	Orange County Department of Pla Submittal Form for Mandatory Review of Local P as per NYS General Municipal Law §239-1 This form is to be completed by the local board having jurisdictor accepted unless coordinated with both the local board having juri	Lanning Action Lin, & n
Edward A, Planne Guung Enoradow	Plaining. Please include all materials that are part of a "full statement" as o materials required by and submitted to the referring body as an a	afinad by 1992 of 11 Avidum des. "
Municipality:	Town of Newburgh	Тах Шар# <u>96-1-11.1</u>
Local Referring Boa	n Zoning Board of Appeals	Tax Map #
Applicant:	CPK UNION LLC-VitAMIN Shoppe	Tax Map#
Project Name:	Shappes of Union	Local File No.: 2359-60-13
Location of Project 3		Size of Parcel": / CAR Trimore than one parcel, please include
Reason for County Review: 0 r	1 State Route 300	sum of all parcels. Current Zoning District (include any overlays): IB
<u>Type of Review:</u> Comprehensin Zoning Amend	Zoning District Change from to	
	Ordinance Modification (cite section):	
	Sq. feet proposed (non-residential only):	ETCH / PRELIM / FINAL (circle one)
🛛 Subdivision	Number of lots proposed: Which approval is the applicant currently seeking?SK	ETCH/PRELIMI/FINAL (circle one)
LI Special Use P LI Lot Line Chan		
		st Allowed signage
L.) Cäther	to erect 2 Logo signs ON B.	uilding
Is this an update to a Local board commen	previously submitted referral? (YES) NO_(circle one) W24	li Bi
or elaboration:	VEUELAN LDATS/GDT	Amedeo AARtwers ELC (2008 setbreks)
Sh		airperson, ning Board of Appeals
Signat Municipal Contact Pi	ure of local official 1 Date None Muniber: 845 566-4901	Tide
¥2	applicant to be oc'd on this letter, please provide the applicant's	
nen gyneither ingeneraligen UNERfar UNERfar (1200) Indensitieren en ingeneraligen ingeneraligen ingeneraligen	na je je na	
	along with full statement, to: Drange County Dept. of Planning ' stion or comments, call: 845-815-3840 or email: planning@jor	
ar baryan: manuar manana ana manana ana ana ana ana ana a	A A A A A A A A A A A A A A A A A A A	owner ny promitier test test i it is give per best tit is Section 2.0 F

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# TOWN OF NEWBURGH

\_Crossroads of the Northeast \_

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

APPLICATION

OFFICE OF ZONING BOARD (845) 566-4901

DATED: 9/18/13

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

I (WE) CPK UNION LIC/ The Vitamin StoppesenTLY RESIDING AT NUMBER 1089 (affle Brittain Rd. New windsor, NY 125: TELEPHONE NUMBER (845) 564 - 5571

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

A USE VARIANCE

AN AREA VARIANCE

INTERPRETATION OF THE ORDINANCE

SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

96-1-11.1	_ (TAX MAP DESIGNATION)
1217 Rt. 300	_(STREET ADDRESS)
I-B	_ (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). COCC. 185 - 14 - 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: \_ 2 b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: DESCRIPTION OF VARIANCE SOUGHT: 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: •) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT, BEEN SELF-CREATED BECAUSE: <u>EXISTING SIGNAGE IS UFFUL LOW</u> ONWELD IN ORDERTO GET MORE UNITAILITY AND BUSINELS THE TOWER LOGOL ADOULD A LIFUE THE

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- 6. IF AN AREA VARIANCE IS REQUESTED:
  - a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

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:



- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE: POOR VIIBILING OF FRISTANC
- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

111SIBIC 1ms  $\tau c$ THEBUSINFSS

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE:

ARAE BAVE

# 7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE NewDersey NEWDERSEY HUDSON STATE OF NEW TORK: COUNTY OR ORANGE: 14 SWORN TO THIS DAY OF JOINS 20 NOTARY PUBLIC

YOVANA S. MARIN ID # 2411344 NOTARY PUBLIC OF NEW JERSEY My Commission Expires 8/11/2016

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.

617.20 Appendix C
State Environmantal Ovality Devices
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only
PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)
E E PIZA NZAVA ANALAN
S. PROJECT LOCATION: 44
Municipality NEWBURGH
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
1217 KTE 300
5. PROPOSED ACTION IS:
6. DESCRIBE PROJECT BRIEFLY:
INSTAIL 2 LOGOS ON TOWER OF BUILDING
- LOGOS ON TOWER OF ISUILAING
7. AMOUNT OF LAND AFFECTED: Initially AFFECTED:
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND HOL DESTROYOUT AND HOL
Yes No If No, describe briefly
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
Describe:
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY
Yes INO II Yes, iist agency(s) name and permit/approvals:
ADDITIONAL SION FEEMIT
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID FERMIT OR APPROVAL 2
Yes Tho If Yes, list agency(s) name and permil/approvale:
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Stanture: Olar Manhon
If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment
over

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PARTI - IMPACT ASSESSMENT (To be	completed by I and Arranged
Yes No	LD IN 8 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
	WAS PROVIDED FOR UNLISTED ACTIONS IN 6 NYORR, PART 617.6? If No, a negative id agency.
C. COULD ACTION RESULT IN ANY ADVERSE EFF	SAND ASSARTCH MALL TO THE REAL AND
C1. Existing air quality, surface or groundwater qu potential for erosion, drainage or flooding prof	ECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) vality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, bleme? Explain briefly:
C2. Aesthello, agricultural, archaeological, historio	o, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
C3. Vegetation or fauna, fish, shellfish or wildlife sp	pacies, significant habitats, or threatened or endangered species? Explain briefly:
C4. A community's existing plans or goals as officially	edopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
C5. Grawin, subsequent development, or related ea	clivilies likely to be induced by the proposed action? Explain briefly:
C6, Long town, short term, cumulative, or other effect	ols nol identified in G1-G57 Explain briefly:
C7. Other impacts (including changes in use of eithe	
WILL THE PROJECT HAVE AN IMPACT ON THE EN ENVIRONMENTAL AREA (CEA)? Yes K No If Yes, explain briefly:	WRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL
IS THERE, OR IS THERE LIKELY TO BE, CONTROL	ERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
Yes Re No If Yes, explain aneity:	
geographic scope; and (f) magnitude. If nacessar sufficient defail to show that all relevant adverse imp yes, the defermination of significance must evaluate	ad above, determine whether it is substantial, large, important or otherwise significant. Each a) setting (i.e. uthan or rural); (b) probability of occurring; (c) duration; (d) inaversibility; (e) ry. add attachments or reference supporting materials. Ensure that explanations contain pacis have been identified and adequately addressed. If question Dof Part II was checked the polential impact of the promoted editor on the other statement of Part II was checked
EAF and/or prepare a positive declaration.	coton belly large or significant adverse impacts which MAY occur. Then proceed directly to the FULU
Checkthis box if you have determined, based on th NOT result in any significant adverse environment	is information and analysis above and any supporting documentation, that the proposed action Will L tal Impacts AND provide, on attachments as necessary, the reasons supporting this determination
Name of Lead Agency	Dale
Print or Type Name of Responsible Officer in Lead .	Agency Tille of Responsible Officer
Signature of Responsible Officer in Lead Agen	signature of Preparer (if different from responsible officer;

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### TOWN OF NEWBURGH ZONING BOARD OF APPEALS

PROXY Nicola CITERA \_\_\_, DEPOSES AND SAYS THAT HE/SHE RESIDES AT Kingwood LANE, Poughkeepsie STER AND STATE OF NEW YORK IN THE COUNTY OF UL AND THAT HE/SHE IS THE OWNER IN FEE OF CPK UNION LL WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-TION AND THAT HE/SHE HAS AUTHORIZED. man Vienh TO MAKE THE FOREGOING APPLICATION AS DESCRIBED/ILTEREIN. DATED: 7/19/13 **OWNER'S SIGNATURE** WITNESS' SIGNATURE STATE OF NEW YORK: COUNTY OF ORANGE: SWORN TO THIS DAY OF 2013

INDIA

NOTARY PUBLIC

CORINNE LEISSLER NOTARY PUBLIC, STATE OF NEW YORK No. 01LE6285625 Qualified in ORANGE COUNTY Commission Expires: July 8, 2017

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DO NOT WHITE BELOW THIS LINE         INSTRUMENT TYPE: DEED & MONTGOME         PROPERTY LOCATION         2009 BLOOMING GROVE (TN)         2009 CHESTER (VLG)         2000 BEEFRAK (TH)			NEWBUR	CH. NEW YORK 12550
		DO N	OT WRITE BELOW THIS I	NF
		INSTRUMENT TYPE: DEED X MORTGAGE	CATICCA CATION	
			ASSIGNMEN	T OTHER
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2001       CHEMPTON       -403       MONTCOMENT (VLG)       MAP #		2001 WASHINGTONVILLE (VLG)	I201 MAYBROOK (VLG)	
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		3089 GOSHEN (TN) 50	DB9 TUXEDO (TN)	NO FEE
3005       CHESTER (N.G.)       5800       WARWICK (IL) (TN)       MORTGAGE AMT \$		2002 ELOSHEN (VLG) 50	DO1 TUXEDO PARK (VLG)	
3200       GREENVILLE (TN)       5401       FLORIDA (VLG)       MORTGAGE ANT S         3200       GREENVILLE (TN)       5403       GREENWOODL LAKE (VLG)       DATE         3360       MARTGOK (VLG)       5405       WARWICK (VLG)       DATE         3360       MARTGOK (VLG)       5405       WARWICK (VLG)       DATE         3360       HIGHLAND S (TN)       5600       WARWICK (VLG)       MORTGAGE TAX TYPE:         3860       HIGHLAND S (TN)       5601       HARRIMAN (VLG)       (B) 10 2 FAMLY         3860       MUNINKI (TN)       5601       HARRIMAN (VLG)       (C) UNDER \$10,000         4059       MONROE (VLG)       5601       HARRIMAN (VLG)       (C) UNDER \$10,000         4003       HARRIMAN (VLG)       1000       NEWBURCH       (D) NEW FLERS       (C) UNTE SCORE         4003       HARRIMAN (VLG)       1000       NEWBURCH       (D) NEW FLERS       (D) NEWFLERS         4003       HARRIMAN (VLG)       1000       NEWBURCH       (D) NEWFLERS       (D) NEWFLERS         4004       MONROE (VLG)       1000       NEWBURCH       (D) NEWFLERS       (D) NEWFLERS         403       HARRIMAN (VLG)       1000       NEWFLERS       (D) NEWFLERS       (D) NEWFLERS		2005 01/201/1/201/ 5/	200 WALLKILL (TN)	TAX EXEMPT
3401       MAYBROOK (VLG)       5603       GREENWOOD LAKE (VLG)       MORTGAGE TAX TYPE:         3601       HIGHLAND FRID       5600       WARWICK (VLG)       MORTGAGE TAX TYPE:         3601       HIGHLAND FRID       5600       WARWICK (VLG)       MORTGAGE TAX TYPE:         3601       HIGHLAND FRID       5600       WARWICK (VLG)       (B) 10 2 FAMILY         3601       UNIONVILLE (VLG)       5601       HARRIMAN (VLG)       (C) UNDER \$10,000         4005       UNIONVILLE (VLG)       5601       HARRIMAN (VLG)       (C) UNDER \$10,000         4005       HARRIMAN (VLG)       0000       MIDDLETOWN       (F) 3706       (C) UNION         4004       HARRIMAN (VLG)       1000       NEWBURGH       (I) NAT. FERSONCR. UNION         4005       KIRYAS JOEL (VLG)       1300       PORT JERVIS       (U) MAT.PER-CRJUNI OR 2         4005       KIRYAS JOEL (VLG)       1300       PORT JERVIS       (U) NAT.PER-CRJUNI OR 2         500       DONNAL L BENSON       STATE OF NEW YORK (COUNTY OF ORANGE) SS:       (L) DONNA L BENSON       (U) NAT.PER-CRJUNI OR 2         517       ORANGE COUNTY OF ORANGE) SS:       (L) DONNA L BENSON       (U) NAT.PER-CRJUNI OR 2       (U) NAT.PER-CRJUNI OR 2         517       ORANGE COUNTY OF ORANGE) SS:       (L) DONNA		3200 GREENVILLE (TN)		MORTGAGE AMT \$
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ADDS KIRYAS JOEL (VLG) 1300 PORT JERVIS (UNAT PER-CRUINI OR 2 (%) CONDO 9999 HOLD WATPER-CRUINI OR 2 (%) CONDO 9999 HOLD CONNAL BENSON Orange County Clerk DONNAL BENSON Orange County Clerk IDDNNAL BENSON Orange County OF ORANGE) SS: I, DONNAL BENSON Orange County OF ORANGE) SS: I, DONNAL BENSON Orange County CLERK AND CLERK OF THE SUPREME AND COUNTY OF ORANGE) SS: I, DONNAL BENSON, COUNTY OF ORANGE) SS: I, DONNAL BENSON, COUNTY OF ORANGE) SS: I, DONNAL BENSON, COUNTY OLERK AND CLERK OF THE SUPREME AND COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO HEREBY CERTIFY HAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL THEOFF FILED OR RECORDED IN MY OFFICE ORANGE FOUNTY CLERKS OFFICE 71825 LAL RECEIVED FILED I 12/29/1393 12:20:53 PM FEES 50.50 EDUCATION FUND 5.00 SERIAL NUMBER: DOSO76 DEED CNTL NO GEO26 RE TAX .DO		4001 MONROE (VLG) 090	0 MIDDLETOWN	(F) 3 TO 6 UNITS
- (M CONDO 		ADDE HAMMAN -		(1) NAT. PERSON/CR. UNION
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#### #6157

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

THIS INDENTURE, made the  $\underline{30}^{4}$  day of September, nineteen hundred and ninetynine

#### 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

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

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

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

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

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

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,

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants

LIBER 5213 PAGE 221

that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Cosimo DiBrizzi Nicola Citera CPK UNION I By Cosimo DiBrizzi, President

## STATE OF NEW YORK

COUNTY OF ORANGE

On the <u>solution</u> day of September, 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/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the instrument.

)ss.:

)

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

....

GLEN L. HELLER NOTARY PUBLIC, Slate of New York No. 02HE4855682 Qualified in Orange County Commission Expires April 21, 20 0

On the 37 day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicola Citera, 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/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the individual, or the

Notary Public

GLEN L. HELLER NOTARY PUBLIC, State of New York No. 02HE4859682 Qualified in Orange County Commission Expires April 21, 20

LIBER 5213 PAGE 222

STATE OF NEW YORK ) 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. 02HE4859682 Qualified in Orange County Commission Expires April 21, 20 (2)

LIBER 5213 PAGE 223

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P.02

ASSOCIATES

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, 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.

LIBER 5213 PAGE 224 LIBER 4961 PG 66

91-1310/RE200SF Bargain and Sale Deed with Covenant against Grantor's Act Consult Your Lawyer Before Signing This Instrument This instrument should be used by lawyers only.

THIS INDENTURE, made the 12 day of June, nineteen hundred and ninety-two,

BETWEEN MARGUERITE E. BRECKENRIDGE, residing at 2 Orr Avenue, Newburgh, New York 12550,

party of the first part, and

NICOLA CITERA, residing at 3 Old Farms Road, Poughkeepsie, New York 12603, and Cosino DiBRizzi, Versiding at 647 Liffle Britain Load, New Windsor, NY, Tenants in Common. party of the second part,

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, bounded and described as follows:

BEGINNING at a point marked by a concrete monument on the westerly line of Union Avenue, also known as New York State Highway #300, said point being the southeasterly corner of lands conveyed to Hein by a deed found in the Orange County Clerk's Office, Liber 1052, page 517, and the northeasterly corner of the parcel hereafter described, thence from said point of beginning and along the line of Union Avenue, South 28 degrees 20 minutes West 156.15 feet to a point, thence the following four (4) courses along Orr Avenue and a line of taking as shown on a map filed in the Orange County Clerk's Office made by the New York State Department of Transportation for improvements on S. H. No. 9456, Specifically Parcel No. 10, (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, thence along lands now or formerly DiStefano, North 27 degrees 20 minutes East 32.82 feet to a point marked by a found iron rod, thence along the southerly line of the aforementioned Hein, South 61 degrees 42 minutes East 202.63 feet to a point on the westerly line of Union Avenue marked by a concrete monument and the point of beginning. LIBER 3622 PAGE 57

The foregoing description was prepared by Francis E. Whitaker, LS, Newburgh, New York, in conjunction with a survey of the premises dated May 6, 1992.

BEING THE SAME premises described in deed from Henry Breitenbach to James F. Breckenridge, Jr. and Marguerite E. Breckenridge, husband and wife, dated September 3, 1947 and recorded in the Orange County Clerk's Office on September 4, 1947, Liber 1057, page 495. The said James F. Breckenridge, Jr., died March 14, 1988, a resident of Orange County, New York.

**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 incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Mauguerite. C. Oseckenridere. MARGUÉRITE E. BRECKENRIDGE

STATE OF NEW YORK, COUNTY OF ORANGE

Notary Public-New York State Residing in Orange County Commission expires Ma(3,1,19,7)

Registration #: 1789735

SS:

On the  $/\mathcal{V}$  day of June, 1992, before me personally came MARGUERITE E. BRECKENRIDGE, to me known to be the individual described in and who executed the foregoing instrument and acknowledged she executed the same.

Notary JOHN S. HICKS

Town of Newburgh: 96-1-11

LIBER 3622 PAGE



## 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

# 2359-13

# NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/22/2013

Application No. 13-0424

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

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

### ZONE: I-B

PLEASE TAKE NOTICE that your application dated 05/20/2013 for permit to INSTALL SIGN ON BLDG FOR THE VITAMIN SHOPPE on the premises located at 1217 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code 185-14-b-1-c allows signage to equal 1/2 the street frontage.

Joseph Mattina

Cc: Town Clerk & Assessor (500') File

(FRONT A+1)

OWNER INFORMATION	BUI	LT WITH OU	T A PERMIT		/ NO		
NAME:	CPK UNION	LLC.				2	35
ADDRESS:	1089 LITT	LE BRITAIN R		SOR NV 425	53		
PROJECT INFORMATIO		ŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢŢ		001(141 120	<u> </u>	*****	mpoente
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**REVIEWED BY:** 

JOSEPH MATTINA

22-May-13

	EXISTING TREE TO REMAIN AND BE PROTECTED WITH AND BE PROTECTED WITH TREE PLANKING (TYP.) (SI5 41 '28"W (0.95' 10.95'	OPOSE 14 14 14 14 14 14 14 14 14 14	
<ul> <li>(4) The total area of all such signs on a lot shall not exceed 1/2 of the total length of street frontage of the lot in linear feet. See chart below for calculations.</li> <li>(5) A permit from the Town of Newburgh Code Compliance Office is required for removal of any existing structures.</li> <li>Signage Schedule</li> </ul>	LATSUING: Location Location Cosimo's Pylon Sign Sprint Building Signage Cosimo's Pylon Sign Sprint Building Signage Sprint Pylon Proposed: Proposed: Proposed: Proposed: Sant Pylon Proposed: Proposed: Location Staples East Elevation Staples South Elevation	Milon     123 S.F.       Vartion     31.5 S.F.       Vartion     31.5 S.F.       Vartion     150.35 S.F.       To n Proposed Retail C Building)     14 S.F.       To n Proposed Retail C Building)     14 S.F.       Afed near Supermarket entrance from Lowes's)     35 S.F.	

			PROPOSED FREESTAND	EXISTING TREE TO REMAIN AND BE PROTECTED WITH TREE PLANKING (TYP.) (SEE SHEET 16.01) S15 '41 '28'W	RETAIL COPOSED
TOTALS 1 1 Notes:	<ul> <li>(1) Shopping Center (&gt; 25,000 square feet): 1 space per 225 square feet of gross lease able floor area.</li> <li>(2) Loading space requirement based on floor area: Under 25,000 square feet = 1 space 25,000 to 39,999 square feet = 1 space 25,000 to 39,999 square feet = 2 spaces addition to first 40,000 square feet = 2 spaces (3) Project site encompasses ±11.39 acres including the following parcels: Section 95, Block 1, Lots 36 and 37.2 (1.00 acres) Section 95, Block 1, Lots 36 and 37.2 (1.00 acres) (4) The total area of all such signs on a lot churt.</li> </ul>	Trontage of the lot in linear feet. See chart below for calculations. (5) A permit from the Town of Newburgh Code Compliance Office is required for removal of any existing structures.	LAIS UILLIG: Location Cosimo's Building Signage Cosimo's Pylon Sign Sprint Building Signage Sprint Pylon	e East Elevation e North Elevation vation levation evation	vation vation n on Proposed Retail C Building) are feet per side)

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## 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

2360-13

# NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 05/22/2013

Application No. 13-0426

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

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

## ZONE: I-B

PLEASE TAKE NOTICE that your application dated 05/20/2013 for permit to INSTALL SIGN ON BLDG FOR THE VITAMIN SHOPPE on the premises located at 1217 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code 185-14-b-1-c allows signage to equal 1/2 the street frontage.

Joseph Mattina

Cc: Town Clerk & Assessor (500') File

(Side-A-Z)

CWNER INFORMATION			TA PERMIT			
NAME:				# A <sub>2</sub> C		
ADDRESS:	1089 LITTI	E BRITAIN R	D NEW WIND		5	360-
PROJECT INFORMATIC	)N:			SUK NY 125	<u>63</u>	
TYPE OF STRUCTURE:	27 S	F SIGN VITAM	IN SHOP 12	217 RTE 300 (		
SBL: 96-1-11.1	ZONE:	I-B		111 111 12 000 h	010L A-4)	and the second
TOWN WATER: YES		TOW	N SEWER:	YES		
	MAXIMUM	EXISTING	PROPOSED	VARIANCE	TOTAL	· . 
TOTAL SIGNAGE	904 SF	1333.5 PRE APPROVED	54		1387.5	
LOT WIDTH		- ANTROVED	ADDITIONAL	The second design of the secon	1307.3	
LOT DEPTH	942863 200000000 - 0					
FRONT YARD						
REAR YARD				- Norma December of the second se	anamicana pasanganana sasangan	
SIDE YARD						·
MAX. BUILDING HEIGHT	Angly the Carlow Property and the Carlow Contemporation				and the second	
BUILDING COVERAGE			and the second	-		·
	www.commencements.com					
SURFACE COVERAGE	the second s	Miles and a state of the state			4044moolijele Cook Gangen (Hallen Copie Tangen) angele	
CREASING DEGREE OF NO OR MORE FRONT YARDS FO ORNER LOT - 185-17-A	N-CONFORI OR THIS PR	WITY - 185-19 OPERTY		. 20 Several of advant to branch of	YE: YE: YE:	
CCESSORY STRUCTUR					income tal tomato taj es	
REATER THEN 1000 S.F. OR RONT YARD - 185-15-A	BY FORMU	LA - 185-15-A	-4		YES	5 / NO
WRAGE OF MORE THEN 4	VEHICLES	t net primitied all strategy and description and		69 10000 00 10000 00 100000 00	YES	6 / NC
EIGHT MAX. 15 FEET - 185-1	5-A-1		Paired the standard and Arning an assume	sta johansa ika (qamud na oolongka 68.		3 / NC 3 / NC
% MAXIMUM YARD COVERA	GE - 185-15	-A-3		the formula for formula of formula of	YES	J NC
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A.	i laghed C	opies frow	i the appro	ved site pi	LAN	oce
ARIANCE(S) REQUIRED	ष इ					
185-14-B-1-C TOTAL SIGNA			4 IC A P	-		
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		2014/07-01-01-01-01-01-01-01-01-01-01-01-01-01-	*******			-
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