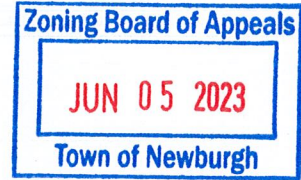




TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550



OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

APPLICATION

DATED: 6.5.23

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

I (WE) JOSEPH FLYNN PRESENTLY

RESIDING AT NUMBER 3 WINDING LA, NEWBURGH NY

TELEPHONE NUMBER 914-755-1654

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

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

33-1-26.1 (TAX MAP DESIGNATION)

343 LAKESIDE RD. (STREET ADDRESS)

R-1 (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-19-A

185-19-B

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:

5.10.23

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

N/A

4. DESCRIPTION OF VARIANCE SOUGHT: COVERED OUTDOOR

SEATING AND PATIO

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:

OUTDOOR SEATING IS REQUIRED DURING
WARM MONTHS.

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

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

THE OUTDOOR SEATING AND PATIO WAS
CONSTRUCTED 12 YEARS AGO

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

THE OUTDOOR SEATING AND PATIO ARE EXISTING

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

IT WAS CONSTRUCTED 12 YEARS AGO UNDER
THE ASSUMPTION A PERMIT WASNT REQUIRED

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 OUTDOOR SEATING AND PATIO ARE EXISTING

- 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:

NO OTHER LOCATION TO HAVE OUTDOOR SEATING

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

IT IS EXISTING

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

IT IS EXISTING

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

IT WAS CONSTRUCTED 12 YEARS AGO UNDER THE ASSUMPTION A PERMIT WASN'T REQUIRED AND NO ISSUES HAVE BEEN BROUGHT UP IN THE LAST 12 YEARS

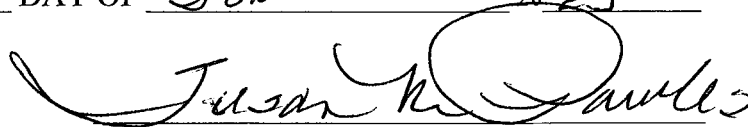
7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 5th DAY OF JUNE 2023



NOTARY PUBLIC

SUSAN M. POWLES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PO4757398
Qualified in Orange County
My Commission Expires March 30, 2024

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 13 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
ZONING BOARD OF APPEALS**

PROXY

ROBERT ROTA, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 112 SHART RD, GARDINER NY 12525
IN THE COUNTY OF ULSTER AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

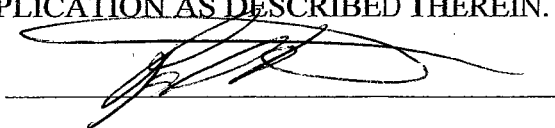
343 LAKESIDE RD. NEWBURGH NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

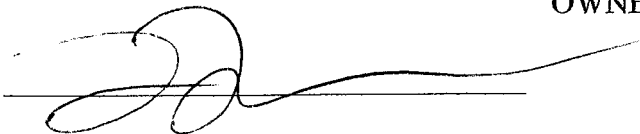
TION AND THAT HE/SHE HAS AUTHORIZED JOSEPH FLYNN

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 6.5.23



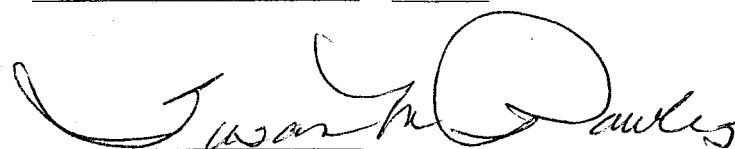
OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 5th DAY OF JUNE 20 23



NOTARY PUBLIC

SUSAN M. BOWLES
NOTARY PUBLIC STATE OF NEW YORK

No. 01PO4757398

Qualified in Orange County

Commission Expires March 30, 2026

Short Environmental Assessment Form

Part 1 - Project Information

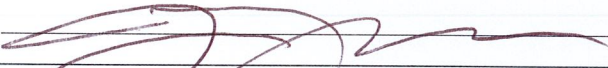
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project: Outdoor patios at Lakeview Restaurant				
Project Location (describe, and attach a location map): 343 Lakeside Rd. Newburgh, NY 12550				
Brief Description of Proposed Action: New patio and canopy at building and new lower patio on a none conforming site/use (restaurant).				
Name of Applicant or Sponsor: Lakeview Enterprises LLC/ Joe Flynn (Owner Rep)		Telephone: 914-755-1654 E-Mail: flynn@ciccnyc.com		
Address: 3 Winding Lane				
City/PO: Newburgh		State: NY	Zip Code: 12550	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Building permit and certificate of occupancy from building dept.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 0.7 acres b. Total acreage to be physically disturbed? _____ 0.06 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.7 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ No new potable water systems proposed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ No new waste water created. Existing waste water is connected to existing facilities. No change is proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Project is located on the shore of Orange Lake.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <ul style="list-style-type: none"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Lakeview Enterprises LLC/Joe Flynn</u> Date: <u>June 2, 2023</u>		
Signature:  Title: <u>Owners Rep</u>		

Project:

Date:

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

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

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

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

PRINT FORM

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

Robert Roth
TO
Lake View Enterprises, LLC,
James Carter + Toni Buccil
carter flkla Toni Ann Buccil

SECTION 33 BLOCK 1 LOT 26.1



RECORD AND RETURN TO:
(name and address)

Joseph P. Rones
1279 Route 300, PO Box 1111
Newburgh, NY 12551

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

K091263

200022535

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- ___ 2089 BLOOMING GROVE (TN) ___ 4289 MONTGOMERY (TN)
- ___ 2001 WASHINGTONVILLE (VLG) ___ 4201 MAYBROOK (VLG)
- ___ 2003 SO. BLOOMING GROVE (VLG) ___ 4203 MONTGOMERY (VLG)
- ___ 2289 CHESTER (TN) ___ 4205 WALDEN (VLG)
- ___ 2201 CHESTER (VLG) ___ 4489 MOUNT HOPE (TN)
- ___ 2489 CORNWALL (TN) ___ 4401 OTISVILLE (VLG)
- ___ 2401 CORNWALL (VLG) ___ 4600 NEWBURGH (TN)
- ___ 2600 CRAWFORD (TN) ___ 4800 NEW WINDSOR (TN)
- ___ 2800 DEERPARK (TN) ___ 5089 TUXEDO (TN)
- ___ 3089 GOSHEN (TN) ___ 5001 TUXEDO PARK (VLG)
- ___ 3001 GOSHEN (VLG) ___ 5200 WALKKILL (TN)
- ___ 3003 FLORIDA (VLG) ___ 5489 WARWICK (TN)
- ___ 3005 CHESTER (VLG) ___ 5401 FLORIDA (VLG)
- ___ 3200 GREENVILLE (TN) ___ 5403 GREENWOOD LAKE (VLG)
- ___ 3489 HAMPTONBURGH (TN) ___ 5405 WARWICK (VLG)
- ___ 3401 MAYBROOK (VLG) ___ 5600 WAWAYANDA (TN)
- ___ 3689 HIGHLANDS (TN) ___ 5889 WOODBURY (TN)
- ___ 3601 HIGHLAND FALLS (VLG) ___ 5801 HARRIMAN (VLG)
- ___ 3889 MINISINK (TN) ___ 5809 WOODBURY (VLG)
- ___ 3801 UNIONVILLE (VLG)
- ___ 4089 MONROE (TN)
- ___ 4001 MONROE (VLG)
- ___ 4003 HARRIMAN (VLG)
- ___ 4005 KIRYAS JOEL (VLG)
- ___ 0900 MIDDLETOWN
- ___ 1100 NEWBURGH
- ___ 1300 PORT JERVIS
- ___ 9999 HOLD

NO. PAGES 3 CROSS REF. 1
CERT. COPY ADD'L X-REF. 1
MAP# PGS.

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

Taxable
CONSIDERATION \$
TAX EXEMPT
Taxable
MORTGAGE AMT. \$

MORTGAGE TAX TYPE:

- ___ (A) COMMERCIAL/FULL 1.05%
- ___ (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

Kar-Vin

RECORDED/FILED
10/14/2011/ 10:26:59
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20110090920
SAT MTG / BK 13235PG 1174
RECORDING FEES 56.00
Receipt#1368275 nr1



(Signature)

NY 015 - Satisfaction of Mortgage - Individual or Corporation (NYBTU 8035)

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

Know All Men by These Presents,

Insert residence, if individual, or principal office if corporation, giving street and street number.

that **Robert Roth residing at 112 Shaft Road, Gardiner, New York 12525**

DOES HEREBY CERTIFY that a certain indenture of Mortgage **IS PAID**, and does hereby consent that the same be discharged of record.

Mortgage dated the ²⁸~~17~~th day of ^{September}~~December~~, in the year ²⁰⁰⁰~~2009~~, made by

Lake View Enterprises, LLC, James Carter, and Tori Buell Carter f/k/a Tori Ann Buell to

Walden Federal Savings and Loan Association

in the principal sum of \$ **300,000.00** and recorded on the ^{4th}~~30th~~ day of **October**, in the year **2000**

in Liber/Reel ⁷⁴⁷²~~7472~~ of Section ⁸⁰⁰⁵~~8005~~ of Mortgages, at page ~~300~~, in the office of the ³⁰¹~~301~~

Orange County Clerk's Office of the County of **Orange**, as modified by Agreement dated 5/1/07 and recorded 7/24/07 in Liber 12492 Page 1081 as assigned to ROBERT ROTH by Assignment dated 12/17/09 and ~~simultaneously~~ recorded herewith.

Tax Map Designation

District

Section

Block

Lot(s)

33

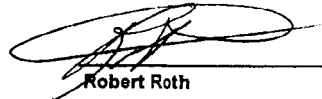
1

26.1

Mortgage Assignments

further which mortgage has not been assigned of record.

IN PRESENCE OF:


Robert Roth

Section 321 of the Real Property Law expressly provides who must execute the certificate of discharge in specific cases and also provides, among other things, that (1) no certificate shall purport to discharge more than one mortgage, (except that mortgages affected by instruments of consolidation, spreader, modification or correction may be included in one certificate if the instruments are set forth in detail in separate paragraphs); (2) if the mortgage has been assigned, in whole or in part, the certificate shall set forth: (a) the date of each assignment in the chain of title of the person or persons signing the certificate, (b) the names of the assignor and assignee, (c) The interest assigned, and (d) if the assignment has been recorded, the book and page where it has been recorded or the serial number of such record, or (e) if the assignment is being recorded simultaneously with the certificate of discharge, the certificate of discharge shall so state, and (f) if the mortgage has not been assigned of record, the certificate shall so state; (3) if the mortgage is held by any fiduciary, including an executor or administrator, the certificate of discharge shall recite the name of the court and the venue of the proceedings in which his appointment was made or in which the order or decree vesting him with such title or authority was entered.

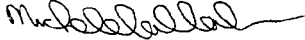
USE ACKNOWLEDGMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of **Orange** } ss.:

On the **12th** day of **February** in the year **2010** before me, the undersigned, personally appeared

Robert Roth

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



MICHELE M. CALLAHAN
Notary Public, State of New York
No. 01 CA8083978
Qualified in Orange County
Commission Expires November 28, 2012

ACKNOWLEDGMENT FORM FOR USE WITHIN NEW YORK STATE ONLY:
(New York Subscribing Witness Acknowledgment Certificate)

State of New York, County of _____ } ss.:

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number, if any, thereof); that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

USE ACKNOWLEDGMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____ } ss.:

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY
(Out of State or Foreign General Acknowledgment Certificate)

..... } ss.
(Complete Venue with State, Country, Province or Municipality)

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/ their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

(Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).

SATISFACTION OF MORTGAGE

TITLE No. **091263**

Robert Roth

TO

Lake View Enterprises, LLC, James Carter
and Tori Buell Carter f/k/a Tori Ann Buell

DISTRICT
SECTION **33**
BLOCK **1**
LOT **26.1**
COUNTY OR TOWN **Orange**
343 Lakeside Road, Newburgh, New York 12550

RECORDED AT REQUEST OF

RETURN BY MAIL TO

JOSEPH P. RONES
Finkelstein & Partners, LLP
1279 Route 300, PO Box 1111
Newburgh, New York 12551

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

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

3045-23

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/10/2023

Application No. 23-0467

To: Lake View Enterprises LLC
343 Lakeside Rd
Newburgh, NY 12550

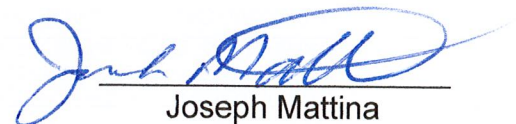
SBL: 33-1-26.1
ADDRESS: 343 Lakeside Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 05/03/2023 for permit to allow the expansion of a non-conforming business and non-conforming building on the premises located at 343 Lakeside Rd is returned herewith and disapproved on the following grounds:

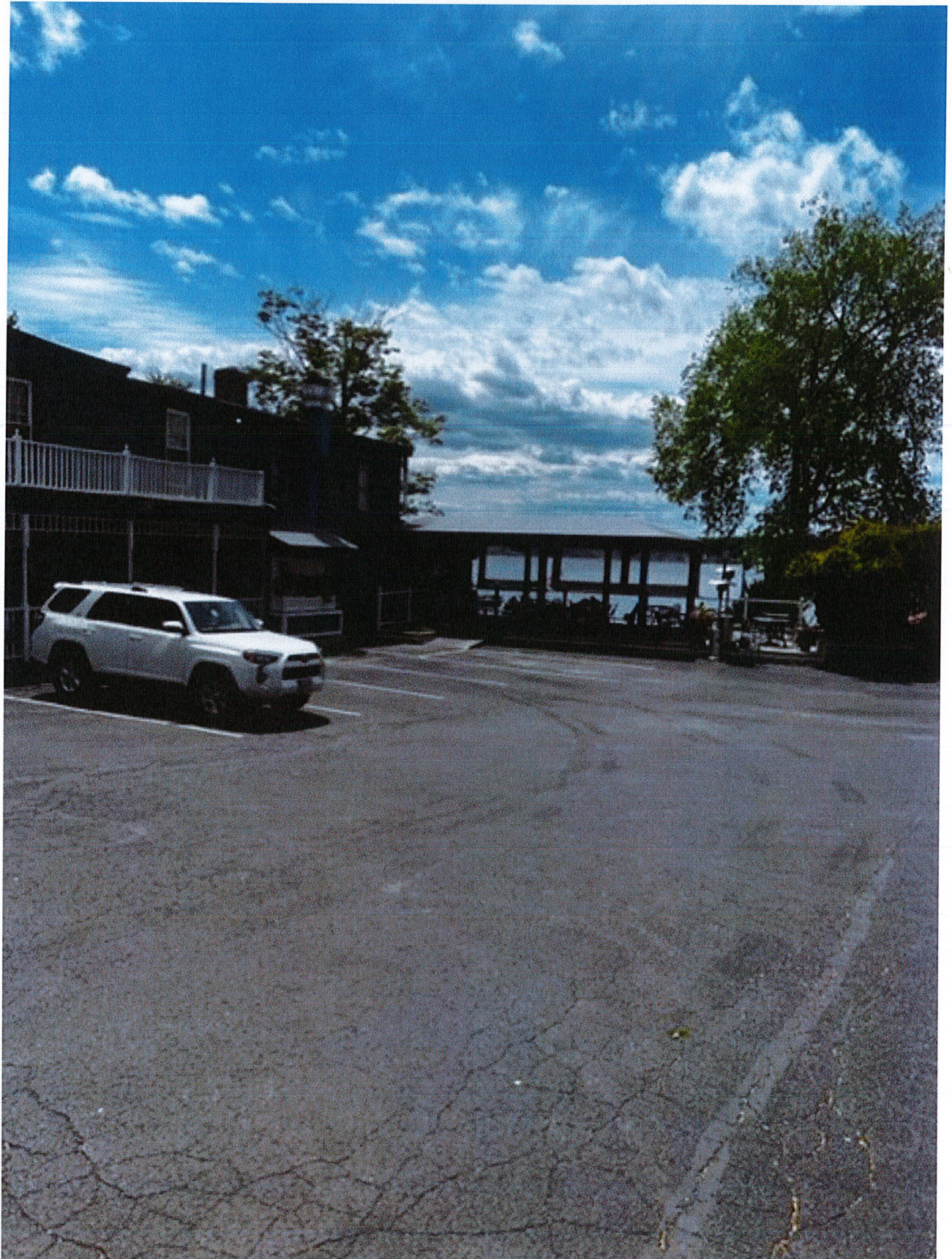
Town of Newburgh Municipal Code:

- 1) 185-19-A. (1) Alterations. A nonconforming use shall not be enlarged, extended, reconstructed or restored, except in accordance with Subsection B(2) herein, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter, nor shall any external evidence of such use be increased by any means whatsoever.
- 2) 185-19-B. Nonconforming buildings. A nonconforming building or a building housing a nonconforming use shall not be modified in any way described below, except as provided in Subsection C below:


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File











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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Joseph Flynn, being duly sworn, depose and say that I did on or before

June 8, 2023, post and will thereafter maintain at

343 Lakeside Rd 33-1-26.1 R1 Zone in the Town of Newburgh, New York, at or near the front


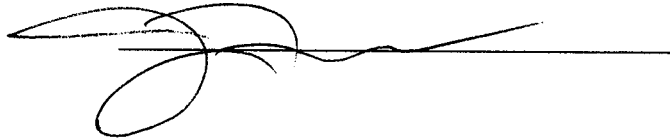
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which

notice was in the form attached hereto.

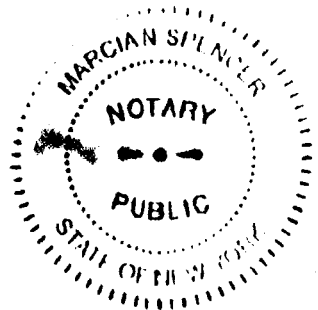
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the 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 6th

day of June, 2023.



MARCIAN SPENCER
Notary Public - State of New York
NO. 01SP6378620
Qualified in Orange County
My Commission Expires Jul 30, 2026





343

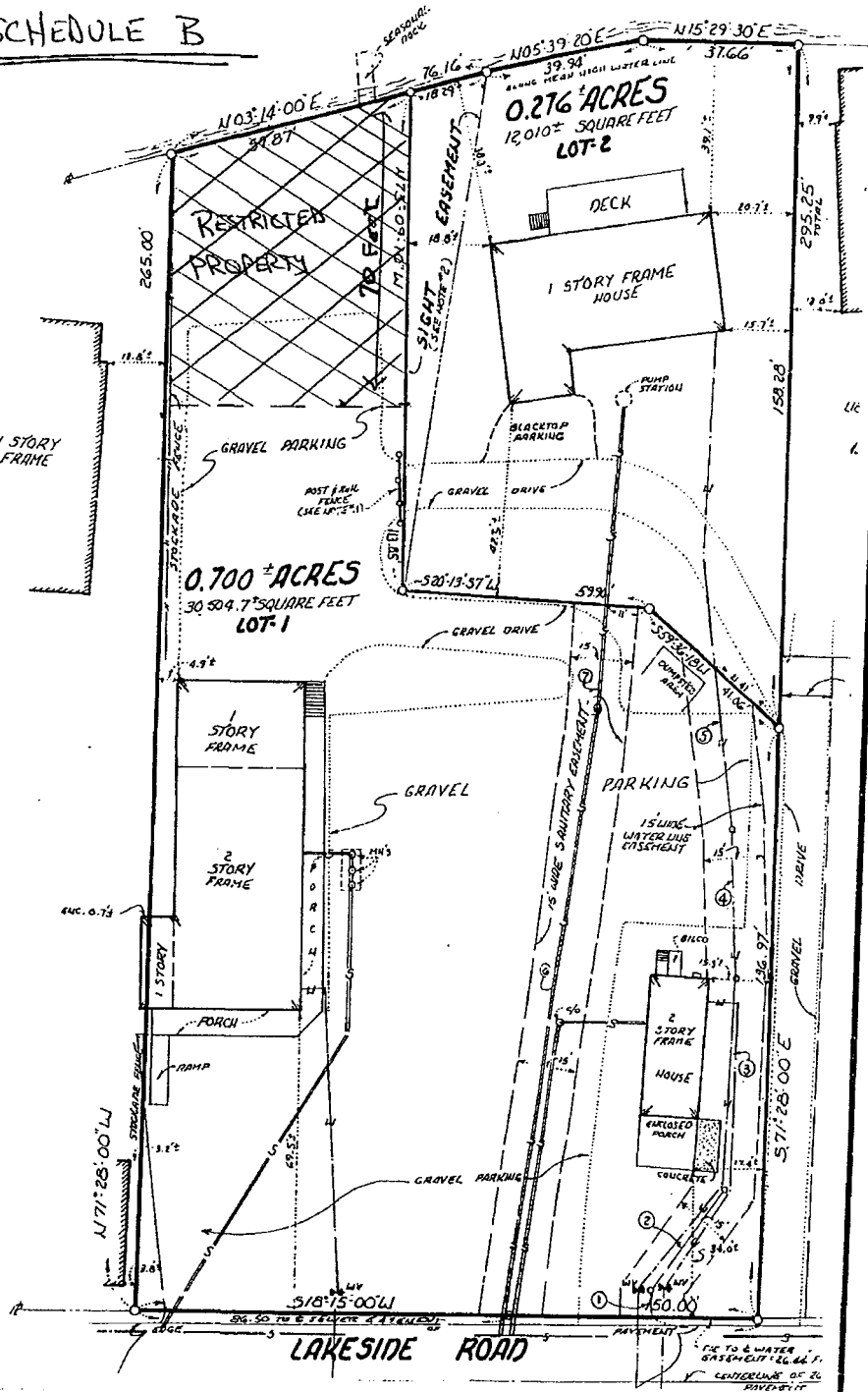
NOTICE
The following information is provided for your information:
1. The property is located at 343 [Address]
2. The property is currently vacant.
3. The property is being offered for sale.
4. The sale price is \$[Price]
5. The sale is subject to the terms and conditions of the listing agreement.
6. The sale is subject to the approval of the local government.
7. The sale is subject to the approval of the lender.
8. The sale is subject to the approval of the title company.
9. The sale is subject to the approval of the attorney.
10. The sale is subject to the approval of the court.

SCHEDULE B

DR 1114

LIBER 5381 PAGE 154

MR CARUSO
LIBER 2214 PAGE 1043



PIPE TO & WATER
STATION 12.62 FT.
CENTERLINE OF RIVER