



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: 10/12/2020

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

I (WE) EDWARD J. CONKLIN TRUST PRESENTLY

RESIDING AT NUMBER 439 JACKSON AVE. NEW WINDSOR, NY 12553

TELEPHONE NUMBER 845-742-1710

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:

98-1-20.-1 (TAX MAP DESIGNATION)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185 ATTACHMENT 13 SCHEDULE 8



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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: 09/11/2020

4. DESCRIPTION OF VARIANCE SOUGHT: _____

(SEE ATTACHMENT A) next here

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:
BASED ON REQUIRED SETBACKS FOR PERMITTED COMMERCIAL USES, ONLY A 600 SF BUILDING WOULD BE PERMITTED
(SEE ATTACHMENT B)
(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 RESIDENCE IS EXISTING AND BOTH ADJACENT LOTS,
ALSO IN THE IB ZONE, CONTAIN RESIDENCES.
- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:
ALL LOTS FRONTING ON RIDGEVIEW DR. CONTAIN EXISTING RESIDENCES.

ATTACHMENT A

Use Variance;

To continue existing residential use in an IB Zone.

Area Variances; House

One side yard: 9.7' (15' is required)

Two side yards: 15.1' (30' is required)

Area Variances; Shed

H: Side yard: 1' (5' is required)



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d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:
THE RESIDENCE WAS BUILT IN 1955, PRIOR TO THE
ZONING CODE.

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:
ALL STRUCTURES ARE EXISTING AND SIMILIAR TO OTHERS
ON RIDGEVIEW AVE.

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 LOT IS CURRENTLY 10,000 SF AND WILL BE 14,000 SF
AFTER THE LOT LINE CHANGE.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:
THE PROPOSAL SUBSTANCIALY REDUCES THE LOT AREA
DEFICIENCY AND ALL OTHER VARIANCES ARE FOR EXISTING
STRUCTURES.

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

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:
THE RESIDENCE PREDATES ZONING.



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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 24 DAY OF September, 2020

NOTARY PUBLIC

JAYNE P. MUIR
Notary Public, State of New York
Qualified in Orange County
Registration No. 01MU6099304
Commission Expires September 29, 2023

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)



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PROXY

Edward J. Conklin Trust _____, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 439 Jackson Avenue New Windsor, NY 12553

IN THE COUNTY OF Orange AND STATE OF New York

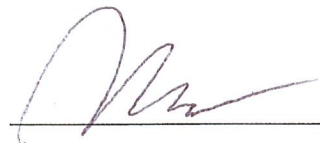
AND THAT HE/SHE IS THE OWNER IN FEE OF _____

6 Ridgeview Drive, Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Charles Brown/Talcott Engineering
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/24/2020 

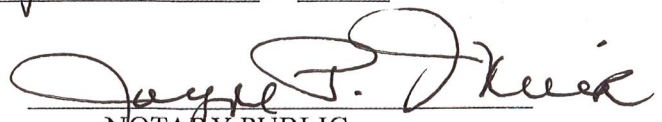
OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 24 DAY OF September 2020


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AND THAT HE/SHE IS THE OWNER IN FEE OF _____

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NOTARY PUBLIC

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Registration No. 01MU6099304
Commission Expires September 29, 2023

Short Environmental Assessment Form

Part 1 - Project Information

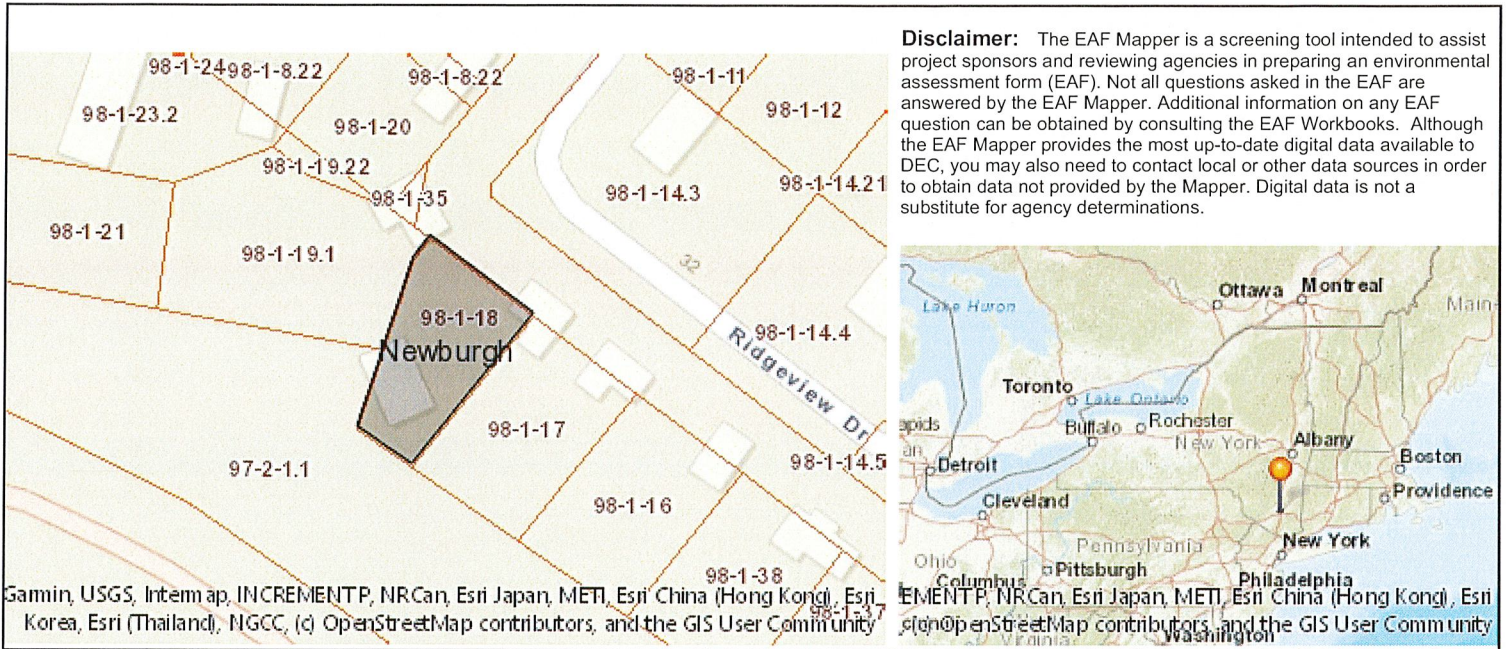
Instructions for Completing

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: CONKLIN VARIANCES		TED # 20264-MEV	
Project Location (describe, and attach a location map): 6 RIDGEVIEW DR., NEWBURGH, NY 12550			
Brief Description of Proposed Action: VARIANCES FOR EXISTING STRUCTURE REQUIRED DUE TO LOSING PROTECTION BECAUSE OF A LOT LINE CHANGE.			
Name of Applicant or Sponsor: EDWARD CONKLIN		Telephone: 845-742-1710	
		E-Mail:	
Address: 439 JACKSON AVE.			
City/PO: NEW WINDSOR		State: NY	Zip Code: 12553
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 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: LOT LINE CHANGE APPROVAL FROM PLANNING BOARD			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.32 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.32 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<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: _____	NO	YES	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<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: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

99 Clinton Street
Montgomery, NY 12549
845-565-5600



October 14, 2020

Mr. Charles Brown
Talcott Engineering Design, PLLC
1 Gardnertown Road
Newburgh, NY 12550

RE: Impact of value - 6 Ridgeview Drive, Newburgh, NY 12550

Dear Mr. Brown:

On October 14, 2020, I inspected the property at 6 Ridgeview Drive, Newburgh, NY, also known on the Orange County tax rolls as Section 98, Block 1, Lot 20-1.

The subject is a 1,630 square foot Ranch style home with three bedrooms and two baths. The home was constructed in 1955 on a one quarter of an acre lot serviced by town water and sewer. The home is in good condition and has been well maintained.

The current zoning of the property is an IB zone. It is my understanding in order to be compliant to the zoning the improvement would need to be reduced to 600 square feet because of density and setbacks and the use would need to be changed to a commercial use. The economic impact of this change would be deleterious to the value of the property. The rental value (see below) would be diminished substantially.

Current rental value for the Property as it stands is \$1,800.00 per month.

Proposed rental value if made to conform to present zoning would be \$700.00 per month.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. Holmes', written over a horizontal line.

Robert S. Holmes
Associate Real Estate Broker

9 Bert Crawford Road
Middletown, NY 10940
Office: 845-610-6065
Fax: 845-343-7326

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

EDWARD CONKLIN as Trustee TO IRA D. CONKLIN, III,

P/O SECTION 98 BLOCK 1 LOT 20

RECORD AND RETURN TO: (name and address)

Jeanne N. Tully, Esq. Drake, Sommers, Loeb, Tarshis, Catania & Liberth 1 Corwin Court, P.O. Box 1479 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

1041283

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

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

NO PAGES 4 CROSS REF. CERT. COPY ADD'L X-REF. MAP# PGS.

PAYMENT TYPE: CHECK CASH CHARGE NO FEE

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

- 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: Kar Vin

STATE OF NEW YORK (COUNTY OF ORANGE) SS: I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE ON AND THE SAME IS A CORRECT TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

November 29, 2004

September 28, 2000 Amy G. Rabbitt

RECORDED/FILED 11/29/2004/ 11:57:55 DONNA L. BENSON County Clerk ORANGE COUNTY, NY

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY

FILE # 20040137101 DEED R / BK 11682 PG 1719 RECORDING FEES 117.00 TT# 004618 T TAX 0.00 Receipt#348355 frances



041283

BARGAIN & SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the 4th day of November, Two Thousand Four
BETWEEN

EDWARD J. CONKLIN, as Trustee of the Edward J. Conklin Revocable Trust
dated September 8, 1999, residing at 6 Ridgeview Drive, Newburgh, New York 12550

party of the first part, and

IRA D. CONKLIN, III, residing at 443 Jackson Avenue, New Windsor, New
York 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100
(\$10.00) DOLLARS, lawful money of the United States and other good and valuable
consideration paid by the party of the second part, does hereby grant and release unto the
party of the second part, the heirs or successors and assigns of the party of the second part
forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements
thereon erected, situate, lying and being in the Town of Newburgh, County of Orange,
and State of New York, being further bounded and described in Schedule A attached
hereto.

Being and intended to be a portion of the same premises conveyed to the party of the first
part in a certain deed by IRA D. CONKLIN & SONS, INC. dated October 25, 2000 and
recorded in the office of the Orange County Clerk on November 3, 2000 in Liber 5999 of
deeds at Page 62.

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

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

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

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

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

payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

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

IN PRESENCE OF:

EDWARD J. CONKLIN REVOCABLE TRUST



By: Edward J. Conklin, as Trustee

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

On the 4th day of November, 2004, before me, the undersigned, a notary public in and for said state, personally appeared EDWARD J. CONKLIN personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name 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.


Notary Public

JEANNE N. TULLY
Notary Public, State of New York
No. 02TU8032043
Qualified in Orange County
Commission Expires October 18, 2005

00:49 FROM:DOCE ASSOCIATES

*B45561170

TO:5651999

P.3

**DESCRIPTION
LANDS TO BE CONVEYED
FROM
EDWARD CONKLIN AS TRUSTEE
TO
IRA D. CONKLIN III**

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

BEGINNING at a point, said point being the most westerly corner of **LLC PARCEL #3** as shown on a map entitled "**LOT LINE CHANGES, LANDS OF IRA D. CONKLIN III ET AL**", filed in the Orange county Clerk's Office October 8, 2004 as Map No. 739-04; thence, from said point of beginning and through the lands of Edward Conklin, South 50 degrees 16 minutes 00 seconds West 20.64 feet and North 39 degrees 44 minutes 00 seconds West 66.00 feet to a point in the newly established division line between **LLC PARCEL #4**, of the aforesaid filed Map No. 739-04, on the southwest and **LLC PARCEL #2**, of the same filed map, on the northeast; thence, along the last said division line, South 57 degrees 06 minutes 06 seconds East 69.15 feet to the point or place of beginning, containing 681 square feet of land more or less.

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



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

Ira S. Conklin & Sons Inc
TO
Edward J. Conklin as Trustee of
The Edward J. Conklin Revocable
Trust dated 9/8/99

SECTION 98 BLOCK 1 LOT 20

RECORD AND RETURN TO:
(Name and Address)

DRAKE SOMMERS LOEB TARSHIS & CATANIA PLLC
ONE CORWIN COURT
PO BOX 1479
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

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

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- | | |
|---|--|
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| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
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| <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) |
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| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALLKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
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| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <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 _____

CONSIDERATION \$ 0
TAX EXEMPT _____

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: *Drake Sommers*

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, G. RABBITT, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS,
ORANGE COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE
ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE ON November 03, 2000
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

LIBER 5399 PAGE 62

September 28, 2000
G. Rabbit

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY
LIBER 5399 PAGE 62

ORANGE COUNTY CLERKS OFFICE 61131 JUL
RECORDED/FILED 11/03/2000 12:21:46 PM
FEES 44.00 EDUCATION FUND 5.00
SERIAL NUMBER: 003366
DEED CNTL NO 64753 RE TAX .00

Bargain & sale deed, with covenant against grantor's acts -Ind. or Corp.

THIS INDENTURE, made the 25th day of October, two thousand
BETWEEN

Ira D. Conklin & Sons Inc, a New York corporation with offices for the transaction of
business at 94 Stewart Avenue, Newburgh, New York 12550, party of the first part, and

Edward J. Conklin as Trustee of the Edward J. Conklin Revocable Trust dated 9/8/99, 6
Ridgeview Drive, Newburgh, New York 12550, party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100
(\$10.00) DOLLARS, lawful money of the United States and other good and valuable
consideration paid by the party of the second part, does hereby grant and release unto the
party of the second part, the heirs or successors and assigns of the party of the second part
forever,

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

Beginning at a point in the northwesterly side of a proposed road, said point being distant
332.35' on course of S50° 16' W along the northwest side of said road from a point in
Stewart Avenue, said point also being distant 49.44' on a course of S71° 01' E from the
easterly corner of the frame house located on the lot herein described and runs thence
along the northwesterly side of said proposed road S50° 16' W for 100' to a point, which is
distant 96.12' on a course of N10° 51' E from a cross cut in a stone at the corner of walls
in the division line between lands of Ira D. Conklin and lands of John A. Snyder thence at
right angles to said road N39° 44' W for 100'; then parallel with said road N50° 16' E for
100'; thence at right angles to the last described line S39° 44' E for 100' to the place of
beginning.

Subject to grants, easements, covenants, zoning ordinances, and restrictions of record.

Being and intended to be the same premises conveyed in a certain deed dated 6/7/90 by
Mario Giaimo and Jane Martha Giaimo to Ira D. Conklin & Sons Inc. and recorded in the
office of the Orange County Clerk in Liber 3321 of deeds at page 149 on 7/19/90.

This transaction is being made in the usual course of business actually conducted by the
grantor corporation and does not constitute a sale, transfer, or alienation of all or
substantially all of the assets of said corporation. This conveyance is authorized by the
Board of Directors and no other consent is required.

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

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

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

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

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

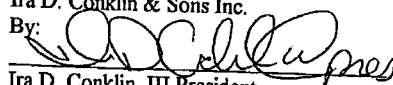
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Ira D. Conklin & Sons Inc.

By:


Ira D. Conklin, III President

STATE OF NEW YORK)
COUNTY OF Orange) SS:

On the 25 day of October, 2000, before me, the undersigned, a notary public in and for said state, personally appeared Ira D. Conklin III, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name 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.

DONNA M. CONKLIN
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Orange County
Reg. #4630191
My Comm. Expires March 30, 2001


Notary Public

**BARGAIN AND SALE
WITH COVENANT AGAINST GRANTOR'S ACTS**

Ira D. Conklin & Sons Inc
to
Edward J. Conklin as Trustee of the Edward J. Conklin
Revocable Trust dated 9/8/99

SECTION 98
BLOCK 1
LOT 20
COUNTY/TOWN/CITY
Orange/Newburgh

RETURN BY MAIL TO:
Steven L. Tarshis Esq.
PO Box 1479
Newburgh, NY 12550
File #5906-46199

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

BY EMAIL ONLY

September 18, 2020

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

Re: Miller Environmental Site Plan and Lot Line Changes; Planning Board Project No. 2019-27

Dear Chairman Scalzo and Board Members:

At the Planning Board's September 17, 2020 meeting, the Planning Board resolved to refer this application to the Zoning Board of Appeals for its consideration of the variances required for this project. The subject parcel is a 10.86 acre lot, owned by First State Water LLC, and located at 77 Stewart Avenue. The property is located in the IB zoning district, and contains an existing commercial building that is predominated a treatment facility with a garage.

The proposal is to build a 3,540 square foot steel building over an existing concrete tank vault, and a 3,612 sf steel building for drum containment and drum storage. Also, two lot line changes are proposed to mitigate encroachments.

As you know, it is the policy of the Town of Newburgh that all pre-existing non conforming bulk requirements lose protection upon modifications to the lot lines. All pre-existing nonconformities on each of the lots will require variances.

A review of the plan identifies the following variances required:

Miller Environmental Lot # 27.2:

- a) Proposed enclosed drum containment pad: (A)14.2 proposed, where 30 foot side yard is required.
- b) Proposed tank enclosure: (B)11.93 feet provided, where 30 foot side yard required.
- c) Existing office garage: (C) 9.14 feet provided, where 30 foot side yard required.
- d) Existing building and ramp: (D) 6.14 provided, where 30 foot side yard required.
- e) Existing material storage building: (E) Currently -2.8 encroachment to be addressed by lot line, 5 feet provided, where 30 feet is required.
- f) Existing shed: (F) 13.9 feet provided where 30 feet is required.

We note that no accessory structures are provided for with commercial site plans. All structures must comply with required setbacks.

Lot #18:

- a) 39.49 foot front yard provided where 40 feet are required.
- b) 14.83 foot side yard provided, where 15 feet are required.
- c) Minimum lot area (after lot line): 14,107 square feet where 15,000 square feet is required.

Lot #20.1:

- a) 9.7 foot side yard provided, where 15 feet are required.
- b) 15.1 both side yards provided, where 30 feet is required.
- c) Maximum lot building coverage: 88% existing, 63% after lot line change, where 25% maximum permitted.
- d) Minimum lot area(after lot line): 14,000 square feet, where 17,500 square feet is required.

Existing Shed (Building H):

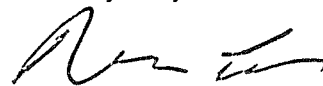
- a) 1.18 feet provided, where 5 foot accessory structure required.

The above list may not be exhaustive, as there may be other variances required due to the complexity of the overall proposal. In addition, the residence on Lot 20.1 is located in the IB zone, where it is a preexisting nonconforming use in that zone. The Zoning Board of Appeals should determine whether a use variance will be required for that residence given the proposed modification to the lot line for that lot.

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 SEQRA review.

Thank you for your consideration of this matter.

Very Truly Yours



Dominic Cordisco

cc:

David A. Donovan, Esq., Attorney for the ZBA
Town of Newburgh Planning Board
Patrick J. Hines, Planning Board Consulting Engineer

99 Clinton Street
Montgomery, NY 12549
845-565-5600



October 14, 2020

Mr. Charles Brown
Talcott Engineering Design, PLLC
1 Gardnertown Road
Newburgh, NY 12550

RE: Impact of value - 6 Ridgeview Drive, Newburgh, NY 12550

Dear Mr. Brown:

On October 14, 2020, I inspected the property at 6 Ridgeview Drive, Newburgh, NY, also known on the Orange County tax rolls as Section 98, Block 1, Lot 20-1.

The subject is a 1,630 square foot Ranch style home with three bedrooms and two baths. The home was constructed in 1955 on a one quarter of an acre lot serviced by town water and sewer. The home is in good condition and has been well maintained.

The current zoning of the property is an IB zone. It is my understanding in order to be compliant to the zoning the improvement would need to be reduced to 600 square feet because of density and setbacks and the use would need to be changed to a commercial use. The economic impact of this change would be deleterious to the value of the property. The rental value (see below) would be diminished substantially.

Current rental value for the Property as it stands is \$1,800.00 per month.

Proposed rental value if made to conform to present zoning would be \$700.00 per month.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. Holmes', written over a horizontal line.

Robert S. Holmes
Associate Real Estate Broker

9 Bert Crawford Road
Middletown, NY 10940
Office: 845-610-6065
Fax: 845-343-7326









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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Harley Geary, being duly sworn, depose and say that I did on or before

November 10, 2020, post and will thereafter maintain at

6 Ridgview Dr 98-1-20.1 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.

Harley Geary

Sworn to before me this 23

day of October, 2020.

STATE OF NEW YORK
COUNTY OF ORANGE
ON THIS 23 DAY OF October, 2020
BEFORE ME PERSONALLY APPEARED

Harley Geary
TO ME PERSONALLY KNOWN TO BE THE PERSON
DESCRIBED IN AND WHO EXECUTED THE FOREGOING
DOCUMENT

Joseph P. Pedi
NOTARY PUBLIC

JOSEPH P. PEDI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PE6370913
Qualified in Orange County
Commission Expires February 12, 2022

