

TOWN OF NEWBURGH

Crossionado of the Northeast ZONING BOARD OF APPEALS 21 Hudson Valley Professional Plaza Newburgh, NY 12550

Zoning Board of Appeals APR 0 1 2024 Town of Newburgh

TELEPHONE 845-566-4901

FAX LINE 845-564-7802

OFFICE OF ZONING BOARD

APPLICATION

DATED: 3.21.2024

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

I (WE) MANSHALL ROSENFILLING PRESENTLY

RESIDING AT NUMBER 412 BMGAM DR., HEW WINNER, 44 12553

TELEPHONE NUMBER 845-542-7818

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

USE VARIANCE AREA VARIANCE (S)

INTERPRETATION OF THE ORDINANCE

SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

So-5-19 (TAX MAP DESIGNATION)

8 HORTH PLANK RD (STREET ADDRESS)

B (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-14 E (10) ROOF SIGNS

- 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:
 - b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:
- 4. DESCRIPTION OF VARIANCE SOUGHT: LISE VARIANCE

FOR ROOFTOP SIGN

- 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:

COMMERCIAL BUSILESS AREA.

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

CHRALERE LOCATED BETWEEN BUNGERKING ALEXIS DIHER

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE: RECENT 'DISPENSARY' APPROLIME THIS APPRICATION IS FOR GORPORATE STANDARD 'DISPENSARY' LOGO SIGN 6. IF AN AREA VARIANCE IS REQUESTED:

a)	THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHAN CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO N BECAUSE:	
b)	THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHII METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER VARIANCE, BECAUSE:	
c)	THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECA	AUSE:
d)	THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFF THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEI DISTRICT BECAUSE:	
e)	THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:	
7. ADDII	TONAL REASONS (IF PERTINENT):	

TOWN OF NEWBURGH ZONING BOARD OF APPEALS

PROXY

DATED: MANGH 21,202

Magdalini Zachavia

OWNER'S SIGNATURE

WITNESS' SIGNATURE

YAMILETH ARENAS NOTARY PUBLIC-STATE OF NEW YORK No. 01AR6313690 Qualified in Orange County My Commission Expires <u>10 27 26</u>6

NOTARY PUBL

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.

PETITIONER (S) SIGNATURE

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 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

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: Curaleaf rooftop sign				
Project Location (describe, and attach a location map): 8 North Plank Road, Newburgh, NY 12550 80-5-19				
Brief Description of Proposed Action:				
Illuminated rooftop sign placement at former location (using existing supp	oort frame)		
Name of Applicant or Sponsor:	Telephone: 845-542-7818			
Marshall Rosenblum, Architect	E-Mail: mrbx0525@aol.com			
Address: 412 Balsam Drive				
City/PO: New Windsor	State: NY	Zip Code: 12553		
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? NO YES If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. NO YES				
 Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: 				
3. a. Total acreage of the site of the proposed action? acres b. Total acreage to be physically disturbed? acres c. Total acreage (project site and any contiguous properties) owned acres or controlled by the applicant or project sponsor? acres				
 4. Check all land uses that occur on, are adjoining or near the proposed action: Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) Forest Agriculture Aquatic Other(Specify): Parkland 				

a. A permitted use under the zoning regulations? Image: Consistent with the adopted comprehensive plan? Image: Consistent with the adopted comprehensive plan? Image: Consistent with the predominant character of the existing built or natural landscape? No YES c. 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 Area? NO YES 8. a. Will the proposed action result in a substantial increase in traffic above present levels? NO YES b. Are public transportation services available at or near the site of the proposed action? Image: Constant	5. Is the proposed action,	NO	YES	N/A
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 Area? NO YES If Yes, identify: NO YES 8. a. Will the proposed action result in a substantial increase in traffic above present levels? NO YES b. Are public transportation services available at or near the site of the proposed action? NO YES 9. Does the proposed action meet or exceed the state energy code requirements? NO YES If the proposed action connect to an existing public/private water supply? NO YES If No, describe method for providing potable water: X	a. A permitted use under the zoning regulations?	X		
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X			Χ	
If i es, identify the wetland or waterbody and extent of alterations in square feet or acres:			X	
	in res, identify the wetland or waterbody and extent of alterations in square feet or acres:			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
Shoreline Forest Agricultural/grasslands Early mid-successional		
Wetland X Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
r edelar government as inteatened of endangered?	X	
16. Is the project site located in the 100-year flood plan?	NO	YES
	X	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	X	
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility? If Yes, describe:		
	X	
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: former gas station; prior soils remediation		
		X
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Marshall Rosenblum	4	
Signature:		



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 DO	CUMENT – DO NOT DETACH	
		Recording:	
		Recording Fee Cultural Ed Records Management - Coun Records Management - Stat TP584	40.00 14.25 1.00 4.75 5.00
BOOK/PAGE INSTRUMEN	E: 14793 / 1155 IT #: 20200044682	RP5217 All others - State RP5217 - County	241.00 9.00
Receipt#: Clerk:		Sub Total: Transfer Tax	315.00
	08/27/2020 09:35:11 AM	Transfer Tax - State	0.00
Descrip: Num Pgs:		Sub Total:	0.00
Party1: Party2:	STERGIOS CORP ZACHARIA MAGDALINI	Total: **** NOTICE: THIS IS NOT A	315.00 BILL ****
Town:	NEWBURGH (TN) 80-5-19	***** Transfer Tax ***** Transfer Tax #: 720 Commercial Transfer Tax Consideration: 10.00	

Total:

0.00

Payment Type:	Check
	Cash
	Charge
	No Fee

Comment:

STATE OF NEW YORK, COUNTY OF ORANGE ss: I, Kelly A. Eskew, 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 <u>8/27/2020</u> and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal <u>03/21/2024</u>.

பையில் கால் பிக்கில் பிக்கில பிக்கில் பிகில் பிக்கில் பிக்கில் பிக்கில் பிக்கில் பிக்கில் பி

any G. Ralbox

Ann G. Rabbitt Orange County Clerk

Record and Return To:

JOHN J GRECO, ESQ GOVERNOR CLINTON BUILDING 1 ALBANY AVE KINGSTON, NY 12401

THIS INDENTURE

Made this 6th day of August, Two Thousand and Twenty;

Between stergios corporation, with offices located at 140 Putt Lane, Kingston, New York, party of the first part,

and MAGDALINI ZACHARIA, residing at 140 Putt Lane, Kingston, New York, New York, party of the second part,

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Newburgh, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point set in the southwesterly corner of premises now or formerly of Manischalchi et al by deed recorded in the Orange County Clerk's Office in book 1916 of deeds at page 891 and the southeasterly corner of said premises; thence north 85 degrees Ol minutes 10 seconds west, a distance of 173.69 feet to a point; thence north 67 degrees 35 minutes 10 seconds west, a distance of 27.00 feet to a point; thence north 58 degrees 40 minutes 40 seconds east, a distance of 31.97 feet to a point; thence north 04 degrees 58 minutes 50 seconds east, a distance of 90.16 feet to a point; thence north 85 degrees 13 minutes 50 seconds east, a distance of 123.08 feet to a point; thence south 15 degrees 48 minutes 10 second east, a distance of 147.61 feet to the point or place of beginning.

BEING the same premises as conveyed by Drake Petroleum Company, Inc., to Stergios Corporation, by deed dated May 20, 2008, and thereafter recorded in the Orange County Clerk's Office on May 23, 2008, in liber 12672 of deeds at page 394.

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 transaction has been made in the ordinary course of business of the grantor corporation, has been approved by unanimous consent of the shareholders of the grantor corporation and does not constitute all or substantially all of the assets of the grantor corporation.

In Witness Whereof, the party of the first part has duly executed this deed the day and year first above written.

In the Presence Of:

STERGIOS/ CORPORATION By:

Yiannakis Zacharia

STATE OF NEW YORK) : SS.: COUNTY OF ULSTER)

On this 6th day of August, **Two Thousand Twenty**, before me, the undersigned, a Notary Public in and for said State, personally appeared YIANNAKIS ZACHARIA, personally known 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 signatures on the instrument, the individuals or the person upon behalf of which the individual acted, executed the instrument.

SECTION 80 BLOCK 5 LOT 19 COUNTY OR TOWN OF NEWBURGH Notary Public JOHN J. GRECO Notary Public, State of New York Qualified in Ulster County Reg. #4805637 Commission Expires August 31, 20

Record and Return to:

JOHN J. GRECO, ESQ. Governor Clinton Building 1 Albany Avenue Kingston, New York 12401



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT 21 HUDSON VALLEY PROFESSIONAL PLAZA NEWBURGH, NEW YORK 12550

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

1024-17

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 03/26/2024

Application No. 23-1445

To: Magdalini Zacharia 140 Putt Lane Kingston, NY 12401

SBL: 80-5-19 ADDRESS:8 N Plank Rd

ZONE: B

PLEASE TAKE NOTICE that your application dated 12/11/2023 for permit to install a 4' x 12' roof mounted sign on the premises located at 8 N Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) 185-14-E-10: Prohibited signs. The following signs are prohibited. Roof signs.

Joseph Mattina

Cc: Town Clerk & Assessor (500') File









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

STATE OF NEW YORK: COUNTY OF ORANGE:

MARSHALL ROSEABLUM, being duly sworn, depose and say that I did on or before

_____ April 11 ____, 2024, post and will thereafter maintain at

8 N Plank Rd 80-5-19 B Zone in the Town of Newburgh, New York, at or near the front

property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which

notice was in the form attached hereto.

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

Sworn to before me this $\underline{3}$

day of 2024.

YAMILETH ARENAS NOTARY PUBLIC-STATE OF NEW YORK No. 01AR6313690 Qualified in Orange Gounty My Commission Expires 10272026







