



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: March 3, 2017

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

I (WE) Richard Solomons / RANNE, L.L.C. PRESENTLY

RESIDING AT NUMBER 5349 Route 9W, Newburgh, New York 12550

TELEPHONE NUMBER 845-562-7861

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:

9-3--22.2 & 23 (TAX MAP DESIGNATION)

5351 Rte 9W (STREET ADDRESS)

5349 Rte 9W (STREET ADDRESS)

B (Business) (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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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 11, B- District, Schedule 7, D-17 - Front Yard - 40
185-21 Buffer Strips and Screened (Interpretation)



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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: 10/29/15

4. DESCRIPTION OF VARIANCE SOUGHT: Reduction of front yard from 40' to 30'

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:

N/A

(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:

N/A

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

N/A



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

6. IF AN AREA VARIANCE IS REQUESTED:

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

The condition is a pre-existing non-conforming and will not affect the characteristic of 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:

It is a pre-existing non-conforming condition and the compliance to offset would be an undo financial burden.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The request of reduction of front yard setback is only 10'

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

It is a pre-existing condition

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

The condition was pre-existing non-conforming



Steven M. Neuhaus
County Executive

Orange County Department of Planning
Submittal Form for Mandatory Review of Local Planning Action
as per NYS General Municipal Law §239-l,m, & n

Referral ID#:
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:	Town of Newburgh
Local Referring Board:	Zoning Board of Appeals
Applicant:	KANNE LLC / Richard Solomans
Project Name:	Pet Hotel & Day Care
Location of Project Site	5349, 5351, 5349 Route 9W

Tax Map #:	9-3-22.1
Tax Map #:	9-3-22.2
Tax Map #:	9-3-23
Local File No.:	Planning Board
Size of Parcel*:	4 acres

*If more than one parcel, please include sum of all parcels.

Reason for County Review: ON US Route 9W

Current Zoning District (include any overlays): B/SSO

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

Site Plan Sq. feet proposed (non-residential only): _____

Subdivision Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Special Use Permit Number of lots proposed: _____

Lot Line Change Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Variance AREA / USE (circle one) FRONTYARD SETBACK

Other

Is this an update to a previously submitted referral? YES / NO (circle one)

Local board comments or elaboration:

Signature of local official: Date: 3/8/17 Title: Chairperson Zoning Board of Appeals

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com

T.M. DePUY ENGINEERING AND LAND SURVEYING, P.C.

2656 Route 302
Middletown, NY 10941

Tel # (845) 361-5421
Fax# (845) 361-5229

March 7, 2017

Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

Re: Proposed Pet Hotel & Day Care Facility
Section 9, Block 3, Lots 22.1, 22.2 & 23
Town of Newburgh Job #2012-19
Job# 12003

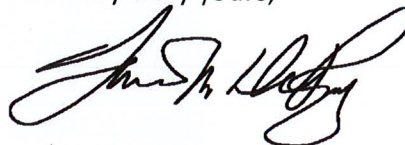
Dear Mr. Chairman:

Enclosed please find the following information on the referenced project for site plan review:

1. Receipt of paid \$500.00 for application/public hearing
2. Receipt of paid \$50.00 for Publishing fees
3. Assessor's List of Property Owners within 500' of Property
4. Referral from Town Board
5. Application and connection of ownership letter
6. Short Environmental Assessment Form
7. Liber 13717 of Deeds, Page 1584, Liber 12176 of Deeds, Page 1838 and Liber 12149 of Deeds, Page 1362 and letter indicating ownership
8. Four pictures of location
9. 11 sets of Site Plan drawings

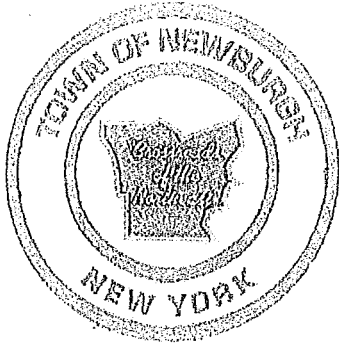
We wish to be placed on the next available ZBA agenda. Thank you.

Very truly yours,



THOMAS M. DEPUY, PE/LS

TMD/sld
Enclosures
cc: w/enc. - Dr. Solomons / RANNE, L.L.C.



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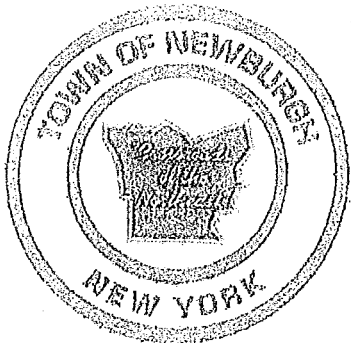
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OFFICE OF ZONING BOARD
(845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

Richard Scherer

PETITIONER (S) SIGNATURE

ULSTER DOC 3/7/17

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 7th DAY OF MARCH 2017

Diane Darling

NOTARY PUBLIC

DIANE C DARLING
Notary Public - State of New York
NO. 01DA6242090
Qualified in Ulster County
My Commission Expires 05/31/2019

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)

Dickover, Donnelly & Donovan, LLP
Attorneys and Counselors at Law

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@dtdblaw.com
Fax (845) 294-6553
(Not for Service of Process)

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

March 6, 2017

Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

RE: Pet Hotel & Day Care Center (12.19)
9-3-22.1, 22.2 & 23 (Zone B)
Route 9W/

Members of the Board:

I write to you at the direction of the Town of Newburgh Planning Board. The applicant referenced above appeared before the planning board on March 3, 2017. The applicant proposes new construction for a pet hotel and day care center on a site made up of two lots with an existing non-complying (inadequate front yard setback) building. It appears that the new construction and/or the proposed lot line changes will cause the protected non-complying building status to cease (no reduction in the degree of noncompliance with bulk). Therefore, the planning board has asked that I send you this letter referring this matter for a front yard setback variance to protect the existing non-complying building.

Very truly yours,



MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board
David A. Donovan, Esq.
T.M. DePuy Engineering & Land Surveying

RANNE, L.L.C.
5349 Route 9W
Newburgh 12550

March 7, 2017

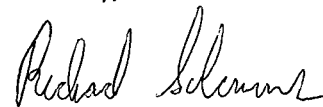
Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

Re: Proposed Pet Hotel & Day Care Facility
Section 9, Block 3, Lots 22.2 & 23
Town of Newburgh Job #2012-19

To Whom It May Concern:

Please be advised that I, Richard N. Solomons, am President of RANNE LLC and is authorized to make this application on behalf of RANNE, L.L.C.

Sincerely,



RICHARD N. SOLOMONS



TOWN OF NEWBURGH

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

PROXY

Richard Solomon, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 5349 Rt 9W, Newburgh, NY 12550
IN THE COUNTY OF Orange AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF ~~Addressed to the Board of Appeals~~
RAWNE LLC

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

DATED: 3/7/17 Paul Solman

OWNER'S SIGNATURE

Emily Amato

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ^{ULSTER} ~~ORANGE~~:

SWORN TO THIS 7th DAY OF MARCH 20 17

DIANE C DARLING
Notary Public - State of New York
NO. 01DA6242090
Qualified in Ulster County
My Commission Expires 05/31/2019

Diane Darling
NOTARY PUBLIC

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

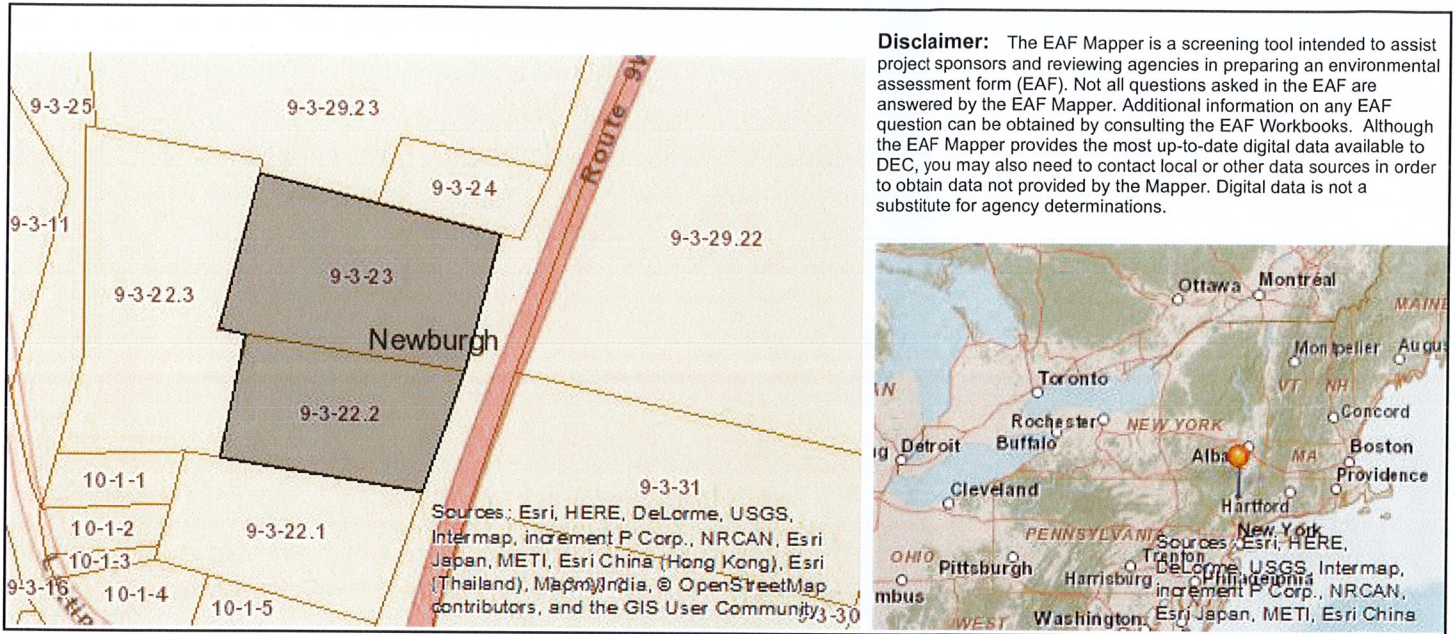
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 - Project and Sponsor Information			
Middlehope Pet Hotel and Day Care Facility			
Name of Action or Project: Proposed Pet Hotel and Day Care Facility			
Project Location (describe, and attach a location map): US Route 9W, Newburgh, NY, Orange County			
Brief Description of Proposed Action: RANNE, L.L.C. is proposing the consolidation of Tax Map Parcel Section 9, Block 3, Lot 22.2, Section 9, Block 3, Lot 23 and a portion of Section 9, Block 2, Lot 22.1 consisting of 1.189 acres, 1.612 acres and 0.09, respectively, for a combined parcel area of 2.900 acres, and with Section 9, Block 3, Lot 22.1 residual area being 1.147 acres. RANNE, L.L.C. proposes the development of an expansion to the existing pet hotel and day care facility which will have a building expansion footprint of 6,040 SF and consisting of 9,750 SF of building floor area. The project is situated on the westerly side of Route 9W 490 feet North of the intersection of US Route 9W and Lattintown Road. The overall site topography slopes from the westerly side of the property to the northeasterly side of the property and towards the small intermittent stream which traverses the northerly end of the property. The project will be serviced by the Town of Newburgh water system and obtain its sewage disposal from the development of an on-site treatment facility which will discharge to the small stream that traverses the property.			
Name of Applicant or Sponsor: RANNE, LLC / Attn: Richard Solomons, President		Telephone: 845-562-7861	
		E-Mail:	
Address: 5349 Route 9W			
City/PO: Newburgh		State: New York	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
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: Planning Board Site Plan Approval			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.899 acres	
b. Total acreage to be physically disturbed?		2.446 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.046 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" 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?	NO	YES	N/A
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<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: _____ Subsurface sand filter with discharge	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?	NO	YES	
	<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 type="checkbox"/>	<input checked="" 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: _____ <u>There is a small intermittent stream on site; however the project is avoiding it with the exception of the small treatment plant outfall.</u>	NO	YES	
	<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 checked="" 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? Site investigation indicates that there <u>were no threatened or endangered species</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> YES <u>Area discharges to a small intermittent stream that traverses Route 9W through a box culvert</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<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>Areas adjacent to the site have had remediation work but does not affect project site itself</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: Richard Solomons Date: _____</p> <p>Signature: <i>Richard Solomons</i></p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project:

Date:

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

Part 2 is to be completed by the Lead Agency.

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

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

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

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

- 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.

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

RICHARD N. SALOMONS, DVM
TO
RANNE, LLC.

SECTION 9 BLOCK 3 LOT 22.2



RECORD AND RETURN TO:
(name and address)

PAUL T. O'NEILL, ESQ
P.O. Box 4224
KINGSTON, NY 12402

Paul O'Neill
3/8/17

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ✓ MORTGAGE ✓ SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
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- 5889 WOODBURY (TN)
- 5801 HARRIMAN (VLG)
- 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
 - (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: *John Stevens Inc*

RECORDED/FILED
06/13/2006 / 15:10:14
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060064023
DEED R / BK 12176 PG 1838
RECORDING FEES 117.00
TTX# 010421 T TAX 0.00
Receipt#590063 juls

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 13, 2006 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt March 6, 2017
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY



**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR
(INDIVIDUAL)**

STATUTORY FORM C

THIS IS A LEGALLY BINDING INSTRUMENT. IF NOT FULLY UNDERSTOOD, WE RECOMMEND ALL PARTIES TO THE INSTRUMENT CONSULT AN ATTORNEY BEFORE SIGNING.

THIS INDENTURE, made the 18th day of January two-thousand and five,

between

Richard N. Solomons, DVM,
5349 Route 9W, Newburgh, NY 12550,

party of the first part, and

RANNE, LLC.
5349 Route 9W, Newburgh, NY 12550,

party of the second part:

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, her heirs and assigns forever,

ALL that parcel of land situate in the Town of Newburgh, County of Orange and the State of New York bounded and described as follows:

See Schedule A attached hereto and made a part hereof.

BEING the same premises conveyed by Michael J. Zambito to Richard N. Solomons, DVM by deed dated September 23, 2004 and recorded in the Orange County Clerk's Office in Liber 11669 at page 1502 on November 15, 2005.

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 above-granted premises unto the party of the second part, her heirs and assigns forever.

AND the party of the first part covenant that he has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

AND That, in Compliance with Section 13 of the Lien Law, the grantor 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.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

In presence of:


Richard N. Solomons, DVM

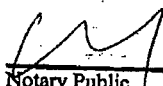
ACKNOWLEDGEMENT

State of New York)

County of Ulster)

ss.:

On the 18th day of January, 2005 before me, the undersigned, a Notary Public in and for said State, personally appeared Richard N. Solomons, DVM, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Record and Return to:
Paul T. O'Neill, Esq.
PO Box 4224
Kingston, NY 12402

PAUL T. O'NEILL
Notary Public, State of New York
Resident in and for Ulster County
Commission Expires Feb. 21, 19
2007

Schedule A

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, being more particularly described as follows:

Being known as Lot No. 2 on Subdivision Map entitled "Minor Subdivision Lands of Michael J. and Donna M. Zambito", filed in the Orange County Clerk's Office on the 14th day of September, 1988 as Map No. 9098.

BEGINNING at a pipe found in the westerly line of New York State Route 9W, said point also being the southeasterly corner of the lands now or formerly of E. Moriello; thence along the westerly line of Route 9W S 35 deg. 30' 00" W 175.00 feet; thence along the northerly line of Lot No. 1 of above mentioned Subdivision N 66 deg. 46' 22.1" W 272.236 feet to an iron pipe; thence along the easterly line of Lot No. 3 of said line of the lands now or formerly of E. Moriello, S 63 deg. 0' 00" E 297.00 feet to the place of beginning.

TOGETHER with an easement for a right-of-way of ingress and egress over the driveway located on the northerly 25 feet of Lot No. 1 which adjoins and borders the southerly boundary of Lot No. 2. It being specifically understood that said Lot No. 1 shall have the duty and expense to maintain said driveway without compensation from the owner of Lot No. 2.

RESERVING, however, unto Nicholas Moriello, his heirs and assigns, the right to cross and recross the herein described parcel at one point, which said crossing shall be 50 feet in width and shall extend from the public road abutting the westerly line of the herein described parcel and shall extend in an easterly direction to other lands of Moriello. The said Nicholas Moriello, his heirs and assigns, in the event said crossing is established, is to construct and maintain said road or driveway at his own expense, and Central Hudson Gas & Electric Corporation agrees to dedicate and deed to the Town of Newburgh said 50 foot strip across said lands herein described in the event said road is ever accepted by the Town as a public road or street.

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

Anthony Moriello,
Edith D. Moriello,
Camille Moriello
TO
Ranne LLC

SECTION 9 BLOCK 3 LOT 23

RECORD AND RETURN TO:
(name and address)

Daniel Rusk
Po Box 727
Marlboro NY 12542

*John Rusk
3/8/17*

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 R MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN)
- 2001 WASHINGTONVILLE (VLG)
- 2003 SO. BLOOMING GROVE (VLG)
- 2289 CHESTER (TN)
- 2201 CHESTER (VLG)
- 2489 CORNWALL (TN)
- 2401 CORNWALL (VLG)
- 2600 CRAWFORD (TN)
- 2800 DEERPARK (TN)
- 3089 GOSHEN (TN)
- 3001 GOSHEN (VLG)
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- 5889 WOODBURY (TN)
- 5801 HARRIMAN (VLG)
- 5809 WOODBURY (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 \$ 75,000.-
TAX EXEMPT
Taxable
MORTGAGE AMT. \$

- MORTGAGE TAX TYPE:
- (A) COMMERCIAL/FULL
 - (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

Ann G. Rabbitt

ANN G. RABBITT
ORANGE COUNTY CLERK

Received From Prime Title

RECORDED/FILED
02/19/2014/ 05:18:59
ANN G. RABBITT
County Clerk
ORANGE COUNTY, NY
FILE#20140013787
DEED R / BK 13717PG 1584
RECORDING FEES 190.00
TTX# 004250 T TAX 300.00
Receipt#1722243 lindar

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 Feb. 19, 2014 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt march 6, 2017
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY



BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

THIS INDENTURE, made the 16th day of JANUARY, 2014, between

ANTHONY C. MORIELLO, 45 Old Post Road, Newburgh, Orange County, New York, 12550, **EDITH D. MORIELLO**, 5369 Route 9-W Middlehope, Town of Newburgh, Orange County, New York, 12550, and **CAMILLE MORIELLO**, 713 Hewitt Lane, New Windsor, Orange County, New York, 12553, party of the first part, and

RANNE, LLC, a New York limited liability company with offices located at 5349 Route 9-W, Newburgh, Orange County, New York 12550, party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollars and No Cents (\$1.00), 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 parcel of land situate in the Town of Newburgh, County of Orange and State of New York bounded and described as follows:

SEE SCHEDULE A ATTACHED

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.

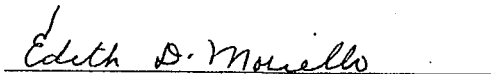
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

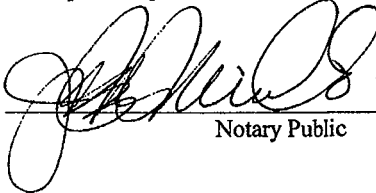

Anthony C. Moriello


Edith D. Moriello


Camille Moriello

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

On the 16th day of January, 2014, before me, the undersigned, personally appeared **Anthony C. Moriello**, 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 they executed the same in their capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

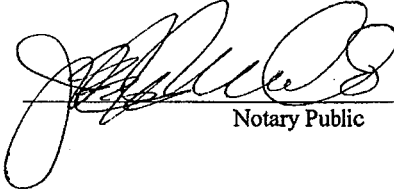


Notary Public

JOSEPH M. MORIELLO
Notary Public State of New York
Resident In and For Ulster County
Commission Expires March 30, 2014

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

On the 16th day of January, 2014, before me, the undersigned, personally appeared **Edith D. Moriello**, 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 they executed the same in their capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

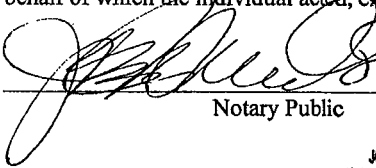


Notary Public

JOSEPH M. MORIELLO
Notary Public State of New York
Resident In and For Ulster County
Commission Expires March 30, 2014

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

On the 16th day of January, 2014, before me, the undersigned, personally appeared **Camille Moriello**, 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 they executed the same in their capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

JOSEPH M. MORIELLO
Notary Public State of New York
Resident In and For Ulster County
Commission Expires March 30, 2014

R&R TO:

Daniel Rusk, Esq.
Rusk, Wadlin, Heppner & Martuscello LLP
1390 Route 9W, P.O. Box 727
Marlboro, NY 12542

SCHEDULE A

LEGAL DESCRIPTION

All that certain Lot, 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, bounded generally as follows, to wit:

On the North by lands now or formerly owned by Nathaniel Barnes and the school house lot; on the West and South by lands now or formerly of William S. Tate, and on the East by highway leading from Newburgh to Marlborough, containing about 1 1/2 acres of land be the same more or less.

BEING the same premises heretofore conveyed to D. Clinton Dominick, as sole executor of the Last Will and Testament of Joseph Hart, deceased, by J. Bradley Scott, referee, by Referee's Deed dated November 21, 1939 and duly recorded in the Orange County Record of Deeds on November 27, 1939 in Liber 827 at Page 40.

AND BEING the same premises as conveyed by deed of D. Clinton Dominick, as sole executor of the Last Will and Testament of Joseph Hart, deceased, to Camillo Moriello, dated December 13, 1943 and recorded in the Orange County Clerk's Office on December 15, 1943 in Liber 921 of Deeds at Page 437.

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

Richard Solomons

TO

RANNE, LLC

SECTION 9 BLOCK 3 LOT 22.1

RECORD AND RETURN TO:
(name and address)

Paul T. O'Neill, Esq.
PO Box 4224
Kingston, NY 12402



Handwritten signature and date: 3/8/07

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

- ___ 2089 BLOOMING GROVE (TN)
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- ___ 2289 CHESTER (TN)
- ___ 2201 CHESTER (VLG)
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- ___ 5801 HARRIMAN (VLG)

- CITIES**
- ___ 0900 MIDDLETOWN
 - ___ 1100 NEWBURGH
 - ___ 1300 PORT JERVIS
 - ___ 9999 HOLD

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

PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

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

- 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: *Paul T. O'Neill*

RECORDED/FILED
05/09/2006/ 11:23:17
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY

FILE # 20060050852
DEED C / BK 12149 PG 1362
RECORDING FEES 204.00
TTX# 009339 T TAX 0.00
Receipt#574609 juls

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 May 9, 2006 AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt March 6, 2017

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

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR
(INDIVIDUAL)**

STATUTORY FORM C

THIS IS A LEGALLY BINDING INSTRUMENT. IF NOT FULLY UNDERSTOOD, WE RECOMMEND ALL PARTIES TO THE INSTRUMENT CONSULT AN ATTORNEY BEFORE SIGNING.

THIS INDENTURE, made the 27th day of March two-thousand and six,

between

Richard Solomons,
5349 Route 9W, Newburgh, NY 12550,

party of the first part, and

RANNE, LLC,
5349 Route 9W, Newburgh, NY 12550,

party of the second part:

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, her heirs and assigns forever,

ALL that tract or parcel of land, being Lot No. 1 shown on a filed map no. 9098 of minor subdivision of land of Michael J. and Donna Zambito, dated March 19, 1988, located on the west side of Route 9W in the Town of Newburgh, Orange County, New York, and described as follows:

BEGINNING at the iron pipe found in the wall on the West side of Route 9W at the Southeasterly corner of lands of Zambino and the northeasterly corner of lands now or formerly of Rosenberg, thence North 63 degrees 03 minutes 57 seconds West, 305.39 feet to an iron pipe, thence North 17 degrees 23 minutes 52 seconds East, 80.81 feet to a 3 inch iron pipe thence North 28 degrees 23 minutes 05 seconds East 74.89 feet to an iron pipe, thence South 66 degrees 46 minutes 22.1 seconds East 344.26 feet to the westerly boundary of Route 9W, thence South 35 degrees 30 minutes 00 seconds West 178.81 feet to the point or place of beginning.

SUBJECT to a right of way 25 feet wide over the aforesaid parcel held by the owners of Lot No. 2 shown on the minor subdivision map for purposes of ingress and egress.

TOGETHER with a right of way over Lot No. 3 shown on the minor subdivision map for the purpose of repairing, maintaining and replacing the water line to Lot No. 1.

ALSO SUBJECT to an easement in favor of the New York Telephone Company dated May 18, 1992 and recorded in the Orange County Clerk's Office in Liber 3612 of Deeds at Page 334.

BEING the same premises conveyed by Richard Solomons and Karen A. Bennett to Richard Solomons by deed dated December 11, 2002 and recorded in the Ulster County Clerk's Office in Liber 6213 at page 338 on February 28, 2003.

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 above-granted premises unto the party of the second part, her heirs and assigns forever.

AND the party of the first part covenant that he has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

AND That, in Compliance with Section 13 of the Lien Law, the grantor 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.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

In presence of:

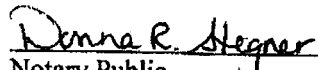


Richard Solomons

ACKNOWLEDGEMENT

State of New York)
 ss.:
County of Ulster)

On the 27th day of March, 2006 before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Solomons, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

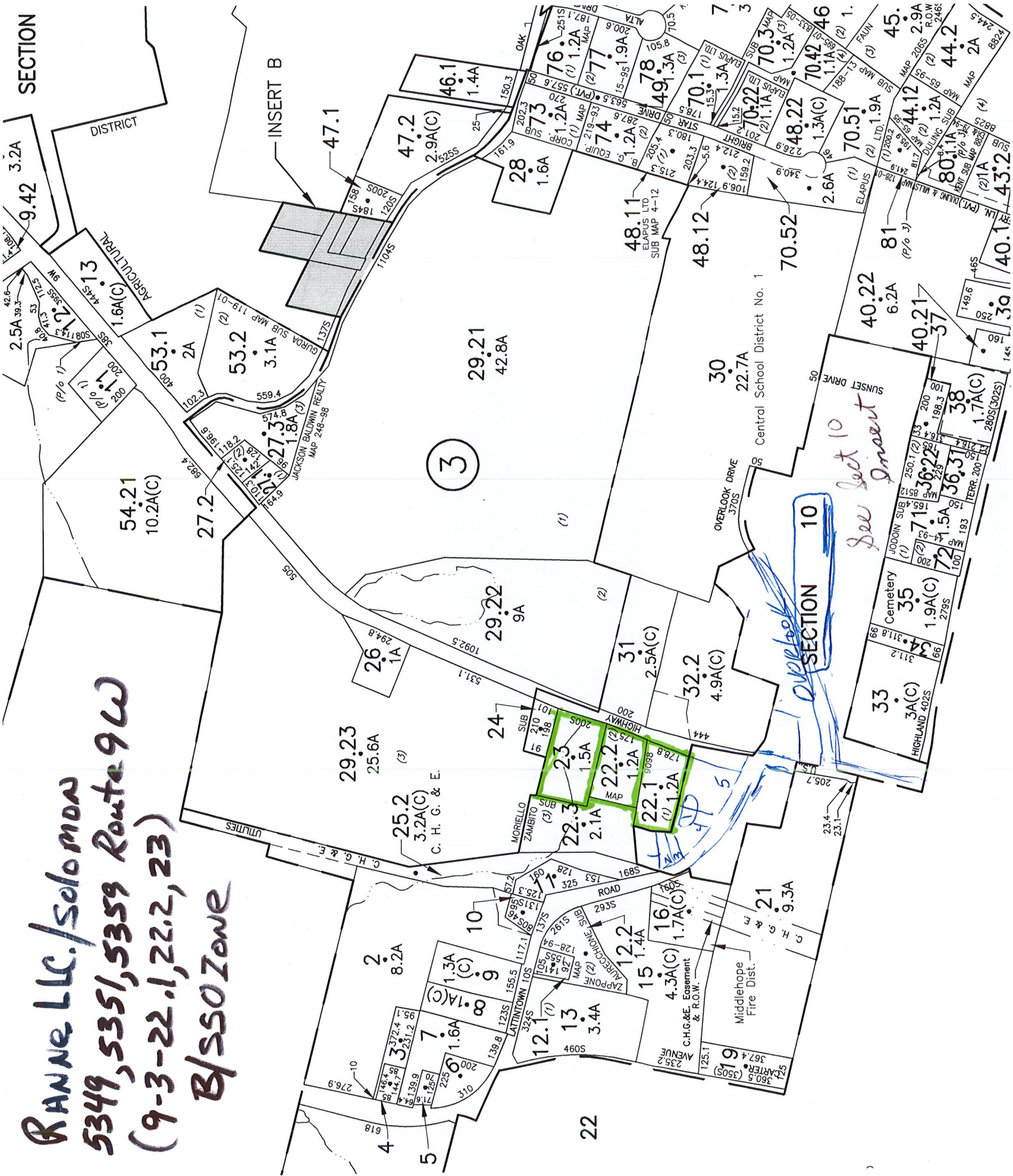


Notary Public

Record and Return to:
Paul T. O'Neill, Esq.
PO Box 4224
Kingston, NY 12402

DONNA R. STEGNER
Notary Public, State of New York
No. 01ST6028342
Qualified in Ulster County
Commission Expires June 20, 2006

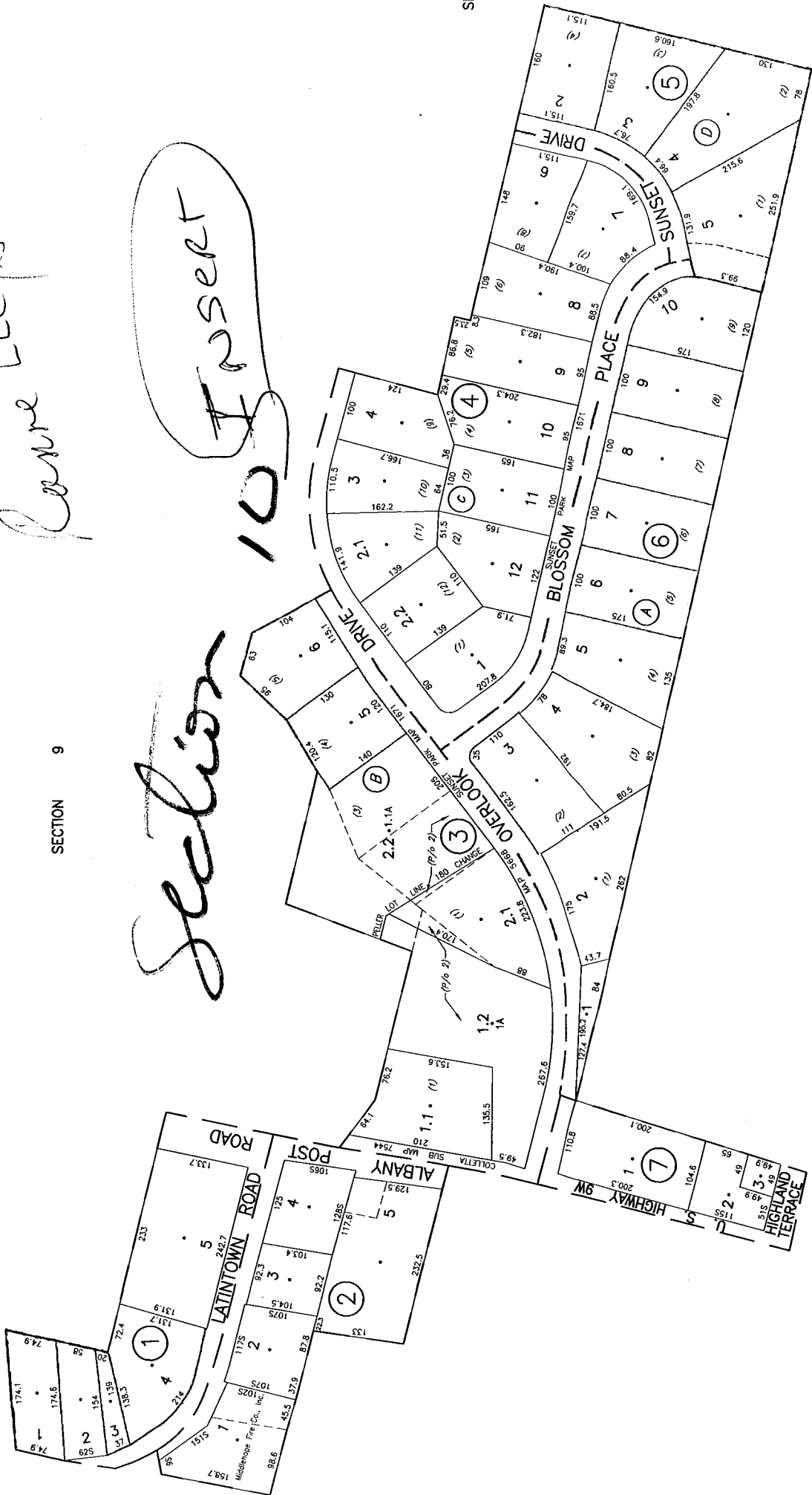
RANNE LLC./Solomon
5349, 5351, 5359 Route 96
(9-3-22.1, 22.2, 23)
B/SsoZone



Carne LLC / Solomon

SECTION 9

Section 10 Insert



SEI