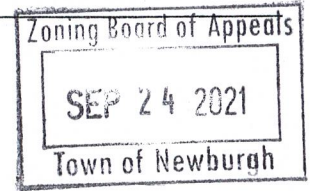




TOWN OF NEWBURGH

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: 09/01/2021

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

I (WE) Micheal Calaluca PRESENTLY
RESIDING AT NUMBER 1313 Lakeside Rd Newburgh NY 12550
TELEPHONE NUMBER (845) 541-8300

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:

96-1-3 (TAX ID) (TAX MAP DESIGNATION)

1231 Union Avenue (NY-300) (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

SEC 185 ATTACHMENT 13

SEC 185-14 SIGNAGE



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3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: _____
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: 9/3/2021

4. DESCRIPTION OF VARIANCE SOUGHT: AREA VARIANCES

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

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

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

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

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



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

6. IF AN AREA VARIANCE IS REQUESTED:

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

THE NEW JIFFY LUBE FACILITY WILL COMPLEMENT THE NEARBY BUSINESS DEVELOPMENTS IN THE REGION, AND BETTER SERVE THE LOCAL COMMUNITY.

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

THE JIFFY LUBE BUILDING PROPOSED IS ECONOMICALLY DESIGNED TO PROVIDE MAXIMUM SERVICE WITH MINIMUM SQUARE FOOTAGE; AS ALLOWED BY CODE (EGRESS REQUIREMENTS).

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE: MINIMUM LOT SIZE ALLOWED IS 40,000 SQ. FT. THE EXISTING LOT SIZE 30,502 SQ. FT.

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

MAJORITY OF PROPOSED SITE DESIGN IS IN COMPLIANCE, AND COMPATIBLE WITH THE AREA.

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

SITE CAN BE REDEVELOPED INTO A SUCCESSFUL BUSINESS; EXISTING SITE IS CHALLENGING BUT POSSIBLE WITH REQUESTED VARIANCES.



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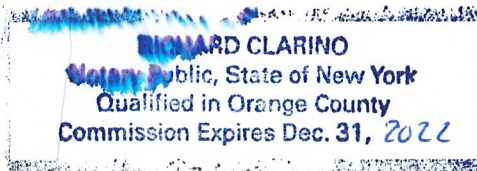
7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF September 2021

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)



TOWN OF NEWBURGH

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PROXY

Michael Calaluca, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 313 Lakeside Rd. Newburgh, NY
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 1231 Union Ave,
(Route 300) Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED BRADY CARLUCCI

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.
DATED: September 7, 2021 [Signature]

OWNER'S SIGNATURE

[Signature]
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF September 2021

[Signature]
NOTARY PUBLIC

RICHARD CLARINO
Notary Public, State of New York
Qualified in Orange County
Commission Expires Dec. 31, 2022

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Automotive Quick Lubrication Shop		
Project Location (describe, and attach a general location map): 1231 Union Ave (NY-300), Town of Newburgh		
Brief Description of Proposed Action (include purpose or need): Demolition of existing one (1) story residence and associated driveway, sidewalk, and landscaping. And construction of a new automobile oil change facility with associated signage, lighting, utilities, landscaping, parking, drive aisles, and entrance.		
Name of Applicant/Sponsor: Jiffy Lube International, Inc. - Chris Dykes		Telephone: 832-337-9809 E-Mail: Chris.Dykes@shell.com
Address: 150 N. Dairy Ashford, Building F, 3rd Floor		
City/PO: Houston	State: TX	Zip Code: 77079
Project Contact (if not same as sponsor; give name and title/role): Sevan Multi-Site Solutions -Andrew Kerrigan		Telephone: 847-239-0869 E-Mail: Andrew.Kerrigan@sevansolutions.com
Address: 3025 Highland Parkway, Suite 850		
City/PO: Downers Grove	State: IL	Zip Code: 60515
Property Owner (if not same as sponsor): Michael Calaluca		Telephone: (845)541-8300 E-Mail:
Address: 313 Lakeside Road		
City/PO: Newburgh	State: NY	Zip Code: 12550

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees	Town Supervisor	To be determined by Planning Board
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh Planning Board	To be determined by recommendation letter to the ZBA
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh ZBA	To be determined by recommendation letter to the ZBA
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County	To be determined by Planning Board
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT	8/15/2021 projected
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Fish & Wildlife	As applicable
i. Coastal Resources. <ul style="list-style-type: none"> i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 Interchange Business, Zone IB

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? 331100

b. What police or other public protection forces serve the project site?
 Town of Newburgh Police Department

c. Which fire protection and emergency medical services serve the project site?
 Winona Lake Fire Department

d. What parks serve the project site?
 New Windsor Historic Parklands

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial Automotive Quick Lubrication Shop

b. a. Total acreage of the site of the proposed action? _____ 0.70 acres
 b. Total acreage to be physically disturbed? _____ 0.65 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.70 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ 5 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 1
 ii. Dimensions (in feet) of largest proposed structure: 22'-2" height; 28.5 width; and 92 length
 iii. Approximate extent of building space to be heated or cooled: 4,042 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: Underground storm water detention and storm water quality facilities
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify:
Stormwater runoff
 iii. If other than water, identify the type of impounded/contained liquids and their source.

 iv. Approximate size of the proposed impoundment. Volume: .04 million gallons; surface area: .05 acres
 v. Dimensions of the proposed dam or impounding structure: 3 height; 80 length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Concrete storage vaults or other pipe materials

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? Basement Construction
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): 500 CY
 • Over what duration of time? 40 days
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Existing glacial till soils
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. Dewatering
 v. What is the total area to be dredged or excavated? .03 acres
 vi. What is the maximum area to be worked at any one time? .03 acres
 vii. What would be the maximum depth of excavation or dredging? 10 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan:
Topsoil restoration for Lawn area

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Modifications within 50' of top of bank of the existing unnamed ditch tributary to the Quassaic Creek

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
modifying the existing outlet to the ditch from the site +/- 80 square feet

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____
none, existing lawn areas to be restored

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ 258 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: Consolidated Water District
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 258 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary (toilet)

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
If Yes:

- Name of wastewater treatment plant to be used: City of Newburgh Wastewater Treatment Facility
- Name of district: Crossroad Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):
 N/A _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
 None _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:
i. Estimate methane generation in tons/year (metric): _____
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:
i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ Yes No
iv. Does the proposed action include any shared use parking?
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
Service for 208- 3 Phase, 400 Amp service with Transformer Full Load KVA -144 KVA

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
via grid/local utility

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
i. During Construction:
• Monday - Friday: _____ 0
• Saturday: _____ 0
• Sunday: _____ 0
• Holidays: _____ 0
ii. During Operations:
• Monday - Friday: _____ 7-8
• Saturday: _____ 7-8
• Sunday: _____ 7-8
• Holidays: _____ 7-8

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Use of wall packs with 0 upward light will be used for security lighting on the building. Use of sheilds will be implemented as needed to ensure light is not intruding into adjacent properties.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: limited reduction removal of mature tree barrier to adjacent commercial property.

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ 1 year (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

AST's within a fully sealed basement for operation of an oil change facility

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): Stream identified as R3UBH, as below

ii. If mix of uses, generally describe:

Project site is residential, properties to the north and south are commercial, and the property to the west is forested. A R3UBH (Riverine Upper Perennial Unconsolidated Bottom Permanently Flooded) waterway was identified coming into the SW corner of the project site from the south.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.12	0.41	+0.29
• Forested	0.17	0.00	-0.17
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.40	.29	-0.11
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.01	0.01	0.00
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: _____	-	-	-

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
Crystal Run Healthcare Newburgh

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 336089
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
Stewart Air National Guard Base at 1 Maguire Way, Newburgh

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >25 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Erie gravelly silt loam (ErA)	_____	38 %
Erie extremely stony soils (ESB)	_____	31 %
Mardin gravelly silt loam (MdB)	_____	31 %

d. What is the average depth to the water table on the project site? Average: _____ 3.81 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 32 % of site
 Poorly Drained _____ 68 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Identified as R3UBH via NWI Mapper Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Indiana Bat, Upland Sandpiper - State & Federally endangered and State threatened, respectively

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:
 i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District
 ii. Name: _____
 iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:
 i. Identify resource: Stewart State Forest; Hudson Highlands Scenic Area of Statewide Significance
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State forest; Scenic Area of Statewide Significance
 iii. Distance between project and resource: 2.3 miles; and about 3.5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Chris Dykes Date 08-02-2021

Signature Chris C. Dykes Title Vice-President, Network Development



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	336089
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat, Upland Sandpiper
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

James R. Loeb
Richard J. Drake, *retired*
Glen L. Heller*
Marianna R. Kennedy
Gary J. Gogerty
Stephen J. Gaba
Adam L. Rodd
Dominic Cordisco
Ralph L. Puglielle, Jr.
Nicholas A. Pascale

Alana R. Bartley
Aaron C. Fitch
Judith A. Waye
Michael Martens

Jennifer L. Schneider
Managing Attorney

*L.L.M. in Taxation

September 3, 2021

BY EMAIL ONLY

Darrin J. Scalzo, Chairman
Zoning Board of Appeals
Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

Re: Jiffy Lube / Planning Board Project No. 21-19

Dear Chairman Scalzo and Board Members:

At the Planning Board's September 2, 2021 meeting, the Planning Board resolved to refer this application to the Zoning Board of Appeals for its consideration of the following area variance required for this project.

In particular, the applicant seeks site plan approval from the Planning Board to add construct a Jiffy Lube Multi-Care Services facility at 1231 Union Avenue (the "Project"). The project is located in the IB zone. The project requires the following area variances:

Lot area variance: the existing lot is 30,502 sq. ft. and the minimum allowable lot size is 40,000 sq. ft.

Front yard variance: the existing site is 50 feet from the NYS-300 right of way and the minimum front yard setback from NYS-300 is 60 feet.

Side yard variance: the minimum side yard setback is 50 feet. The proposed side yard setback to the north is 10 feet.

Side yard variance: The proposed side yard setback to the south is 49 feet.

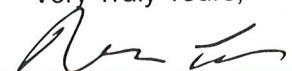
Signage variance: 4 sq. ft. is the maximum allowable sign size for directional signs in the IB zone. There are two directional signs, and each is 5.32 sq. ft.

Signage variance: the total signage area of all building signage is 150 sq. ft. Additional variances may be required. It should be noted that the applicant seeks approval for a pylon sign with an electronic message board, which requires a special use permit from the Planning Board.

The Planning Board has not declared its intent to serve as lead agency so that the Zoning Board of Appeals may consider and process this application without the need to wait for the Planning Board to conclude its environmental review of the site plan amendment.

Thank you for your consideration of this matter.

Very Truly Yours,


Dominic Cordisco

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



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

MARY O. CALALUCA

 TO
 PALMA WEBB, MICHAEL P. CALALUCA

SECTION 96 BLOCK 1 LOT 3

RECORD AND RETURN TO:
(Name and Address)

Richard Clarino, Esq.
 100 Commerce Drive, Suite 107
 New Windsor, New York 12553

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)
 2001 WASHINGTONVILLE (VLG)
 2289 CHESTER (TN)
 2201 CHESTER (VLG)
 2489 CORNWALL (TN)
 2401 CORNWALL (VLG)
 2600 CRAWFORD (TN)
 2800 DEERPARK (TN)
 3089 GOSHEN (TN)
 3001 GOSHEN (VLG)
 3003 FLORIDA (VLG)
 3005 CHESTER (VLG)
 3200 GREENVILLE (TN)
 3489 HAMPTONBURGH (TN)
 3401 MAYBROOK (VLG)
 3889 HIGHLANDS (TN)
 3601 HIGHLAND FALLS (VLG)
 3889 MINISINK (TN)
 3801 UNIONVILLE (VLG)
 4089 MONROE (TN)
 4001 MONROE (VLG)
 4003 HARRIMAN (VLG)
 4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)
 4201 MAYBROOK (VLG)
 4203 MONTGOMERY (VLG)
 4205 WALDEN (VLG)
 4489 MOUNT HOPE (TN)
 4401 OTISVILLE (VLG)
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 5089 TUXEDO (TN)
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 5200 WALLKILL (TN)
 5489 WARWICK (TN)
 5401 FLORIDA (VLG)
 5403 GREENWOOD LAKE (VLG)
 5405 WARWICK (VLG)
 5600 WAWAYANDA (TN)
 5889 WOODBURY (TN)
 5801 HARRIMAN (VLG)

CITIES
 0900 MIDDLETOWN
 1100 NEWBURGH
 1300 PORT JERVIS

 9999 HOLD

NO. PAGES 2 CROSS REF
 CERT. COPY AFFT. FILED
 PAYMENT TYPE: CHECK
 CASH
 CHARGE
 NO FEE
 CONSIDERATION \$ D
 TAX EXEMPT
 MORTGAGE AMT \$
 DATE 1-23-97
MORTGAGE TYPE:
 (A) COMMERCIAL
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000.
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT.PERSON/CR.UNION
 (J) NAT.PER-CR.UNI OR 2
 (K) CONDO

Joan A Macchi

JOAN A. MACCHI
 Orange County Clerk

RECEIVED FROM: R Clarino

LIBER 4535 12

LIBER 4535 PAGE 12

ORANGE COUNTY CLERKS OFFICE 10412 MLV
 RECORDED/FILED 03/03/97 10:56:27 AM
 FEES 41.00 EDUCATION FUND 5.00
 SERIAL NUMBER: 005773
 DEED CNTL NO 52234 RE TAX .00

BARGAIN AND SALE DEED

THIS INDENTURE, made January 23, 1997 between MARY O. CALALUCA having an address at 1029 Union Avenue, Newburgh, New York 12550 ("Grantor"), and PALMA WEBB, having an address at 102 Stratford Road, Wallingford, Pennsylvania 09086, and MICHAEL P. CALALUCA, having an address at 179A Lakeside Road, Newburgh, New York 12550 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto Grantee and his heirs, executors, administrators, successors and assigns forever, the parcel of law described as follows:

ALL that certain plot, piece or parcel of land, known as 1079 Union Avenue, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly line of Union Avenue said point being located 967.04 feet southerly as measured along the westerly line of Union Avenue from the intersection of said westerly line of Union Avenue with the southerly line of Cochetton Turnpike, which is also known as Route 17K; thence from said point of beginning and along the westerly line of Union Avenue south 27 degrees 20 minutes west 82.35 feet to a point and south 22 degrees 06 minutes west 68.40 feet to a point; thence north 60 degrees 40 minutes 50 seconds west 205.83 feet to a point; thence north 27 degrees 20 feet east 160.18 feet to a point; thence south 58 degrees 52 minutes east 200.0 feet to the point of beginning, containing more or less.

BEING the same premises conveyed from Ferdinand J. Calaluca and Mary O. Calaluca to Mary O. Calaluca in a deed dated January 12, 1981 and recorded in the Orange County Clerk's Office on January 16, 1981, in Liber 2184 at Page 1097. The said Ferdinand J. Calaluca having died a resident of Orange County, New York on January 25, 1990.

SAID PREMISES are not located within an agricultural district and are wholly owned by the grantor.

SUBJECT TO AND RESERVING FOR THE GRANTOR, MARY O. CALALUCA an estate for and during her natural life in and to said above granted premises, and there is no obligation to support or maintain.

TOGETHER with all right, title and interest, if any, of Grantor in and to any streets and roads abutting said premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto Grantee and his heirs, executors, administrators, successors and assigns forever.

RESERVING, however, to the party of the first part the exclusive possession and the use and enjoyment of the rents, issues, and profits of the above-described premises for and during the natural lifetime of the party of the first part.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law, covenants that he 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 before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, Grantor has duly executed this deed on the date first above written.

Mary O Calaluca
MARY O CALALUCA

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:.

On January 23rd 1997 before me personally came MARY O. CALALUCA to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that said instrument was executed by said individual.

Richard Clarno

Notary Public

RICHARD CLARNO
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES 12/31/98

RICHARD CLARNO
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES 12/31/98

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

MARY O. CALALUCA

TO
PALMA CALALUCA WEBB and
MICHAEL CALALUCA

SECTION 96 BLOCK 1 LOT 3

RECORD AND RETURN TO:
(name and address)

RICHARD CLARINO
7 MACE CIRCLE
NEWBURGH, NY. 12550

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

- | | |
|---|--|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALLKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
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| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 5801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | CITIES |
| <input type="checkbox"/> 4001 MONROE (VLG) | <input type="checkbox"/> 0900 MIDDLETOWN |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | <input type="checkbox"/> 1100 NEWBURGH |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | <input type="checkbox"/> 1300 PORT JERVIS |
| | <input type="checkbox"/> 9999 HOLD |

NO PAGES 3 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP# _____ PGS. _____

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable CONSIDERATION \$
TAX EXEMPT

Taxable MORTGAGE AMT. \$ _____
DATE _____

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

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM: Hill & Dale

RECORDED/FILED
04/27/2005/ 10:17:09
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20050046745
DEED R / BK 11823 PG 0618
RECORDING FEES 114.00
TTX# 010258 T TAX 0.00
Receipt#412967 ffk



BARGAIN AND SALE DEED

THIS INDENTURE, made this 5th day of April, 2005, between MARY O. CALALUCA, having an address at 306 Lakeside Road, Newburgh, New York 12550 (Grantor) and PALMA CALALUCA WEBB, having an address at 306 Lakeside Road, Newburgh, New York 12550 and MICHAEL P. CALALUCA, having an address at 313 Lakeside Road, Newburgh, New York 12550 (Grantee), as tenants in common.

WITNESSETH, that Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto Grantee, Grantee's heirs, executors, successors and assigns forever, the parcel of land described in the annexed Schedule A.

BEING a the same premises conveyed from MARY O. CALALUCA to PALMA CALALUCA WEBB and MICHAEL P. CALALUCA in a deed dated January 23, 1997 and recorded in the Orange County Clerk's Office on March 3, 1997 in Liber 4553 of deeds at page 12 wherein MARY O. CALALUCA reserved a life estate to herself which she is relinquishing by this deed.

SAID PREMISES are not located within an agricultural district and are wholly owned by the grantor.

TOGETHER with all right, title and interest, if any, of Grantor in and to any streets and roads abutting said premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto Grantee, as tenants in common, and Grantees' heirs, executors, administrators, successors and assigns forever.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

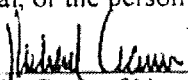
Grantor, in compliance with Section 13 of the Lien Law, covenants that he will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total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

IN WITNESS WHEREOF, Grantor has duly executed this deed on the date first above written.


MARY O. CALALUCA

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:

On the 5th day of April, 2005 before me, the undersigned, a Notary Public in and for said State, personally appeared MARY CALALUCA 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed said instrument.


Notary Public: State of New York

RICHARD CLARINO
Notary Public: New York
Registered in Orange County
Commission Expires 12/31/06

SCHEDULE A
Mary Calaluca, Palma Calaluca Webb & Michael Calaluca
to
Palma Calaluca Webb & Michael P. Calaluca

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, KNOWN AS 1079 UNION AVENUE, SITUATE, LYING AND BEING IN THE TOWN OF NEWBURGH, COUNTY OF ORANGE, AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WESTERLY LINE OF UNION AVENUE SAID POINT BEING LOCATED 967.04 FEET SOUTHERLY AS MEASURED ALONG THE WESTERLY LINE OF UNION AVENUE FROM THE INTERSECTION OF SAID WESTERLY LINE OF UNION AVENUE WITH THE SOUTHERLY LINE OF COCHECTON TURNPIKE, WHICH IS ALSON KNOWN AS ROUTE 17K; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE WESTERLY LINE OF UNION AVENUE SOUTH 27 DEGREES 20 MINUTES WEST 82.35 FEET TO A POINT AND SOUTH 22 DEGREES 06 MINUTES WEST 68.40 FEET TO A POINT; THENCE NORTH 60 DEGREES 40 MINUTES 50 SECONDS WEST 205.83 FEET TO A POINT; THENCE NORTH 27 DEGREES 20 FEET EAST 160.18 FEET TO A POINT; THENCE SOUTH 58 DEGREES 52 MINUTES EAST 200.00 FEET TO THE POINT OF BEGINNING.



ORANGE COUNTY – STATE OF NEW YORK
 ANN G. RABBITT, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14334 / 491
 INSTRUMENT #: 20170088856
 Receipt#: 2421032
 Clerk: JM
 Rec Date: 12/12/2017 03:39:49 PM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 3
 Rec'd Frm: HILL N DALE ABSTRACTERS INC
 Party1: WEBB PALMA CALALUCA
 Party2: CALALUCA MICHAEL P
 Town: NEWBURGH (TN)
 96-1-3

Recording:

Recording Fee	35.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00
Sub Total:	185.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00
Total:	185.00

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

***** Transfer Tax *****
 Transfer Tax #: 4626
 Transfer Tax
 Consideration: 0.00

Total:	0.00
---------------	-------------

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

Comment: _____

Ann G. Rabbitt
 Orange County Clerk

Record and Return To:

RICHARD CLARINO
 7 MACE CIRCLE
 NEWBURGH NY 12550

1

BARGAIN AND SALE DEED

THIS INDENTURE, made this 2 day of October, 2017 between PALMA CALALUCA WEBB, residing at 306 Lakeside Road, Newburgh, New York 12550 (Grantor) and MICHAEL P. CALALUCA, residing at 313 Lakeside Road, Newburgh, New York 12550 (Grantee).

WITNESSETH, that Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and release unto the Grantee, his heirs, executors, successors and assigns forever, the parcel of known as 1231 Union Avenue, Town of Newburgh, New York, Section, 96, Block 1, Lot 3, more particularly described in the annexed Schedule A.

BEING the same premises conveyed in a deed from Mary O. Calaluca to Palma Calaluca Webb and Michael P. Calaluca, recorded in the Orange County Clerk's Office on April 25, 2005 in Liber 11823, page 618.

TOGETHER with all right, title and interest, subject to all mortgages and incumbrancers or liens if any, of Grantor in and to any streets and roads abutting said premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto Parties of the Second Part for and during their natural lives and upon their death to the Parties of the Third Part and their heirs, executors, administrators, successors and assigns forever.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law, covenants that he 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 before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, Grantor has duly executed this deed on the date first above written.

96-1-3

Palma Calaluca Webb
PALMA CALALUCA WEBB

STATE OF MASSACHUSETTS)
COUNTY OF NORFOLK) ss:

On the 2 day of October, 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared PALMA CALALUCA WEBB, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose names are subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed said instrument.

Elizabeth Burns
Notary Public



ATTN: RICHARD CLARINO
7 MACE CIRCLE
NEWBURGH, NY 12550

SCHEDULE A
Mary Calaluca, Palma Calaluca Webb & Michael Calaluca
to
Palma Calaluca Webb & Michael P. Calaluca

123\

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, KNOWN AS ~~1038~~ UNION AVENUE, SITUATE, LYING AND BEING IN THE TOWN OF NEWBURGH, COUNTY OF ORANGE, AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WESTERLY LINE OF UNION AVENUE SAID POINT BEING LOCATED 967.04 FEET SOUTHERLY AS MEASURED ALONG THE WESTERLY LINE OF UNION AVENUE FROM THE INTERSECTION OF SAID WESTERLY LINE OF UNION AVENUE WITH THE SOUTHERLY LINE OF COCHECTON TURNPIKE, WHICH IS ALSON KNOWN AS ROUTE 17K; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE WESTERLY LINE OF UNION AVENUE SOUTH 27 DEGREES 20 MINUTES WEST 82.35 FEET TO A POINT AND SOUTH 22 DEGREES 06 MINUTES WEST 68.40 FEET TO A POINT; THENCE NORTH 60 DEGREES 40 MINUTES 50 SECONDS WEST 205.83 FEET TO A POINT; THENCE NORTH 27 DEGREES 20 FEET EAST 160.18 FEET TO A POINT; THENCE SOUTH 58 DEGREES 52 MINUTES EAST 200.00 FEET TO THE POINT OF BEGINNING.



VIEW OF THE STORMWATER DISCHARGE INTO THE CREEK



VIEW OF THE ASPHALT PAVED DRIVEWAY



VIEW OF THE ATTACHED GARAGE



VIEW OF THE PROPERTY LOOKING WEST



VIEW OF THE PROPERTY LOOKING NORTHEAST



VIEW OF THE LOCATION OF THE SUBSURFACE ANOMALY



TOWN OF NEWBURGH

Crossroads of the Northeast

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

PROXY

Michael Calaluca, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 313 Lakeside Rd. Newburgh, NY
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 1231 Union Ave,
(Route 300) Newburgh, NY

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

DATED: September 7, 2021 [Signature]

OWNER'S SIGNATURE

[Signature]
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF September 2021

[Signature]
NOTARY PUBLIC

RICHARD CLARINO
Notary Public, State of New York
Qualified in Orange County
Commission Expires Dec. 31, 2022



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 7th DAY OF September 2021

NOTARY PUBLIC

RICHARD CLARINO
Notary Public, State of New York
Qualified in Orange County
Commission Expires Dec. 31, 2022

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)

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I KATARZYNA KUREK, being duly sworn, depose and say that I did on or before

October 14, 2021, post and will thereafter maintain at

1231 Route 300 96-1-3 IB Zone in the Town of Newburgh, New York, at or near the front

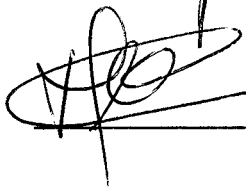
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 24th

day of Sept, 2021.

Katarzyna Kurek



MARCIA N SPENCER
Notary Public, State of New York
NO. 01SP6378620
Qualified in Orange County
Commission Expires 07/30/2022



1231 Route 300
Newburgh NY 12550

