	Orange County Department of Pla		
AT GE COM	Submittal Form for Mandatory Review of Local P	Ianning Action	
19 3 13	as per NYS General Municipal Law §239-I	Kanad Contract of	
(Lato!!	I his form is to be completed by the local board having jurisdiction. accepted unless coordinated with both the local board having jurisd	Submittals from applicants will not be liction and the County Department of	
W YOR	Planning. Please include all materials that are part of a "full statement" as def	ined by NYS GML 8239-m (i.e. "all	
Steven M. Neuhaus County Executive	materials required by and submitted to the referring body as an app	lication on a proposed action").	
Municipality:	Town of Newburgh	Tax Map #: 97-3-6.22	
Local Referring Board:	Zoning Board of Appeals	Tax Map #:	
Applicant:	CRH Realty III, LLC	Tax Map #:	
Project Name:	CRYSTAL RUN HEALTHCARE	Local File No.: 2493A+B	
Location of Project Site		Size of Parcel*: 7AcRes	
	· CUO ROUTE SOO	*If more than one parcel, please include sum of all parcels.	
Reason for County		Current Zoning	
Review:	NYS Route 300	District (include any overlays): 1B	
Type of Review:			
	Plan Update/Adoption		
Zoning Amendme	•		
1	Zoning District Change fromtototototo		
Local Law			
🗆 Site Plan	Sq. feet proposed (non-residential only):		
Subdivision	Which approval is the applicant currently seeking? SK Number of lots proposed:	ETCH / PRELIM / FINAL (circle one)	
	Which approval is the applicant currently seeking? SK	ETCH / PRELIM / FINAL (circle one)	
 Special Use Perm Lot Line Change 			
Variance (AREA USE (circle one) SigNAge - Freestan	NDINGSIGN-MAXIMUM	
1	ISIGNAGE & DNEFREESTANDING PERLOT MA		
Is this an update to a pr Local board comments	eviously submitted referral? YES / NO (circle one)	MAXIMUM 3 SQIFT	
or elaboration:			
Listeration and the second sec		Chairperson	
4		ning Board of Appeals	. *
Signature	of local official Date	Title	
Municipal Contact Phor	ne Number:845-566-4901	· · · · ·	
If you would like the ap	plicant to be cc'd on this letter, please provide the applicant	t's address:	
· · · · · · · · · · · · · · · · · · ·			
1	ng with full statement, to: Orange County Dept. of Planning		
	n or commente call. 945 615 2940 or amails alarring	orangecountygov.com	
	on or comments, call: 845-615-3840 or email: planning@o	ไหน่จะเหตุบรรณะแหน่งระบบการการการการการการการการการการการการการก	
	on or comments, call: 845-615-3840 or email: planning@		
	on or comments, call: 845-615-3840 or email: planning@		



555 Hudson Valley Avenue, Suite 100 New Windsor, New York 12553

Zoning Board of Appeals

MAY 1 8 2015

Town of Newburgh

Phone: 845-561-0550 Fax: 845-561-1235 www.drakeloeb.com

May 15, 2015

Zoning Board of Appeals 1496 New York 300 Town of Newburgh, New York 12550 Attn: Board Members

> Re: CRH REALTY VIII, LLC, Proposed Signage Variance Application Our File No.: 13792-65667

Dear Board Members:

The applicant, CRH REALTY VIII, LLC, respectfully submits a variance application to install a directional sign and second freestanding sign at the applicant's property located at 1200 Route 300, Town of Newburgh, New York (the "Premises"). The applicant is requesting the placement of a nine (9) square foot directional sign at the entrance of the Building. The proposed directional signage is greater than the permitted three (3) square feet, requiring a variance in accordance with Town Code §185-14(B)(2)(b).

The applicant is also requesting the placement of a sixty-five (65) square foot, second freestanding sign at the Old Little Britain Road entrance to the Premises. This proposed signage is greater than the permitted square footage which is less than one-half (1/2) of the street frontage and is also in excess of the permitted one (1) freestanding sign per lot, requiring a variance in accordance with Town Code §185-14(B)(1)(c).

The Building Inspector provided a disapproval letter, dated April 20, 2015, and we request to be placed on the next available Zoning Board of Appeals agenda. If you have any questions or comments, please feel free to contact me.

Very ruly yours,

DOMINIC CORDISCO

James R. Loeb Richard J. Drake, retired Glen L. Heller* Marianna R. Kennedy Gary J. Gogerty Stephen J. Gaba Adam L. Rodd Dominic Cordisco Timothy P. McElduff, Jr. Ralph L. Puglielle, Jr. Nicholas A. Pascale

Benjamin M. Wilkinson Lisa Me Card Alana R. Bartley Jessica, M. Alesandro

Jennifer L. Schneider Managing Attorney

*LL.M. in Taxation

DRC/JM

Writer's Direct Phone: 845-458-7316 Fax: 845-458-7317 dcordisco@drakeloeb.com DRC/JMA/421632



ZONING BOARD OF APPEALS

Old Town Hall 308 Gardnertown Road Newburgh, New York 12550

APPLICATION

Office Of Zoning Board (845) 566-4901

DATED: May 15, 2015

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

I (WE) CRH Realty VIII, LLC

PRESENTLY

HONAL SI

RESIDING AT NUMBER 155 Crystal Run Road, Middletown, New York 10941

TELEPHONE NUMBER _ 845-703-6109

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:

Х

97-3-6.22

_ (TAX MAP DESIGNATION)

1200 Route 300 (STREFT

(STREET ADDRESS)

I-B

_____ (ZONING DISTRICT)

 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-B-2-b

185-14-B-1-c



_Crossroads of the Northeast ____

ZONING BOARD OF APPEALS

Old Town Hall 308 Gardnertown Road Newburgh, New York 12550

- 3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:
 - a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: April 20, 2015
 - b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: n/a
- 4. DESCRIPTION OF VARIANCE SOUGHT: The applicant is requesting the placement of a 9-square-foot directional sign and a 65-square-foot, second freestanding sign (at Little Britain Rd entrance) on the Premises. Town Code Section 185-14(B)(2)(b) states that directional signs should not exceed 3-square-feet, and (CONTINUED)
- 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/À

THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE: N/A

2



3

__Crossroads of the Northeast _____

ZONING BOARD OF APPEALS

Old Town Hall 308 Gardnertown Road Newburgh, New York 12550

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE: $_{\rm N/A}$

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 surrounding businesses and commercial uses have similar signs both freestanding and attache to their buildings. Therefore, the requested signage would not be inconsistent with the character of the IB. There would be limited potential negative visual impacts.
- 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:

The site has frontage and main entrances on two (2) main roads (Route 300 & Old Little Britain Rd). Without the variances, visitors to the site would have insufficient traffic instructions as guidance. Consequently, insufficient signage is the only possibility within the code and a variance must be sought. Since there are not other feasible means of obtaining the necessary signage and lot area and positioning, this variance must be sought. The benefit sought by the applicant cannot be achieved by any other method.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The substantiality of a variance cannot be judged solely by a comparison of the percentage deviation from the mandated requirements of the zoning law. Instead, the overall effect of granting the relief is the appropriate inquiry. Here, as a result of the shape of the lot having frontage on two (2) main roads, the proposed (CONTINUED)

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

As noted above, for lots having access via two roads, the signage permitted by the Town Code would be insufficient. The surrounding businesses along NYS Route 17K have freestanding signs of similar size. The directional signage will be primarily visible on-site. The proposed directional signage will allow patrons to find the urgent care facility at the site. This variance is not substantial and will have (CONTINUED)

e) THE HARDSHIP HAS NOT BEEN SELF CREATED BECAUSE: As noted by Terry Rice in his Practice Commentaries for Town Law Section 274-b, this factor is perhaps the most misunderstood factor in the balancing test. The fact that the property is purchased with knowledge of applicable zoning renders any difficulty (CONTINUED) Continued...

4. Town Code Section 185-14(B)(1)(c) allows the maximum of one (1) freestanding sign per lot and total square footage not to exceed 1/2 of street frontage, requiring applicant to obtain a variance of this zoning law.

6. c) second monument sign will provide traffic guidance for visitors to the site arriving via Old Little Britain Road. In regard to the directional signage, the Town's Zoning Code permits 3.0 square feet of directional signage, and the proposed signage is only 9.0square feet. Because this sign identifies the urgent care entrance, and due to the fact that the directional signage would primarily be visible from vehicles already on the site, if granted, this area variance would not be substantial.

d) no adverse impacts on the physical or environmental conditions of the district.

e) self-created. However, just because a difficulty is self-created does not require the denial of the variances. Here it is important to note that the variances are required solely because of the limitation contained in the Town's Zoning Code, and that all other aspects of the existing development meets the Code's requirements.



Crossroads of the Northeast

ZONING BOARD OF APPEALS OLD TOWN HALL

308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS DAY OF

JESSICA MICHELLE ALESANDRO Notary Public, State of New York Qualified in Orange County No. 02AL6320634 Commission Expires March 9, 2019

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.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)



_Crossroads of the Northeast _____

ZONING BOARD OF APPEALS

OLD TOWN HALL 308 Gardnertown Road Newburgh, New York 12550

PROXY

CRH Realty VIII, LLC

, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT C/O Columbia Development, 302 Washington Avenue Extension, Albany, New York 12203

IN THE COUNTY OF Albany AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF lands in the Town of Newburgh designated as Section, Block and Lot Numbers 97-3-6 (p/o), 97-3-7, 97-3-8, 97-3-26, in proximity to Union Avenue (NYS Rte 300) and Old Little Britain Road, Town of Newburgh, New York

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Dominic Cordisco, Esq.; Lanc & Tully; Columbia Development; and Maser Consulting TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

By:

Hal Teitelbaum, MD, JD, MBA & Member CRH Realty VIII, LLC OWNER'S SIGNATURE Name: Title:

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE: SWORN TO THIS 4th DAY OF May 20 15 Schaby TARY PUBLIC CYNTHIA P. SCHADY

CYNTHIA P. SCHADY Notary Public, State of New York Commission No. 4866719 Qualified in Orange County Commission Expires August 11_2015 5

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:				
CRH Realty VIII LLC Signage Variance Application				
Project Location (describe, and attach a location map):				
1200 Route 300, Town of Newburgh, New York				
Brief Description of Proposed Action:	-			
Application to the Town of Newburgh Zoning Board of Appeals for signage variances to a square footage of (1) a directional sign (3 square feet is allowed; 9 square feet is sought	allow a s	econd monument sign ar	nd to increa	se the
being developed as a medical office building, and the site has access via both Route 30	0 and 0	d Little Britain Road. The	e area. In e second m	onument
sign would guide visitors accessing the site from Old Little Britain Road. The increased				
Urgent Care entrance.				
Name of Applicant or Sponsor:	Telepł	none:		
CRH Realty VIII LLC	1			
% Russell Jenks	E-Mai	1: rjenks@crystalrunhea	ithcare.com	1
Address:	· ·			· · · · · · · · · · · · · · · · · · ·
155 Crystal Run Road				
		0		
City/PO: Middletown		State: NY	Zip Cod	
			1094	dinama in
1. Does the proposed action only involve the legislative adoption of a plan, lo	ocal law	, ordinance,	NO	YES
administrative rule, or regulation?				
If Yes, attach a narrative description of the intent of the proposed action and	the env	ironmental resources t	hat	
may be affected in the municipality and proceed to Part 2. If no, continue to	questio	n 2.	L <u>*</u>	┛╎┖━┛
2. Does the proposed action require a permit, approval or funding from any	other or	vernmental Agency?	NO	YES
	caller St	verminentar rigency.		
If Yes, list agency(s) name and permit or approval: Town of Newburgh Zoning Board of Appeals				
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.				
Urban Rural (non-agriculture) Industrial Comme		Residential (suburl	oan)	
in the second in		Washington Lake		
	specify			_
Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental An If Yes, identify:	ea?	NO	YES
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?			\checkmark
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed act	ion?		
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
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
		NO	YES
If No, describe method for providing potable water:	-		
11. Will the proposed action connect to existing wastewater utilities?	<u></u>	NO	YES
If No, describe method for providing wastewater treatment:			\square
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<u></u>	NO	YES
b. Is the proposed action located in an archeological sensitive area?			
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?	1	NO	YES
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:			
	<u> </u>		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a Shoreline Forest Wetland Urban Suburban		apply:	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed	<u>a</u>	NO	YES
by the State or Federal government as threatened or endangered?			
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?	***	NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties?			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain If Yes, briefly describe:	s)?		

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)?	NO	YES
If Yes, explain purpose and size:		
		h
19. Has the site of the proposed action or an adjoining property been the location of an active or closed	NO	YES
solid waste management facility?		
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:		
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE I	BEST O	FMY
KNOWLEDGE		
Applicant/sponsor name: May 15, 2015		· .
Signature: Martin		

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)?	NO	YES
If Yes, explain purpose and size:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed	NO	YES
solid waste management facility?		
If Yes, describe:		
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

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST C	OF MY
Applicant/sponsor name: Date:		
Signature		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	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)?		

8

	No, or small impact may occur	Moderate to large impact may occur
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?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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

Page 4 of 4



~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

2493-15

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/20/2015

Application No. 15-0212

To: CRH Realty VIII, LLC 155 Crystal Run Road Middletown, NY 10941

SBL: 97-3-6.22 ADDRESS:1200 Route 300

ZONE: IB

PLEASE TAKE NOTICE that your application dated 04/07/2015 for permit to install a 9 square foot directional sign on the premises located at 1200 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

185-14-B-2-b: directional signs shall not be greater than 3 square feet.

őseph Mattina

Cc: Town Clerk & Assessor (500') File

Town of owner information		T WITH OU	• .		NO	
NAME:CR	H REALTY V	•	•	•		
ADDRESS:		• • •	D. MIDDLET	<u> </u>	1	
PROJECT INFORMATIO				Kananananyyyyyeesyd ^{a ta} laana maadaasaayyyyyee	anna a' san anna ann ann ann ann ann ann ann an	1221
TYPE OF STRUCTURE:	•	DI	RECTIONA	L SIGN	t	192
SBL: 97-3-6.22	ZONE:	1-8	and a second	Bitestin (makey) WIR Chedrothynau		
TOWN WATER: MESS /	NO	1940 Carlos	N SEWER:	NYES / N	IO. ·	
	MAXIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE	• • •
FREESTANDING SIGNS					PERCENTAGE	
SQUARE FOOTAGE	3 S.F.		9 S.F.	6 S.F.	200.0%	
LOT DEPTH						•.
FRONT YARD		2010-2019-2019-2019-2019-2019-2019-2019-		· ·		
REAR YARD	, ,					•
SIDE YARD	ŎĸŦĊijŢŦĊġġġġŎĊŎĸĊĬĊĸĸĸġĸŎĬĬŎĊĊŢĊĬŎĬŎĬŎŎŎŎŎŎ	an year a share			9000-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-	
MAX. BUILDING HEIGHT		a an				·
BUILDING COVERAGE	2 100 200 200 200 200 200 200 200 200 20					·
SURFACE COVERAGE					ana mangang kana kana kana kana kana kana kan	
NCREASING DEGREE OF NO 2 OR MORE FRONT YARDS F CORNER LOT - 185-17-A	OR THIS PR		9 C	CORDER DI DUNCE DE SERIE EN DUNCE Experient du compet est cisses po estage Quante du annag de cuant de balance	YES YES YES	/ NO
ACCESSORY STRUCTU GREATER THEN 1000 S.F. OI FRONT YARD - 185-15-A STORAGE OF MORE THEN 4 HEIGHT MAX. 15 FEET - 185- 10% MAXIMUM YARD COVER	R BY FORMU VEHICLES 15-A-1 VAGE - 185-1	2009 03 4000 03 90000 40 90000 2000 07 2000 03 2020 2000 04 2000 03 2000 00 2020 50 40 2000	60 50 50 50000 00 27 50400 00 50000 00 50000 00 90 50000 00 50000 00 60000 00 90 50000 00 60000 00 60000 00 40 50000 00 60000 00 60000 00	Autoba del Guess de anges de anges anges de deles de anges de anges anges de deles de anges de anges anges de deles de anges de design anges de losse ha anges de design	YES YES YES YES YES	/ NO / NO / NO / NO
NOTES: 1 FREESTANDING	sion, 2 WA		d Letters (BBUED.	BIGNS AND 2	Logo Signs /	LREADY
VARIANCE(S) REQUIRE		•			, .	
1 185-14-B-2-b Freestanding	internal direc	tional sign sh	all not be grea	ater than 3 squ	are feet.	
2		1000 mg 100000 magazine 000000000000000000000000000000000000		Marked States and a second		
			•			GODA (CONTRACTOR CONTRACTOR CONTRAC
		ana nanganakan kanala kanala sa kanala s	***	################################	Manda Anton Anton Stationa	
the state of the s	ŢĸĸĸġĢielānās jaņa zānapadā prietākai kaltera paga para jarā	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	annon an		Constantine and the second



~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550



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

2494-15

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 04/20/2015

Application No. 15-0214

To: CRH Realty VIII, LLC 156 Crystal Run Road Middletown, NY 10941

SBL: 97-3-6.22 ADDRESS:1200 Route 300

ZONE: I-B

PLEASE TAKE NOTICE that your application dated 04/07/2015 for permit to install a 65 square foot, second free standing sign at the Little Britian Rd entrance on the premises located at 1200 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code sections:

1) 185-14-B-1-c: Allows a maximum of 1 freestanding sign per lot.

2) 185-14-B-1-c: Total square footage shall not exceed 1/2 of the street frontage.

Joseph Mattina

Cc: Town Clerk & Assessor (500') File

NAME: CRH REALTY VIII, LLC CCH ADDRESS: 155 CRYSTAL RUN RD. MIDDLETOWN NY 10941 CCC PROJECT INFORMATION: SECOND FREESTANDING SIGN FOR CRHC SECOND FREESTANDING SIGN FOR CRHC SBL: 97-3-6.22 ZONE: I-B TOWN WATER: Image: Common second	Town of OWNER INFORMATION			TA PERMIT		NO		
ADDRESS: 155 CRYSTAL RUN RD. MIDDLETOWN NY 10941 PROJECT INFORMATION: TYPE OF STRUCTURE: SECOND FREESTANDING SIGN FOR CRHC SBL: 07-3-5.22 ZONE: I-B TOWN WATER: 000 / NO TOWN SEWER: 000 / NO FREESTANDING SIGNS / NO FREESTAN	NAME:CR		· · ·		· .		. AC	λ
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4001

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ANN G. RABBITT ORANGE COUNTY CLERK

widen burg **Received From**

(E) EXEMPT

(K) CONDO

(F) 3 TO 6 UNITS (I) NAT.PERSON/CR. UNION

(J) NAT.PER-CR.UN/1 OR 2

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 June 12, 2014 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.

RECORDED/FILED 06/12/2014/ 14:37:31 ANN G. RABBITT County Clerk ORANGE COUNTY, NY FILE#20140049391 DEED C / BK 13759PG 0740 RECORDING FEES 350.00 TTX# 006741 T TAX 11,400.00 Receipt#1771929 lam



00275-65706

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

(8)

THIS INDENTURE, made the 6th day of June, 2014

BETWEEN

REGINA C. FLANNERY, individually and REGINA C. FLANNERY, as Executrix of the Estate of James J. Flannery, having an address of 135 Dogwood Lane, Newburgh, NY 12550,

party of the first part, and

CRH REALTY VIII, LLC, a New York limited liability company, having a place of business at 155 Crystal Run Road, Middletown, NY 10941,

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, pieces, or parcels of land situate in the Town of Newburgh, County of Orange, State of New York, said lands being a portion of Tax Map Section 97, Block 3, Lot 6, Section 97, Block 3, Lot 7, Section 97, Block 3, Lot 8, and portions of Old Goshen Road identified as Section 97, Block 3, Lot 26, a portion of Section 97, Block 3, Lot 2 and a parcel of land in the Town of New Windsor, County of Orange and State of New York, said lands being Section 4, Block 1, Lot 72.2, of the Tax Maps of the Town of New Windsor, Orange County, New York, said lands being more particularly described by Lanc & Tully Engineering and Surveying, P.C. dated May 2, 2014, said lands being more particularly bounded and described on Schedule A annexed hereto and made a part hereof.

SUBJECT TO easements, rights-of-way, covenants and /or restrictions of record, if any.

BEING AND INTENDED TO BE a portion of the premises described in a deed dated July 23, 2012 made by Robert W. Fink, Esq., Referee, to the Grantor herein, which deed was recorded in the Orange County Clerk's Office on August 2, 2012 in Liber 13386 of Deeds at page 1961. Those certain deeds dated simultaneously herewith from Newburgh Town Center, LLC and The Old Britain Group, L.L.C., delivered simultaneously herewith and intended to be recorded in the Orange County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

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

Jagune a Flaring

ESTATE OF JAMES J. FLANNERY

Jegun C. Slanny

Regina C. Flannery, as Executrix

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

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On the 6th day of June, 2014, before me, the undersigned, personally appeared REGINA C. FLANNERY 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 she executed the same in her capacity and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.

Notary Public

RICHARD J. DRAKE Notary Public, State of New York Qualified in Orange County 02DR6096165 Commission Expires August 31, 2014

RJD/ef/354420 00275-65706 5/16/14 ,

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BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

REGINA C. FLANNERY, Individually and REGINA C. FLANNERY, as Executrix of the Estate of James J. Flannery

to

CRH REALTY VIII, LLC

SECTION, BLOCK, LOT NOS. 97-3-6, 7, 8, 26, and p/o 2 TOWN OF NEWBURGH COUNTY OF ORANGE

SECTION, BLOCK LOT NO. 4- 1-72.2 TOWN OF NEW WINDSOR COUNTY OF ORANGE

RETURN BY MAIL TO: RICHARD J. DRAKE, ESQ. DRAKE, LOEB, HELLER, KENNEDY, GOGERTY, GABA & RODD PLLC 555 HUDSON VALLEY AVENUE, SUITE 100 NEW WINDSOR, NEW YORK 12553

LANC & TULLY ENGINEERING AND SURVEYING, P.C.

John J. Lane, P.E., L.S., P.P. David E. Higgins, P.E. Rodney C. Knowiton, L.S. Arthur R. Tully, P.E. John J. O'Rourke, P.E. John D. Russo, P.E.

May 2, 2014

DESCRIPTION LANDS TO BE CONVEYED TO CRH REALTY VIII, LLC. TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

ALL that certain plot, piece, or parcel of land situate in the Town of Newburgh, County of Orange, State of New York, said lands being more particularly bounded and described as follows:

BEGINNING at a point lying on the southwesterly line of Old Little Britain Road, said point being a northeasterly corner of lands herein described and the northerly corner of lands now or formerly Southerland;

THENCE running along the northwesterly line of lands of said Southerland being a southeasterly line of lands herein described, (1) South 37 degrees 10' 00" West, as per Liber 13386 of Deeds at Page 1962, a distance of 122.93 feet, to a point being the westerly corner of lands of said Southerland;

THENCE running along the southwesterly line of lands of said Southerland and continuing along the southwesterly lines of lands now or formerly Adelino Guerra Realty, LLC. and lands now or formerly Swilpa, being a portion of a northeasterly line of lands herein described, (2) South 49 degrees 14' 00" East, a distance of 271.90 feet to a point being the southerly comer of lands of said Swilpa and the westerly corner of lands now or formerly Cestaro;

THENCE running along a portion of the southwesterly line of lands of said Cestaro being a portion of a northeasterly line of lands herein described, (3) South 29 degrees 04' 21" East, a distance of 33.43 feet, to a point being the easterly corner of lands herein described and a northerly corner of lands now or formerly City Hall Newburgh City Water;

THENCE running along a portion of a northwesterly line of lands of said City Hall Newburgh City Water being the southeasterly line of lands herein described and running generally along a stonewall on the following five (5) courses and distances:

- (4) South 51 degrees 05' 00" West, a distance of 233.06 feet;
- (5) South 59 degrees 44' 00" West, a distance of 41.00 feet;
- (6) South 69 degrees 25' 00" West, a distance of 148.00 feet;
- (7) South 70 degrees 04' 00" West, a distance of 251.34 feet; and
- (8) South 71 degrees 36' 00" West, a distance of 202.49 feet, to a point being a southwesterly corner of lands of said City Hall Newburgh City Water, a northerly corner of lands now or formerly Newburgh Water Supply

Page 1 of 3 (845) 294-3700 • P.O. Box 687, Route 207, Goshen, N.Y. 10924 • FAX (845) 294-8609 www.lanetully.com

Book13759/Page745

Page 6 of 11

DESCRIPTION - CONTINUED LANDS TO BE CONVEYED TO CRH REALTY VIII, LLC. TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK MAY 2, 2014

and the southerly corner of lands herein described, said point also lying on the northeasterly line of the Town of New Windsor being the southwesterly line of the Town of Newburgh;

THENCE running along a portion of the northeasterly line of said Town of New Windsor being a portion of the southwesterly line of said Town of Newburgh, said line being the southwesterly line of lands herein described on the following two (2) courses and distances:

- (9) North 58 degrees 59' 48" West, a distance of 58.08 feet; and
- (10) North 56 degrees 31' 00" West, a distance of 64.20 feet, to a point being the westerly corner of lands herein described and lying on the southeasterly line of New York State Route 300 (Union Avenue);

THENCE running along the southeasterly line of said Union Avenue, being the northwesterly line of lands herein described on the following five (5) courses and distances:

- (11) North 30 degrees 23' 41" East, a distance of 108.47 feet;
- (12) On a curve to the left having a radius of 1,471.89 feet, an arc length of 41.88 feet, as defined by the chord North 35 degrees 10' 44" East, 41.87 feet, to a concrete monument;
- (13) On a curve to the left having a radius of 1,471.89 feet, an arc length of 82.00 feet, as defined by the chord North 32 degrees 46' 04" East, 81.99 feet, to a point of tangency;
- (14) North 31 degrees 24' 09" East, a distance of 268.08 feet; and
- (15) North 31 degrees 17' 45" East, a distance of 220.50 feet, to a point being the northwesterly corner of lands herein described and the westerly corner of lands now or formerly The Old Britain Group, LLC.;

THENCE running along the southwesterly line of lands of said The Old Britain Group, LLC. being a northeasterly line of lands herein described, (16) South 49 degrees 00' 55" East, a distance of 222.17 feet to a point being the southerly corner of lands of said The Old Britain Group, LLC.;

THENCE running along the southeasterly line of lands of said The Old Britain Group, LLC. being a northwesterly line of lands herein described, (17) North 37 degrees 12' 44" East, a distance of 234.28 feet, to a point being the easterly corner of lands of said The Old Britain Group, LLC., the northerly corner of lands herein described and lying on the southwesterly line of Old Little Britain Road;

THENCE running along the southwesterly line of said Old Little Britain Road being a northeasterly line of lands herein described, (18) South 48 degrees 07' 00" East, a distance of 70.00 feet, to the point or place of BEGINNING;

Page 2 of 3

DESCRIPTION - CONTINUED LANDS TO BE CONVEYED TO CRH REALTY VIII, LLC. TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK

ALL as shown as Tax Lots 97-3-7, 8, 26 and part of Tax Lots 97-3-2, 6 to be consolidated on a map entitled "Lot Line Change and Consolidation Map Prepared For CRH Realty VIII, LLC., Town of Newburgh, Town of New Windsor, Orange County, New York" dated September 17, 2013, last revised February 12, 2014, prepared by Lanc & Tully Engineering and Surveying, P.C.

Containing 7.045± acres.

Premises herein described being Tax Map Lot Nos. 7, 8, 26 and a portion of Tax Map Lot Nos. 2 and 6, in Block 3, within Section 97, as shown on the Tax Maps of the Town of Newburgh, Orange County, New York, dated 2013.

Premises herein described being portions of the same premises as described in Liber 13482 of Deeds at Page 370 and Liber 13386 of Deeds at Page 1962 and includes the same premises as described in Liber 12109 of Deeds at Page 731, as filed in the Orange County Clerk's Office.

Premises herein described being subject to any easements, rights-of-way, covenants or restrictions of record.

crh.realty.conveyedlands.desc.docx

Page 3 of 3

LANC & TULLY ENGINEERING AND SURVEYING, P.C.

John J. Lane, P.E., L.S., P.P. David E. Higgins, P.E. Rodney C. Knowlton, L.S. Arthur R. Tully, P.E. John J. O'Rourke, P.E. John D. Russo, P.E.

May 2, 2014

DESCRIPTION LANDS TO BE CONVEYED TO CRH REALTY VIII, LLC. TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

ALL that certain plot, piece, or parcel of land situate in the Town of New Windsor, County of Orange, State of New York, said lands being more particularly bounded and described as follows:

BEGINNING at a point lying on the southeasterly line of New York State Route 300 (Union Avenue), said point being an angle in the northwesterly line of lands now or formerly Newburgh Water Supply and the southwesterly corner of lands herein described;

THENCE running along the southeasterly line of said Union Avenue being the northwesterly line of lands herein described, (1) North 41 degrees 21' 00" East, as per Liber 13386 of Deeds at Page 1962, a distance of 187.79 feet, to a point being the northerly corner of lands herein described and lying on the northeasterly line of the Town of New Windsor being the southwesterly line of the Town of Newburgh;

THENCE running along the northeasterly line of said Town of New Windsor being the southwesterly line of said Town of Newburgh, said line being the northeasterly line of lands herein described on the following two (2) courses and distances:

- (2) South 56 degrees 31' 00" East, a distance of 64.20 feet; and
- (3) South 58 degrees 59' 48" East, a distance of 58.08 feet, to a point lying in a stonewall being the easterly corner of lands herein described, a westerly corner of lands now or formerly City Hall Newburgh City Water and a northerly corner of lands now or formerly Newburgh Water Supply;

THENCE running along a northerly line of lands of said Newburgh Water Supply being the southerly line of lands herein described, (4) South 71 degrees 36' 00" West, a distance of 239.64 feet, to the point or place of BEGINNING;

ALL as shown as Tax Lot 4-1-72.2 within the Town of New Windsor on a map entitled "Lot Line Change and Consolidation Map Prepared For CRH Realty VIII, LLC., Town of Newburgh, Town of New Windsor, Orange County, New York", dated September 17, 2013, last revised February 12, 2014, prepared by Lanc & Tully Engineering and Surveying, P.C.

Containing 0.258± acres.

Premises herein described being Tax Map Lot No. 72.2, in Block 1, within Section 4, as shown on the Tax Maps of the Town of New Windsor, Orange County, New York, dated 2013.

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DESCRIPTION - CONTINUED LANDS TO BE CONVEYED TO CRH REALTY VIII, LLC. TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK MAY 2, 2014

Premises herein described being a portion of the same premises as described in Liber 13386 of Deeds at Page 1962, as filed in the Orange County Clerk's Office.

Premises herein described being subject to any easements, rights-of-way, covenants or restrictions of record.

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Page 2 of 2

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Schedule A Description - continued

Abstract No. NEW-3270 Title Number 730-0-2497B

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Subject to and together with the benefits of the terms in Stormwater and Drainage Easement made by the City of Newburgh to Newburgh Towne Center, LLC, dated 11/25/08 and recorded in the Orange County Clerk's Office on 2/27/09 in Liber 12786 page 1781 and Stormwater Easement made by the City of Newburgh and CRH Realty Village, LLC, dated 4/17/14 and to be recorded in the Orange County Clerk's Office

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Page 1 of 2

Special Districts:

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Parcel History

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4600	097	000	0003	006	220	0000)	97-3-6.22							
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School District:		NEWBURGH	CSD		AG Distri										
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Parcel Sq Ft:	7				Grid Nort	h:	97068	8							
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ORANGE COUNTY TAX MAP DEPARTMENT

124 MAIN STREET, GOSHEN, NEW YORK 10924

NOTICE OF TAX MAP REVISION

CITY OF:	TOWN OF:	newburgh VILLAGE OF	9. •
SUB MAP: CRH REALTY VIII, LLC	SUB MAP 149-	-14 FILED 6/6/14	
RE: DEED/LIBER	PAGESEE	RECORDED BELOW	<u>CHANGE</u> SAME AS
PRESENT TAX MAP:97	BLOCK3	LOT 1, 2, 6, 7, 8 & 26	
CHANGE TAX MAP:97	BLOCK3	LOT 1.2 & 6.22	CORRECTION
DELETE TAX MAP:97	BLOCK3	LOT 2, 7, 8 & 26	
EXPLANATION: REVISE MAP SHOW	VN BELOW IN RE	D. DELETE RECORDS 97-3	3-2, 7, 8 & 26
CHANGE RECORDS 97-3-1 TO	97-3-1.2 PAR	CELS CRH REALTY VIII, LLC.	SUB MAP 149-14
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97-3-6 TO 97-3-6.22 PARC	ELS CRH REALTY	VIII, LLC. SUB MAP 149-1	4 E609651 N970688
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7, 8 & 26 WERE COMBINED W	/ITH 97-2-6.22.		





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DATE:

ORANGE COUNTY TAX MAP DEPARTMENT

124 MAIN STREET, GOSHEN, NEW YORK 10924

NOTICE OF TAX MAP REVISION

CITY OF:		TOWN OF:	new	burgh	VILLAGE OF:	
SUB MAP: CRH REALT	/ VIII, LLC.	SUB MAP	149-14	FILED 6/	/6/14	
RE: DEED/LIBER	VARIOUS	PAGE	SEE	RECORDED	BELOW	<u>CHANGE</u> SAME AS
PRESENT TAX MAP:	97	_ BLOCK	3	LOT	1, 2, 6, 7, 8 & 26	
CHANGE TAX MAP:		_ BLOCK	3	LOT	1.2 & 6.22	- CORRECTION
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SCALE:

MAKE CHANGES AS SHOWN IN RED



BK: 2014 PG: 149 06/06/2014 MAPS Image: 1 of 1

