

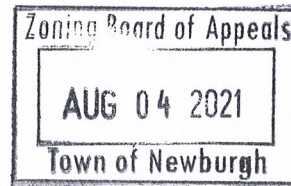
Site Planning
Civil Engineering
Landscape Architecture
Land Surveying
Transportation Engineering

Environmental Studies
Entitlements
Construction Services
3D Visualization
Laser Scanning

August 4, 2021

Chairman Darrin J. Scalzo and Members of the Zoning Board of Appeals
Town of Newburgh Building Department
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

RE: JMC Project 18156
Farrell Industrial Park
NY Route 300
Town of Newburgh, NY
Town of Newburgh Project No. 2020-16



Dear Chairman Scalzo and Members of the Zoning Board of Appeals:

We, along with, Stanley A. Schutzman, Esq. and Claris Design Build, represent the Applicant for the above referenced project, Farrell Building Company Inc.. As you may recall, we were in front of your Board on January 28, 2021, for an initial presentation of the project which was originally submitted with a building with a height of 49 feet. During that meeting we received some comments from your Board and the public. We are pleased to report that, in working with all concerned, we have been able to reduce the building height by 2 feet. As a result, this revised submission to your Board is being made at this time for a variance for a building height of 47 feet.

As discussed at the January 28, 2021, ZBA meeting the project had been identified by the Planning Board as a Type I Action under SEQRA, thereby requiring a coordinated review and restricting your Board from acting on the variance request until a SEQRA Determination has been made. We are happy to report that the Town of Newburgh Planning Board, having been declared Lead Agency, made a Negative Declaration at their July 15, 2021, meeting, which has allowed us to make this submission and continue the discussion regarding the request for a height variance. We understand that the Planning Board Engineer will be providing your Board a copy of the Negative Declaration under separate cover.

At this time, we are pleased to submit this letter, along with eleven copies of the following documents, which have been revised/provided to address the above noted comments and in support of our request for approval of the above noted building height variance(s):

1. "Town of Newburgh Zoning Board of Appeals Application", signed and revised July 30, 2021.

2. JMC Drawings:

<u>Dwg. No.</u>	<u>Title</u>	<u>Revision No. / Date</u>	
C-000	"Cover Sheet"	3	06/02/2021
C-010	"Existing Conditions Map and Site Removals Plan"	2	04/21/2021
C-100	"Layout Plan"	3	06/02/2021
C-200	"Grading Plan"	3	06/02/2021
C-300	"Utilities Plan"	3	06/02/2021
L-100	"Landscape Plan"	3	06/02/2021

3. "Letter from Phil Clark, AIA, Architect of Record, re: Industry Height Standards For Warehousing and Distribution Centers", dated August 3, 2021,

4. Claris Design Build Architectural Drawings:

<u>Dwg. No.</u>	<u>Title</u>	<u>Revision No. / Date</u>	
A101	"Floor Plans Buildings A & B"	3	08/02/2021
A102	"Sign Details"	3	08/02/2021
A201	"Building A Elevations"	3	08/02/2021
A202	"Building B Elevations"	3	08/02/2021
A203	"Renderings"	3	08/02/2021

5. "Town of Newburgh Tax Assessor's List of Properties with 500 Feet of Parcel Section 34, Block 2, Lot 45", dated July 7, 2021.

6. "Email from Stan Schutzman, Esq, to Dominic Cordisco, Esq. (Planning Board Attorney) re: Berry Lane, with enclosures", dated June 14, 2021.

7. Matrix Business Park Record Drawings:

<u>Dwg. No.</u>	<u>Title</u>	<u>Revision No. / Date</u>	
CS-101	"Overall Site Plan"	8	10/07/2016
CS-401	"Site Plan"	6	10/07/2016
SG-401	"Grading & Drainage Plan"	7	10/07/2016

To assist in your review of the above listed and attached documents, we offer the following, which states the above noted comments and provides a written response to each:

Comment A:

The Board advised that the reference to "industry standard" in the responses to questions 6 b, c, and e, was not sufficient, as we do not have an end user for the site. The applicant was advised that we either need to rethink the responses or provide more support.

Response A:

The responses to questions 6 b, c, and e, have been revised to reflect the specific needs of the end user based on the shelving plan provided by that user, who has now been identified as a lighting supplier. This shelving plan is described, along with the support for the industry standards we previously discussed, in the above listed and attached Letter from Claris Design Build, which includes the end user's shelving plan. The end user's shelving plan has also been incorporated into the above listed and enclosed Floor Plans and Elevations prepared by Claris Design Build.

Comment B:

The Board questioned whether there are other warehouse projects that are similar to this project that we are aware of.

Response B:

As discussed at the January 28, 2021 ZBA meeting, the Matrix project is similar, and your Board had approved a variance for a height of 45 feet. Although the Chairman advised that the Farrell Industrial Park project is different than the Matrix project, mostly due to this project's proximity to the Residential Zoning District, we offer that both projects are similar in several material respects, as permitted warehouses within industrial zones. We will be prepared to discuss these similarities at your next available meeting.

We also over that both proposed buildings on the Farrell Industrial Park site would be constructed several hundred feet from the adjacent residential zone. The closest will be 241', a distance that exceeds the required setback of 228'. Further, the proposed design incorporates the 100' landscape buffer that is required along the adjacent residential zone, of which, as further required by the Town Code, the first 40' will be undisturbed. The remaining 60' of the landscape buffer will be heavily landscaped as shown on the above listed and enclosed Landscape Plan. The proposed building setback and landscape buffer have been found acceptable to the Town of Newburgh Planning Board and their consultants.

We also note that this application is a direct result and a material consequence of a number of factors, including the inner placement of the loading docks and the need to lower the elevation at the façade to accommodate the loading docks, all as per the discussions with, guidance and direction of the Planning Board. As noted earlier, as to the building height the applicant has modified the design of the building, including lowering the parapet from 3 feet to 1 foot which resulted in a newly proposed building height of 47 feet, and the applicant has also committed to relocating and placing all mechanical equipment on the roof of the office space, which is lower than the roof of the warehouse space, allowing it to be screened by a higher parapet.

Comment C:

Neighbors expressed concern with site access. The Board requested that the emergency access to Berry Lane be removed.

Response C:

As discussed at the January 28, 2021 ZBA meeting, the post construction primary access will be Route 300. After the January 28, 2021 ZBA meeting, the applicant agreed to the request of this Board to remove the Berry Lane emergency access from the plan and submitted a revised drawing to the Planning Board in respect thereof. We note that, although the emergency access was removed from the next submission, the Planning Board requires that emergency access for Berry Lane be provided for. The Town Code Enforcement Officer further directed that the emergency access via Berry Lane is a safety requirement. Therefore, it was reincorporated into the design. We note again that the Berry Lane access is for emergency access only and would be gated accordingly. We also note that there will be no site construction access, construction traffic, deliveries, etc. making use of Berry Lane.

Comment D:

General concerns were raised regarding noise and height/visibility.

Response D:

In response to the above, we offer the following:

- 1) In order to minimize noise during operation of the site, the loading docks are situated internal to the site and not oriented out towards the property perimeter. This allows the buildings to act as a screen/buffer. Further, the perimeter roadways will be gated and intended for emergency access only, keeping the bulk of the operations of the facility internal to the site.**
- 2) As noted above, both buildings are several hundred feet from the adjacent residential zone, at a distance that exceeds the required setback, and the significant landscape buffer required along the residential zone has been incorporated into the plan. The design of the landscape buffer has been found acceptable to the Planning Board and the Planning Board's landscape consultant.**

We trust that the above, along with the enclosed documents, are sufficient for your further review of the requested variance. Further in that connection, we also note that the matter of Berry Lane and possible impact within the site itself was resolved by the Planning Board at its July 15th meeting when it was agreed that Berry Lane has no application on the site itself (see the above listed and enclosed applicant's counsel's email dated June 14, 2021 to the Planning Board attorney and the referenced title report enclosure).

It is noteworthy that the use requested is permitted in the zone and that the variance being requested on this resubmission has been reduced, that it should not be deemed substantial and is the minimum variance that will make possible the reasonable warehouse use of the land, building and structure, based upon the current state of the industry and the planned user's business operations (See above listed and enclosed Letter of Claris Design Build and referenced enclosures).

We also note that, for the reasons stated above : the granting of the variance would not be detrimental to the public welfare or injurious to other property improvements in the neighborhood in which the property is located , that it will not impair an adequate supply of light and air to the adjacent property, that it will not substantially increase any hazard from fire or other dangers to said property or to the adjacent property, that it will not otherwise impair public health, safety, comfort or general welfare of the inhabitants of the Town, that it will not unduly increase traffic congestion in the public streets and highways (in fact, as a condition of Planning Board approval we note that Planning Board proposed and the applicant has already agreed to participate in its fair share of the cost and expense in the improvements being considered to be made by the Town to improve traffic conditions along Route 300 in view of this and the other developments currently before or possibly planned for review by the Planning Board), that the proposed variance should have no detriment to the health, safety and welfare of the community, and that in view of all factors and circumstances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood and will not create a nuisance or result in an increase in public expenditures.

We understand that your next meeting is scheduled for August 26, 2021 and we look forward to seeing you at that time. It would be our intention to give a presentation of the current project and continue discussions with your Board regarding the required building height variance.

We thank you and the Board members for your due consideration hereof and we look forward to seeing you in the near future. In the interim, should you or the other Board members have any questions regarding this application or require additional information, please do not hesitate to contact our office at (914) 273-5225.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC



Joseph P. Modafferi, Jr., RLA
Senior Project Manger

cc: Town of Newburgh Planning Board, w/17 copies, cover letter only
Stanley A. Schutzman Esq., w/enc.
Mr. Stephen Zagoren, w/enc.
Mr. Butch Payne, w/enc.
Mr. Phil Clark, w/enc.



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: 01/13/2021

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

I (WE) JMC Pllc, Attn. Joseph Modafferi, RLA PRESENTLY

RESIDING AT NUMBER 120 Bedford Road, Armonk, NY 10504

TELEPHONE NUMBER 914-273-5225

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:

Section 34, Block 2, Lot 45 (TAX MAP DESIGNATION)

NY Route 300 (STREET ADDRESS)

IB "Interchange Business" (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).

Section 185 Attachment 13.2--Schedule 8-Table of Use and Bulk Requirements, IB District, Column D, Use #9, Maximum Permitted Building Height (feet)



TOWN OF NEWBURGH

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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: _____
- 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: Requesting a 9-foot building
height area variance from 40 feet permitted to 49 feet proposed.

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:



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:

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:

Surrounding properties are zoned IB with commercial/business uses except for single-family R-1 residential to the north, along Berry Lane. An intensively landscaped 100-foot plus buffer will help mitigate visual impact from these homes, as well as the intervening 241-foot distance from the nearest residential property line to the closest proposed building.

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:

This is the industry-standard building height necessary for the internal operation for this type of use.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The approximately 23% height variance requested is in keeping with industry-standard warehouse heights as noted above.

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

The buildings will be screened from the neighboring properties, and the distance from the nearest residential property line to the nearest building is 241 feet.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

This is the industry-standard building height necessary for the internal operation for this type of use.



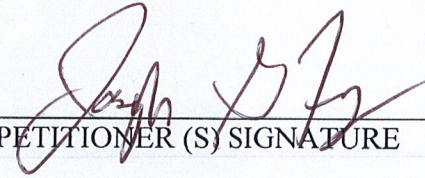
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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

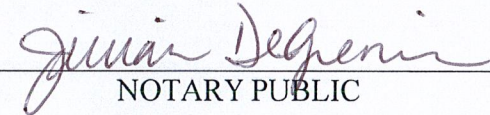


PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30th DAY OF July 20 21

JILLIAN R DEGRENIER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DE6409831
Qualified in Suffolk County
My Commission Expires: 10/5/2024



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)



August 2, 2021

Chairman Darrin J. Scalzo and Members of the Zoning Board of Appeals
Town of Newburgh Building Department
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

RE: JMC Project 18156
Farrell Industrial Park
NY Route 300
Town of Newburgh, NY
Town of Newburgh Project No. 2020-16

Industry Height Standards and Trends for Warehousing and Distribution Centers

Dear Chairman Scalzo, and Members of the Zoning Board of Appeals:

My name is Philip Clark, and I am the Architect of Record for the proposed project. We are respectfully requesting an exemption from the Town of Newburgh' building height limit of 40 feet in the IB zone. Our client, Farrell Building Company, is currently in final negotiations with the end user of the site, which is a lighting distribution company and requires a building height of 47' in order to efficiently store their product at the amount necessary to adequately serve their clients from this facility. Like many companies that store and distribute products, this end user utilizes a high bay, high-capacity racking system. These new systems can safely and efficiently store and move product to and from the loading bays. The end user has provided us with a design for the required racking system prepared by Bob's Commercial Material Handling, which have been attached for your information and reference. Please note that these proposed racking system designs have been provided to us in CAD format and incorporated into the floor plans and elevations prepared by our office.

Clariss Design-Build is a 30 year old commercial construction firm with offices in Connecticut, Charlotte and Salt Lake City. As President, I have been involved with the design and construction of numerous industrial projects. Our work spans across the United States and our Clientele includes many national companies, such as Pepsi, FedEx and General Motors.



The trend in the industry is for larger volume spaces. I believe the reasoning behind this is: 1) the technology related to automated high-density storage and recovery racking systems has advanced to where it is perfectly safe and very efficient to store products higher, 2) the need to store products and the sheer volume of new products being stored has accelerated past the capacity of smaller buildings, 3) the efficiencies of having these products under one roof and not contained in numerous facilities has increased, 4) the energy efficiency of heating and cooling one facility verse numerous facilities is substantial.

Arthur Ross, the past President of the Society of Industrial and Office Brokers (SIOR), who represents many national distribution companies, including Amazon, stated that these national and regional clients prefer 40' clear span where possible to store and distribute their product.

We are presently working on a 110,000 s.f. distribution center in Suffern NY which received a variance from the town to go to 51' high in order for us to install a high volume racking system.

The Town of Newburgh has evolved commercially into a vibrant market that is in demand by users because of its highway accessibility, airport and workforce in the area. Putting aside the operational benefits of having high ceiling heights, there exists valid reasoning to encourage the same from a municipality's perspective:

- Contemporary, 21st century warehouses, offer more than space for storage. In today's market real estate owners are challenged with presenting their warehouse as cost effective as well as an efficient alternative to their competition.
- Today's companies consider warehousing to be a vital part of their operations, and their warehouse component to their operation needs to fit seamlessly with their business. Offering this solution can help gain an edge over the competition. A competitive edge for the warehouse owner also gives a contemporary, new age advantage, for the municipality as well. Attracting new companies and jobs that support area retail and housing seems to be synonymous with a municipality's tax base and progressive image. We agree that municipalities with the most effective business-attraction programs attract the best companies, offering higher wages, so why not empower the real estate owner to attract business' without having to create the sometime controversial empowerment programs that relinquish valuable tax dollars? In effect, the municipality can deploy comprehensive economic-development strategies by working with the real estate owners through their development efforts and not by sacrificing needs tax revenue.



- When it comes to marketing a warehouse today, the developer needs to think in terms of benefits he/she can offer the potential tenant. The developer needs to demonstrate how the business can operate more efficiently by using his/ her warehouse.

In relation to our property in Newburgh;

1. Cubic height adds significant value to the business operation as it requires leasing less total square feet.
2. There are many towns in Orange, Dutchess and other counties are adopting new ceiling heights "As of Right" for the applicants, enabling them to be able to submit plans for approval to the Planning Boards and not have to seek a zoning variance. As example, the Town of Wawayanda is permitting warehouses as high as sixty-five (65') feet tall (see attached excerpt from Wawayanda zoning code). Another location is in the Town of Clarkstown, where the current owner of an Executive Park is currently requesting a zoning amendment which would allow a warehouse to be built warehouses to fifty (50') feet tall, where 40 feet is currently permitted. A change in the zoning code would affect every C/O zoned property in the town. The applicant alternatively is asking for a variance for just its property to exceed the height limit. Existing buildings in the corporate park range in height from 20 to 32 feet. (See attached article). Their reasoning is: "to make the vacant land properties more marketable, more attractive to developers, users and tenants for one very important reason. They will generate more ratable taxes which means NEW Real Estate Taxes to the municipality on what was before vacant land, a farm or the like with a very low RE Tax Base."
3. Today's distribution users are taking advantage of the higher racking systems that are designed to work with the more efficient "Pick and Pack" systems of shipping. Both robotically and manually.
4. Forklifts are now designed to be able to reach racking systems as high as 58' tall.
5. Today's more efficient E.S.F.R Sprinkler systems are designed to work well with the newer heights and employ a very strong water distribution halo to protect the building and its contents, eliminating the risks of adding height. Insurance Companies are recognizing the benefits and passing the economic savings onto the Tenant and Owner of the buildings.
6. The higher racking systems are designed to allow for wider aisle spacing, allowing forklift operators safer movements for the storage and picking of the merchandise.



We trust that this letter provides adequate support for the industry standards related to warehouse building heights and the needs of the end user. We look forward to discussing this further with your Board and you next available meeting. Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Philip Clark". The signature is fluid and stylized, with a large loop at the end.

Philip Clark, A.I.A.
President and CEO

o: 203.364.9460

c: 203.257.7447

E: phil@clarisdesignbuild.com



warehouses (1) warehouse (1) height (1)

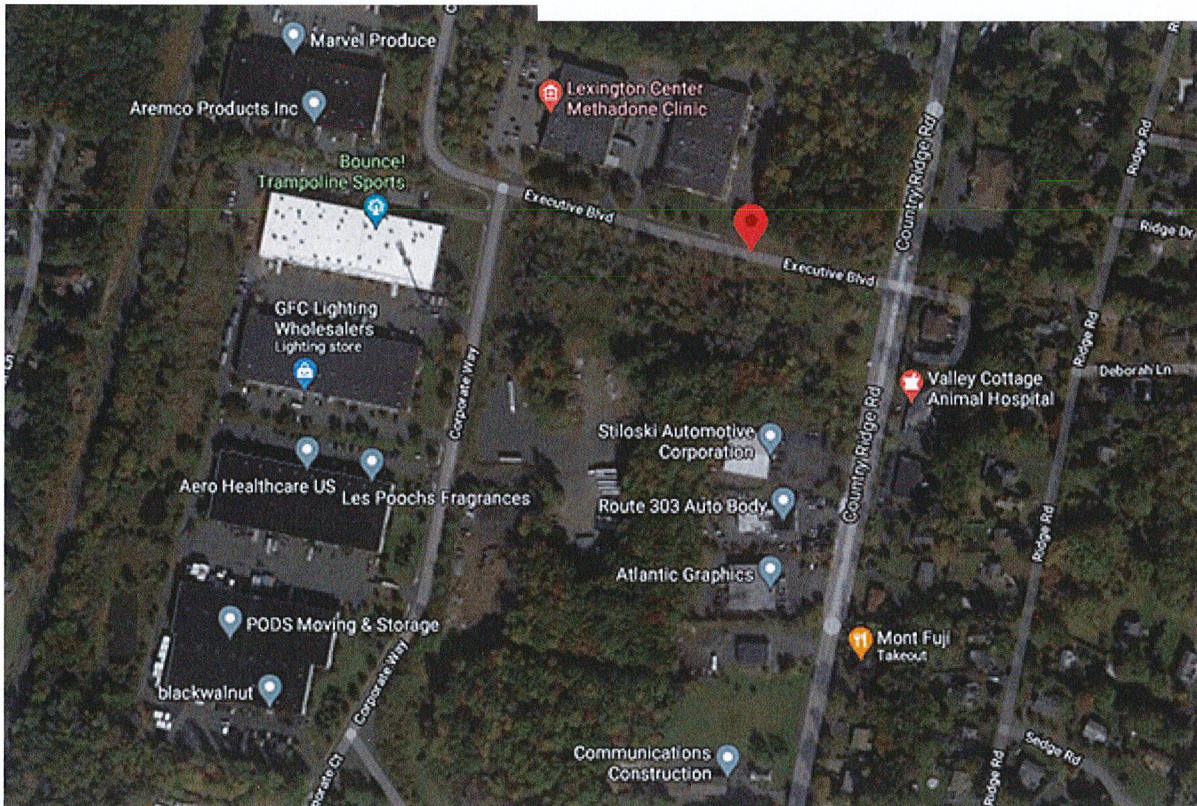
Ch 195 195h Sched of Dist Regs

MC

Code / Ch 195: Zoning

... Barns, silos, produce storage and packing
warehouses Off-street parking Satellite
stations/satellite ... sides: 35 feet Rear: 30
feet Maximum building height: 65 feet
Maximum lot coverage: 70% Maximum ...
Retail, large-product Vehicle services
Warehouse, storage and distribution facilities,
wholesale ...

warehouses (1) warehouse (1) height (1)



Warehouse Proposal At Clarkstown Executive Park Raises Issues On Zoning, Environment, Traffic

Applicant Asking Town To Change Zoning Code To Allow 50-Foot Warehouses Townwide

By Tina Traster

A New Jersey distribution center developer is proposing to build a 220,000 square-foot industrial warehouse on 20 acres in Clarkstown Executive Park on Route 303 in Valley Cottage. The applicant, which purchased several properties in the corporate park in April, is asking the Town of Clarkstown to change its zoning code to allow 50-foot-high warehouses in commercial/office zones townwide.

A change in the zoning code would affect every C/O zoned property in the town. The current designation allows for 40-foot buildings. The applicant alternatively is asking for a variance for just its property to exceed the height limit. Existing buildings in the corporate park range in height from 20 to 32 feet.

The applicant writes that “50-foot-high buildings is consistent with modern warehouse facilities to serve the market and a building of that height is not incongruous with the intent of the zone, the Master Plan, or the neighborhood where the property” is situated.”

Lincoln Equities of Rutherford, NJ, which builds and owns distribution centers in New Jersey, Connecticut and Long Island, hopes to develop a warehouse that would be used for companies like Amazon, UPS, and Fedex that store and distribute goods.

With everybody wanting everything delivered “yesterday”, this type of distribution/fulfillment center is among the hottest trend in commercial real estate development. Other towns in the Hudson Valley facing similar development pressure have imposed limitations on operating hours, required the installation and maintenance of air quality monitors, and stepped-up local enforcement of idling laws. There are at least two schools, Valley Cottage Elementary and St. Paul Catholic, in close proximity to the proposed project, as well as Clarkstown’s Gilchrest Town Park.

In addition to the 220,000-square-foot building, the applicant is seeking 250 employee parking spaces, 54 loading berths, and 53 tractor-trailer parking spaces.

The proposed warehouse would sit on a 20-acre vegetation-covered site with wetlands, easements, and steep slopes. Due to these environmental issues, the applicant can only use 17.9 acres to calculate its development potential.

The town code limits land disturbances for up to five acres at a time; the developer is seeking a waiver because its proposed building footprint exceeds the five-acre threshold. The developer presented the plan to Clarkstown Technical Advisory Committee (TAC) last week. Town officials did not seem to raise concerns about the applicant needing the waiver.

With only one access in and out of Clarkstown Executive Park, truck traffic leaving the warehouse will spill onto state road Route 303, a single-lane byway. This traffic will likely head south toward the New York State Thruway passing through residential and shopping districts.

According to the developer's proposal Langan Engineering, traffic generated by the project is minimal, estimating an additional seven trucks to weekday morning peak traffic and eight to the afternoon rush hour. The report does not take into consideration the 24-7 nature of logistics warehouses.

The traffic study analyzed four intersections: three of which are within the boundaries of the corporate park. The fourth intersection is Route 303 and Executive Boulevard.

Lance Bergstein, Acquisitions Officer with Lincoln Equities, in commenting on the acquisition of the portfolio, has said "we see upside in the adjacent land which will help meet user demand in an underserved, last-mile logistics location."

The applicant prepared a report based on a study by the Institute of Transportation Engineers (ITE) in a publication called "Trip Generation Tenth Addition." In categorizing itself as general warehousing, the ITE estimates .19 trips per 1,000-square feet of gross floor area (GFA), which would generate roughly 40 trips during pm peak hours – far more than the eight it projects.

The ITE report has a list of categories such as fulfillment center warehouse and "parcel hub" warehouses, which range from .64 trips per 1,000-square-feet of GFA to 1.37 trips per 1,000-square feet of GFA.

But given the size of the proposed warehouse and its number of berths, the applicant is perhaps more accurately categorized as either a fulfillment center warehouse or a parcel hub warehouse. According to the ITE, these facilities generate between .64 and 1.37 trips per 1,000 square feet. At 220,000 square feet, give or take, the number of trips is closer to 128 to 275 truck trips during peak hours.

The town has determined that the application is a "Type-1 SEQRA", which means it will be subject to a full environmental review before the Planning Board. Environmental issues might include noise from a 24/7 operation, diesel exhaust and the release of particulate matter from idling and operating trucks, air quality monitoring, and the potential restriction on operating hours.

From: schutzmanlaw@aol.com,

To: dcordisco@drakeloeb.com, cordisco@gmail.com,

Subject: Town of Newburgh Planning Board # 2020-16 / Berry Lane

Date: Mon, Jun 14, 2021 11:23 am

Attachments: MX-M264N_20210614_100208.pdf (6397K)

Re: Farrell Industrial Park, Route 300, Town of Newburgh, NY

Dominic

I write with reference to the above site plan application for a commercial warehouse submitted by my client, Farrell Building Company, Inc., and with specific reference to the status and application of Berry Lane vis a vis the site in question.

As far as I am aware Berry Lane ends at the subject property line of the subject matter property and does not otherwise traverse, continue, impede or affect the property in question.

Further in that connection:

- a. Attached is copy of 2021 title report of Stewart Title Company (See Schedule B, # 3) noting that there is nothing of record regarding covenants, easements, restrictions leases, agreements of record;
- b. the municipal tax records depict Berry Lane as a road up to the boundary line of the property in question and not continuing past (and onto) it; and
- c. Nearest I can figure originally in the mid 1900(s) Berry Lane constituted an access easement from North Plank Road for the parcels along Berry Lane and up to (and ending at) the current site, then owned by Anderson.

I am available at your call should you wish discuss (best is my cell 845 235 7220).

Assuming that based on your due consideration you are in agreement that Berry Lane has no application on the site itself I will request my client's engineer to eliminate the Berry Lane reference on the particular property in question.

Best, Stan

STANLEY A. SCHUTZMAN, Esq.

Stanley A. Schutzman, P.C.

Email: schutzmanlaw@aol.com

Assistant: Diana E. Frailey

Email: fraileyd@aol.com

Phone: (845) 600 - 8LAW (8529)

Facsimile: (845) 600 - 1LAW (1529)

Rockland County Office:

61 S. Main Street

New City, N.Y. 10956

Dutchess County Office:

P.O. Box 969

Poughkeepsie, N.Y. 12602

Notice: IRS Circular 230 Disclosure: To the extent tax advice is contained herein or any attachment such is not intended and cannot be used by you or any party to whom this correspondence is shown for the purpose of avoiding penalties under the Internal Revenue Code or promoting, marketing or recommending the tax advice addressed herein to any other party.

Capital Abstract Co.
Agent for
Stewart Title Insurance Company
PRIVACY POLICY NOTICE
PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a non affiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Capital Abstract Co., Inc. agent for Stewart Title Insurance Company.

We may collect nonpublic personal information about you from the following sources.

- Information we received from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from (our affiliates or) others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lending.

Unless it is specifically stated otherwise in an amended privacy policy notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated companies third parties as permitted by law.

We may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page 1

Schedule A

Title Number: **CAO-STW-21132**

Effective Date: **1/21/2021**

Premises: **Route 32, Newburgh, NY,**
County: **Orange**
City: **Newburgh**
Tax ID: **Section 34 Block 2 Lot 45**

ALTA Owner's Policy 2006 (with N.Y. Endorsement Modifications)
Proposed Insured:

ALTA Loan Policy 2006 (with Endorsement Modifications) **TBD**
Proposed Insured: **TBD, its successors and/or assigns**

The estate or interest in the land described or referred to in this Certificate and covered herein is:
Fee Simple

Title to said estate or interest in said land at the effective date hereof is vested in:

Chun S. McGlasson

Source of Title: **Deed made by Sycamore Creek, LLC dated 09-20-2010 recorded 10-13-2010 in Book 13067 Page 1154 in the Orange County Clerk's Office.**

Recertified Date: ____/____/____

Title Recertified In:

The land referred to in this Certificate is described as follows:

SCHEDULE "A" DESCRIPTION TO FOLLOW



SCHEDULE A DESCRIPTION

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

BEGINNING on the Westerly line of lands now or formerly of John S. Hale and at the Northeasterly corner of the lot hereinafter described;

RUNNING THENCE along said Hale's Land South 1 degree and 45' West, 16 chains;

THENCE South 5 degrees and 5' West, 3 chains and 18 links to lands now or formerly of David Reid;

THENCE along the same North 83 degrees West, 10 chains and 19 links;

THENCE along lands now or formerly of James H. Anderson aforesaid, North 5 degrees 5' East, 9 chains and 74 links;

THENCE North 89 degrees and 45' West, 5 chains and 64 links to the middle of the public highway leading from North Plank Road to Gardnertown;

THENCE along said highway, North 8 degrees 50' West, 7 chains and 50 links;

THENCE along lands of the aforesaid James H. Anderson, South 89 degrees and 50' East, 4 chains and 23 links;

THENCE South 87 degrees 30' East 3 chains, 56 links;

THENCE North 85 degrees East, 2 chains and 90 links;

THENCE North 83 degrees and 30' East, 6 chains and 18 links to the place of BEGINNING.

ALSO ALL that tract or parcel of land, situate lying and being in the Town of Newburgh, County of Orange and State of New York, beginning five links Westwardly from the middle of a large chestnut tree;

RUNNING THENCE along lands now or formerly of Clarence W. Griggs, South 2 degrees and 45 minutes West, 5 chains;

THENCE South 5 degrees West, 1 chain and 60 links;

THENCE South 3 degrees and 50 minutes West, 6 chains and 74 links;

THENCE South 9 degrees and 20 minutes East, 2 chains and 48 links to land now or formerly of Aaron T. Constable;



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page 2

THENCE along the Northerly line of lands of said Aaron T. Constable, North 82 degrees West, 9 chains and 75 links;

THENCE along lands now or formerly of Abram M. Calyer, North 6 degrees and 15 minutes East, 2 chains and 32 links;

THENCE North 3 degrees East, 12 chains and 6 links;

THENCE Eastwardly, 25 links;

THENCE South 3 degrees West, 2 chains and 2 links to a stake;

THENCE North 77 degrees East, 9 chains and 33 links to the place of BEGINNING.



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page 1

Schedule B

Hereinafter set forth are additional matters which will appear in our policy as exceptions from coverage unless disposed of to our satisfaction prior to the closing or delivery of the policy.

DISPOSITION

1. Taxes, tax liens, tax sales, water rates, sewer and assessments set forth in schedule herein.
2. Proof is required to show that the person executing the deed or mortgage at closing is the same person as the grantee in deed in Book 13067 Page 1154 the certified owner herein. To verify at closing the identity of the persons who are executing closing documents, two forms of identification, at least one of which is to contain a photograph, is to be presented.
3. Covenants, conditions, easements, restrictions, leases, agreements of records, etc., if any.
NONE OF RECORD
4. Underground encroachments and easements, if any, including pipes and drains and such rights as may exist for entry upon said premises to maintain and repair the same.
5. No title is insured to any land lying within the lines of any street, road, avenue, lane turnpike or highway in front of or adjoining the premises described in Schedule "A" or which may cross over the same.
6. Subject to rights and easements, if any, acquired by any public utilities company to maintain its poles and operate its wires, lines, etc., in, to and over the premises herein and in, to and over the streets adjacent thereto.
7. Rights of others to drain through creeks or streams, if any, which cross premises and the natural flow thereof will be excepted.
8. Riparian rights, if any, in favor of the premises herein, are not insured.
9. Farrell Building Company Inc. and Chun McGlasson have been run for Judgments and Federal Tax Liens. Subject to an updated search prior to closing.
NONE OF RECORD
10. Proof is required to show that ALL PARTIES have not been known by any other names in the past 10 years. If that those persons have been known by another names, such names must be submitted to the company in advance of closing to be run for bankruptcies and liens and title is subject to returns, if any.



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page 2

11. Application states title to be found in Farrell Building Company Inc.. Title is found as certified above. This must be satisfactorily explained prior to closing.

12. RE: FARRELL BUILDING COMPANY INC

- i Proof is required as to due incorporation.
- ii Proof is required that New York State Franchise Taxes were paid thru date of closing.
- iii Proof is required that New York City Business Corporation Taxes were paid thru date of closing.

Copy of shareholders agreement and unanimous written consent of the stockholders of SAID Corp. to the proposed sale must be submitted, or in the alternative, provisions must be furnished that the holders of 2/3 of its stock have consented to a meeting duly called.

Required language Deed must recite that sale was made pursuant to;
(i) the unanimous written consent of all the stockholders of SAID Corp., or;
(ii) consent of 2/3 of SAID Corp. stockholders by a meeting duly called, or;
(iii) made in the ordinary course of business actually conducted by the grantor.

13. Mortgages of record ONE. See mortgage schedule attached.
14. Proof is required to show that all Town & County back taxes have been paid in full, and all tax foreclosure actions have been set aside.
15. Until a guaranteed survey is received, policy will not insure courses, distances, and dimensions of subject premises or the bed of any street, road or avenue passing through same, and will except any facts such survey or personal inspection would show.
16. Rights of tenants, unrecorded leases and/or persons in possession.

Please note that the aforementioned will be excepted in all owners and/or mortgage policies.

FOR MORTGAGE POLICIES ONLY:

The above is to be omitted upon production of the leases or estoppel certificates evidencing that the tenants rights are subordinate to any mortgage on the subject premises.



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page 3

17. If there is a meter, policy will except additional water meter charges and sewer rent since the date of last actual reading and policy further excepts entries for meter readings as well as (revised) frontage charges, i.e. water meter and sewer rent charges entered and billed subsequent to closing for periods prior to closing, not shown in the City Collector's records at or prior to closing.
18. If the subject premises are currently benefitted by a tax exemption, discount, credit or abatement, no liability is assumed for the retroactive restoration of any taxes due to a loss, or reversal, partial or total, of said exemption, discount, credit or abatement. Any tax which may be assessed or entered subsequently by the City is not exempt.
19. In the event that a Power of Attorney will be used at closing a copy of same must be presented to this office at least ten days prior to closing. A Power of Attorney not recordable for any reason, i.e., produced on facsimile paper, is not acceptable for use.

NOTE: Any municipal searches reported herein are furnished "FOR INFORMATION ONLY". They are not insured and the company assumes no liability for the accuracy thereof.

NOTE: All checks in excess of \$500.00 for payment of closing must be Certified or Bank Check payable to Capital Abstract Co. unless other arrangements have been made with this Company prior to closing.

NOTE: All documents to be recorded in the Office of the Clerk/Register or filed in the Registrar's Office must be executed in BLACK INK ONLY or this company will assume no responsibility for the recording of same.

NOTE: Policy excepts any consequences that may arise due to the fact that the instruments submitted for recording are rejected by the County Clerk or Register because the instruments are illegible.



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page **1**

MORTGAGE SCHEDULE

DISPOSITION

MORTGAGE #1 of 1:

Mortgagor: Sycamore Creek, LLC
Mortgagee: Chun S. McGlasson
Amount: \$750,000.00 Mortgage Tax Paid: \$7,875.00
Dated: 12-14-2005
Recorded: 12-16-2005
Book/Page: 12025/741

NOTE: Fee interest did not merge with mortgage interest.

This mortgage is held by a Private Mortgagee. Title company will only omit the mortgage if mortgagee produces satisfactory original Mortgage, Note and Satisfaction at or prior to closing. If possible these instruments should be submitted for review prior to closing.

Title Company will require a written payoff statement prior to closing

These mortgage returns, unless the mortgage is to be insured, will appear as exceptions from coverage. The information set forth herein is obtained from the recorded instrument. Sometimes the provisions of a mortgage may be modified by agreements which are not recorded. We suggest that you communicate with the mortgagee if you desire any additional information. If there has been a change in the owners and holders of the mortgage, such information should be furnished to us promptly to enable further searches to be made.

**Stewart Title Insurance Company
Capital Abstract Co.**

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

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

Sycamore Creek LLC
904
Cheryl S. McGlasson

SECTION *34* BLOCK *2* LOT *45*

RECORD AND RETURN TO
(NAME AND ADDRESS)

Michael S. Gifford Esq.
35 Market Street
Rushmore, NY 12149



THIS IS PAGE ONE OF THE RECORDING

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

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2019 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLO)
- 2003 NO. BLOOMING GROVE (VLO)
- 2082 CHESTER (TN)
- 2201 CHESTER (VLO)
- 2409 CORNWALL (TN)
- 2401 CORNWALL (VLO)
- 2500 CRAWFORD (TN)
- 2400 DEER PARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLO)
- 2003 FLORIDA (VLO)
- 3005 CHESTER (VLO)
- 3200 GREENVILLE (TN)
- 3409 HAMPTONBURGH (TN)
- 3403 MAYBROOK (VLO)
- 3489 HIGHLANDS (TN)
- 3401 HIGHLAND FALLS (VLO)
- 3489 MINNICK (TN)
- 3801 MONROE (VLO)
- 4089 MONROE (TN)
- 4001 MONROE (VLO)
- 4003 HARRISMAN (VLO)
- 4005 KIRKABOHN (VLO)

- 4209 MONTGOMERY (TN)
- 4201 MAYBROOK (VLO)
- 4203 MONTGOMERY (VLO)
- 4205 WALDEN (VLO)
- 4409 MOUNT HOPE (TN)
- 4401 COTTEVILLE (VLO)
- 4500 NEWBURGH (TN)
- 3800 NEW WINDSOR (TN)
- 13089 TUXEDO (TN)
- 5001 TUXEDO PARK (VLO)
- 5200 WALLKILL (TN)
- 5409 WARWICK (TN)
- 13401 FLORIDA (VLO)
- 5400 GREENWOOD LAKE (VLO)
- 5805 WARWICK (VLO)
- 5400 WAWAYANDA (TN)
- 5809 WOODBURY (TN)
- 5801 HARRISMAN (VLO)
- 5809 WOODBURY (VLO)
- 6100 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 2500 HOLD

NO. PAGES 1 CROSS REF.
CERT. COPY NO X-REF.
MAP NO PGS.
PAYMENT TYPE: CHECK NO
CASH NO
CHARGE NO
NOTE NO
TAXABLE NO
CONSIDERATION \$ 35000
TAX EXEMPT NO
TAXABLE NO
MORTGAGE AMT. \$

MORTGAGE TAX TYPE

- (A) COMMERCIAL/FLD 1%
- (B) 3 OR 4 FAMILY
- (C) OTHER FLD 1%
- (D) EXEMPT
- (E) 3 TO 4 UNITS
- (F) NAT. PER. OR UN. OR 2
- (G) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From *Sycamore*

RECORDED/FILED
10/13/2010 13103119
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE# 201009736
DEED C. / BK 13067 PG 1150
RECORDING FEES 315.00
TX# 081293 T. / PV 1,000.00
Rec'd 10/13/2010 JUL 1



DEED

THIS INDENTURE made the 7th day of September, 2010, between SYCAMORE CREEK, LLC, with offices at c/o David Weisberg, 110 Orange Avenue, Walden, New York, party of the first part, and CHUN S. McGLASSON, residing at 16 Anna Court, Carmel, New York, party of the second part.

WITNESSETH that the party of the first part, in consideration of Ten Dollars 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, and more particularly described on SCHEDULE A.

The premises are not in an agricultural district and the parcel is entirely owned by the party of the first part.

It is expressly understood and agreed that the mortgage recorded in Liber 12625 of Mortgages at Page 741 which is now a lien on the premises described herein is not to merge in the fee of said premises but is to remain and continue as an existing and enforceable lien thereon for the amount thereof and for the interest thereon and for the amount paid by the party of the second part for taxes and for such other costs and expenses as may be either allowed by law or may be authorized by said mortgage to the party of the second part.

TOGETHER with all rights, 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 payments 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

By: 
DAVID WEINBERG
Managing Member

State of New Jersey
County of Union

On the 20th day of September, 2010, before me, the undersigned, personally appeared DAVID WEINBERG, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument and that such individual made such appearance before the undersigned in the City/Town of South Kent and State of New Jersey, County of Union.


Notary Public
BRIAN D. SCHWARTZ
An Attorney at Law
of the State of New Jersey

RECORD & RETURN
MICHAEL G. GARTLAND, ESQ.
55 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601

SCHEDULE A DESCRIPTION

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 and bounded and described as follows:

BEGINNING on the westerly line of lands now or formerly of John S. Hale and at the northeastern corner of the lot hereinafter described and runs from thence along said Hale's land South 1 degree and 45' West 18 chains, thence South 5 degrees and 5' West 3 chains and 18 links to lands now or formerly of David Reid, thence along the same North 83 degrees West 10 chains and 18 links; thence along lands now or formerly of James H. Anderson aforesaid North 5 degrees 3' East 8 chains and 74 links; thence North 89 degrees and 45' West 5 chains and 84 links to the middle of the public highway leading from North Plank Road to Gardnertown, thence along said highway North 8 degrees 30' West 7 chains and 30 links; thence along lands of the aforesaid James H. Anderson South 89 degrees and 50' East 4 chains and 23 links; thence South 87 degrees 30' East 3 chains 56 links; thence North 85 degrees East 2 chains and 80 links; thence North 83 degrees and 30' East 5 chains and 18 links to the place of beginning.

ALSO All that tract or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, beginning five links westwardly from the middle of a large chestnut tree and runs from thence along lands now or formerly of Clarence W. Griggs, South two degrees and forty-five minutes West five chains; thence South five degrees West one chain and sixty links; thence South three degrees and fifty minutes West six chains and seventy-four links; thence South nine degrees and twenty minutes East two chains and forty-eight links to lands now or formerly of Aaron T. Constable; thence along the northerly line of lands of said Aaron T. Constable North eighty-two degrees West nine chains and seventy-five links; thence along lands now or formerly of Abram M. Cayer, North six degrees and fifteen minutes East two chains and thirty-two links; thence North three degrees East twelve chains and six links; thence eastwardly twenty-five links; thence South three degrees West two chains and two links to a stake; thence North seventy-seven degrees East nine chains and thirty-three links to the place of beginning.



Stewart Title Insurance Company

Title Number: **CAO-STW-21132**

Page 1

MUNICIPAL, DEPARTMENTAL AND OTHER INFORMATIONAL SEARCHES

Any searches or returns reported herein are furnished **FOR INFORMATION ONLY**. They will not be insured and the company assumes no liability for the accuracy thereof. They will not be continued to the date of closing.

THE FOLLOWING MUNICIPAL SEARCHES HAVE BEEN ORDERED FOR THIS REPORT AND ARE ATTACHED HEREWITH UNLESS OTHERWISE INDICATED:

- Tax Search**
- Street Report (NYC)**
- Certificate of Occupancy**
- Housing and Building Violation Report**
- Fire Department Report**
- Emergency Repair Lien Report**
- Bankruptcy Search**

CENTRAL VIOLATIONS BUREAU

In New York City, since about July 1, 1961, only the Fire Department, The Department of Health, the Department of Air Pollution Control and the Department of Water Supply, Gas and Electricity have been reporting violations issued by them affecting multiple dwellings to the Central Violations Bureau established pursuant to Section 328 of the Multiple Dwelling Law. In its report to its search for violations the Department of Buildings includes such violations affecting multiple dwellings filed by the aforesaid departments in the central bureau.

**Stewart Title Insurance Company
Capital Abstract Co.**



21 Robert Pitt Dr. Phone: 845.352.1929
 Suite #210 Fax: 646.519.2515
 Monsey, NY 10952 orders@hudsonsearch.com

TAX SEARCH

The unpaid taxes, water rates, assessments and other matters relating to taxes that are properly filed and indexed as liens as of the date of this search are set forth below. This search does not include any item that has not become a lien through the date of this search nor does it include installments due after the date of this search. This search does not cover any part of streets that the above captioned premises abut. If the tax lots reported cover more or less than the premises under examination, this fact will be noted herein. In such cases, the interested parties should take the necessary steps to make the tax map conform to the property description to be insured.

February 18, 2021

Title #:	CAO-STW-21132	Assessed to:	Chun S. McGlasson
Premises:	Route 32	School District:	Newburgh CSD
County:	Orange	Village:	None
Town:	Newburgh	Building Class:	240 - Rural Residence w/ Acreage
SWIS:	334600	Acreage:	35.40
Section:	34	Assessed Value:	Land: 50,000 - Total: 61,000
Block:	2	Exemptions:	None
Lot:	45		

2021 Town/County Tax: 1/1-12/31 2021

Full Tax:	\$2,051.17	Due 1/1/21	Paid
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2020/2021 School Tax: 7/1-6/30 2020/2021

Full Tax:	\$4,601.07		
1st Inst:	\$1,534.69	Due 10/5/20	Paid (includes \$1.00 installment fee)
2nd Inst:	\$1,533.69	Due 12/7/20	Paid
3rd Inst:	\$1,533.69	Due 3/5/21	Paid

Water/Sewer: Private

Run Date: 02/18/21 Subject to continuation prior to closing.

Recent payments of open items on this search may not yet be reflected on the public records. Therefore, in order to prove recent payments, it is advisable for the seller or borrower to present receipted bills at closing.

CONTINUED ON NEXT PAGE

Taxing Authority

Town of Newburgh - Town/County, Marlboro CSD & Valley Central School Tax and Water/Sewer
Debbie Smith, Receiver of Taxes
1496 Route 300
Newburgh NY, 12550
Ph: (845) 564-4553
No Memo Fee

Newburgh CSD - School Tax
124 Grand Street
Newburgh, N.Y. 12550
Ph: (845) 563-3490
No Memo Fee

Orange County Commissioner of Finance
265 Main St.
Goshen, NY 10924
Ph: (845) 291-2480

NOTE: Taxing Authority information is provided for informational purposes only. No liability assumed. It is recommended you contact the above collectors prior to sending payment to confirm taxes are still payable to the above locations.

Run Date: 02/18/21 Subject to continuation prior to closing.

Recent payments of open items on this search may not yet be reflected on the public records. Therefore, in order to prove recent payments, it is advisable for the seller or borrower to present receipted bills at closing.

STREET REPORT SEARCH

February 24, 2021

Title #: CAO-STW-21132
Premises: Route 32
Owner(s): Chun S. McGlasson
County: Orange
Municipality: Newburgh
Section: 34
Block: 2
Lot: 45

This street is a public road.

This street is a private road.

CERTIFICATE OF OCCUPANCY SEARCH

February 24, 2021

Title #: CAO-STW-21132
Premises: Route 32
Owner(s): Chun S. McGlasson
County: Orange
Municipality: Newburgh
Section: 34
Block: 2
Lot: 45

A search of the Building Department records has been made for the above-mentioned premises. The following information has been found:

Additional Information below.

The Above Mentioned Property is Vacant Land.



21 Robert Pitt Dr. Phone: 845.352.1929
Suite #210 Fax: 646.519.2515
Monsey, NY 10952 orders@hudsonsearch.com

Town Fee: \$125.00

Hudson Search LLC certifies that records of the above captioned governmental agency were examined on behalf of Capital Abstract Co., Inc.. Based upon that examination, to the best of our knowledge and belief, the information reported above is a true and accurate abstract of the information. However no liability is assumed. This report is submitted for information purposes only.

Town of Newburgh
Code Compliance Department
21 Hudson Valley Professional Plaza
Newburgh, NY 12550
(845) 564-7801

02/23/2021

Hudson Search
21 Robert Pitt Road
Monsey, NY 10952

Owner: Chun McGlasson
Address: Route 32
SBL# 34-2-45
Title # CAO-STW-21132

To Whom it May Concern:

This letter is in answer to your inquiry regarding the above mentioned parcel, in checking our files, we find this property to be vacant land, so therefore there will be no Certificate of Occupancy on file for this property.

Please be advised that the above named road is a Public Road.

If there are any further question or concerns regarding this matter, please contact our office at the number above.

Respectfully,


Gerald Canfield
Code Compliance Department

Abstract# AB-2021-108
Code # VACPUBRD



21 Robert Pitt Dr. Phone: 845.352.1929
Suite #210 Fax: 646.519.2515
Monsey, NY 10952 orders@hudsonsearch.com

HOUSING AND BUILDING VIOLATION SEARCH

February 24, 2021

Title #: CAO-STW-21132
Premises: Route 32
Owner(s): Chun S. McGlasson
County: Orange
Municipality: Newburgh
Section: 34
Block: 2
Lot: 45

No record of existing Building Violations.

Violations found.

FIRE DEPARTMENT VIOLATION SEARCH

February 24, 2021

Title #: CAO-STW-21132
Premises: Route 32
Owner(s): Chun S. McGlasson
County: Orange
Municipality: Newburgh
Section: 34
Block: 2
Lot: 45

No record of existing Fire Violations.

Violations found (see attached).

EMERGENCY REPAIR SEARCH

February 24, 2021

Title #: CAO-STW-21132
Premises: Route 32
Owner(s): Chun S. McGlasson
County: Orange
Municipality: Newburgh
Section: 34
Block: 2
Lot: 45

Above-mentioned property does not have any pending Emergency Repairs.

Above-mentioned property has pending Emergency Repairs (see attached).

BANKRUPTCY SEARCH

February 18, 2021

Title #: CAO-STW-21132

County: Orange

Name: Jacob Hartman

Name: Chun S. McGlasson

Name: Farrell Building Company Inc.

There is no record of an open bankruptcy filing for the above mentioned individual, corporation or business.

The following information has been found:

The following office(s) have been checked:

U.S. Bankruptcy Court, Southern District.



21 Robert Pitt Dr. Phone: 845.352.1929
Suite #210 Fax: 646.519.2515
Monsey, NY 10952 orders@hudsonsearch.com

PATRIOT / OFAC SEARCH

February 18, 2021

Title #: CAO-STW-21132

County: Orange

Name: Jacob Hartman

Name: Chun S. McGlasson

Name: Farrell Building Company Inc.

No information found for Specially Designated Nationals

The following information has been found:

Hudson Search LLC certifies that records of the above captioned governmental agency were examined on behalf of Capital Abstract Co., Inc.. Based upon that examination, to the best of our knowledge and belief, the information reported above is a true and accurate abstract of the information. However no liability is assumed. This report is submitted for information purposes only.

**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

August 12, 2021, post and will thereafter maintain at

Route 300 34-2-45 IB Zone in the Town of Newburgh, New York, at or near the front

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

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



Sworn to before me this 4th

day of August, 2021.



KIMBERLY ROMANINO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RO6134291
Qualified in Putnam County
My Commission Expires September 26, ____




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STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
DIVISION OF WATER RIGHTS
OFFICE OF WATER RIGHTS ADMINISTRATION
1001 J STREET, SACRAMENTO, CALIFORNIA 95833
TEL: (916) 227-2300 FAX: (916) 227-2301
WWW.DWR.CA.GOV

NOTICE OF WATER RIGHTS
This notice is posted in accordance with the provisions of the California Water Rights Act of 1914, as amended, and the California Water Rights Act of 1969, as amended. The notice is posted to inform the public of the proposed water rights and to provide an opportunity for the public to comment on the proposed water rights.

Proposed Water Right:
1. Applicant: [Illegible]
2. Location: [Illegible]
3. Quantity: [Illegible]
4. Purpose: [Illegible]

Comments should be submitted to the Office of Water Rights Administration, 1001 J Street, Sacramento, California 95833, by [Illegible].