



TOWN OF NEWBURGH

Crossroads of the Northeast

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

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: _____
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: August 12, 2021

4. DESCRIPTION OF VARIANCE SOUGHT: AREA VARIANCE

REAR YARD (60 VS 46FT) & SIDE YARD (50 VS 23FT) SETBACK

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:

No new structures or modification to existing structures is proposed. No new sign is proposed. Hence there is no potential of any detrimental effect on the neighborhood.

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 building structure has been existing for over 30 years and there is no other feasible means to rectify the rear and side yard deficiency.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

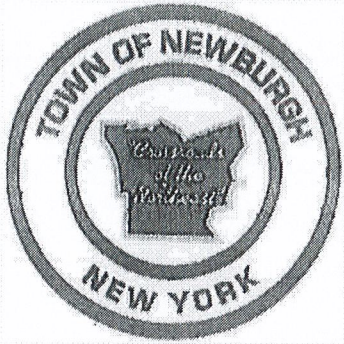
No substantial physical changes are proposed to the structures at the property.

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

No new structures or modification to existing structures is proposed. Hence no adverse effect is anticipated.

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

The rear & side yard deficiency has been existing for years and the proposal does not increase the non-compliance.



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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

[Handwritten signatures]

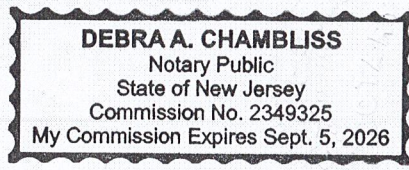
PETITIONER (S) SIGNATURE

^(DAC) NEW JERSEY MORRIS ^(DAC)
STATE OF ~~NEW YORK~~ COUNTY OF ORANGE:

SWORN TO THIS 4th DAY OF OCTOBER 20 21

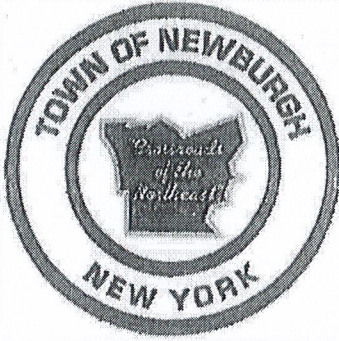
Debra A. Chambliss

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

Crossroads of the Northeast

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

PROXY

Sanil Shah, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 427 South Plank Road
IN THE COUNTY OF Orange AND STATE OF New York
AND THAT HE/SHE IS THE OWNER IN FEE OF 427 South Plank Road

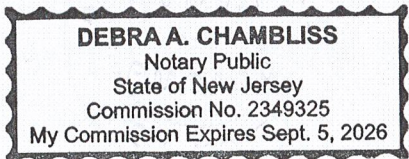
WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Manojkumar Patel, PE
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 10/4/2021 *[Signature]*
OWNER'S SIGNATURE

Debra A. Chambliss
WITNESS' SIGNATURE

NEW JERSEY ^(DAC) COUNTY OF MORRIS ^(DAC)
~~STATE OF NEW YORK~~ COUNTY OF ~~ORANGE~~:
SWORN TO THIS 4th DAY OF OCTOBER 2021

Debra A. Chambliss
NOTARY PUBLIC



617.20
Appendix B
Short Environmental Assessment Form

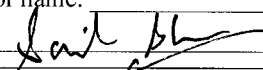
Instructions for Completing

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: Orange Lake Rentals | | | |
| Project Location (describe, and attach a location map): 427 South Plank Road, Newburgh, NY 12550 | | | |
| Brief Description of Proposed Action: Proposed U-haul(Motor Vehicle) Rental business at an existing business, improve existing vacant area with a 60ft x 60ft paved parking area. No new building structure or facility proposed. | | | |
| Name of Applicant or Sponsor: Sanil Shah | | Telephone: 845-234-8867 | |
| | | E-Mail: orangelakerentals@gmail.com | |
| Address: 427 South Plank Road | | | |
| 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 X |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Newburgh Planning Board, Building Dept | | | NO X |
| 3.a. Total acreage of the site of the proposed action? | | 6.02 +/- acres | |
| b. Total acreage to be physically disturbed? | | 0.083 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 6.02 +/- acres | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland | | | |

| | | | |
|---|----|-----|-----|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? | NO | YES | N/A |
| | | X | |
| b. Consistent with the adopted comprehensive plan? | | X | |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | | | X |
| 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 | |
| | | X | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | NO | YES | |
| | | X | |
| | | | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | | X | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | | X | |
| 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 | |
| | | X | |
| 10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____ _____ | NO | YES | |
| | | X | |
| 11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____ _____ | NO | YES | |
| | | X | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | NO | YES | |
| | | X | |
| b. Is the proposed action located in an archeological sensitive area? | | X | |
| 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? | NO | YES | |
| | | X | |
| | | | |
| 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: _____ _____ _____ | | X | |
| | | | |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input 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 | |
| | | X | |
| 16. Is the project site located in the 100 year flood plain? | NO | YES | |
| | | X | |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES | NO | YES | |
| | | X | |
| | | | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____ | | | |

| | | |
|--|----------------------|-----|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ | NO | YES |
| | X | |
| 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 |
| | X | |
| 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 |
| | X | |
| I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE | | |
| Applicant/sponsor name: Sanil Shah | Date: <u>10-4-21</u> | |
| Signature:  | | |

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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? | | |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | | |
| 3. Will the proposed action impair the character or quality of the existing community? | | |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | | |
| 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? | | |
| 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? | | |
| 7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities? | | |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | | |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | | |

| | No, or small impact may occur | Moderate to large impact may occur |
|---|-------------------------------|------------------------------------|
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | | |
| 11. Will the proposed action create a hazard to environmental resources or human health? | | |

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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) |

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

98-0-1152 Stellar Abstract
1229 Route 300
Newburgh, NY 12550
(914) 567-6262 FAX 567-6718

Chandrakala Patel, as Devisee of
the LW&T of Arvind Patel, dec'd

TO

Shobhana Motel & Resorts, Inc.
d/b/a Orange Lake Motel

SECTION 47 BLOCK 1 LOT 39.2

RECORD AND RETURN TO:
(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

Todd A. Kelson, Esq.
254 Route 17K
Newburgh, N.Y. 12550

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) |
| <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 |

NO. PAGES 1 CROSS REF
CERT. COPY AFFT. FILED

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

CONSIDERATION \$ 210,000
TAX EXEMPT

MORTGAGE AMT \$
DATE 6-2-98

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

Donna L. Benson

DONNA L. BENSON
Orange County Clerk

RECEIVED FROM: *Stella*

LIBER 4799 PG 236

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 June 4, 1998
AND THE SAME IS A CORRECT TRANSCRIPT THEREOF.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

September 27, 2021
Ann G. Rabbitt

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY, NEW YORK
LIBER 4799 PG 236

ORANGE COUNTY CLERKS OFFICE 31522 MLV
RECORDED/FILED 06/04/98 02:01:03 PM
FEES 47.00 EDUCATION FUND 5.00
SERIAL NUMBER: 008364
DEED CNTL NO 56724 RE TAX 1040.00

T 691

Standard N.Y. R.T.U. Form 8992: Bargain & sale deed, with covenant against grantor's acts—Ind. or Corp.: single sheet

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS

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

THIS INDENTURE, made the 2nd day of June, nineteen hundred and ninety-eight

BETWEEN

CHANDRAKALA PATEL, as Devisee of the LAST WILL AND TESTAMENT OF ARVIND PATEL, DECEASED, residing at: Orange Lake Motel, Route 52, Newburgh, New York 12550,

party of the first part, and

SHOBHANA MOTEL & RESORTS, INC., d/b/a ORANGE LAKE MOTEL, a New York Corporation with its principal place of business at Orange Lake Motel, 427 South Plank Road, Newburgh, New York 12550,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other 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, Orange County, New York, being a portion of the premises described in a Deed dated October 1, 1985, made by K. L. MITTAL to ARVIND PATEL, and recorded in the Orange County Clerk's Office on the 7th day of October, 1985, in Liber 2421 of Deeds at page 352, more particularly described on Schedule "A" annexed hereto and made a part hereof.

SAID PREMISES are shown on the Tax Map of the Town of Newburgh as Section 47, Block 1, Lot 39.2.

SUBJECT to a Purchase Money Mortgage made by the grantee herein to Chandrakala Patel and Dipti Patel, as joint tenants, securing the sum of \$205,000.00 and interest.

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:

CHANDRAKALA PATEL

STATE OF NEW YORK, COUNTY OF SULLIVAN SS:
On the 2nd day of June, 19 98, before me
personally came
CHANDRAKALA PATEL,

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

[Handwritten signature]

Notary Public - State of New York

ALFRED M. GERSTMAN
Notary Public, State of New York
Sullivan County Clerk's # 747
Commission Expires August 31, 19 98

STATE OF NEW YORK, COUNTY OF SS:
On the day of 19 , before me
personally came

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

STATE OF NEW YORK, COUNTY OF SS:
On the day of 19 , before me
personally came
to me known, who, being by me duly sworn, did depose and
say that he resides at No.

that he is the ;
of

, the corporation described
in and which executed the foregoing instrument; that he
knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so
affixed by order of the board of directors of said corpora-
tion, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF SS:
On the day of 19 , before me
personally came

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

that he knows ;

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

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

CHANDRAKALA PATEL, as Devisee of the
LAST WILL AND TESTAMENT OF ARVIND
PATEL, DECEASED,
TO
SHOBHANA MOTEL & RESORTS, INC.

SECTION 47
BLOCK 1
LOT 39.2
XXXXXXXX TOWN NEWBURGH

RETURN BY MAIL TO:

TODD A. KELSON, ESQ.
254 Route 17K
Newburgh, New York 12550

Zip No.

Reserve this space for use of Recording Office.

SCHEDULE "A"

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

BEING a point at the southeast corner of South Plank Road and Lakeside Road at Orange Lake in the Town of Newburgh aforesaid, and running southerly parallel with Lakeside Road 273 feet, more or less, to a stone wall and lands owned by Sarah M. L. Fleming and Elizabeth M. Fleming, thence in an easterly direction along said stone wall and lands owned by Sarah M. L. Fleming and Elizabeth M. Fleming 372 feet, more or less, to another stone wall, and thence in a northerly direction along said stone wall and lands owned by Sarah M. L. Fleming and Elizabeth M. Fleming 258 feet, more or less, to line fence and to lands owned by mill owners, known as Powder Mill property; thence in a northwesterly direction along the stone wall and property owned by mill owners known as Powder Mill property 408 feet, more or less, to a point on South Plank or Trolley Road; thence in a westerly direction along the South Plank Road 72 feet, more or less, to the place of beginning.

EXCEPTING so much of said premises as heretofore conveyed to the County of Orange for highway purposes by Tenney C. Hyde and Pearl M. Hyde, his wife, by deed dated August 5, 1931, and recorded in the Orange County Record of Deeds on August 6, 1931, in Liber 720, at page 474, and by Anna R. Hyde, Tenney C. Hyde, and Pearl M. Hyde, his wife, by deed dated June 20, 1933 and recorded in the Orange County Record of Deeds on June 24, 1933, in Liber 740, at page 30.

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

BEGINNING at a point where the south line of the Newburgh and Ellenville Plank Road intersects the southerly right of way taking line of the change in the alignment of the road made necessary by the construction of the Walden-Newburgh State Highway Route 52, said point of beginning being distant about 203.4 feet measured along the original south line of the Newburgh and Ellenville Plank Road from the intersection of the same with the apparent center of the Lakeside Road, and runs thence along the said right of way taking line of the Walden-Newburgh State Highway Route 52 North 72° 36' West for 87.2 feet to the northeasterly boundary line of lands of Patsy Russello; thence along the northeasterly line of lands of said Patsy Russello and along lands formerly of Moses R. Fleming, South 35° 52' East 881 feet to the center line of a ditch and in the line of lands of Patton; thence along the westerly line of lands of said Patton North 27° 43' East 459.5 feet to a point where the center line of said ditch intersects the south line of the Newburgh and Ellenville Plank Road; thence along the south line of the Newburgh and Ellenville Plank Road North 66° 30' West 705 feet to the place of beginning.

EXCEPTING from the above parcels, so much of the land consisting of a parcel of property described as:

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

BEGINNING at the intersection of the East Line of Lakeside Road with the South line of South Plank Road (Route 52); thence along said South Plank Road South 66° 30' East 150.00 feet to a point, thence parallel to Lakeside Road South 31° 02' West 140.00 feet to a point; thence parallel to South Plank Road North 66° 30' West 40.00 feet to a point; thence parallel to Lakeside Road South 31

degrees, 02' West 80.00 feet to a point; thence parallel to South Plank Road North 66° 30' West 110.00 feet to the East line of Lakeside Road; thence along said Lakeside Road North 31° 02' East 220.00 feet to the point or place of beginning.

Containing 0.682 acres more or less.

BEING A PORTION OF THE PREMISES described in a Deed dated October 1, 1985, made by K.L. Mittal to Arvind Patel, recorded in the Orange County Clerk's Office on October 7, 1985, in Liber 2421 of Deeds at page 352. Arvind Patel died a resident of Orange County on 6/24/96; Orange County Surrogate's File No. 518-96. THE PREMISES HEREIN BEING SOLD are shown on the Tax Map of the Town of Newburgh as Section 47-1-39.2.

THE REMAINING PORTION OF THE PREMISES referred to in the aforesaid Deed recorded in Liber 2421 of Deeds at page 352 as Lot #95, Lot #96, and Lot #97, which premises are shown upon the Tax Map of the Town of Newburgh as Section 52-8-4, 52-8-5 and 52-8-6 are not included in this transaction.

Said premises were surveyed on June 1, 1998, by Vincent J. Doce Associates and are further described as follows:

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

BEGINNING at a point in the southeasterly line of the existing NYS Route 52, a.k.a. South Plank Road, said point being on the division line between the individual lands N/F of Dake Brothers, Inc. and the lands of the Town of Newburgh, respectively, on the southeast and the parcel herein described on the northwest; thence, along the last mentioned division line, SOUTH 26° 18' 40" WEST 442.24 feet to a point on the division line between the lands N/F of Torchia on the southwest and southeast and the parcel herein described on the northeast and northwest; thence, along the last mentioned division line, NORTH 37° 16' 20" WEST 466.80 feet and SOUTH 58° 39' 10" WEST 262.14 feet to a point on the division line between the individual lands N/F of Torchia, Darrigo and Cianchatto, respectively on the southwest and the parcel herein described on the northeast; thence, along the last mentioned division line, NORTH 40° 39' 40" WEST 360.65 feet to a point in the southeasterly line of the existing Lakeside Road; thence, along the southeasterly line of Lakeside Road, NORTH 30° 27' 15" EAST 44.04 feet to a point on the division line between the lands N/F of NLS Management, Inc. on the northeast and northwest and the parcel herein described on the southwest and southeast; thence, along the last mentioned division line the following four (4) courses:

- (1) SOUTH 67° 04' 45" EAST 110.00 feet;
- (2) NORTH 30° 27' 15" EAST 80.00 feet;
- (3) SOUTH 67° 04' 45" EAST 40.00 feet; and
- (4) NORTH 30° 27' 15" EAST 140.00 feet

to a point in the southeasterly line of the existing NYS Route 52, a.k.a. South Plank Road; thence, along the last mentioned line, SOUTH 67° 04' 45" EAST 722.66 feet to the point or place of BEGINNING containing 6.02 acres of land more or less.

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. Puglione, 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

August 12, 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: Orange Lake Motel / U-Haul Rentals / Planning Board Project No. 21-17

Dear Chairman Scalzo and Board Members:

At the Planning Board's August 5, 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.

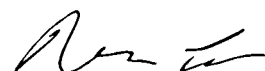
In particular, the applicant seeks site plan approval from the Planning Board to add a vehicle rental business at the existing motel site, without the addition of any new structure (the "Project"). The project requires the following area variance:

A rear yard setback variance would be required: 46 feet provided where 60 feet is required.

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

cc:

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



PHOTO 1. LOOKING WEST FROM THE FRONT OF THE PROPERTY



PHOTO 2. LOOKING EAST FROM THE FRONT OF THE PROPERTY



Photo 3. LOOKING NORTH-EAST FROM THE REAR OF THE PROPERTY



PHOTO 4. LOOKING NORTH-WEST FROM THE REAR OF THE PROPERTY

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

STATE OF NEW YORK: COUNTY OF ORANGE:

I, Sanil Shah, being duly sworn, depose and say that I did on or before

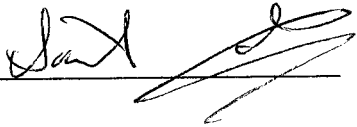
October 14, 2021, post and will thereafter maintain at

427 S Plank Rd 47-1-39.2 B 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

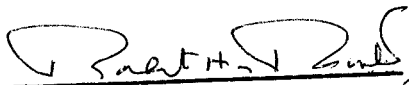
notice was in the form attached hereto.

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 13th

day of October, 2021.



Notary Public, State of New York
County of Orange

ROBERT H. RUSTON
Notary Public, State of New York
No. 01RU4995971
Qualified in Orange County
Commission Expires May 04, 2022



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

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 28th day of October, 2021 at 7:00 P.M., in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Sanil Shah (Orange Lake Motel, Planning Board Referral) for an area variance of the rear yard to add a vehicle rental business at the existing motel.

PREMISES LOCATED at 427 S Plank Rd. 47-1-32.2, R Zone to the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

BY ORDER of the Zoning Board of Appeals dated this 14th day of October, 2021.

(APPLICANT)

*Any members of the public that plan on attending the hearing are required to wear a mask.

Orange Lake
MOTEL

LOW RATE
WI FI
845 564 1770

