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**TOWN OF NEWBURGH  
PLANNING BOARD  
TECHNICAL REVIEW COMMENTS**

**PROJECT: 440 SOUTH PLANK ROAD**  
**PROJECT NO.: 2016-16**  
**PROJECT LOCATION: SECTION 52, BLOCK 7, LOT 1**  
**REVIEW DATE: 8 SEPTEMBER 2016**  
**MEETING DATE: 15 SEPTEMBER 2016**  
**PROJECT REPRESENTATIVE: MARGARET M. HILLRIEGEL, L.S.**

1. The Applicants have provided a partial survey of a building which is identified as a previous restaurant which they are proposing to purchase and utilize as a second hand vintage retail store. The existing structure is identified as 2015 square feet. The Applicant's are requesting a waiver in accordance with 185-56. The Planning Board should evaluate the site with regard to any potential waivers it wishes to grant under the code.
2. The existing site has uncontrolled access from NYS Route 52. Planning Board may wish to discuss signage with the Applicant's representative.
3. The building appears to have zoning Bulk deficiencies. The following Bulk deficiencies are identified:
  - 1) Front yard: 40 required, 29.4 depicted.
  - 2) Side yard: 15 feet required where 8.3 is depicted.
  - 3) Accessory deck is also located 1.3 feet from the property line.

In addition what appears to be a large amount of parking for the site is actually located within NYSDOT right of way and on an adjoining parcel.

Respectfully submitted,

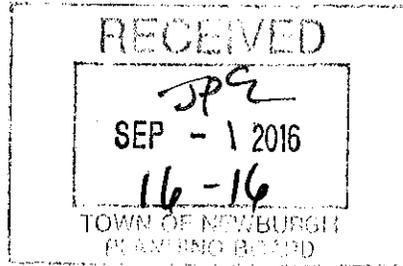
**McGoey, Hauser and Edsall  
Consulting Engineers, D.P.C.**

\_\_\_\_\_  
Patrick J. Hines  
Principal

PJH/kbw

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

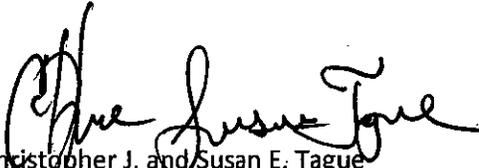
29 August 2016



Re: Garage Sales Unlimited LLC  
440 South Plank Road  
Newburgh, NY 12550

Town of Newburgh Planning Board,

We are in the process of acquiring a commercial building located at 440 South Plank Road Newburgh, NY 12550. I have enclosed a survey recently prepared by Margaret Hillriegel along with a drawing of the building. The building was previously a restaurant and we will be utilizing the building as a second hand vintage retail sales facility. Besides the removal of an oven, the building will be used as is. The building is currently 2,015.38 square feet. In accordance with §185.56 of the Town of Newburgh code, the Planning Board may vary or waive a site plan submission for buildings with areas under 2,500 square feet. We are requesting such waiver of a site plan approval as this building is under 2,500 square feet. Additionally, the site plan preparation will cause extraordinary and unnecessary hardship. Thank you for your attention to this matter.

  
Christopher J. and Susan E. Tague  
Owners, Garage Sales Unlimited LLC

**TOWN OF NEWBURGH  
APPLICATION FOR  
SUBDIVISION/SITE PLAN REVIEW**

**RETURN TO: Town of Newburgh Planning Board  
308 Gardnertown Road  
Newburgh, New York 12550**

**DATE RECEIVED: \_\_\_\_\_ TOWN FILE NO: \_\_\_\_\_**  
(Application fee returnable with this application)

**1. Title of Subdivision/Site Plan (Project name):**

440 South Plank Road

**2. Owner of Lands to be reviewed:**

Name

John J. Lease III

Address

Phone

845-742-7201

**3. Applicant Information (If different than owner):**

Name

CHRIS AND SUSAN Tague (DBA GARAGE SALES Unlimited LLC)

Address

2 NANCY LAKE  
Newburgh, NY 12550

Representative

Phone

845-561-4685

Fax

Email

CHRISTOPHER.TAGUE@USMA.EDU

**4. Subdivision/Site Plan prepared by:**

Name

Address

N/A

Phone/Fax

**5. Location of lands to be reviewed:**

440 South Plank Road Newburgh, NY 12550

**6. Zone**

235 x 133

**Fire District**

ORANGE LAKE

**School District**

Newburgh

**7. Tax Map: Section**

B

**Block**

**Lot**

82-85

**8. Project Description and Purpose of Review:**

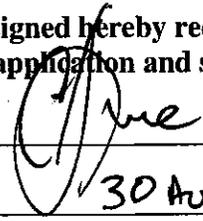
Number of existing lots \_\_\_\_\_ Number of proposed lots \_\_\_\_\_  
Lot line change \_\_\_\_\_  
Site plan review \_\_\_\_\_  
Clearing and grading \_\_\_\_\_  
Other Waiver Request of site plan

**PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT**

**9. Easements or other restrictions on property:**

(Describe generally) \_\_\_\_\_

**10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:**

Signature  Title \_\_\_\_\_

Date: 30 August 2016

**NOTE:** If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

**FEE ACKNOWLEDGEMENT**

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

Christopher Tague

APPLICANT'S NAME (printed)



APPLICANT'S SIGNATURE

30 Aug 16

DATE

Note: if the property abuts and has access to a County or State Highway or road, the following information must be placed on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

**TOWN OF NEWBURGH PLANNING BOARD**

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**PROJECT NAME**

**CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN**

**I. The following items shall be submitted with a COMPLETED Planning Board Application Form.**

1. \_\_\_ **Environmental Assessment Form As Required**
2. \_\_\_ **Proxy Statement**
3. \_\_\_ **Application Fees**
4. \_\_\_ **Completed Checklist (Automatic rejection of application without checklist)**

**II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.**

1. \_\_\_ **Name and address of applicant**
2. \_\_\_ **Name and address of owner (if different from applicant)**
3. \_\_\_ **Subdivision or Site Plan and Location**
4. \_\_\_ **Tax Map Data (Section-Block-Lot)**
5. \_\_\_ **Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined**
6. \_\_\_ **Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot**
7. \_\_\_ **Show zoning boundary if any portion of proposed site is within or adjacent to a different zone**
8. \_\_\_ **Date of plan preparation and/or plan revisions**
9. \_\_\_ **Scale the plan is drawn to (Max 1" = 100')**
10. \_\_\_ **North Arrow pointing generally up**

11. \_\_\_ Surveyor,s Certification
12. \_\_\_ Surveyor's seal and signature
13. \_\_\_ Name of adjoining owners
14. \_\_\_ Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
15. \_\_\_ Flood plain boundaries
16. \_\_\_ Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
17. \_\_\_ Metes and bounds of all lots
18. \_\_\_ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street
19. \_\_\_ Show existing or proposed easements (note restrictions)
20. \_\_\_ Right-of-way width and Rights of Access and Utility Placement
21. \_\_\_ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22. \_\_\_ Lot area (in sq. ft. for each lot less than 2 acres)
23. \_\_\_ Number of lots including residual lot
24. \_\_\_ Show any existing waterways
25. \_\_\_ A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
26. \_\_\_ Applicable note pertaining to owners review and concurrence with plat together with owner's signature
27. \_\_\_ Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. \_\_\_ Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29. \_\_\_ Show topographical data with 2 or 5 ft. contours on initial submission



**MARGARET M. HILLRIEGEL**  
**Licensed Land Surveyor**

372 OREGON TRAIL  
PINE BUSH, NEW YORK 12566  
(845) 744-2072



**DESCRIPTION**  
**LANDS TO BE CONVEYED TO**  
**CHRISTOPHER TAGUE & SUSAN TAGUE**  
**And GARAGE SALES UNLIMITED**  
**440 SOUTH PLANK ROAD,**  
**TOWN OF NEWBURGH,**  
**COUNTY OF ORANGE, STATE OF NEW YORK,**

**ALL THAT PIECE OR PARCEL OF LAND SITUATE IN THE TOWN OF  
NEWBURGH, COUNTY OF ORANGE, STATE OF NEW YORK, BEING DESCRIBED  
AS FOLLOWS:**

Beginning at a found iron pipe in a tree root in the Southwesterly line of Old South Plank Road, said point also being the Easterly most corner of lands now or formerly Johnson, Liber 2257, Page 936, said point being the Northerly most corner of the herein described parcel, said point also being located South  $66^{\circ}55'00''$  East  $108.00'$  from a found iron pipe;

Thence along the Southwesterly line of said Old Plank Road, South Sixty-Six Degrees, Fifty-Five Minutes, Zero Seconds East One Hundred Thirty-Three and Twenty-Five Hundredths Feet (S  $66^{\circ}55'00''$  E  $133.25'$ ) to a  $\frac{3}{4}''$  iron pipe set;

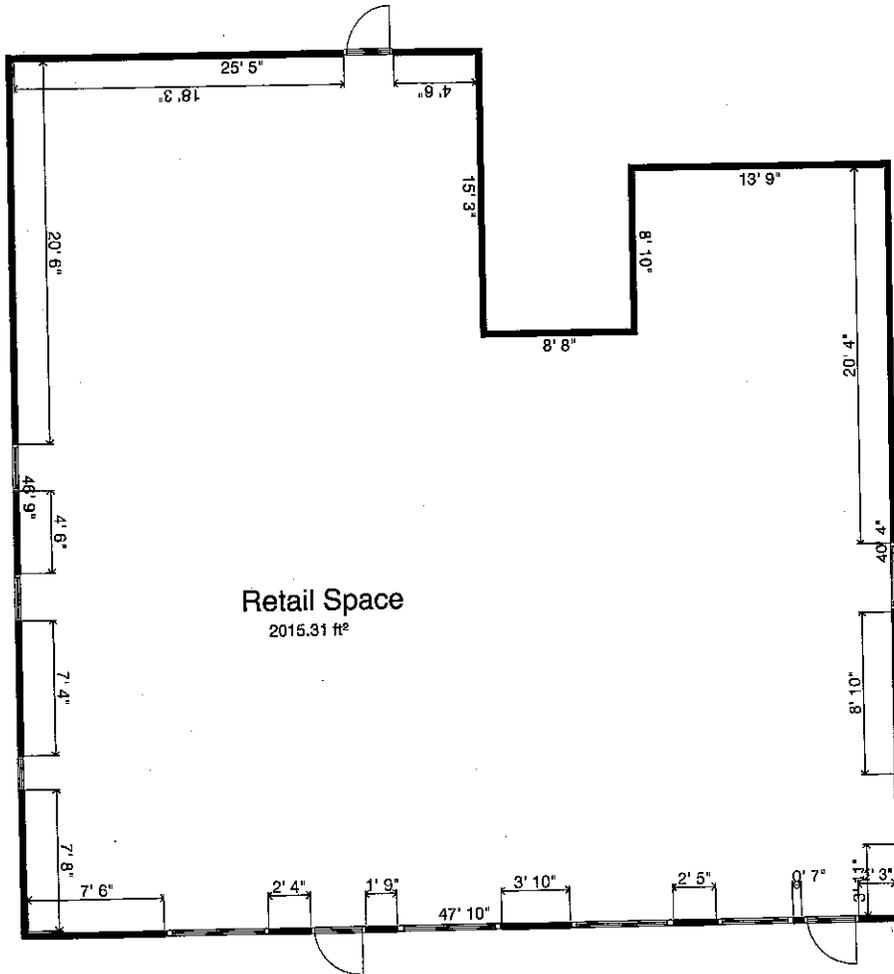
Thence along lands now or formerly Calaluca, Liber 3087, Page 302, the following two (2) courses and distances:

1. South Twenty-Three Degrees, Six Minutes, Zero Seconds West One Hundred Eight and Seventy Hundredths Feet (S  $23^{\circ}06'00''$  W  $108.70'$ ) to a rail road spike set in pavement;
2. South Eight Degrees, Thirty-Three Minutes, Zero Seconds West Sixty-Seven and Ninety-Eight Hundredths Feet (S  $0833'00''$  W  $67.98'$ ) to a rail road spike set in pavement;

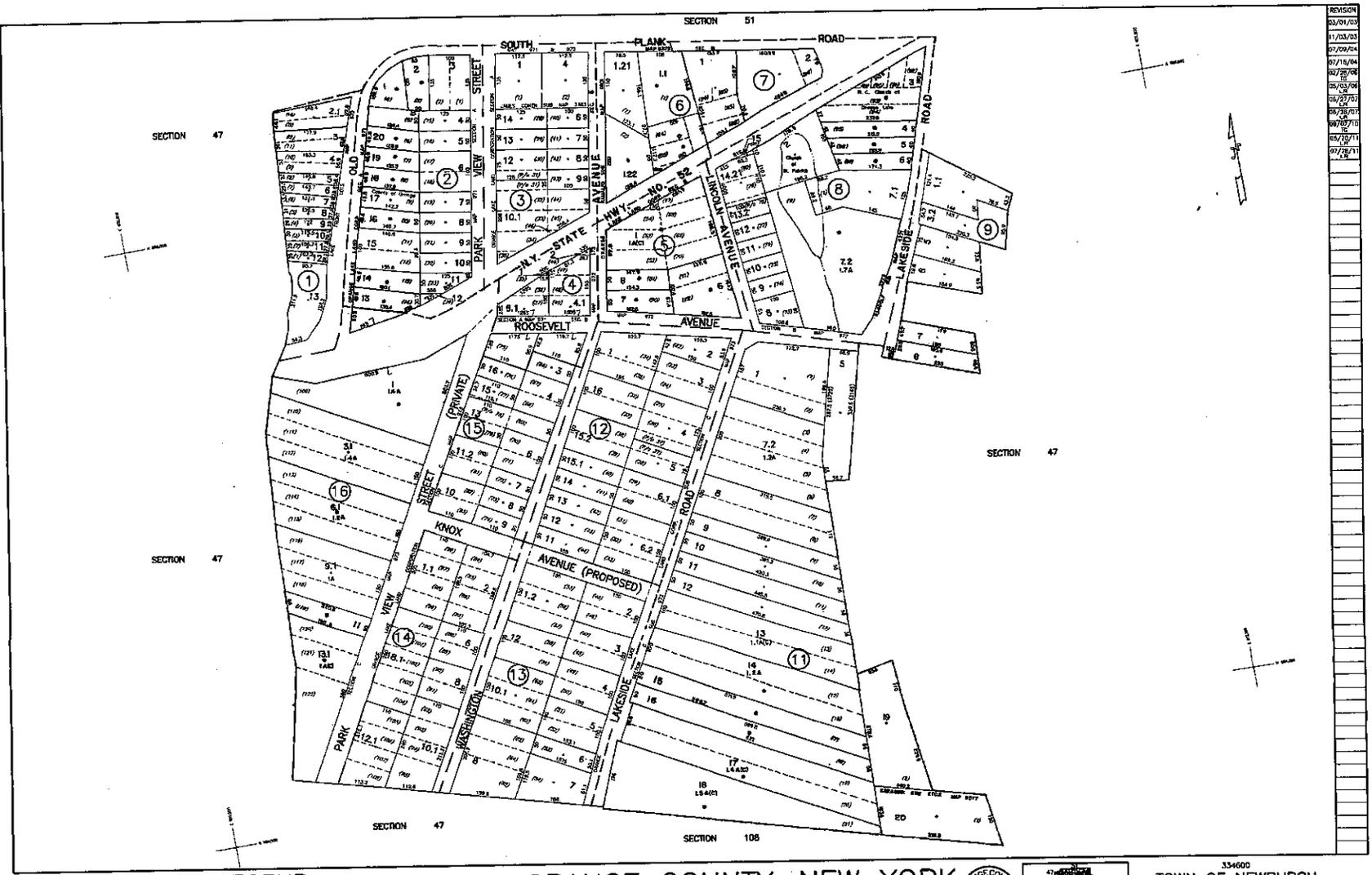
Thence along the Northerly line of South Plank Road (N.Y.S. Route 52), South Eighty-Two Degrees, Thirty Minutes, Thirty Seconds West One Hundred Three and Nine Hundredths Feet (S  $82^{\circ}30'30''$  W  $103.09'$ ) to a  $\frac{1}{2}''$  iron rod set;

Thence along lands now or formerly Valley Contracting Inc., Liber 13700, Page 1450, and lands now or formerly Johnson, Liber 2257, Page 936, North Seven Degrees, Fifty-Five Minutes, Zero Seconds East Two Hundred Thirty-Five and Thirteen Hundredths Feet (N  $07^{\circ}55'00''$  E  $235.13'$ ) to the point or place of beginning and containing 0.5138 Acres of land more or less, as surveyed by Margaret M. Hillriegel, L.S.

# Tague



Floor 1



REVISION
03/01/03
11/03/03
07/09/04
07/18/04
02/25/06
05/03/06
06/27/07
08/28/07
04/02/08
05/20/11
07/26/11

**LEGEND**

STATE OF COUNTY LINE	FILED PLAN LOT LINE	FILED MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	EMPAVING LINE	FILED MAP PARCEL NO.	FILED PLAN PARCEL NO.
BLOCK OR SECTION LINE	IMPROV. LINE	FILED PLAN & (ISOLATED) PLANS	STATE INDEMNITY
SPECIAL DISTRICT LINE	IMPROV. FEATURES	INDEMNITY	COUNTY INDEMNITY
PROPERTY LINE	LINE CONFORMITY CORNER	POSITION OF THE LOT	TOWN RECORD

**ORANGE COUNTY-NEW YORK**

Prepared by: Orange County Tax Map Department  
 124 Lake Street, Cooper, N.Y. 12522  
 Phone: (518) 531-2468 Fax: (518) 531-2466

NOTICE: MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE ORANGE COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE O.C. REAL PROPERTY TAX SERVICE AGENCY.

NOT TO BE REPRODUCED FOR COMMERCIAL PURPOSES FOR O.C. PURPOSES ONLY  
 NOT TO BE USED FOR CONFORMANCE



334600  
**TOWN OF NEWBURGH**  
 Scale 1" = 100'  
 Section No. 52  
 JANUARY 2016

**Search**  
Find a Home

**Learn**  
How's the Market?

**Services**  
Loans, Insurance & More

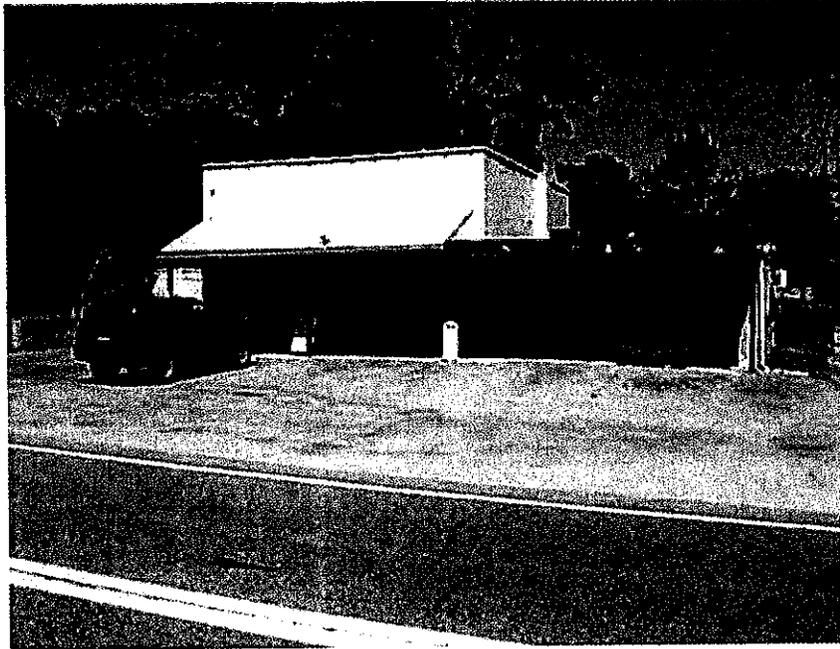
**Lifestyle**  
Communities & Design

440 South Plank Road, Newburgh, NY 12550

Mortgage Payment  
\$1,297 / month



CLICK TO RECALCULATE



**\$2,000**

**MLS:** 513034  
**Sold:** \$2,000  
**Square Ft:** 2,086  
**Acreage:** 1.2700  
**Est. Taxes:** \$6,553

**REQUEST MORE INFORMATION**

First Name

Last Name

Email

Phone

Request More Information

OR

**CALL (845) 770-1285**

This building is currently operating as a restaurant. Located on busy Rt. 52 in the Town of Newburgh, this building is great for the investor looking to collect on a lease or for an owner/operator looking for a place to call home. Roof and AC are only five years young. Plenty of parking. Call today for all the details. Don't miss this one. OWNER WOULD LEASE FOR 2000 MONTHLY.

Share this Property:

Print

Favorites

**Property Details**

**Property Map**

**FEATURES**

<b>County:</b> Orange	<b>Prop Type:</b> Commercial
<b>City:</b> Newburgh	<b>Status:</b> Leased
<b>Year Built:</b> 1950	
<b>Garage:</b> Lot Parking	
<b>Heat Type:</b> Forced Air	<b>Heat Zones:</b> 1
<b>Water Type:</b> Municipal	<b>Sewer Type:</b> Municipal
<b>Air Cond:</b> Central	

**LISTING BROKER INFORMATION**

**Broker:** John J Lease REALTORS Inc

**Bloom & Bloom, P.C.**  
ATTORNEYS AND COUNSELORS AT LAW

DANIEL J. BLOOM  
PETER E. BLOOM  
KEVIN D. BLOOM \*  
KATHLEEN L. BLOOM  
\*ALSO ADMITTED IN FLORIDA

530 BLOOMING GROVE TURNPIKE  
P.O. BOX 4323  
NEW WINDSOR, NEW YORK 12553  
TELEPHONE (845) 561-6920  
FAX: (845) 561-0978  
E-MAIL: [BLOOMBLOOM@hvc.rr.com](mailto:BLOOMBLOOM@hvc.rr.com)

August 8, 2016

Town of Newburgh Code Compliance Department  
308 Gardnertown Road  
Newburgh, New York 12550

*Via Fax and First Class Mail*

Attention: Gerald Canfield- Code Compliance Supervisor

**RE: *Garage Sales Unlimited, LLC from Lease  
Premises: 440 South Plank Road, T/Newburgh, Orange County, NY (52-7-1)  
Our File No. RE-2436***

Dear Mr. Canfield:

I presently represent Contract Vendee's for the above premises who wish to utilize the premises post-closing as a "second-hand vintage retail commercial sales facility". Kindly advise as to whether such use is permitted under the Town Zoning code. If you wish a check payable to the Town in this regard, kindly advise.

Thank you.

Sincerely,

  
DANIEL J. BLOOM  
DJB:dt

cc: Mr. Christopher Tague - Via Email and First Class Mail

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

---

OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

CODE COMPLIANCE DEPT.  
TELEPHONE 845-564-7801  
FAX LINE 845-564-7802

August 10, 2016

Mr. Daniel J. Bloom Esq.

Bloom & Bloom, Attorneys and Counselors at Law

530 Blooming Grove Turnpike

P.O. Box 4323

New Windsor N.Y. 12553

Re: 440 South Plank Road

Your File # RE-2436

Dear Mr. Bloom,

In response to your August 8, 2016 correspondence regarding 440 South Plank Road, I offer the following. The mentioned property is located in a B zone per our Zoning map. For your convenience, I have enclosed the Bulk Use requirements sheet for this Zone. Although Retail and Personal Service stores are a permitted use, they are subject to Planning Board Approval. Feel free to contact me if there are any additional questions.

Sincerely



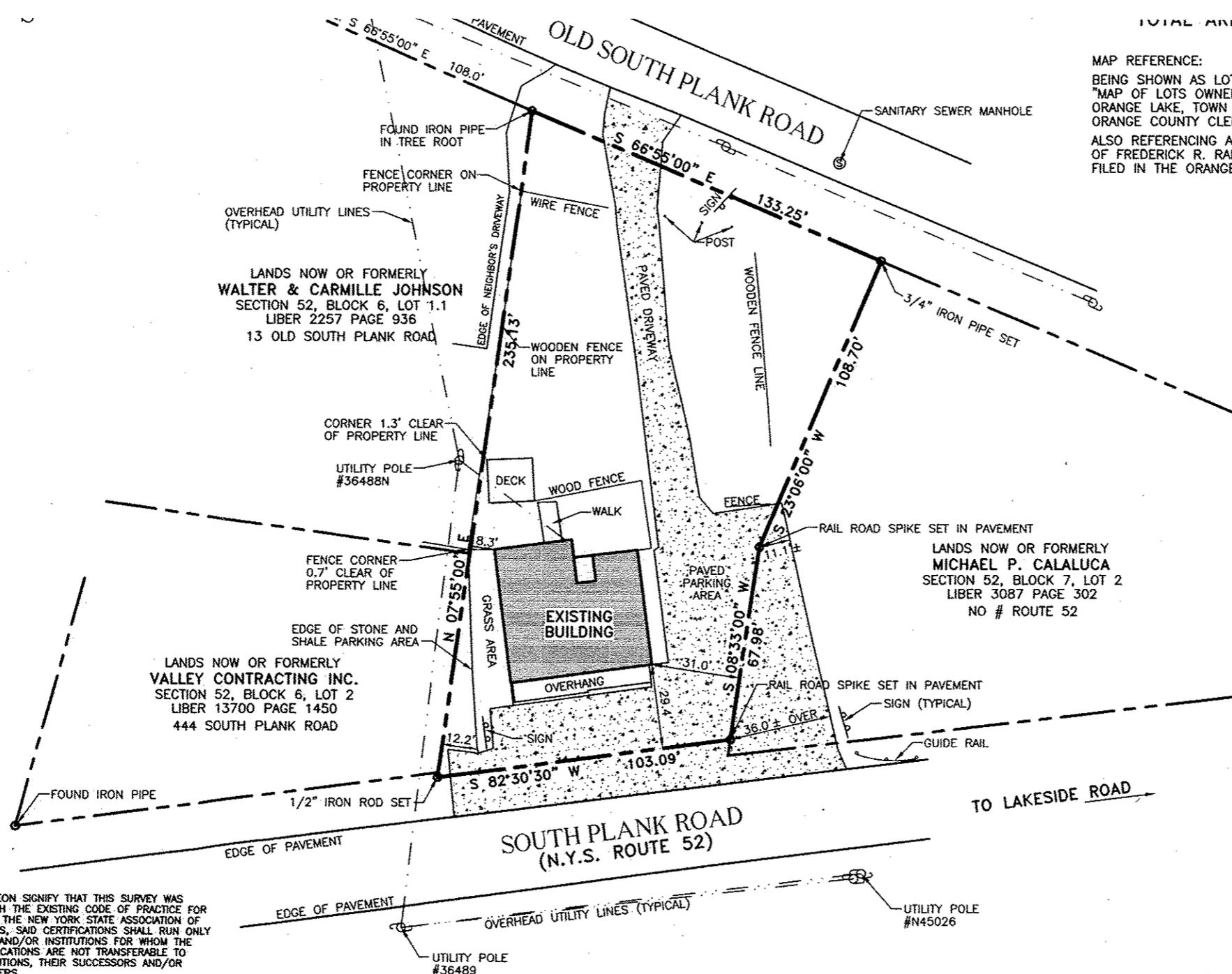
Gerald Canfield

Code Compliance Supervisor

MAP REFERENCE:

BEING SHOWN AS LOTS 83, 84, 85 & A PORTION OF LOT 82 ON A MAP ENTITLED "MAP OF LOTS OWNED BY THE ORANGE LAKE LAND CORPORATION, SECTION B, ORANGE LAKE, TOWN OF NEWBURGH, N.Y., DATED APRIL 1927, AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON MAY 20, 1927 AS MAP NUMBER 972.

ALSO REFERENCING A MAP OF ADJOINING LANDS ENTITLED "SUBDIVISION OF LAND OF FREDERICK R. RAMALIO AND ANGELINA M. RAMALIO", DATED 20 MAY, 1983 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON JUNE 27, 1983 AS MAP #62



**LEGEND**

- UTILITY POLE
- OVERHEAD UTILITY
- ANCHOR
- SEWER MANHOLE

CERTIFIED TO:  
 CHRISTOPHER TAGUE, SUSAN TAGUE,  
 GARAGE SALES UNLIMITED, LLC,  
 JOHN H. LEASE, III,  
 WESTCOR LAND TITLE INSURANCE COMPANY,  
 HIL-n-DALE ABSTRACTERS, INC.,  
 TO BE A TRUE SURVEY PERFORMED IN THE F  
 ON AUGUST 3, 2016.

MARGARET M. HILLRIEGEL L.S.  
 N.Y.S. LIC. No. 50253

PREPARED BY:  
 MARGARET M. HILL  
 LICENSED  
 LAND SURVEYOR  
 372 OREGON TRAIL  
 PINE BUSH, NEW YORK  
 PHONE #: (845) 744-

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WHOM THE SURVEY IS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS OR SUBSEQUENT OWNERS.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYORS SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE N.Y. STATE EDUCATION LAW. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYORS INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

SUBJECT TO AN UP TO DATE ABSTRACT OF TITLE.  
 SUBJECT TO UNDERGROUND UTILITIES AND EASEMENTS NOT RECORDED AND/OR NOT VISIBLE AT THE TIME OF FIELD SURVEY.

GRAPHIC SCALE

