

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: 9/14/2021
- 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: SIGNAGE

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

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 SIGNS WERE INSTALLED 20+YEARS AGO

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:

N/A

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

SIGNAGE IS EXISTING

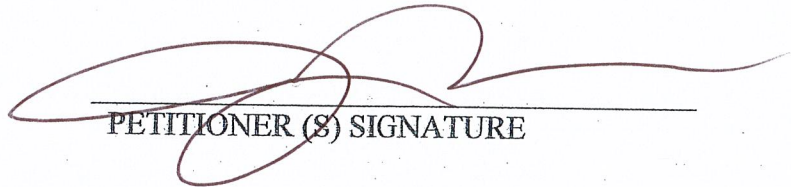
d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

SIGNAGE IS EXISTING

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

N/A

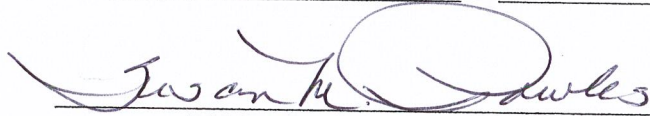
7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF SEPTEMBER 20 21



NOTARY PUBLIC

SUSAN M. POWLES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PO4757398
Qualified in Orange County
My Commission Expires March 30, 2022

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)

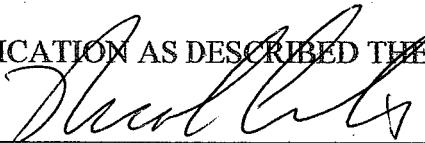
**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

PROXY

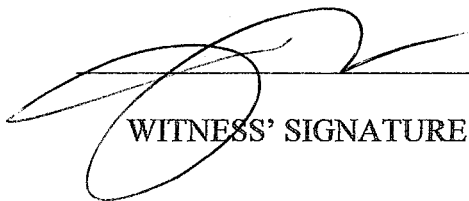
NICK CITERIA (CPK UNION LLC), DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602
IN THE COUNTY OF DUTCHESS AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF _____
1217 ROUTE 300, NEWBURGH, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED COMMERCIAL INDUSTRIAL CONSTRUCTION CORP
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/30/2021



OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF SEPTEMBER 2021

Wanda J McCarthy

NOTARY PUBLIC

WANDA J MCCARTHY
No. 01MC6230091
Notary Public - State of New York
Qualified in Dutchess County
My Commission Exp. 11/01/2022

Short Environmental Assessment Form


Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: CPK UNION LLC SIGNAGE							
Project Location (describe, and attach a location map): 1217 ROUTE 300, NEWBURGH, NY 12550							
Brief Description of Proposed Action: APPROVAL OF EXISTING SIGNAGE							
Name of Applicant or Sponsor: COMMERCIAL INDUSTRIAL CONSTRUCTION CORP		Telephone: 914-755-1654 E-Mail: flynn@ciccnyc.com					
Address: 9 WEYANTS LANE							
City/PO: NEWBURGH		State: NY	Zip Code: 12550				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		N/A acres					
b. Total acreage to be physically disturbed?		N/A acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A 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 checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>JOE FLYNN</u>	Date: <u>9/30/2021</u>	
Signature: 		

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 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"/>

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.

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

COSIMO DIBRIZZI AND
NICOLA CITERA

TO

CPK UNION LLC

SECTION 96 BLOCK 1 LOT 10 + 11

RECORD AND RETURN TO:
(Name and Address)

DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.
ATTORNEYS AND COUNSELLORS AT LAW
ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550

gpc

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

- | | |
|---|--|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALKKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 6801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | |
| <input type="checkbox"/> 4001 MONROE (VLG) | |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | |

CITIES

- | |
|---|
| <input type="checkbox"/> 0900 MIDDLETOWN |
| <input type="checkbox"/> 1100 NEWBURGH |
| <input type="checkbox"/> 1300 PORT JERVIS |
| <input type="checkbox"/> 9999 HOLD |

NO. PAGES 5 CROSS REF 1
CERT. COPY ADD'L X-REF
MAP # PGS.

PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

CONSIDERATION \$ 0
TAX EXEMPT

MORTGAGE AMT \$
DATE

MORTGAGE TAX TYPE:

- (A) COMMERCIAL/FULL 1%
- (B) 1 OR 2 FAMILY
- (C) UNDER \$10,000
- (E) EXEMPT
- (F) 3 TO 6 UNITS
- (I) NAT. PERSON/CR. UNION
- (J) NAT.PER-CR.UN/1 OR 2
- (K) CONDO

RECEIVED FROM: Horizon

LIBER 5213 PAGE 220

LIBER 5213 PAGE 220

ORANGE COUNTY CLERKS OFFICE 71825 LAL
RECORDED/FILED 12/29/1999 12:20:53 PM
FEES 50.50 EDUCATION FUND 5.00
SERIAL NUMBER: 005076
DEED CNTL NO 68036 RE TAX .00

4/331-272
6360-224

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

20417-97

#6157

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

THIS INDENTURE, made the 30th day of September, nineteen hundred and ninety-nine

BETWEEN

Cosimo DiBrizzi, residing at 450 River Road, Newburgh, New York 12550 and Nicola Citera, residing at 3 Old Farms Road, Poughkeepsie, New York 12603, AS TENANTS IN COMMON, party of the first part, and

CPK Union LLC, a New York limited liability company with offices for the transaction of business at 1089 Little Britain Road, New Windsor, New York 12553, party of the second part,

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

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

Being and intended to be the same premises conveyed in a certain deed dated December 28, 1998 by Cosimo DiBrizzi and Nicola Citera to Cosimo DiBrizzi and Nicola Citera and recorded in the office of the Orange County Clerk in Liber 4961 of deeds at page 64 on January 14, 1999.

This conveyance is made and accepted subject to an indebtedness secured by a mortgage dated June 12, 1992 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$230,000.00, recorded in the Orange County Clerk's Office in Liber 4331 at page 272, and mortgage dated October 17, 1997 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$208,083.53, recorded in the Orange County Clerk's Office in Liber 6360 at page 224, which two mortgages were consolidated by agreement dated October 17, 1997 made between Cosimo DiBrizzi and Nicola Citera and The Bank of New York to form a single first lien in the amount of \$325,000.00, which mortgage was assigned by Assignment of Mortgage dated September 30, 1999 made by The Bank of New York to Premier National Bank to be recorded simultaneously herewith and on which there is an unpaid principal amount of \$265,416.74, together with interest from September 1, 1999, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the conveyance of the above described premises, and the party of the second part hereby executes and acknowledges this instrument for the purpose of complying with the provisions of Section 5-705 of the General Obligations Law.

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,

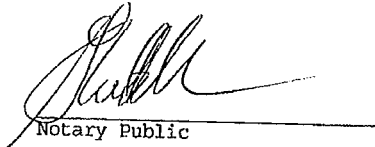
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

On the 30th day of September, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, 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 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

GLEN L. HELLER
NOTARY PUBLIC, State of New York
No. 02HE485982
Qualified in Orange County
Commission Expires April 21, 2002

DESCRIPTION

LANDS OF NICHOLAS CITERA & COSIMO DIBRIZZI
UNION AVENUE, TOWN OF NEWBURGH, NEW YORK
TAX PARCELS : SECTION 96 BLOCK 1 LOTS 10 & 11

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

Beginning at a point in the westerly line of Union Avenue, New York State Route 300, at the southeasterly corner of lands now or formerly of Distefano; thence, along said westerly line of Union Avenue, South 28 degrees 20 minutes West 256.15 feet to a point in the northerly line of Orr Avenue; thence, along the northerly, northeasterly and easterly lines of Orr Avenue, the following four (4) courses,
(1) South 87 degrees 00 minutes 57 seconds West 23.00 feet,
(2) North 44 degrees 55 minutes 04 seconds West 27.20 feet,
(3) North 28 degrees 04 minutes 21 seconds West 73.04 feet,
and
(4) North 19 degrees 21 minutes 59 seconds West 129.13 feet to a point in the division line between the lands now or formerly of Distefano on the northwest and the parcel herein described on the southeast; thence, along the last said division line, North 27 degrees 20 minutes East 132.83 feet to point in the division line between the lands now or formerly of Distefano on the northeast and the parcel herein described on the southwest; thence, along the last said division line, South 61 degrees 42 minutes 04 seconds East 204.38 feet to the point or place of beginning, containing 1.00 acres of land more or less.



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

2954-21 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/14/2021

Application No. 21-0736

To: CPK Union LLC
1089 Little Britain Rd
New Windsor, NY 12553

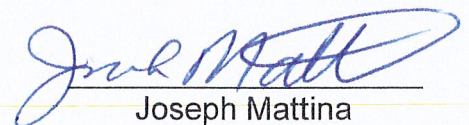
SBL: 96-1-11.1
ADDRESS: 1217 Route 300

ZONE: IB

PLEASE TAKE NOTICE that your application dated 07/01/2021 for permit to keep a roof mounted sign that was installed without a permit on the premises located at 1217 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

1) 185-14-E-10: Prohibited signs. The following signs are prohibited and shall be removed. (Roof signs)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



T-Mobile

sweetfrog
premium frozen yogurt

DO NOT
ENTER

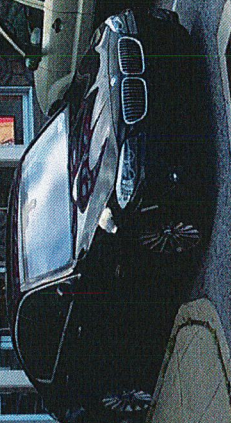
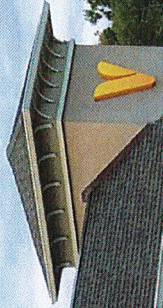
WHITE
SUV
LICENSE
PLATE
6N7C33



mobile

the Vitamin Shoppe

SALE! 20% OFF
Prescription Savings









TOWN OF NEWBURGH

1

Crossroads of the Northeast

2954-21 (b)

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

Zoning Board of Appeals
SEP 30 2021
Town of Newburgh

OFFICE OF ZONING BOARD

APPLICATION

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

DATED: 09/30/2021

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

I (WE) NICK CITERA (CPK UNION LLC) PRESENTLY

RESIDING AT NUMBER 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602

TELEPHONE NUMBER 914-474-8567

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- USE VARIANCE
xxx AREA VARIANCE (S)
INTERPRETATION OF THE ORDINANCE
SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

96-1-11.1 (TAX MAP DESIGNATION)

1217 ROUTE 300 (STREET ADDRESS)

B-BUSINESS (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-J-5-A

185-14-J-5-D

185-14.1-B-4-B-1-C

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: 9-14-2021
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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

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

N/A

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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:

N/A

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

SIGNAGE IS EXISTING

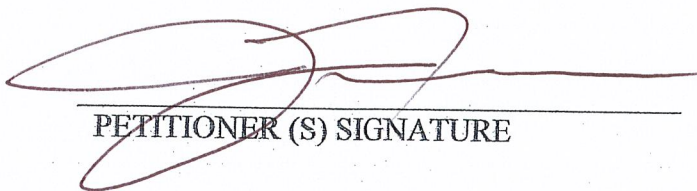
d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

SIGNAGE IS EXISTING

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

N/A


7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF SEPTEMBER 2021



NOTARY PUBLIC

SUSAN M. POWLES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PO4757398
Qualified in Orange County
My Commission Expires March 30, 2022

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)

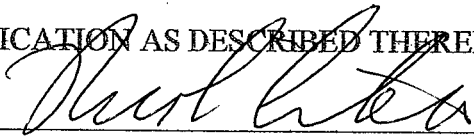
TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

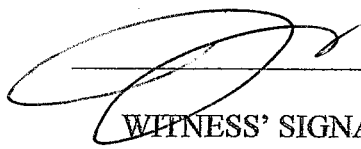
NICK CITERIA (CPK UNION LLC), DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602
IN THE COUNTY OF DUTCHESS AND STATE OF NY
AND THAT HE/SHE IS THE OWNER IN FEE OF _____
1217 ROUTE 300, NEWBURGH, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED COMMERCIAL INDUSTRIAL CONSTRUCTION COI
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/30/2021



OWNER'S SIGNATURE


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF SEPTEMBER 2021



NOTARY PUBLIC

WANDA J MCCARTHY
No. 01MC6230091
Notary Public - State of New York
Qualified in Dutchess County
My Commission Exp. 11/01/2022

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: CPK UNION LLC SIGNAGE			
Project Location (describe, and attach a location map): 1217 ROUTE 300, NEWBURGH, NY 12550			
Brief Description of Proposed Action: APPROVAL OF EXISTING SIGNAGE			
Name of Applicant or Sponsor: COMMERCIAL INDUSTRIAL CONSTRUCTION CORP		Telephone: 914-755-1654	
		E-Mail: flynn@ciccny.com	
Address: 9 WEYANTS LANE			
City/PO: NEWBURGH		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <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:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		N/A acres	
b. Total acreage to be physically disturbed?		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A 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 checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<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 type="checkbox"/>	<input checked="" 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: <u>EXISTING</u>	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: <u>EXISTING</u>	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? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input 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>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input 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: <u>JOE FLYNN</u></p>		<p>Date: <u>9/30/2021</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 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"/>

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.

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

COSIMO DIBRIZZI AND
NICOLA CITERA

TO

CPK UNION LLC

SECTION 96 BLOCK 1 LOT 10 + 11

RECORD AND RETURN TO:
(Name and Address)

DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.
ATTORNEYS AND COUNSELLORS AT LAW
ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550

gpc

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

- | | |
|---|--|
| <input type="checkbox"/> 2089 BLOOMING GROVE (TN) | <input type="checkbox"/> 4289 MONTGOMERY (TN) |
| <input type="checkbox"/> 2001 WASHINGTONVILLE (VLG) | <input type="checkbox"/> 4201 MAYBROOK (VLG) |
| <input type="checkbox"/> 2289 CHESTER (TN) | <input type="checkbox"/> 4203 MONTGOMERY (VLG) |
| <input type="checkbox"/> 2201 CHESTER (VLG) | <input type="checkbox"/> 4205 WALDEN (VLG) |
| <input type="checkbox"/> 2489 CORNWALL (TN) | <input type="checkbox"/> 4489 MOUNT HOPE (TN) |
| <input type="checkbox"/> 2401 CORNWALL (VLG) | <input type="checkbox"/> 4401 OTISVILLE (VLG) |
| <input type="checkbox"/> 2600 CRAWFORD (TN) | <input checked="" type="checkbox"/> 4600 NEWBURGH (TN) |
| <input type="checkbox"/> 2800 DEERPARK (TN) | <input type="checkbox"/> 4800 NEW WINDSOR (TN) |
| <input type="checkbox"/> 3089 GOSHEN (TN) | <input type="checkbox"/> 5089 TUXEDO (TN) |
| <input type="checkbox"/> 3001 GOSHEN (VLG) | <input type="checkbox"/> 5001 TUXEDO PARK (VLG) |
| <input type="checkbox"/> 3003 FLORIDA (VLG) | <input type="checkbox"/> 5200 WALKILL (TN) |
| <input type="checkbox"/> 3005 CHESTER (VLG) | <input type="checkbox"/> 5489 WARWICK (TN) |
| <input type="checkbox"/> 3200 GREENVILLE (TN) | <input type="checkbox"/> 5401 FLORIDA (VLG) |
| <input type="checkbox"/> 3489 HAMPTONBURGH (TN) | <input type="checkbox"/> 5403 GREENWOOD LAKE (VLG) |
| <input type="checkbox"/> 3401 MAYBROOK (VLG) | <input type="checkbox"/> 5405 WARWICK (VLG) |
| <input type="checkbox"/> 3689 HIGHLANDS (TN) | <input type="checkbox"/> 5600 WAWAYANDA (TN) |
| <input type="checkbox"/> 3601 HIGHLAND FALLS (VLG) | <input type="checkbox"/> 5889 WOODBURY (TN) |
| <input type="checkbox"/> 3889 MINISINK (TN) | <input type="checkbox"/> 5801 HARRIMAN (VLG) |
| <input type="checkbox"/> 3801 UNIONVILLE (VLG) | |
| <input type="checkbox"/> 4089 MONROE (TN) | |
| <input type="checkbox"/> 4001 MONROE (VLG) | |
| <input type="checkbox"/> 4003 HARRIMAN (VLG) | |
| <input type="checkbox"/> 4005 KIRYAS JOEL (VLG) | |

CITIES

- 0800 MIDDLETOWN
- 1100 NEWBURGH
- 1300 PORT JERVIS
- 9999 HOLD

NO. PAGES 5 CROSS REF 1
 CERT. COPY ADD'L X-REF
 MAP # PGS.
 PAYMENT TYPE: CHECK
 CASH
 CHARGE
 NO FEE
 CONSIDERATION \$ 0
 TAX EXEMPT
 MORTGAGE AMT \$
 DATE

MORTGAGE TAX TYPE:

- (A) COMMERCIAL/FULL 1%
- (B) 1 OR 2 FAMILY
- (C) UNDER \$10,000
- (E) EXEMPT
- (F) 3 TO 6 UNITS
- (I) NAT. PERSON/CR. UNION
- (J) NAT.PER-CR.UN/1 OR 2
- (K) CONDO

RECEIVED FROM:

Horizon

LIBER 5213 PAGE 220

LIBER 5213 PAGE 220

ORANGE COUNTY CLERKS OFFICE 71825 LAL
 RECORDED/FILED 12/29/1999 12:20:53 PM
 FEES 50.50 EDUCATION FUND 5.00
 SERIAL NUMBER: 005076
 DEED CNTL NO 68036 RE TAX .00

4331-272
6360-224

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

20417-97

#6157

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

THIS INDENTURE, made the 30th day of September, nineteen hundred and ninety-nine

BETWEEN

Cosimo DiBrizzi, residing at 450 River Road, Newburgh, New York 12550 and Nicola Citera, residing at 3 Old Farms Road, Poughkeepsie, New York 12603, AS TENANTS IN COMMON, party of the first part, and

CPK Union LLC, a New York limited liability company with offices for the transaction of business at 1089 Little Britain Road, New Windsor, New York 12553, party of the second part,

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

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

Being and intended to be the same premises conveyed in a certain deed dated December 28, 1998 by Cosimo DiBrizzi and Nicola Citera to Cosimo DiBrizzi and Nicola Citera and recorded in the office of the Orange County Clerk in Liber 4961 of deeds at page 64 on January 14, 1999.

This conveyance is made and accepted subject to an indebtedness secured by a mortgage dated June 12, 1992 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$230,000.00, recorded in the Orange County Clerk's Office in Liber 4331 at page 272, and mortgage dated October 17, 1997 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$208,083.53, recorded in the Orange County Clerk's Office in Liber 6360 at page 224, which two mortgages were consolidated by agreement dated October 17, 1997 made between Cosimo DiBrizzi and Nicola Citera and The Bank of New York to form a single first lien in the amount of \$325,000.00, which mortgage was assigned by Assignment of Mortgage dated September 30, 1999 made by The Bank of New York to Premier National Bank to be recorded simultaneously herewith and on which there is an unpaid principal amount of \$265,416.74, together with interest from September 1, 1999, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the conveyance of the above described premises, and the party of the second part hereby executes and acknowledges this instrument for the purpose of complying with the provisions of Section 5-705 of the General Obligations Law.

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,

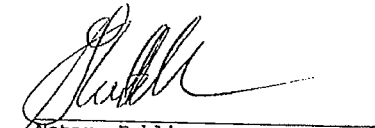
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

On the 30th day of September, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, 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 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

GLEN L. HELLER
NOTARY PUBLIC, State of New York
No. 02HE4859692
Qualified in Orange County
Commission Expires April 21, 2002

DESCRIPTION
LANDS OF NICHOLAS CITERA & COSIMO DIBRIZZI
UNION AVENUE, TOWN OF NEWBURGH, NEW YORK
TAX PARCELS : SECTION 96 BLOCK 1 LOTS 10 & 11

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

Beginning at a point in the westerly line of Union Avenue, New York State Route 300, at the southeasterly corner of lands now or formerly of Distefano; thence, along said westerly line of Union Avenue, South 28 degrees 20 minutes West 256.15 feet to a point in the northerly line of Orr Avenue; thence, along the northerly, northeasterly and easterly lines of Orr Avenue, the following four (4) courses,
(1) South 87 degrees 00 minutes 57 seconds West 23.00 feet,
(2) North 44 degrees 55 minutes 04 seconds West 27.20 feet,
(3) North 28 degrees 04 minutes 21 seconds West 73.04 feet,
and
(4) North 19 degrees 21 minutes 59 seconds West 129.13 feet to a point in the division line between the lands now or formerly of Distefano on the northwest and the parcel herein described on the southeast; thence, along the last said division line, North 27 degrees 20 minutes East 132.83 feet to point in the division line between the lands now or formerly of Distefano on the northeast and the parcel herein described on the southwest; thence, along the last said division line, South 61 degrees 42 minutes 04 seconds East 204.38 feet to the point or place of beginning, containing 1.00 acres of land more or less.



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

2954-21 (0)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/14/2021

Application No. 21-0738

To: CPK Union LLC
1089 Little Britain Rd
New Windsor, NY 12553

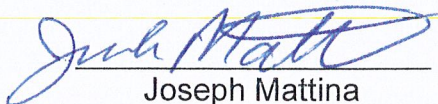
SBL: 96-1-11.1
ADDRESS: 1217 Route 300

ZONE:

PLEASE TAKE NOTICE that your application dated 07/01/2021 for permit to keep a third free standing sign which was installed without a permit on the premises located at 1217 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

- 1) 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.
- 2) 185-14-J-5-d: A freestanding sign shall not overhang any property lines.
- 3) 185-14.1-B-4-b-1-c: Up to two pylon signs may be placed on the property.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

T Mobile

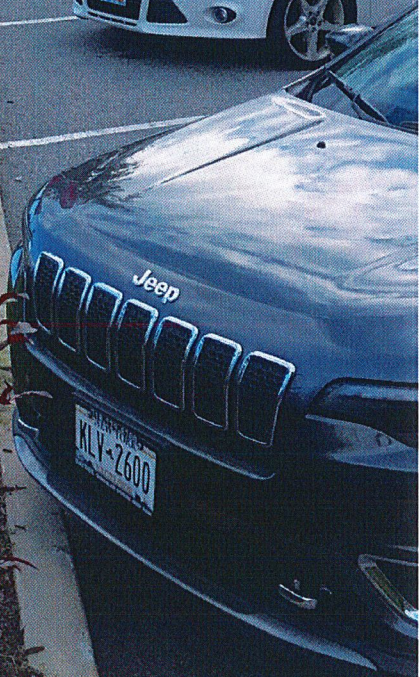
WILMINGTON PLAZA
THE HOME DEPOT

KOHL'S
FURNITURE
RESTAURANT





T-Mobile







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

STATE OF NEW YORK: COUNTY OF ORANGE:

I Joseph Flynn, being duly sworn, depose and say that I did on or before

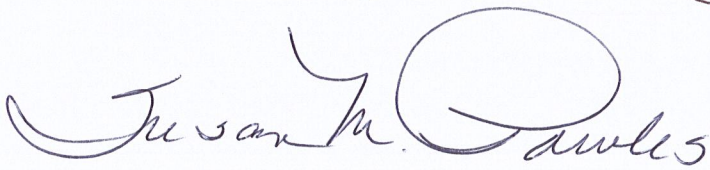
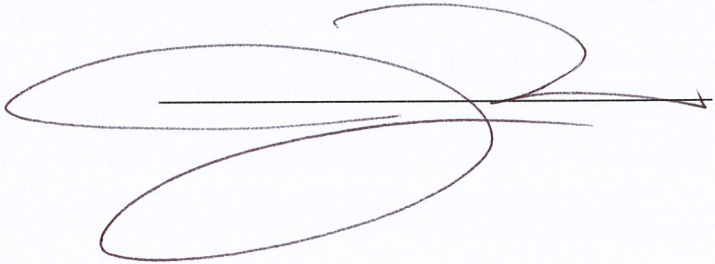
October 14, 2021, post and will thereafter maintain at

1217 Route 300 96-1-11.1 B Zone in the Town of Newburgh, New York, at or near the front property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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

Sworn to before me this 10th

day of October 2021.



SUSAN M. POWLES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PO4757398
Qualified in Orange County
My Commission Expires March 30, 2022

RISTORANTE & BAR



GIERO

NOW HIRING

