\_\_\_
- NT46 Newburgh (T)
- NW48 New Windsor \_\_\_\_\_
- TU50 Tuxedo \_\_\_\_\_
- WL52 Walkkill \_\_\_\_\_
- WK54 Warwick \_\_\_\_\_
- WA56 Wawayanda \_\_\_\_\_
- WO58 Woodbury \_\_\_\_\_
- MN09 Middletown \_\_\_\_\_
- NC11 Newburgh \_\_\_\_\_
- PJ13 Port Jervis \_\_\_\_\_
- 9999 Hold \_\_\_\_\_

SERIAL NO. \_\_\_\_\_  
Mortgage Amount \$ \_\_\_\_\_ CHECK  CASH \_\_\_\_\_ CHARGE \_\_\_\_\_

Exempt Yes \_\_\_\_\_ No \_\_\_\_\_

3-6 Cooking Units Yes \_\_\_\_\_ No \_\_\_\_\_

Received Tax on above Mortgage

Basic \$ \_\_\_\_\_

MTA \$ \_\_\_\_\_

Spec. Add. \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

MORTGAGE TAX \$ \_\_\_\_\_

TRANSFER TAX \$ 420-

ED. FUND \$ 5.00

RECORD. FEE \$ 17-

REPORT FORMS \$ 30-

CERT. COPIES \$ \_\_\_\_\_

MARION S. MURPHY  
Orange County Clerk

by: \_\_\_\_\_

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on AUG 23 1993  
at 12:24 O'Clock P M.  
In Liber/Film 9812 deeds  
at page 305 and examined.

*Marion S. Murphy*  
County Clerk

*Handwritten*  
RECEIVED  
\$ 420-  
REAL ESTATE  
AUG 23 1993  
TRANSFER TAX  
ORANGE COUNTY

LIBER 3872 PAGE 305

STATE OF NEW YORK (COUNTY OF ORANGE) SS:  
I, ANN G. RABBITT, 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 ON August 23, 1993  
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

*Ann G. Rabbitt*  
County Clerk & Clerk of the Supreme County Courts, Orange County

ORG 08/23/93 12:24:16 40819 47.00  
\*\*\*\*\* EDUCATION FUND: 5.00 \*\*\*\*\*  
DEED CONTROL NO: 59671 420.00 \*  
\*\*\*\*\* SERIAL NUMBER: 000491 \*\*\*\*\*

# Town of Newburgh Code Compliance

OWNER INFORMATION **BUILT WITH OUT A PERMIT** YES

NAME: Dabroski Brothers

ADDRESS: PO-Box 7425 Newburgh NY 12550

PROJECT INFORMATION: 10 CRANBERRY COURT WALKILL 12589

TYPE OF STRUCTURE: 12' x 30' Storage building addition @ 611 Rt. 32 Walkill NY 12589

SBL: 4-3-4 ZONE: R-R

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

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
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 / 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: 12' x 30' addition to an existing storage building.  
4-18-2013 Fire inspection showed the business was closed.

- VARIANCE(S) REQUIRED:**
- 1 185-19-A-1 A non-conforming use shall not be enlarged or extened
  - 2 185-19-B A non-conforming building shall not be modified in any way
  - 3 \_\_\_\_\_
  - 4 \_\_\_\_\_

REVIEWED BY: Joseph Mattina DATE: 15-Mar-16

2556-16

A

A 281

Standard N.Y.S.T.U. Form 8007  
Bargain & sale deed, with covenant against grantor's heirs—Ind. or Corp.

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS

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

THIS INDENTURE, made the 17th day of August, nineteen hundred and ninety-three  
BETWEEN Joseph A. Favino, residing at Route 32, Newburgh, NY 12550

party of the first part, and

Dabroski Brothers, Inc. with a principal place of business at RD#2  
Box 349, Pressler Road, Wallkill, NY 12589

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 designated as Lot No. 1 on a map entitled "Proposed F.M.C. Development  
Park Lands of George Martin", dated March 21, 1973 and filed in the Orange  
County Clerk's Office April 19, 1974 as Map No. 3186, being more particularly  
bounded and described as follows:

Beginning at the point of intersection of the westerly line of the existing  
New York State Route 32, a.k.a. Plattekill Turnpike with the northwesterly  
line of the existing Favino Drive; thence, from the said point of beginning  
and along the northwesterly and northerly line of Favino Drive, the following  
two (2) courses, (1) on a curve to the right having a radius of 25.00 feet and  
an arc length of 37.86 feet and (2) S75° 50' 08" W 260.98 feet to a point on the  
division line between Lot No. 2 of the above mentioned filed map on the west  
and Lot No. 1 herein described on the east; thence, along the last mentioned  
division line, N03° 15' 40" E 379.72 feet to a point on the division line between  
the lands now or formerly of Martin on the north, east and north and Lot No. 1  
herein described on the south, west and south; thence, along the last mentioned  
division line the following three (3) courses, (1) N89° 40' 05" E 41.72 feet,  
(2) S00° 46' 15" W 10.00 feet and (3) S89° 13' 45" E 155.30 feet to a point in  
the aforementioned westerly line of New York State Route 32, a.k.a. Plattekill  
Turnpike; thence, along the last mentioned line, S10° 55' 52" E 279.49 feet  
to the point or place of beginning, containing 80,188 square feet of land more  
or less.

Being the same premises conveyed in a certain deed from The County of Orange to  
Joseph A. Favino dated 9/30/83 and recorded in the Office of the Orange County  
Clerk on 5/31/85 in Liber 2366 at page 113.

The above described premises are more particularly described as  
follows; see SCHEDULE "A" attached.

LIBER 3872 PAGE 305



SCHEDULE "A"

All that certain lot, piece or parcel of land situate,  
lying and being in the Town of Newburgh, Orange County, New  
York bounded and described as follows:

Beginning at a point along the northerly line of Favino Drive said point being the intersection of the northerly line of Favino Drive with the southeast corner of Lot No. 2 as shown on a certain map entitled F.M.C. Development Park and filed in the Orange County Clerks Office as filed map no. 3186. thence in a northerly direction along the easterly line of Lot No. 2, NORTH 03-15-40 EAST 379.72 feet to a point along the southerly line of the lands of now or formerly Bruce & Barbara Baxter Liber 2257 page 1029, thence in a easterly direction along the southerly line of the lands of Baxter the following courses and distances, NORTH 89-40-05 EAST 41.72 feet, SOUTH 00-46-15 WEST 10.00 feet and SOUTH 89-13-45 EAST 155.33 feet to a point along the westerly line of New York State Route 32, thence in a southerly direction along the westerly line of New York State Route 32, SOUTH 10-55-52 EAST 279.49 feet to a point, thence on a curve to the right with a radius of 25.00 feet and a length of 37.86 feet to a point along the northerly line of Favino Drive, thence in a westerly direction along the northerly line of Favino Drive SOUTH 75-50-17 WEST 261.00 feet to the point of beginning. Containing 1.834 acres of land more or less.

**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.

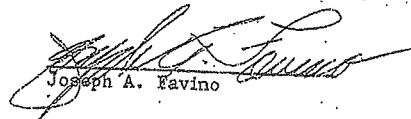
**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**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:**

  
Joseph A. Favino

STATE OF NEW YORK, COUNTY OF Orange ss:

On the 17th day of August 19 93, before me personally came Joseph A. Favino

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

*[Signature]*  
Notary Public

RICHARD J. DRAKE  
Notary Public, State of New York  
No. 659616E  
Residence on Appointment - Orange County  
Commission Expires August 31, 1994

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

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

STATE OF NEW YORK, COUNTY OF ss:

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.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows ;

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

Joseph A. Favino

TO

Dabroski Brothers, Inc.

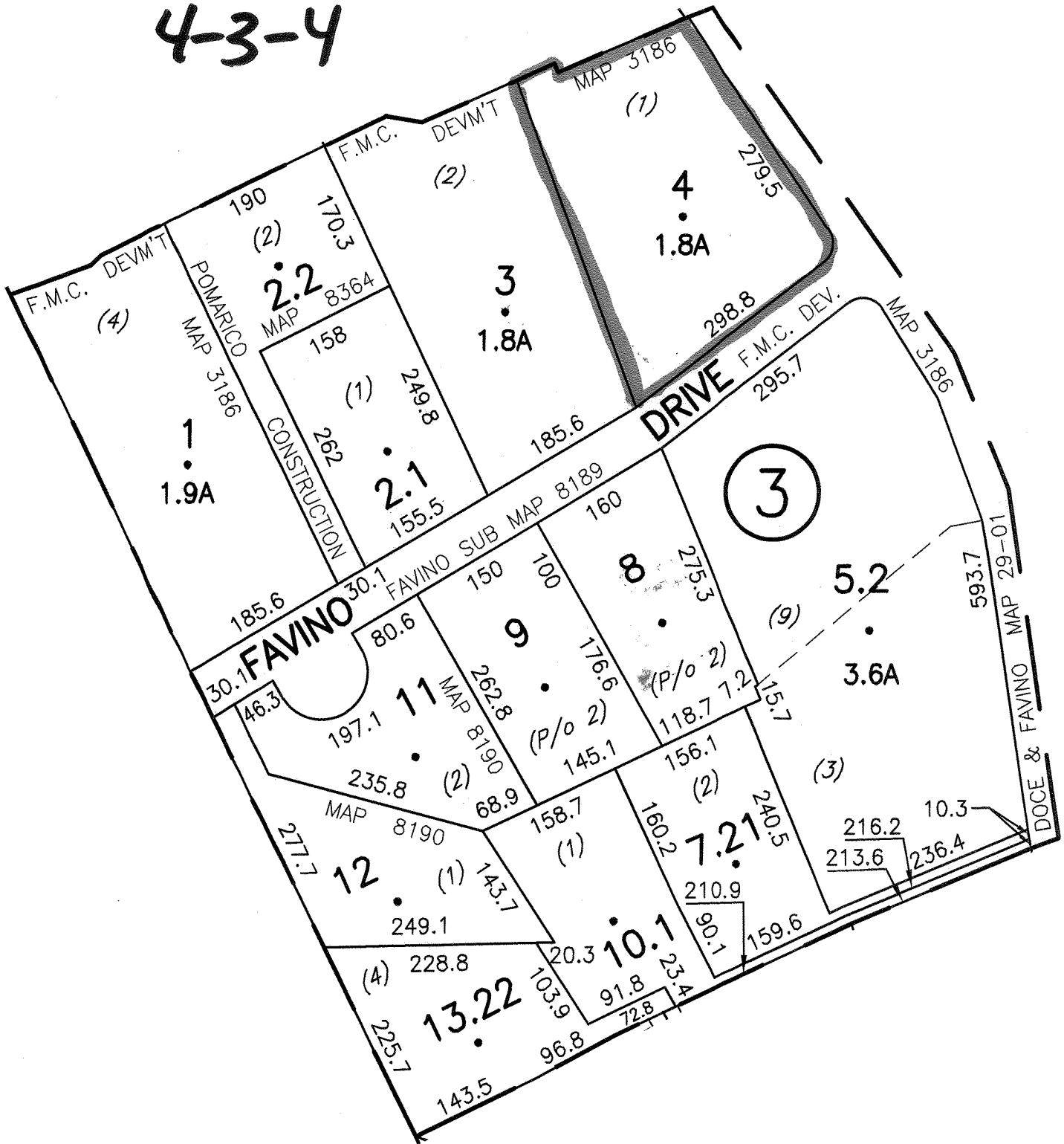
SECTION 4  
BLOCK 3  
LOT 4  
COUNTY OR TOWN Orange/Newburgh

RETURN BY MAIL TO:

Alan Axelrod, Esq.  
34 Rt 17K  
Newburgh, NY 12550  
Zip No.

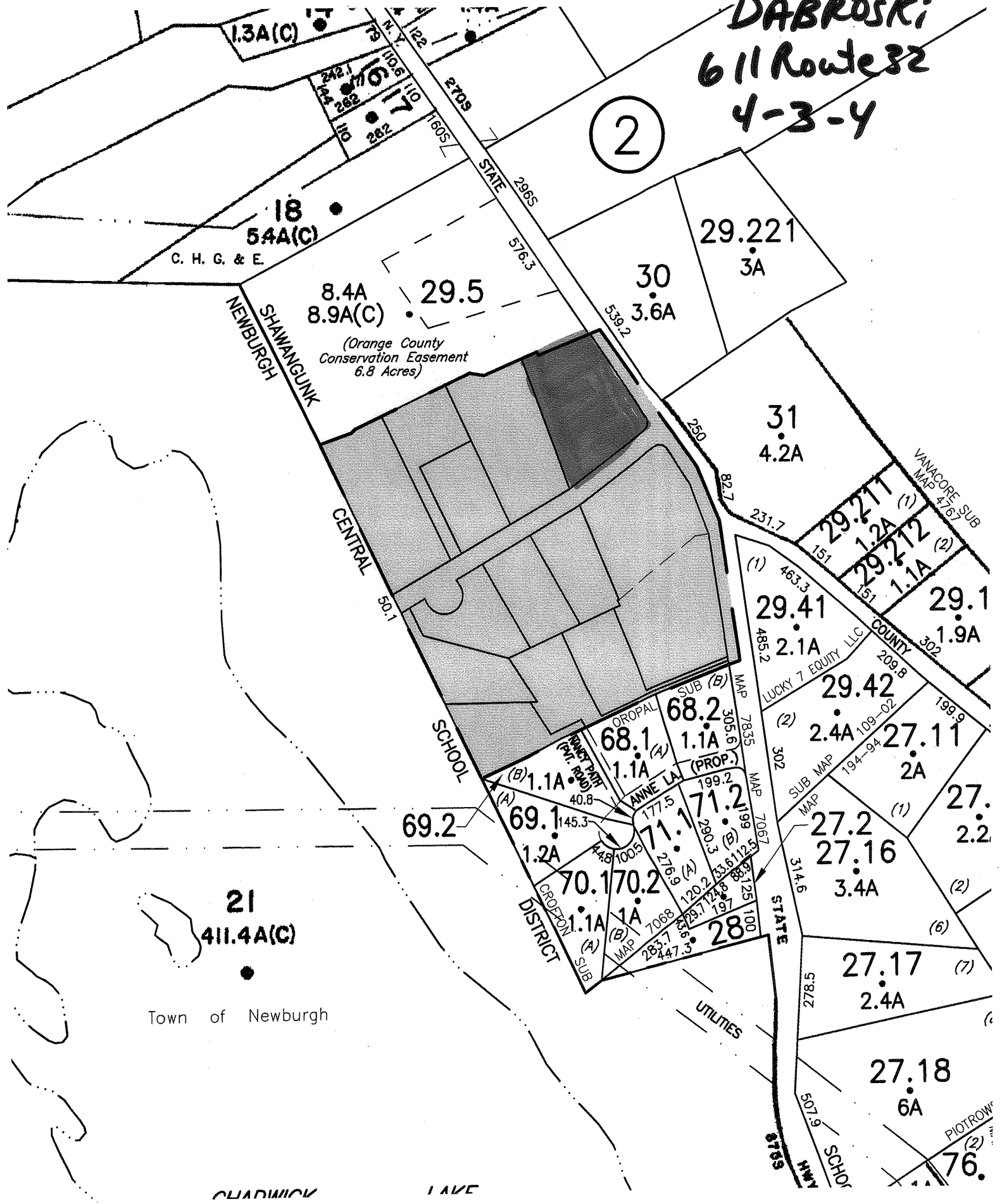
Reserve this space for use of Recording Office.  
LIBER 3872 PAGE 309

DABROSKI BROTHER INC.  
 611 Route 32 Wallkill  
 4-3-4



DABROSKI  
611 Route 32  
4-3-4

2



1.3A(C)

18  
54A(C)  
C. H. G. & E.

8.4A  
8.9A(C) • 29.5  
(Orange County  
Conservation Easement  
6.8 Acres)

29.221  
3A

30  
3.6A

31  
4.2A

29.211 (1)  
1.2A  
29.212 (2)  
1.1A

29.1  
1.9A

29.41  
2.1A

29.42  
2.4A

27.11  
2A

27.  
2.2

69.2

69.1  
1.2A

68.1  
1.1A

68.2  
1.1A

71.1  
1.1A

27.2  
27.16  
3.4A

27.17  
2.4A

27.18  
6A

21  
411.4A(C)

Town of Newburgh

CHADWICK

LAKE

76.