

DeGinby

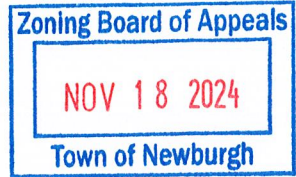


# TOWN OF NEWBURGH

*Crossroads of the Northeast*

## ZONING BOARD OF APPEALS

21 Hudson Valley Professional Plaza  
Newburgh, NY 12550



OFFICE OF ZONING BOARD  
DARRIN SCALZO, CHAIRMAN  
SIOBHAN JABLESNIK, SECRETARY

TELEPHONE 845-566-4901  
FAX LINE 845-564-7802

### APPLICATION

DATED: 9-16-2024

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

I (WE) James Polinsky PRESENTLY  
RESIDING AT NUMBER 3255 Cromford RD Yorktown NY 10598  
TELEPHONE NUMBER 914-438-3004

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:

99-4-23.22 (TAX MAP DESIGNATION)  
40 Route 17k (STREET ADDRESS)  
IB (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-14-G-1  
185-14-J-5  
185-14-N-2

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:

June 3 2024

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

\_\_\_\_\_

4. DESCRIPTION OF VARIANCE SOUGHT: ReplacE lincoln Pylon Sign

With Ford Blue Advantage Certified used Pylon Sign

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:

Route 17k has many oversized signs and our dealership is no longer a Lincoln Dealer but the Pylon signs exist on the property. It would NOT change any character in switching it to a Ford Pylon Sign

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

The Sign has been on the property for years and the hardship comes from a change in the sign 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:

So many similar signs already exist on Route  
17k

- 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 sign code has changed

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

We are matching neighboring Pylon Signs

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

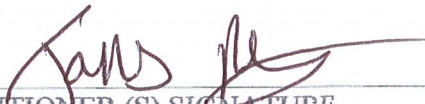
We are matching neighboring Pylon Signs

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

The Town changed the sign code

7. ADDITIONAL REASONS (IF PERTINENT):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 16 DAY OF September 20 24

  
\_\_\_\_\_  
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 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

Cosimo J Colandrea, DEPOSES AND SAYS THAT  
HE/SHE RESIDES AT 10 Burning Tree Drive, Newburgh NY 12550  
IN THE COUNTY OF Orange AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF Sunshine Ford

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

DATED: 9-16-24



OWNER'S SIGNATURE

James Foley  
WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 16 DAY OF September 2024

Edro Rly  
NOTARY PUBLIC



## Short Environmental Assessment Form

### Part 1 - Project Information

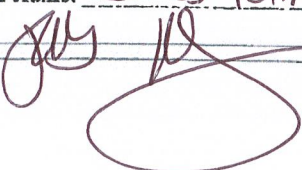
#### Instructions for Completing

**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.

<b>Part 1 - Project and Sponsor Information</b>			
Sunshine Ford			
Name of Action or Project:			
40 Route 17k Newburgh Ny 12550			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Replace existing Lincoln Pylon Sign w/ Ford Pylon Sign			
Name of Applicant or Sponsor:		Telephone: 914-438-3004	
James Polinsky - Signs Ink		E-Mail: JPC@SignsInk.com	
Address:			
3255 Crawford Road			
City/PO:		State:	Zip Code:
Yorktown		NY	10598
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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 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
	<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? -	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
	<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 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?			
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____			
	<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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			
	<input type="checkbox"/> NO <input type="checkbox"/> YES		

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>James Polinsky</u></p>		<p>Date: <u>9-16-24</u></p>
<p>Signature: </p>		



Agency Use Only [If applicable]

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [if applicable]

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.

N/A

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.

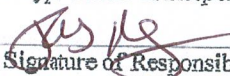
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Signs Ink IFD  
Name of Lead Agency

9-16-24  
Date

James Polinsky  
Print or Type Name of Responsible Officer in Lead Agency

Manager  
Title of Responsible Officer

  
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



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

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 15033 / 963  
 INSTRUMENT #: 20210056172

Receipt#: 2932542  
 Clerk: KP  
 Rec Date: 08/19/2021 07:07:36 AM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 6  
 Rec'd Frm: Queen City Abstract Corp,

Party1: COLANDREA COSIMO J  
 Party2: 40 ROUTE 17K LLC  
 Town: NEWBURGH (TN)  
 99-4-23.22

Recording:

Recording Fee	50.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 325.00

Transfer Tax	
Transfer Tax - State	0.00

Sub Total: 0.00

Total: 325.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 608  
 Commercial Transfer Tax  
 Consideration: 0.00

Total: 0.00

Payment Type: Check   
 Cash   
 Charge   
 No Fee

Comment: \_\_\_\_\_

STATE OF NEW YORK, COUNTY OF ORANGE ss:  
 I, Kelly A. Eskew, 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 8/19/2021 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 11/18/2024.

*Kelly A. Eskew*  
 County Clerk & Clerk of the Supreme County Courts  
 Orange County

*Ann G. Rabbitt*  
 Ann G. Rabbitt  
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

S: 99  
B: 4  
L: 23.22

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

THIS INDENTURE, made this 18th day of December, 2020,

BETWEEN COSIMO J. COLANDREA, with a mailing address of 39 Route 17K, Newburgh,  
New York 12550,

party of the first part,

and 40 ROUTE 17K, LLC, a New York Limited Liability Company, with a mailing  
address of 39 Route 17K, Newburgh, New York 12550,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS, lawful money  
of the United States, (\$10.00) 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, State of New York, as more  
particularly described in SCHEDULE A attached hereto.

BEING the same premises conveyed to the Grantor herein by 1) Deed from James S. O'Neill,  
dated October 2, 1984, and recorded October 15, 1984 in the Orange County Clerk's Office in  
Liber 2301 at page 721; 2) Deed from Michael Smyrychynski, dated November 5, 1984, and  
recorded November 7, 1984 in the Orange County Clerk's Office in Liber 2304 at page 664;  
3) Deed from Mary Griggs Giudice, dated December 24, 1984, and recorded February 21, 1985 in  
the Orange County Clerk's Office in Liber 2329 at page 125; (4) Deed from Fred W. Herrmann,  
dated April 19, 1985, and recorded April 29, 1985 in the Orange County Clerk's Office in Liber  
2354 at page 239; 5) Deed from Mary Lenox, dated March 26, 1987, and recorded April 9, 1987 in  
the Orange County Clerk's Office in Liber 2691 at page 41; 6) Deed from Marta Schwab formerly  
known as Marta Rosas, dated December 2, 1996, and recorded December 12, 1996 in the Orange  
County Clerk's Office in Liber 4495 at page 22; 7) Deed from Target Corporation, dated January 5,  
2005, and recorded March 22, 2005 in the Orange County Clerk's Office in Liber 11785 at page  
1108; 8) Deed from Gary Juster, dated January 5, 2005, and recorded March 22, 2005 in the  
Orange County Clerk's Office in Liber 11785 at page 1113;

9) Deed from Cosimo Colandrea, dated January 21, 2005, and recorded March 22, 2005 in the Orange County Clerk's Office in Liber 11785 at page 1129; 10) Deed from Guy R. LaRocca, dated December 16, 2005, and recorded January 6, 2006 in the Orange County Clerk's Office in Liber 12042 at page 865; 11) Deed from Donna M. Bilyou and Lynda L. Piper, sole heirs at law of Mary DeCerbo, dated March 28, 2007, and recorded April 23, 2007 in the Orange County Clerk's Office in Liber 12421 at page 1226; 12) Deed from Edith Redner, by Kandy Keller, appointed Guardian, dated June 7, 2007, and recorded June 22, 2007 in the Orange County Clerk's Office in Liber 12472 at page 410; 13) Deed from Dorothy M. Jones, dated April 24, 2012, and recorded May 15, 2012 in the Orange County Clerk's Office in Liber 13343 at page 1996; and 14) Deed from the Town of Newburgh, dated April 10, 2104, and recorded October 21, 2014 in the Orange County Clerk's Office in Liber 13808 at page 847.

**SCHEDULE "A" – DESCRIPTION**

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

40 Route 17K  
Town of Newburgh, County of Orange

Sec/Bl/Lot: 99-4-23.22

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting and 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 to 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.

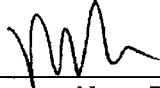
IN PRESENCE OF:

  
COSTIMO J. COLANDREA

STATE OF NEW YORK, COUNTY OF

ORANGE ss:

On the 18 day of December, 2020, before me, the undersigned, personally appeared COSIMO J. COLANDREA, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

RICHARD R. DuVALL  
No. 02DU4859624  
Notary Public, State of New York  
Qualified in Dutchess County  
My Commission Expires 09/02/20 22

**Bargain and Sale Deed**

With Covenant Against Grantor's Acts

File No. 16835-2

COSIMO J. COLANDREA

TO

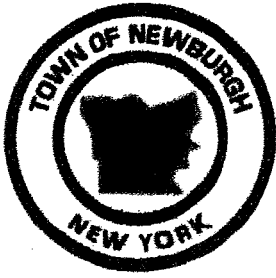
40 ROUTE 17K, LLC

SECTION: 99  
BLOCK: 4  
LOT: 23.22  
TOWN: Newburgh  
COUNTY: Orange

**RETURN BY MAIL TO:**

Daniel C. Stafford, Esq.  
McCabe & Mack I.L.P  
63 Washington Street  
PO Box 509  
Poughkeepsie, NY 12602





## 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

# 2024 31

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 06/03/2024

Application No. 24-0495

To: 40 Route 17K, LLC  
40 Route 17K P.O. Box 3087  
Newburgh, NY 12550

SBL: 99-4-23.22  
ADDRESS: 40 Route 17K

ZONE: IB

PLEASE TAKE NOTICE that your application dated 05/20/2024 for permit to altering the existing non-conforming sign with a larger sign on the premises located at 40 Route 17K is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-14-G-1: The lawful use of a sign or signs existing at the time of adoption of this chapter may be continued, even though the sign does not conform to the regulations and limitations of this section, until one or more of the following occurs:
  - a) The structure, size, location or accessories of any or all signs previously granted approval and permits are altered, modified, changed, reconstructed or moved.
- 2) 185-14-J-5-a: No freestanding sign shall be located less than 15 feet from any front or side property line, or a distance equal to the height of said sign, whichever is greater.
- 3) 185-14-N-2: One freestanding sign may be placed on the premises.

  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File

# Town of Newburgh Code Compliance

**OWNER INFORMATION**      ***BUILT WITH OUT A PERMIT***      **YES / NO**

**NAME:** 40 RT 17K LLC.      **Application #** 24-0495

**ADDRESS:** 40 RT 17K NEWBURGH NY 12550

**PROJECT INFORMATION:**      AREA VARIANCE      USE VARIANCE

**TYPE OF STRUCTURE:** SIGN

**SBL:** 99-4-23.22      **ZONE:** IB      **ZBA Application #** 2024-31

**TOWN WATER:**  YES / NO      **TOWN SEWER:**  YES / NO      N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
SETBACK	24.55'	7'		17.58'	72.00%
FREE STANDING SIGNS	1 MAXIMUM	2.00		1	100%
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 \_\_\_\_\_ YES / NO  
 2 OR MORE FRONT YARDS FOR THIS PROPERTY \_\_\_\_\_ YES / NO  
 CORNER LOT - 185-17-A \_\_\_\_\_ YES / NO

**ACCESSORY STRUCTURE:**

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 \_\_\_\_\_ YES / NO  
 FRONT YARD - 185-15-A \_\_\_\_\_ YES / NO  
 STORAGE OF MORE THEN 4 VEHICLES \_\_\_\_\_ YES / NO  
 HEIGHT MAX. 15 FEET - 185-15-A-1 \_\_\_\_\_ YES / NO  
 10% MAXIMUM YARD COVERAGE - 185-15-A-3 \_\_\_\_\_ YES / NO

**NOTES:**

**REVIEWED BY:** Joseph Mattina

**DATE:** 3-Jun-24



3255 CROMPOND RD YORKTOWN NY 10598  
914 739-9059 WWW.SIGNSINK.COM

### PROPERTY OWNERS LETTER OF CONSENT

I hereby consent to the sign/awning project that is to happen on the property referenced below.

Property Owner: Cosimo J Colandrea

Address: 10 Burning Tree Drive  
Newburgh, New York 12550

Location of Property: 40 Rte 17K  
Newburgh, NY 12550

Signature: [Handwritten Signature]

Date: March 5, 2024

State of NY County of Orange  
On this 5th day of March 2024  
Cosimo J. Colandrea

Personally appeared before me, and proved to me through satisfactory evidence of identification, which were to be the person whose name is signed on the preceding or attached document in my presence.

[Handwritten Signature]

NOTARY NAME HERE, Notary Public

My Commission Expires 9/5/2025

SUMMER N HERALD  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01HE6364052  
Qualified in Orange County  
My Commission Expires September 05, 2025

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

STATE OF NEW YORK: COUNTY OF ORANGE:

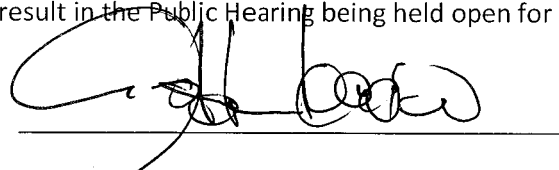
I, James Polinsky, being duly sworn, depose and say that I did on or before

December 12, 2024, post and will thereafter maintain at

40 Route 17k 99-4-23.22 IB Zone in the Town of Newburgh, New York, at or near the front

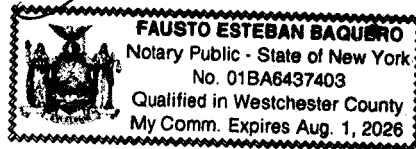
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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



Sworn to before me this 25

day of November, 2024.



\_\_\_\_\_





# BRANDBOOK

**F13304 Sunshine Ford Lincoln  
40 NY-17K  
Newburgh, NY**

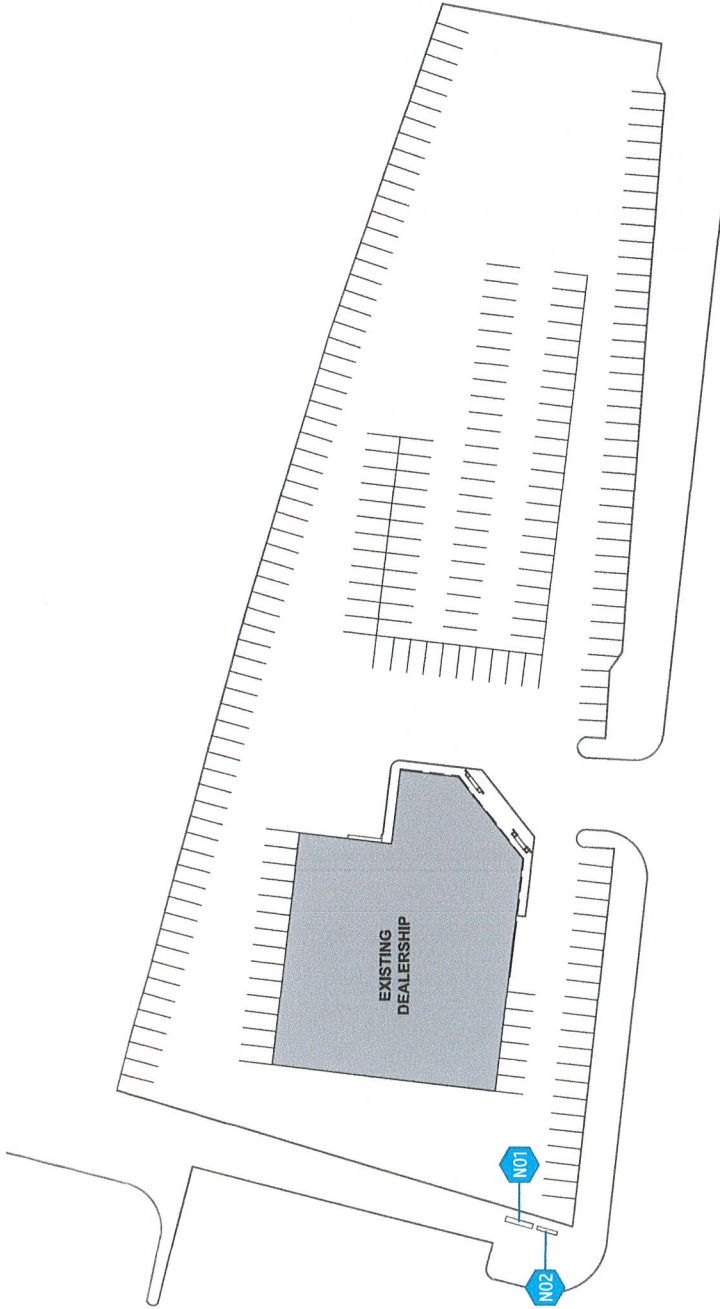
**03/06/2024**

2655 International Parkway  
Virginia Beach, VA 23452  
757.427.1900  
Toll Free: 800.877.7868  
[www.AGI.net](http://www.AGI.net)



# SITEPLAN

NO	QTY	DESCRIPTION
N01	1	F30-P35 Pylon
N02	1	BACU60-P20 Pylon



LOCATIONS ARE APPROXIMATE BASED ON GOOGLE STREET VIEW

Approved By: Name \_\_\_\_\_  
Date \_\_\_\_\_



Dealer Code: F13304

Dealership: Sunshine Ford Lincoln

City, State: Newburgh, NY

Date: 03/06/2024

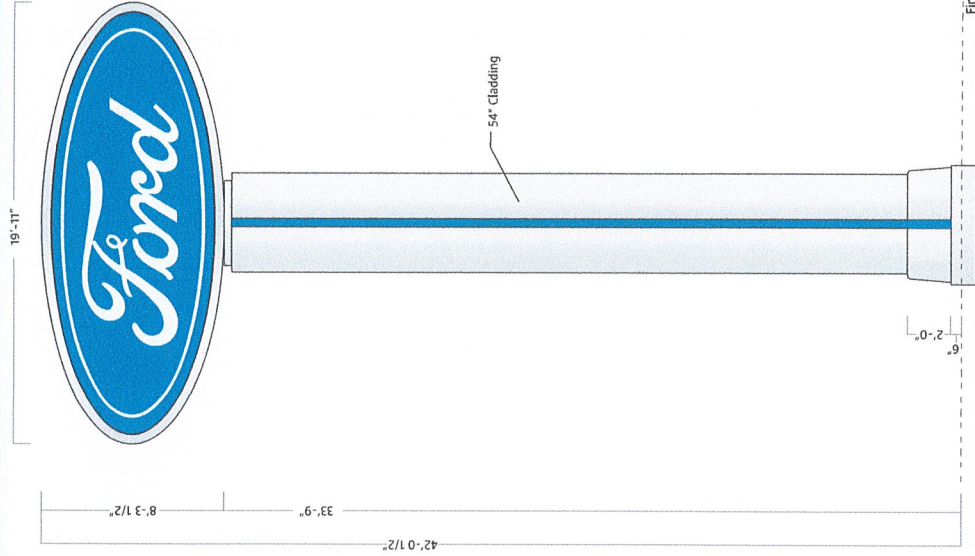


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N01

# F130-P35 PYLON



Scale: 3/16" = 1'

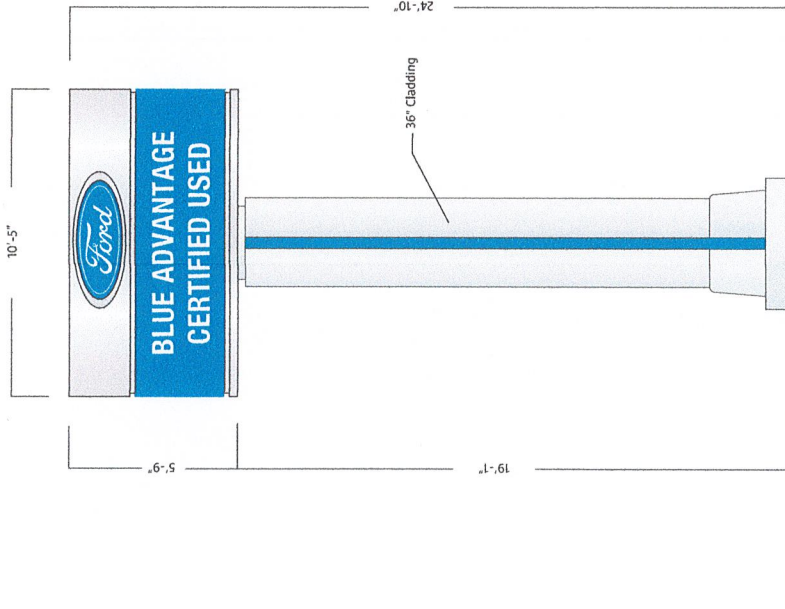
THIS DRAWING IS AN ARTISTIC REPRESENTATION TO BE USED FOR PERMIT AND ESTIMATING PURPOSES ONLY. TRUE DIMENSIONS MUST BE PROVIDED BY ENGINEERING PRIOR TO PRODUCTION.

Dealer Code: F13304 Dealership: Sunshine Ford Lincoln City: Newburgh, NY State: NY Date: 03/06/2024



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# N02 BACU60-P20 PYLON



Scale: 1/4"=1'

THIS DRAWING IS AN ARTISTIC REPRESENTATION TO BE USED FOR PERMIT AND ESTIMATING PURPOSES ONLY. TRUE DIMENSIONS MUST BE PROVIDED BY ENGINEERING PRIOR TO PRODUCTION.

Dealer Code: F13304    DealerShip: Sunshine Ford Lincoln    City, State: Newburgh, NY    Date: 03/06/2024

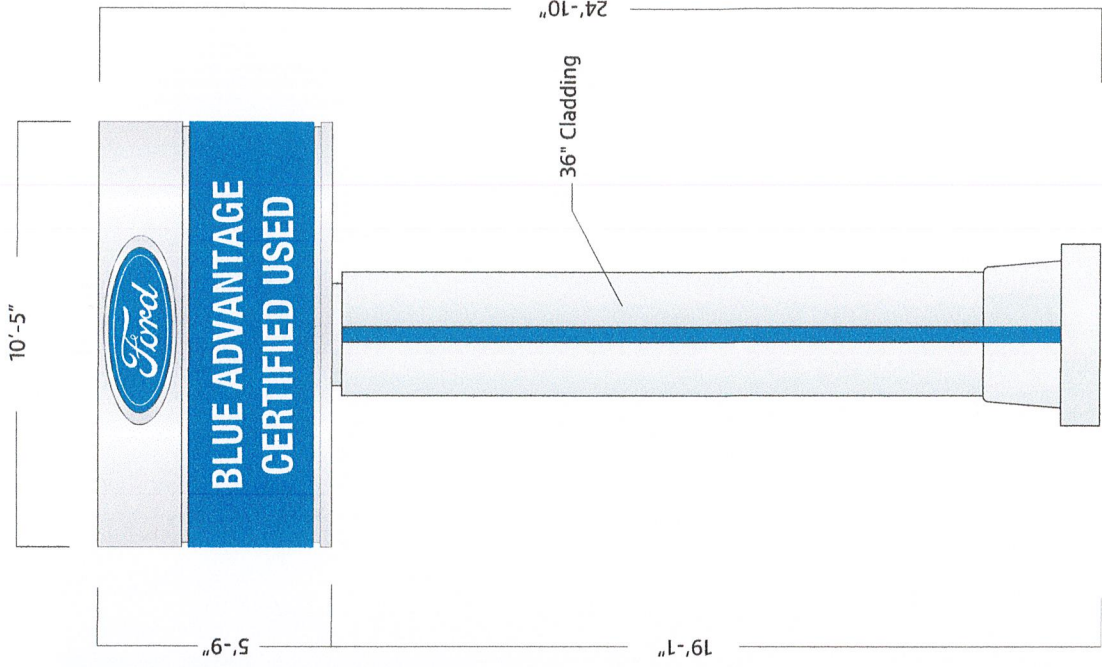
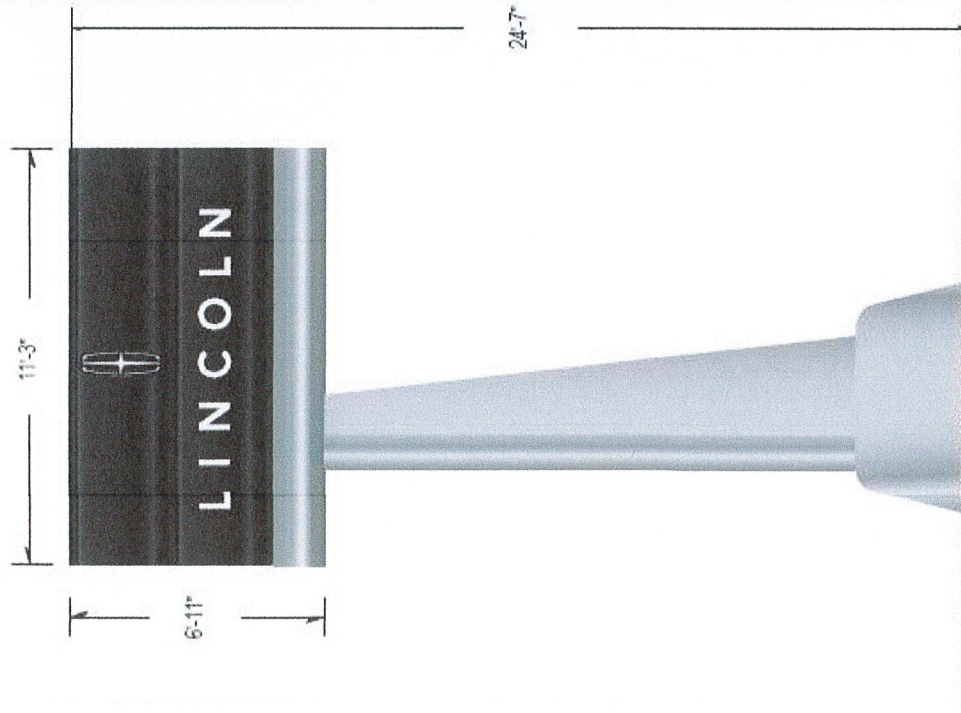


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# Existing Lincoln Pylon

# Proposed Certified Used

L 12-75 P 20





Project Title  
**FORD**

Date 08.23.18

AGI EOR M. SMITH

Lead Drafter JJW

Drawn By MM

Project Mgr. D. HORD

General Sign Specifications

- Interior  Exterior
- Single Faced  Double Faced
- Non-Illuminated
- Illuminated

Location

XX\_Volts XX\_Amps(+/ -)

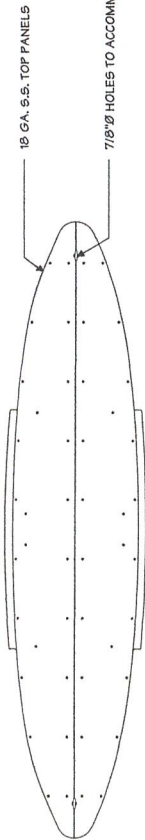
Windspeed 30.0 MPH IBC 2010

Change

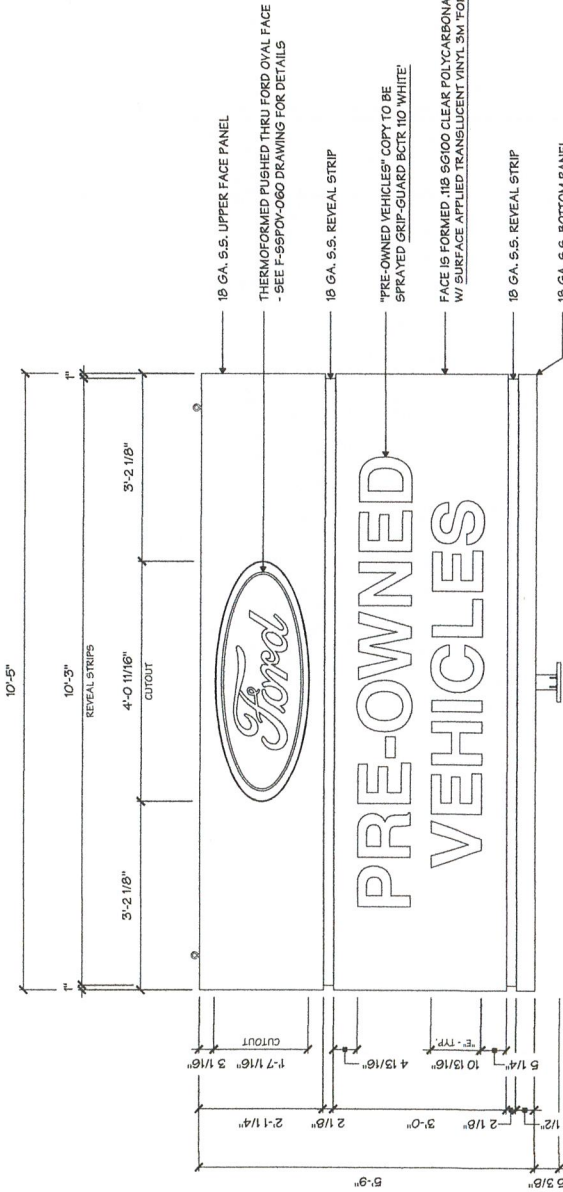
Drawn By  
Date

Code 31846  
Type A  
Sign Type F-SSPOV-060-LED  
PG.# 1

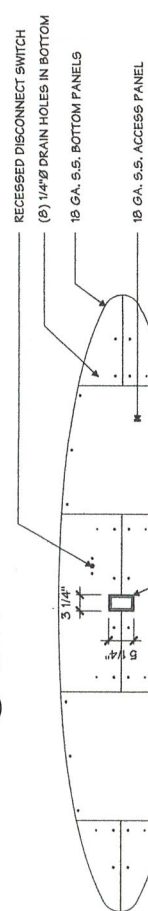
**NOTE:**  
1) PLEASE REFER TO GRAPHIC LAYOUT DRAWING  
FOR SPECIFIC COPY LAYOUTS.



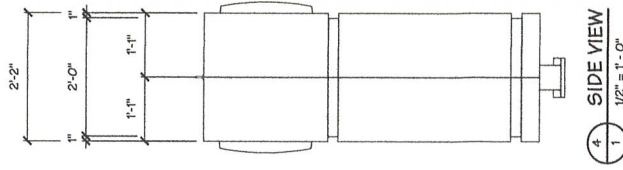
**1** PLAN VIEW  
1/2" = 1'-0"



**2** FRONT ELEVATION  
1/2" = 1'-0"



**3** BOTTOM VIEW  
1/2" = 1'-0"



**4** SIDE VIEW  
1/2" = 1'-0"

2655 International Pkwy,  
Virginia Beach, VA 23462



Newburgh, New York

Google Street View

See more dates

Google

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Newburgh  
Emporium War  
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