. · · · · ·			
	Orange County Department of Pla	anning Referral ID#:-	
NIGE COU	Submittal Form for Mandatory Review of Local I	Planning Action (County use only)	
19 38 19	as per NYS General Municipal Law §239-	and the second se	
(Lation)	I his form is to be completed by the local board having jurisdiction. accepted unless coordinated with both the local board having juris	. Submittals from applicants will not be soliction and the County Department of	
W YORS	Planning. Please include all materials that are part of a "full statement" as de		
Steven M. Neuhaus County Executive	materials required by and submitted to the referring body as an ap	plication on a proposed action").	
Municipality:	Town of Newburgh	Тах Мар #: 97-2 - 11.2	
Local Referring Board:	Zoning Board of Appeals	Tax Map #:	
Applicant:	Auto PARK REAlty LLC	Tax Map #:	
Project Name:	HUDSOW VALLEY Chrys'LER Dodge Jeep RAM	Local File No.: 2538-15	
Location of Project Site		Size of Parcel*: 8.4 Aures	
	200 HUTOTARN PLACE	*If more than one parcel, please include	
Reason for County		sum of all parcels.	
Review:	NYS Route 17K	District (include	
Type of Review:			
	Plan Update/Adoption		
Zoning Amendme	Zoning District Change from to	·. ·	
	Ordinance Modification (cite section):	······································	
 Local Law Site Plan 			
	Sq. feet proposed (non-residential only):	KETCH / PRELIM / FINAL (circle one)	
□ Subdivision	Number of lots proposed:		
Special Use Perm	Which approval is the applicant currently seeking? SK it	KETCH / PRELIM / FINAL (circle one)	
Lot Line Change			
) P Variance (口 Other	AREA) USE (circle one) <u>MAXIMUM Allowel</u>	Amount of Signage	
Is this an update to a pr	eviously submitted referral? YES / NO (circle one)	· · · · · · · · · · · · · · · · · · ·	
Local board comments or elaboration:			
	· · ·		
26)	$\frac{2}{29}/16$ zor	Chairperson ning Board of Appeals	
Signature	et local official Date	Title	
Municipal Contact Phon	e Number:845-566-4901	·	
If you would like the en	plicant to be cc'd on this letter, please provide the applicant	's address:	
n you would like the app			
in you would like the app			
	a with full statement, to: Orange County Dent, of Planning	124 Main St Cochon NV 10004	
Please return, alon	ng with full statement, to: Orange County Dept. of Planning n or comments, call: 845-615-3840 or email: planning@c	124 Main St.Goshen, NY 10924 prangecountygov.com	
Please return, alon	g with full statement, to: Orange County Dept. of Planning n or comments, call: 845-615-3840 or email: planning@o	124 Main St.Goshen, NY 10924 prangecountygov.com	
Please return, alon	g with full statement, to: Orange County Dept. of Planning n or comments, call: 845-615-3840 or email: planning@c	124 Main St.Goshen, NY 10924 prangecountygov.com	
Please return, alon	g with full statement, to: Orange County Dept. of Planning n or comments, call: 845-615-3840 or email: planning@c	124 Main St.Goshen, NY 10924 prangecountygov.com	



TOWN OF NEWBURGH

Zoning Board Of Appeals

Old Town Hall 308 Gardnertown Road Newburgh, New York 12550

APPLICATION

Office Of Zoning Board (845) 566-4901

DATED: 2/16/16

1

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

I (WE) Auto PA	rk Realty	LLC	_PRESENTLY
----------------	-----------	-----	------------

RESIDING AT NUMBER 400 Auto Park Place

TELEPHONE NUMBER 845-229-4151

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

	A USE VARIANCE
K	AN AREA VARIANCE
	INTERPRETATION OF THE ORDINANCE
	SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

97-2-11.2	(TAX MAP DESIGNATION)
200 Auto Pack Place	(STREET ADDRESS)
IB	(ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW). 185-14-13-1-C



TOWN OF NEWBURGH Crossroads of the Northeast

2

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: <u>12-10-15</u>
 - 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 Spught: Additional 1015 \$ of
 - Signage or 41.17%
- 5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:
 - a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

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

				· ·	
NOF	NEWO			3	
A ONIN OF		TOWN O	F NEWBURGH	5	
	of the star		ads of the Northeast		•
			DARD OF APPEALS		
NEW	YORK	. 308 Gai	Town Hall Dnertown Road New York 12550	• • •	
	d)	THE HARDSHIP HAS NOT	BEEN SELF-CREATED BECAUSE:		
•				<u> </u>	
ć	5. IF AN	I AREA VARIANCE IS REQI	VESTED:	-	
	a)	THE VARIANCE WILL NC THE CHARACTER OF THE NEARBY PROPERTIES BE	T PRODUCE AN UNDESIRABLE CHAI NEIGHBORHOOD OR A DETRIMENT CAUSE:	NGE IN TO	
	•	PARcel is located in	Business District, signs are of I will only enhance the	•	
	b)	THE BENEFIT SOUGHT B BY SOME METHOD, FEAS OTHER THAN AN AREA V	Y THE APPLICANT CAN NOT BE ACHI IBLE FOR THE APPLICANT TO PURSU ARIANCE, BECAUSE	EVED JE,	
	· ·	Due to the amount of Chrysler offers, add. the public	makes of vehicles that total signage is needed for		
		•			
	c)	THE REQUESTED AREA V Request is not subst	ARIANCE IS NOT SUBSTANTIAL BEC antial Considering the size	AUSE:	
•	•	of the lot and sale	s service the business offers		· ·
	d)	THE PROPOSED VARIANO IMPACT ON THE PHYSICA THE NEIGHBORHOOD OR	E WILL NOT HAVE AN ADVERSE EFF AL OR ENVIRONMENTAL CONDITION DISTRICT BECAUSE:	ECT OR S IN	
•		Additional signage i	s consistent with other business up no policities impact whatspere,	5	
	. e)	Join Code has put a	BEEN SELF CREATED BECAUSE: - limit on Sq. ft. of signage		
		Without considering n the public at such a	clarge business		•
				· .	
	·			•	



TOWN OF NEWBURGH

Zoning Board Of Appeals Old Town Hall 308 Gardnertown Road Newburgh, New York 12550

.

OFFICE OF ZONING BOARD (845) 566-4901

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

4

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS DAY OF 20/1 ARY PUBLIC STACEY J. RICHARDS Notary Public, State of New York Qualified in Rensselaer County Reg. No. 01RI4917973 Commission Expires Jan. 19,20 /8

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)

Short Environmental Assessment Form Part 1 - Project Information

6

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	•	
SAxton Sign Corp. Name of Action or Project:	•	
Name of Action or Project:		
Hudson Valley CJD - 200 Anto Park Alace		
Project Location (describe, and attach a location map):		
200 Areto Porck Place		
Brief Description of Proposed Action:		
Distall 321 th of signage		* 2 8
		ъ.
	•	
Name of Applicant or Sponsor: Telephone: 518-73	2-7700	4
SAxton Dign Long E-Mail: Stacey & sa	xtensig	n.com
Address:		
1320 Route 9		
City/PO: State:	Zip Co	1
Castleton NY	1203	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?	NC) YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources	s that	
may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	June 1	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency	? <u>NC</u>) YES
If Yes, list agency(s) name and permit or approval:	K	
	<u> </u>	
3.a. Total acreage of the site of the proposed action?		
b. Total acreage to be physically disturbed? \mathcal{N}^{\prime} acres c. Total acreage (project site and any contiguous properties) owned		
or controlled by the applicant or project sponsor?		
4. Check all land uses that occur on, adjoining and near the proposed action.		
4. Check an land uses that occur on, adjoining and hear the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial 🖾 Commercial ☐ Residential (subt	irban)	·
Forest Agriculture Aquatic Other (specify):		
Parkland		

 Is the proposed action, a. A permitted use under the zoning regulations? 	N N		N/A
b. Consistent with the adopted comprehensive plan?			┼╞═┽
6. Is the proposed action consistent with the predominant ch	L		YES
landscape?	aracter of the existing built of hatura	Ĩ	$\overline{\mathbb{N}}$
7. Is the site of the proposed action located in, or does it adjo	in, a state listed Critical Environmental Area?	NO	YES
If Yes, identify:	•	- 1571	
8. a. Will the proposed action result in a substantial increase	in traffic above present levels?	NO	YES
b. Are public transportation service(s) available at or near	the site of the proposed action?		┼╞═╡╌
		LX.	
c. Are any pedestrian accommodations or bicycle routes a	vailable on or near site of the proposed action	$7 \mathbf{X} $	
9. Does the proposed action meet or exceed the state energy c	ode requirements?	NO	YES
If the proposed action will exceed requirements, describe des	gn features and technologies:	r-A	,
		- []	
		-	
10. Will the proposed action connect to an existing public/pri	vate water supply?	NO	YES
If No, describe method for providing potable water:		1 1	
		- [X]	
	411/41 O		NDO
11. Will the proposed action connect to existing wastewater u	unties?	NO	YES
If No, describe method for providing wastewater trea	ment:	1	
		- 121	
12. a. Does the site contain a structure that is listed on either	he State or National Register of Historic	NO	YES
Places?			
b. Is the proposed action located in an archeological sens	itive area?		╎┝═╡┤
13. a. Does any portion of the site of the proposed action, or la		· NO	YES
wetlands or other waterbodies regulated by a federal, st	ate or local agency?	17	ŀ
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 alterat	ions in square feet or acres:	╶┝╘┷┙	
	· · · · · · · · · · · · · · · · · · ·	-	
1	······	[
14. Identify the typical habitat types that occur on, or are like			
Shoreline Forest Agricultural/	grasslands DEarly mid-successional		
🗋 Wetland 🔤 Urban 🔲 Suburban	· · · · ·		
15. Does the site of the proposed action contain any species o	animal, or associated habitats, listed	NO	YES
by the State or Federal government as threatened or endan		R	
16. Is the project site located in the 100 year flood plain?		NO	YES
1 1 1			
17. Will the proposed action create storm water discharge, eit	ner from point or non-point sources?	NO	YES
a. Will storm water discharges flow to adjacent properties?	NO TYES	117A	
a. Whit storm water disonalges now to adjacent properties:			
b. Will storm water discharges be directed to established co			
If Yes, briefly describe:	NO YES		
		-	
	1		
	1		J

Page 2 of 5

1

		·	
18. Does the proposed action include construction or other activities that res	sult in the impoundment of NO	YI	ES
water or other liquids (e.g. retention pond, waste lagoon, dam)?		1.1	
If Yes, explain purpose and size:			÷
	<u> </u>		r-f
	NO	370	20
19. Has the site of the proposed action or an adjoining property been the loc	cation of an active or closed NO	YI	20
solid waste management facility?			
If Yes, describe:		711	
	L	┛╎└─	
		· · · · ·	
20. Has the site of the proposed action or an adjoining property been the sub	hiect of remediation (ongoing or NO	YE	S
completed) for hazardous waste?			
If Yes, describe:		ז∖ ר	7
		니는	1
		. · ·	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRU	UF AND ACCURATE TO THE BEST	OFM	v
KNOWLEDGE	UE AILE ACCOURTE IC ALL DEST		
Applicant/sponsor name: Stary Richards	Date: 1/12/16		
Signature: Ataung Julili		• •	
/			÷
			• •

Ag	ency 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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
 Will the proposed action impact existing: a. public / private water supplies? 		Ċ
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Agen	cy 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,				
I 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 info that the proposed action will not result in any significant	rmation and analysis above, and any supporting documentation, 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)

Auto Park Realty LLC 400 Auto Park Place Newburgh, NY 12550 845-229-4157

January 26, 2016

This letter is to state that Michael P. Ostrow is the authorized managing member of Auto Park Realty LLC, 400 Auto Park Place, Newburgh, NY 12550.

Sincerely,

Michael P. Ostrow Managing Member



TOWN OF NEWBURGH _____Crossroads of the Mortheast _____

5

Zoning Board Of Appeals Old Town Hall 308 Gardnertown Road Newburgh, New York 12550

PROXY

Michael P. Ostrow	, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 150 Morton	Road, Rhinebeck, NY 12572
IN THE COUNTY OF Dutchess	
AND THAT HE/SHE IS THE OWNER	R IN FEE OF Auto Park Realty LLC
400 Auto Park Place, Newburgh, N	Y 12550
WHICH IS THE PREMISES DESCRIF	SED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUT	HORIZED Saxton Sign Corp.
TO MAKE THE FOREGOING APPLIC	CATION AS DESCRIBED THEREIN.
DATED: 1 26/16	MAND
	OWNER'S SIGNATURE

Many thegae

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE: SWORN TO THIS 24th DAY OF January 26 16 Macahe NOTARY PUBLIC





TOWN OF NEW BURGH

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 Gardnertown Road Newburgh, New York 12550

PROXY

Michael P. Ostrow, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 150 Morton Road, Rhinebeck, NY 12572

IN THE COUNTY OF Dutchess AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF Auto Park Reality LLC

400 Auto Park Place, Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Hud. Vly. Chrysler Dodge Jeep Ram

TO MAKE THE FOREGOING APPLICATION DATED: $1/2L_{1L_{p}}$

ESCRIBED REFEREIN.

OWNER'S SIGNATURE

WITNESS' SIGNATURE

cſ

STATE OF NEW YORK: COUNTY OF ORANGE: SWORN TO THIS 2Let DAY OF January Man Contraction NOTARY PUBLIC

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• •

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

COUNTY CLERK'S RECORDING PAGE ***THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*** Recording: Recording Fee Cultural Ed Percords Management –

BOOK/PAGE: 13982 / 1939 INSTRUMENT #: 20150077778

Receipt#:	2050736
Clerk:	
Rec Date:	12/14/2015 07:00:00 AM
	D
Descrip:	DEED
Num Pgs:	7
Rec'd Frm	: ATLANTIC TITLE & SETTLEMENT

Party1: BIRKS REALTY INC Party2: AUTO PARK REALTY LLC Town: NEWBURGH (TN) 97-2-11.200

Recording Fee	55.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00
Sub Total:	330.00
Transfer Tax Transfer Tax - State Sub Total:	10320.00
Total:	10650.00
**** NOTICE: THIS IS NOT A	BILL ****

***** Transfer Tax ***** Transfer Tax #: 3432 Commercial Transfer Tax Consideration: 2580000.00

Total:

Transfer Tax	~	State	10320.00
--------------	---	-------	----------

10

10320.00

Payment Type:

Check ____ Cash ____ Charge ____ No Fee ____

Comment:

thy G. Ralber

Ann G. Rabbitt Orange County Clerk

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 / 2 / 14 / 15 AND THE SAME IS A CORRECT TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS, ORANGE COUNTY (CB) i 9, 2010

Record and Return To:

JOSEPH S ABOYOUN, ESQ ABOYOUN & HELLER, LLC 77 BLOOMFIELD AVE, RTE 46 WEST PINE BROOK, N.J 07058 Bargain & sale deed, with covenant against grantor's acts -Ind. or Corp.

THIS INDENTURE, made the $2^{\mu\nu}$ day of September, two thousand fifteen

BETWEEN

Plo 97-2-11.2

Birks Realty, Inc, a New York corporation with offices at 2 Park Place, Unit A3A, Newburgh, New York 12550

party of the first part, and

Auto Park Realty, LLC, a New York limited liability company with offices at 400 Auto Park Place, Newburgh, New York 12550

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 as per attached Exhibit A:

BEING a portion of the same premises conveyed by deed made by George F. Schaefer to the party of the first part dated April 1, 1966 and recorded April 1, 1966 in Liber 1740 Cp 398 in the Orange County Clerk's Office.

SUBJECT TO covenants, restrictions and easements of record.

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.

This conveyance has been made with the unanimous consent in writing, of all the stockholders of the party of the first part.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

BIRKS REALTY, INC.

By:

§

ohn F. Birkenstock, President

STATE OF NEW YORK:

COUNTY OF ORANGE:

On the 10⁺⁺ day of September 2015, before me, the undersigned, a notary public in and for said state, personally appeared John F. Birkenstock 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.

Public Jotary

GLH/bpc/435013 65898 GLEN L. HELLER Notary Public, State of New York No. 02HE4859682 Qualified in Orange County Commission Expires April 21, 2018

to

PORTION OFSECTION97.2BLOCK2LOT11.2COUNTY OF ORANGETOWN OF NEWBURGH

RETURN BY MAIL TO: Joseph S. Aboyoun, Esq. Aboyoun & Heller, LLC 77 Bloomfield Avenue, Route 46 West Pine Brook, NJ 07058

<u>ADA</u>

A. DIACHISHIN AND ASSOCIATES, P.C. Consulting Engineers and Land Surveyors 115 Yankee Folly Road New Paltz, N.Y. 12561 (845) 419-2305 ph. (845) 419-2306 fax e-mail: adapc@bestweb.net

September 8, 2015

Deed Description

Lot 6

as shown on a map entitled Subdivision of Lands of Birks Realty, Inc & Webb Properties, Inc. filed in the Orange County Clerk's Office on August 14, 2015 as map number 186-15 and is more particularly described as follows:

ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING, AND being in the Town of Newburgh, Orange County, New York State, and is more particularly described as follows:

Beginning at a point in the approximate center of a private road known as Auto Park Place having a right of way width of 50', said point being on the southerly bounds of Route 17K (S.H. #113), said point also being the northeasterly corner of Lot 7 as shown on a map entitled Subdivision of Lands of Birks Realty, Inc & Webb Properties, Inc. filed in the Orange County Clerk's Office on August 14, 2015 as map number 186-15;

THENCE along the southerly bounds of Route 17K to following three (3) courses and distances:

- 1. S 88°-00'-31" E 25.00' to a point at the easterly right of way line for Auto Park Place (50' wide right of way total width);
- 2. \$ 88°-00'-31" E 94.17' to a point;
- 3. S 87°-39'-01" E 171.77' to a point;

THENCE S 12°-40'-59" W 171.96' along the westerly bounds of lands n/f Time Plaza, LLC, Liber 5832, Page 44 to a point;

THENCE S 87°-39'-01" E 75.00' along the southerly bounds of lands n/f Time Plaza, LLC, Liber 5832, Page 44 to a point;

THENCE S 12°-40'-59" W 193.55' along the westerly bounds of lands n/f Time Plaza, LLC, Liber 5832, Page 44, and the westerly bounds of lands n/f U.S. Bank National Assoc., Liber 13623, Page 335 to a point;

THENCE S 87°-39'-01" E 96.64' along the southerly bounds of lands n/f U.S. Bank National Assoc., Liber 13623, Page 335 to a point in the approximate center of Leary Lane (30' wide);

1

è.

THENCE S 03°-40'-27" E 113.83' generally along the center of Leary Lane, and along the westerly bounds of lands n/f Boyle, Boyle, & Depuy, LLC, Liber 11872, Page 1678 to a point in the approximate center of the paved extension of Leary Lane (50' wide);

THENCE S 03°-40'-27" E 99.50' generally along the center of Leary Lane, and along the westerly bounds of lands n/f Cesar Cortes, Liber 4667, Page 61, and Liber 4208, page 184 to a point in the approximate center of the paved extension of Leary Lane (50' wide);

THENCE S 11°-41'-33" W 20.70' generally along the center of Leary Lane, and along the westerly bounds of lands n/f Cesar Cortes, Liber 4667, Page 61, and Liber 4208, page 184 to a point in the approximate center of the paved extension of Leary Lane (50' wide);

THENCE N 83°-29'-18" W 287.62' along a northerly bound of Lot 5 as shown on the above referenced subdivision map, and generally along a chain link fence for a portion of the way to a point;

THENCE N 01°-14'-06" E 177.01' along an easterly bound of Lot 5, and generally to the east of a chain link fence to a point;

THENCE N 85°-20'-05" W 145.55' along a northerly bound of Lot 5 to a point;

THENCE N 65°-52'-59" W 70.96' along a northerly bound of Lot 5 to a point in the approximate center of Auto Park Place, and the center of its 50' wide right of way.

THENCE along the approximate center of Auto Park Place, and the center of its 50' wide right of way, and along the easterly bounds of Lots 3 and 7 the following three (3) courses and distance and two (2) curves:

1. N 24°-08'-34" E 126.84' to a point of curvature;

2. Along a curve to the left having a radius of 300.00', 70.35' along the arc to a point of tangency; 3. N 10°-42'-23" E 102.89' to a point of curvature;

4. Along a curve to the left having a radius of 495.00', 67.90' along the arc to a point of tangency; 5. N 02°-50'-57" E 6.38' to the point and place of beginning.

CONTAINING 4.262 ACRES as surveyed May, 2015 by A. Diachishin & Associates, P.C.

SUBJECT to the rights of others for ingress, egress, and regress to the 50' wide right of way for Auto Park Place.

SUBJECT to others having rights to construct, and maintain existing underground and/or overhead utilities in the 50' wide right of way for Auto Park Place. Specifically, but not limited to: Water, Sewer, Gas, Electrical, Telecommunications, Drainage Appurtenances, etc.

Together with rights to utilize the 50' wide right of way for Auto Park Place for ingress, egress, and regress, and for construction and maintenance of underground and/or overhead utilities.

TOGETHER with a right of way over Lot 5 for vehicular and pedestrian access to lot 6, and is more particularly described as follows:

Beginning at a point in the approximate center of a private road known as Auto Park Place, said point being the southwesterly corner of Lot 6, and the most northerly corner of Lot 5 as shown on a map entitled "Subdivision Plat of Lands of Birks Realty, Inc. & Webb Properties, Inc."

THENCE along the division line between Lots 5 and 6 the following three (3) courses and distances:-

1. \$ 65°-52'-59" E 70.96' to a point;

2. \$ 85°-20'-05" E 145.55' to a point near a gate post in a chain link fence;

3. \$ 01°-14'-06" W 31.69' to a point near a gate post in the chain link fence;

THENCE through Lot 5 the following three (3) courses and distances:-

1. N 89°-22'-27" W 190.33' generally along the northerly side of a curbed island for a portion of the way to a point near the southerly curbed (curb cut) entrance to Lot 5;

2. N 67°-28'-09" W 21.01' along the southerly curbed entrance to Lot 5 to a point;

3. N 65°-51'-26" W 25.00' crossing Auto Park Place to a point in the approximate center of Auto Park Place;

THENCE N 24°-08'-34" E 57.16' along the approximate center of Auto Park Place, and the center of its 50' wide right of way to the point and place of beginning.

TOGETHER with an agreement to use an existing Chain Link Fence on Lot 5 near Lot 6.

Beginning at a point being the most northeasterly corner of Lot 5 on the division line with Lot 6 as shown on a map entitled "Subdivision Plat of Lands of Birks Realty, Inc. & Webb Properties, Inc.", said point being near a gate post in a chain link fence;

THENCE S 01°-14'-06" W 177.01' along the division line between Lots 5 and 6 to a point at the southwest corner of Lot 6;

THENCE through Lot 5 the following two (2) courses and distances:-

N 69°-43'-23" W 5.84' to a point at a chain link fence corner;
 N 03°-02'-31" E 175.19' generally along the line of the chain link fence to the point of beginning.

SUBJECT to any existing easements of record.

WEBB lot 6 desc



TOWN OF NEWBURGH ~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801 FAX LINE 845-564-7802



NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/10/2015

Auto PARK Realty LLC Application No. 15-1015

To: 200 Auto Park Realty 200 Auto Park Place Newburgh, NY 12550

SBL: 97-2-11.2 ADDRESS:200 Auto Park Place

ZONE: IB

PLEASE TAKE NOTICE that your application dated 11/20/2015 for permit to install new exterior signage on the premises located at 200 Auto Park Place is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Section: 185-14-B-1-c Total signage shall not exceed 1/2 the street frontage.

Joseph Mattina

Cc: Town Clerk & Assessor (500') File

OWNER INFORMATION	BUIL	T WITH OU	T A PERMIT		NO
NAME: 200 A	UTO PARK	REALTY			. X
ADDRESS:	200 AU	TO PARK PL	. NEWBURGI	H NY 12550	O.
PROJECT INFORMATIO	N:		·.		\$38
TYPE OF STRUCTURE:			SIGNAGI		
SBL: 97-2-11.2	ZONE:	IB	· ·		
TOWN WATER: YES /	NO	то	N SEWER:	YES / N	10
	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE
ALLOWABLE SIGNAGE	246.5 SF		321 SF	101.5 SF	41.17%
LOT WIDTH	- · · ·				
LOT DEPTH			·		
FRONT YARD					
REAR YARD	•				
SIDE YARD					
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					
INCREASING DEGREE OF N 2 OR MORE FRONT YARDS CORNER LOT - 185-17-A			9-C-1	·	YES YES YES
ACCESSORY STRUCTU GREATER THEN 1000 S.F. O FRONT YARD - 185-15-A STORAGE OF MORE THEN HEIGHT MAX. 15 FEET - 185- 10% MAXIMUM YARD COVER	R BY FORMI 4 VEHĪČLĒŠ 15-A-1	,	A-4		YES YES YES YES YES YES
NOTES:	NEW SIG	NAGE FOR H	UDSON VAL	LEY CHRYSI	
VARIANCE(S) REQUIRE				· ·	
1 185-14-B-1-c Total signage		and 1/2 the t	tal of street fr	ontaco	
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2	<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>				
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INVENTORY

RECOMMENDATION

RTF - Retro-fit

RF - Reface

Sign	Existing Type	Action	Sign Type	Description
E-01	9 Series 10' x 15' Brand Sign at 35' OAH	RL	Pylon	9 Series 10' x 15' Brand Sign at 35' OAH
E-02	Custom 20" x 36" Non-Illuminated Directional	RR	Directional	D-4 Flag Directional at 3'-0" OAH
N-01	No Existing Sign	New	Wall Sign	9 Series Chrysler, Dodge, Jeep, Ram Badges, 18" DNL
N-02	No Existing Sign	New	Wall Sign	35" Mopar Square Panel
N-03	No Existing Sign	New	Wall Sign	28" Express Lane Panel
N-04	No Existing Sign	New	Wall Sign	28" Service Panel
N-05	No Existing Sign	New	Wall Sign	28" Service Panel
		ting deservers	and the second	

RO - Remove Only	LS - Leave Sign	RL - Relocate
	and the second	

RR - Remove/Replace

CHRYSLER DODGE Jeep

RAM

RECOMMENDATION DETAIL

E-01





Inventory Comments Photo represents existing site conditions. Damaged base cover to be replaced when sign is relocated.



Recommendation Comments

Dealer to ensure existing electrical for ground sign meets current NEC standards and provides a 20-amp dedicated circuit. Principle will relocate existing pylon from current location on lot, replace damaged base cover, and make final electrical connection.

INVENTORY

RECOMMENDATION



RECOMMENDATION DETAIL







Inventory Comments Photo represents existing site conditions.



Recommendation Comments

Dealer to remove existing directional. Principle will replace existing directional with a Flag Directional sign.

INVENTORY





RECOMMENDATION

Recommendation Comments

Dealer to provide a minimum 3/4" plywood backing behind signs and primary electrical at point of installation. Dealer to provide a minimum 2'x2' access panel at each sign location. Principle will install new Dealer Name Letters, Chrysler, Dodge, Jeep, and Ram Badges, and make final electrical connection.

CHRYSLER DODGE

RECOMMENDATION

RECOMMENDATION DETAIL





Jeep

RAM

No Existing Sign

Inventory Comments



Recommendation Comments

Dealer to provide a minimum 3/4" plywood backing behind signs and primary electrical at point of installation. Dealer to provide a minimum 2'x2' access panel at each sign location. Principle will install a new Square Mopar Panel and make final electrical connection.





RECOMMENDATION

Recommendation Comments

Dealer to provide a minimum 3/4" plywood backing behind signs and primary electrical at point of installation. Dealer to provide a minimum 2'x2' access panel at each sign location. Principle will install a new Express Lane Panel and make final electrical connection.

CHRYSLER DODGE

RAM

RECOMMENDATION DETAIL

N-04



Jeep





N/A

Recommendation Comments

Dealer to provide a minimum 3/4" plywood backing behind signs and primary electrical at point of installation. Dealer to provide a minimum 2'x2' access panel at each sign location. Principle will install a new Service Panel and make final electrical connection.

RECOMMENDATION

CHRYSLER DODGE Jeep TRAM RECON

RECOMMENDATION DETAIL

N-05



No Existing Sign

Inventory Comments



Recommendation Comments

Dealer to provide a minimum 3/4" plywood backing behind signs and primary electrical at point of installation. Dealer to provide a minimum 2'x2' access panel at each sign location. Principle will install a new Service Panel and make final electrical connection.

INVENTORY









9 SERIES CHRYSLER BADGE

Square Footage

7.03 ft²

Manufacturing Details

- 5" deep aluminum cabinets, silver returns
- Formed .118 White Mustang w/ 1st surface digital print

9 SERIES CHRYSLER LETTERS

Square Footage

4.34 ft²

Manufacturing Details

- 3" deep aluminum cabinets, black returns
- White acrylic faces w/ 1st surface black perforated vinyl leaving 1/8" white perimeter

Illumination

- LED internal illumination, Ventex VenBrite VL-W100
- = (1) VLP100-120 LED Driver 0.5 Amps

Colors

Black Process Black Blue PMS 287 Silver

Colors

Black Process Black





9 SERIES DODGE

Square Footage

8.23 ft²

Manufacturing Details

- 5" deep aluminum cabinets, silver returns
- White acrylic faces w/ 1st surface red vinyl leaving 1/8" white perimeter
- LED internal illumination, Ventex VenBrite VL-W100
- (1) VLP100-120 LED Driver –0.50 Amps

Colors







9 SERIES JEEP

Square Footage

= 14.21 ft²

Manufacturing Details

- 5" deep aluminum cabinets, silver returns
- White acrylic faces w/ 1st surface green vinyl leaving 1/8" white perimeter
- LED internal illumination, Ventex VenBrite VL-W100
- (1) VLP100-120 LED Driver –0.50 Amps

Colors

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Green PMS 371
White
Silver
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9 SERIES RAM BADGE

Square Footage

5.4 ft²

Manufacturing Details

- 5" deep aluminum cabinets, black returns
- Formed prismatic acrylic face w/ 1st surface mirror finish & 2nd surface vinyl details

Illumination

- LED internal illumination, Ventex VenBrite VL-W100
- (1) VLP100-120 LED Driver-0.50 Amps

Colors

Black Process Black

9 SERIES RAM LETTERS

Square Footage

5.74 ft²

Manufacturing Details

- 5" deep aluminum cabinets, black returns
- White acrylic faces w/ 1st surface black perforated vinyl leaving 1/8" white perimeter

Colors

Black Process Black

Black Trimcap



Black Day/Night Vinyl Black Returns Black Re

18" LETTERSET

Square Footage

30.4 ft²

Usage

- Chrysler and Jeep Only Dealerships
- Any combination of Chrysler, Dodge, Jeep and Ram

Description

- Construction: Channel Letters w/ Plex. Face
- Color: Black
- Black Returns

Electrical

LED Illumination















SECTION 101



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