



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: RICHARD SOLOMONS / RANNE, LLC

Project Name: Pet Hotel + Day Care Center

Location of Project Site: 5351 & 5359 Route 9W

Tax Map #: 9-3-22.2

Tax Map #: 9-3-23

Tax Map #:

Local File No.: P1Bd left

Size of Parcel\*: 1.2/1.5  
\*If more than one parcel, please include sum of all parcels.

Current Zoning District (include any overlays): B

Reason for County Review: ON US HW/Route 9W

Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from \_\_\_\_\_ to \_\_\_\_\_

Ordinance Modification (cite section): \_\_\_\_\_

Local Law

Site Plan

Subdivision

Special Use Permit

Lot Line Change

Variance

Other

Sq. feet proposed (non-residential only): \_\_\_\_\_

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

Number of lots proposed: \_\_\_\_\_

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

AREA USE (circle one) FRONT YARD SETBACK

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

Local board comments or elaboration:

Signature of local official: [Signature] Date: 12/11/15 Chairperson  
Zoning Board of Appeals Title

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](mailto:planning@orangecountygov.com)





# 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: 10/29/15

4. DESCRIPTION OF VARIANCE SOUGHT: Reduction of front yard from <sup>60</sup>40' to 30' *[Signature]*

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

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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

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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.

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c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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

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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

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e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

The condition was pre-existing non-conforming

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OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

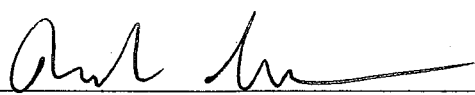
OFFICE OF ZONING BOARD  
(845) 566-4901

## 7. ADDITIONAL REASONS (IF PERTINENT):

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

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4TH DAY OF December 2015

 01CL6199109  
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

Richard Solomons, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 5349 Route 9W, Newburgh, New York 12550

IN THE COUNTY OF Orange AND STATE OF New York

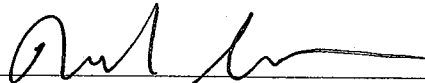
AND THAT HE/SHE IS THE OWNER IN FEE OF President of RANNE, LLC

who is owner in fee of 5349 Route 9W, Newburgh, NY


WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Thomas M. DePuy

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 12/4/15 

OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 4TH DAY OF December 2015

  
NOTARY PUBLIC 01CL6199109

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

December 10, 2015

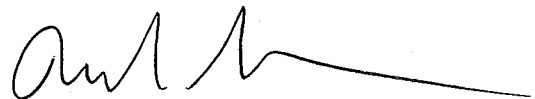
Town of Newburgh  
Zoning Board of Appeals  
308 Gardnertown Road  
Newburgh, New York 12550

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, L.L.C.  
and authorized to make this application on behalf of RANNE, L.L.C.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard N. Solomons', with a long horizontal flourish extending to the right.

RICHARD N. SOLOMONS

# 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.

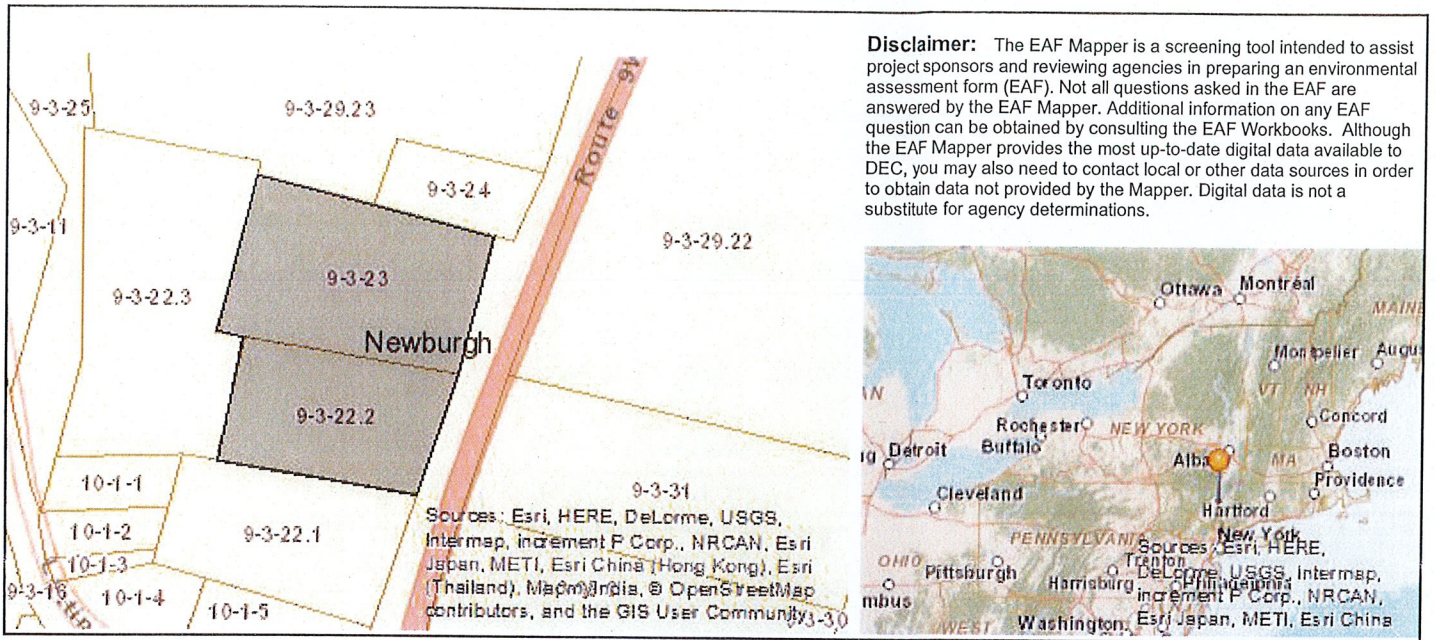
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
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 lot Section 9, Block 3, Lot 22.2 and 23 consisting of 1.189 acres and 1.612 acres, respectively, for a combined parcel area of 2.801 acres. They propose the development of 11,580 SF building to house the expansion of their pet hotel and dog daycare center. This requires a front yard setback variance.  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.			
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?		2.801 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?		4.001 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			





<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>_____</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>_____</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>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" 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: Richard Solomons</p>	<p>Date: 12/4/15</p>	
<p>Signature: </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:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

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

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

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

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

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

James G. Sweeney, P.C., of Counsel

James B. Biagi, of Counsel

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

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

October 29, 2015

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

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

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Members of the Board:

I write to you at the direction of the Town of Newburgh Planning Board. The above referenced applicant initially appeared before the planning board on December 6, 2012 seeking approval the permit the construction of a pet hotel and day care center. The site plan presented required variances from the zoning board of appeals. Therefore, the applicant was referred to the zoning board by correspondence dated December 10, 2012 (copy enclosed).

The applicant has restarted the approval process for site plan approval and the same variances as outlined in the December 10, 2012 are required. Therefore the planning board has asked me to refer this matter for consideration of the front-yard and landscape buffer variances as outlined in the December 10, 2012 letter.

Very truly yours,



MICHAEL H. DONNELLY

MHD/lrm

cc: Town of Newburgh Planning Board  
308 Gardnertown Road  
Newburgh, NY 12550

David A. Donovan, Esq.  
Dickover, Donnelly & Donovan, LLP  
28 Bruen Place  
P.O. Box 610  
Goshen, NY 10924

T.M. DePuy Engineering & Land Surveying  
2656 Route 302  
Middletown, NY 10941





**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 16<sup>th</sup> 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,

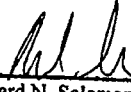
**TO HAVE AND TO HOLD** the above-granted premises unto the party of the second part, her heirs and assigns forever.

**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 )

ss.:

County of Ulster )

On the 18<sup>th</sup> 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 83 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

Handwritten signature and date 12/14/10

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) 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) 3003 FLORIDA (VLG) 3005 CHESTER (VLG) 3200 GREENVILLE (TN) 3489 HAMPTONBURGH (TN) 3401 MAYBROOK (VLG) 3689 HIGHLANDS (TN) 3601 HIGHLAND FALLS (VLG) 3889 MINISINK (TN) 3801 UNIONVILLE (VLG) 4089 MONROE (TN) 4001 MONROE (VLG) 4003 HARRIMAN (VLG) 4005 KIRYAS JOEL (VLG)

- 4289 MONTGOMERY (TN) 4201 KAYBROOK (VLG) 4203 MONTGOMERY (VLG) 4205 WALDEN (VLG) 4489 MOUNT HOPE (TN) 4401 OTISVILLE (VLG) 4600 NEWBURGH (TN) 4800 NEW WINDSOR (TN) 5089 TUXEDO (TN) 5001 TUXEDO PARK (VLG) 5200 WALLKILL (TN) 5489 WARWICK (TN) 5401 FLORIDA (VLG) 5403 GREENWOOD LAKE (VLG) 5405 WARWICK (VLG) 5600 WAWAYANDA (TN) 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 ORANGE COUNTY CLERK

Received From Prime Title

RECORDED/FILED 02/19/2014/ 15:18:59 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 February 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 December 14, 2015 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 16<sup>th</sup> 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.

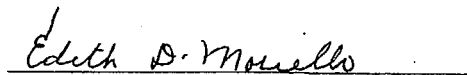
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost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

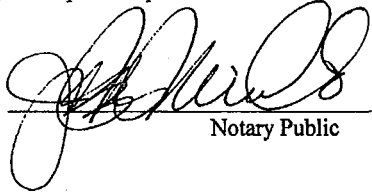
  
Anthony C. Moriello

  
Edith D. Moriello

  
Camille Moriello

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

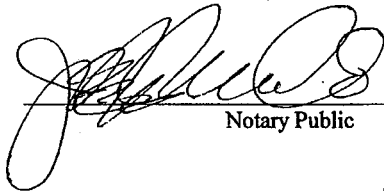
On the 16<sup>th</sup> day of January, 2014, before me, the undersigned, personally appeared **Anthony C. Moriello**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed 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 )

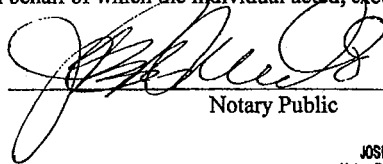
On the 16<sup>th</sup> day of January, 2014, before me, the undersigned, personally appeared **Edith D. Moriello**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed 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 16<sup>th</sup> 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.

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**T.M. DEPUY ENGINEERING AND LAND SURVEYING, P.C.**

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2656 ROUTE 302  
MIDDLETOWN, NEW YORK 10941

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

December 10, 2015

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

Dear Mr. Chairman:

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

1. Receipt of paid \$200.00 for application/public hearing
2. Assessor's List of Property Owners within 500' of Property
3. Referral from Town Board
4. Application and connection of ownership letter
5. Short Environmental Assessment Form
6. Liber 13717 of Deeds, Page 584 and Liber 12176 of Deeds, Page 1838 and letter indicating ownership
7. Four pictures of location
8. 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/CPSWQ

TMD/sld

Enclosures

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