

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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-J(1)(c) - No signs above first floor

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:  
3/12/2025 email from Jim Cambell
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:  
3/6/2025 PB Meeting Minutes (Copy Attached)

4. DESCRIPTION OF VARIANCE SOUGHT: \_\_\_\_\_

Proposed signs placed above first floor in multistory building

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT: N/A

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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:

There are existing signs in similar locations  
above the 1st floor in the building from the previous  
owner. This appeal only proposes a change in signage.

- 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:

Due to the topograph of the site and design of the  
existing building any signs on the first floor  
will not be visible.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Signs are sized to meet permitted area. Given the site topograph and  
existing building design the signs while are consistent with much  
signage in the area located on one story buildings which are of greater  
height are above the first floor. Signs will be attached to the building.

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

There will be no change to the building or neighborhood  
since the size, type and location of the signs  
are similar to what existed.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

While the hardship is technically self-created, even though  
the applicant is deemed to have knowledge of the zoning  
law it would be next to impossible for the signs to be  
visible if located below the mezzanine and/or second  
floor. Therefore, the fact that the hardship is self-created  
should not be determinative.

7. ADDITIONAL REASONS (IF PERTINENT):

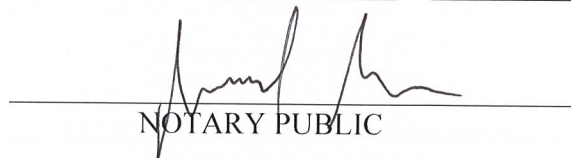
Signs were already on building, just replacing  
with new signs



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10 DAY OF April 20 25



YISROEL MANNES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01MA6355263  
Qualified in Rockland County  
My Commission Expires 03-06-2029

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

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



**TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS**

PROXY

Bernard Mittleman  
(c/o MBH Development Group), DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 1170 Route 17M, Suite #2, PO Box 263, Chester

IN THE COUNTY OF Orange AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 14 Crossroads Court

Newburgh, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-  
TION AND THAT HE/SHE HAS AUTHORIZED Engineering & Surveying  
Properties, PC

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 4/10/25

OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 10 DAY OF April 20 25

  
NOTARY PUBLIC

YISROEL MANNES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01MA6355263  
Qualified in Rockland County  
My Commission Expires 03-06-2024

# Short Environmental Assessment Form

## Part 1 - Project Information

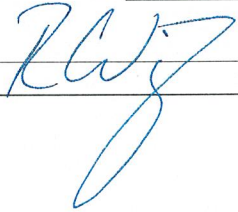
### Instructions for Completing

**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.

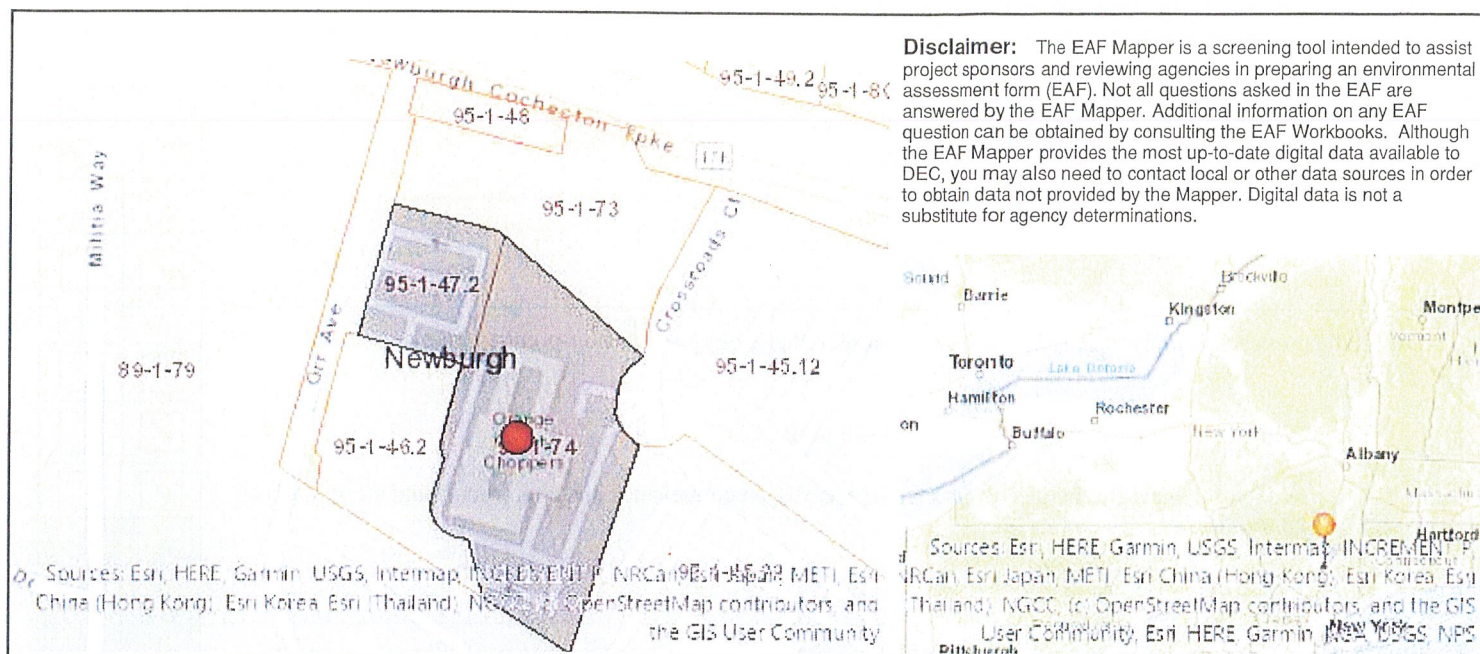
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Safe Haven Self Storage			
Project Location (describe, and attach a location map): 14 Crossroads Court, Newburgh, NY 12550			
Brief Description of Proposed Action: Install signage on the building and EV chargers in the parking lot. Addition of fencing along the property. Uhaul to be added as an additional service to the property on existing paved surface.			
Name of Applicant or Sponsor: MBH Development Group		Telephone: 845-827-5161 E-Mail: <a href="mailto:bmittelman@mbhdevelopment.com">bmittelman@mbhdevelopment.com</a>	
Address: 1170 Route 17M, Suite #2, PO Box 563			
City/PO: Chester		State: NY	Zip Code: 10918
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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 <input checked="" type="checkbox"/>
2. 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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			+/- 4.269 acres ____ acres +/- 4.269 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(No site disturbance proposed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, 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: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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 site disturbance proposed) Indiana Bat, Upland Sandpiper	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ _____		
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)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
_____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Engineer <del>Applicant/sponsor/name:</del> Ross Winglovitz      Date: 02/10/2025 Signature:  Title: Professional Engineer		





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat, Upland Sandpiper
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



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

COUNTY CLERK'S RECORDING PAGE  
\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



BOOK/PAGE: 14039 / 467  
INSTRUMENT #: 20160024093

Receipt#: 2113000  
Clerk: HS  
Rec Date: 04/19/2016 10:44:46 AM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 8  
Rec'd Frm: CHICAGO TITLE INSURANCE CO

Party1: BRE EAST MIXED ASSET OWNER LLC  
Party2: DP66 LLC  
Town: NEWBURGH (CITY)  
95-1-47.2

Recording:

Recording Fee	60.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 335.00

Transfer Tax  
MTG TX \$9,556 PD TO NYS #  
411160114245  
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 335.00

\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 7077  
Commercial Transfer Tax  
Consideration: 2388750.00

Total: 0.00

Payment Type: Check \_\_\_  
Cash \_\_\_  
Charge \_\_\_  
No Fee \_\_\_

Comment: \_\_\_\_\_

Ann G. Rabbitt  
Orange County Clerk

Record and Return To:


DP66 LLC  
333 NORTH BEDFORD ROAD  
MOUNT KISCO, NY 10595

OUT IN THIS DEED), PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY, OR (H) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY, THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE EXISTENCE IN OR ON THE PROPERTY OF HAZARDOUS MATERIALS OR SUBSTANCES. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR AND ACCEPTS THE PROPERTY AND WAIVES ALL OBJECTIONS OR CLAIMS AGAINST GRANTOR (INCLUDING, BUT NOT LIMITED TO, ANY RIGHT OR CLAIM OF CONTRIBUTION) ARISING FROM OR RELATED TO THE PROPERTY OR TO ANY HAZARDOUS MATERIALS ON THE PROPERTY. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" "WHERE IS" CONDITION AND BASIS WITH ALL FAULTS. IT IS UNDERSTOOD AND AGREED THAT THE PURCHASE PRICE FOR THE PROPERTY HAS BEEN ADJUSTED BY PRIOR NEGOTIATION TO REFLECT THAT ALL OF THE PROPERTY IS SOLD BY GRANTOR AND PURCHASED BY GRANTEE SUBJECT TO THE FOREGOING.

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

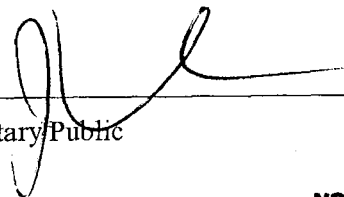
GRANTEE:

DP66, LLC,  
a New York limited liability company

By:   
Name: JAMES DIAMOND  
Title: MANAGER

County of Nassau, State of New York  
~~New York~~ Nassau

On March 29, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared James Diamond, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he / she / they executed the same in his / her / their capacity(ies), and that by his / her / their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument. Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

JOSH MILLER  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01MI6188657  
Qualified in Nassau County  
Commission Expires June 9, 20 16



Parcel 2:

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange and State of New York being shown and designated as Lot No. 2 shown on a subdivision map entitled, "Subdivision & Lot Line Change between Lands of the County of Orange and Lands of Huffard & Patsalos" dated (drawn by date (6/1/05), last revised 8/19/05 and filed in the Orange County Clerk's Office on 3/8/06 as Map No. 180-06.

Section 95, Block 1, Lot 47.2.

555 Hudson Valley Avenue, Ste. 100  
New Windsor, New York 12553

Phone: 845-561-0550

Fax: 845-561-1235

www.drakeloeb.com

James R. Loeb\*  
Richard J. Drake\*\*  
Glen L. Heller<sup>o</sup>  
Marianna R. Kennedy  
Gary J. Gogerty  
Stephen J. Gaba  
Adam L. Rodd  
Dominic Cordisco  
Ralph L. Puglille, Jr.  
Alana R. Bartley<sup>oo</sup>  
Aaron C. Fitch

Sarah N. Wilson  
Michael J. Barfield<sup>oo</sup>  
Ivan M. Bonet<sup>oo</sup>

Jennifer L. Schneider  
Managing Attorney

\* Retired 2025  
\*\* Retired 2015; d. 2025

<sup>o</sup> LL.M. in Taxation  
<sup>oo</sup> Member NY & NJ Bar

April 17, 2025

BY EMAIL ONLY

Darrin J. Scalzo, Chairman  
Zoning Board of Appeals  
Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, New York 12550

Re: Safe Haven Self Storage Phase II / Planning Board Project No. 22-04

Dear Chairman Scalzo and Board Members:

At the Planning Board's March 6, 2025 meeting, the Planning Board resolved to refer this application to the Zoning Board of Appeals for certain variances needed for signage, which referral was conditioned on the applicant confirming the required variances. This site previously received variances and site plan approval to convert the former Orange County Choppers building to self storage use. The building is located on Crossroads Court and is in the IB – Interchange Business District.

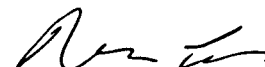
Phase II, which is now before the Town, seeks approvals for outdoor storage, the installation of EV charging stations, and a proposed U-Haul vehicle rental. The proposed signage requires the following variances:

§ 185-14-J(1)(c): the signs cannot be higher than the first floor; and

§ 185-14-J(5)(a): the location of the free standing sign cannot be less than 15 ft from the property line

The Planning Board has not declared its intent to serve as lead agency so that the Zoning Board of Appeals may consider and process this application without the need to wait for the Planning Board to conclude its SEQRA review. Thank you for your consideration of this matter.

Very Truly Yours,



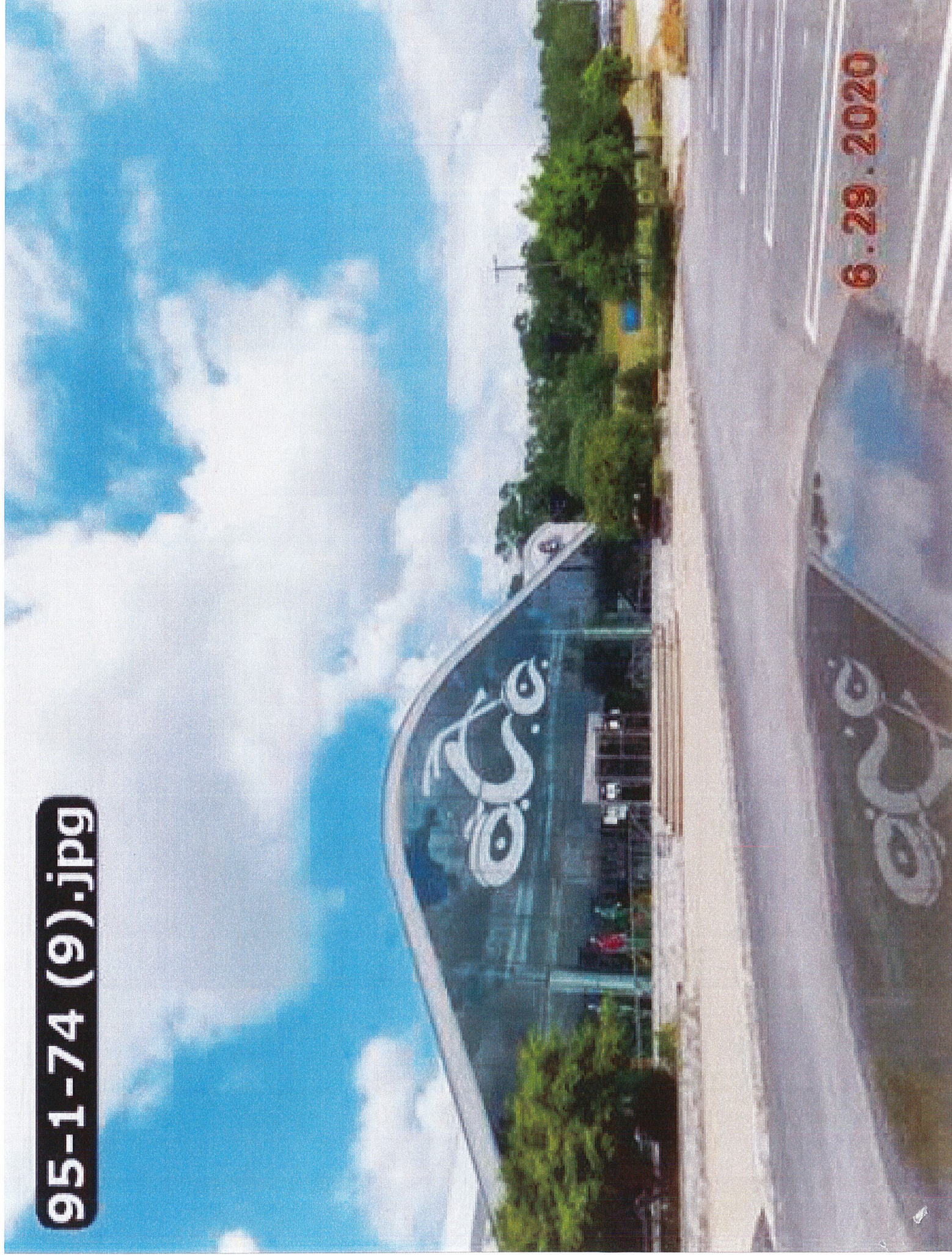
Dominic Cordisco

cc:

David A. Donovan, Esq., Attorney for the ZBA  
Town of Newburgh Planning Board  
Patrick J. Hines, Planning Board Consulting Engineer



95-1-74 (9).jpg





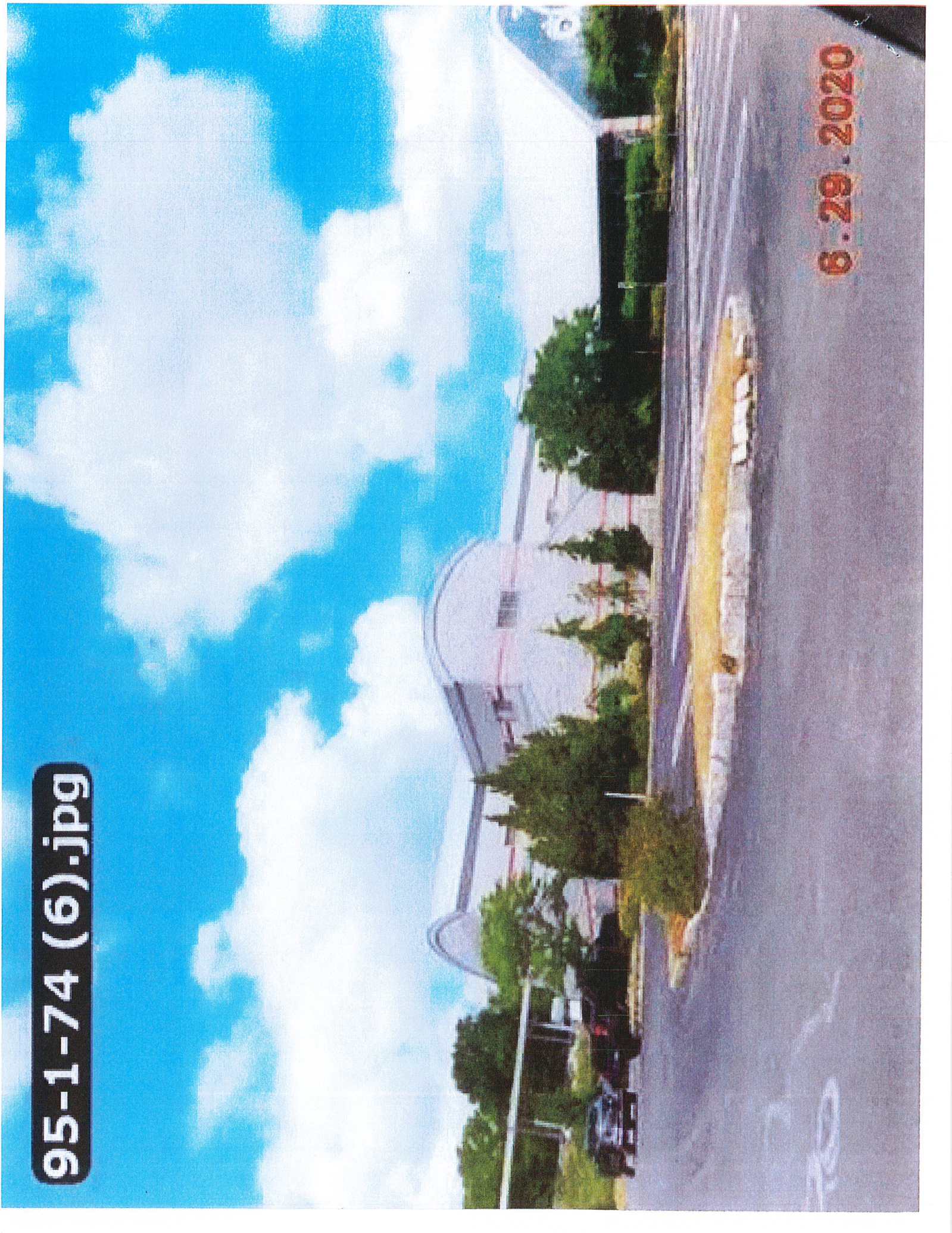


04/15/2019



95-1-74 (6).jpg

6.29.2020







04/15/2019



STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF NEWBURGH PLANNING BOARD

In the Matter of

SAFE HAVEN SELF-STORAGE - PHASE II  
(2022-04)

14 Crossroads Court  
Section 95; Block 1; Lot 74  
IB Zone

AMENDED SITE PLAN

Date: March 6, 2025  
Time: 7:32 p.m.  
Place: Town of Newburgh  
Town Hall  
1496 Route 300  
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman  
CLIFFORD C. BROWNE  
LISA CARVER  
STEPHANIE DeLUCA  
DAVID DOMINICK  
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
IVAN BONET, ESQ.  
PATRICK HINES

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

MICHELLE L. CONERO  
Court Reporter  
845-541-4163  
michelleconero@hotmail.com

2                    CHAIRMAN EWASUTYN: The fourth item  
3                    of business this evening is Safe Haven  
4                    Self-Storage - Phase II. It's an amended  
5                    site plan located on 14 Crossroads Court  
6                    in an IB Zone. It's being represented by  
7                    Ross Winglovitz again with Engineering &  
8                    Surveying Properties.

9                    MR. WINGLOVITZ: Good evening.  
10                   Ross Winglovitz, Engineering & Surveying  
11                   Properties. I'm here on behalf of --  
12                   Bernard Mittelman is the contact for this  
13                   project. This is the former Orange  
14                   County Choppers building.

15                   We were here a few years ago  
16                   regarding a two-phase approval. One is  
17                   converting the Orange County Chopper  
18                   building into indoor self-storage, air  
19                   conditioned self-storage, and then also a  
20                   second phase which was outdoor storage.  
21                   We have a fence around the parking areas,  
22                   removing islands, relocating light poles,  
23                   so forth.

24                   The applicant no longer wants to  
25                   remove the islands. They want to leave



it in its current configuration and only install the fence. None of the paving would be disturbed. None of that would change. It's only the addition of the fence to secure the outdoor storage area.

The additional thing is some EV charging stations and a U-Haul rental facility. They find that they have a lot of people who are tenants looking for that service, so they wanted to provide it.

Pat talked about whether or not the use was permitted. We were thinking under the special use permit, there is a special use permit for rental, vehicle rental in the IB Zone, use 13 under special uses. That's where we were headed with that. Hopefully not for a variance. It's specifically permitted as a special use, special use 13.

The other item is signage. Basically there are Orange County Chopper signs on the glass facade at the end of the building and it would be called the

front of the building. They want to replace those with new signage for Safe Haven Self-Storage. For each location we've calculated the area that's permissible under the code. We believe we conform with that. The other thing is there's an existing freestanding sign there now that was for the Choppers. It would just replace the glass with a plastic for that sign to be Safe Haven Self-Storage.

MR. HINES: I'm not seeing that.

MR. WINGLOVITZ: In the IB, special permit use. You've got to read through it. It goes car wash, rental, vehicle rental.

MR. HINES: I don't have any special uses in the IB Zone. I have uses subject to site plan review. 13 is business parks in accordance with.

MR. CORDISCO: That's what I'm seeing as well.

MR. HINES: I know it's allowed in the self-storage overlay zone which is

along the Route 9W corridor. This is not in that zone.

MR. WINGLOVITZ: It's number 9. I'm sorry. Motor vehicle service stations and public garages, car rental agencies. Uses subject to site plan review.

MR. HINES: I don't have a number 9.

MR. CORDISCO: It's on the second page, but mine says warehouses.

MR. HINES: Mine says warehouses as well.

MR. WINGLOVITZ: You know why. You hit the IB link on here and it gives you the I Zone.

MR. HINES: You had me going for a little while.

MR. DOMINICK: You almost got it, Ross.

MR. HINES: You sounded pretty convincing.

MR. WINGLOVITZ: The link on the E-Code puts you into the I Zone. Okay.

That could be a problem. I will confirm with my client whether they want to continue to propose it.

MR. HINES: Would you like that referral? It may be appropriate.

MR. CORDISCO: What I would suggest is, rather than coming back for another meeting, the Board could make that referral now and I would only do the referral letter if confirmed by you that the applicant wants to go forward with that aspect of the project.

MR. WINGLOVITZ: Okay.

CHAIRMAN EWASUTYN: Is the Board in agreement with what Dominic Cordisco just suggested?

MR. DOMINICK: Yes.

MS. DeLUCA: Yes.

CHAIRMAN EWASUTYN: Yes.

MR. BROWNE: Yes.

MS. CARVER: Yes.

MR. WARD: Yes.

MR. DOMINICK: John, would Ross need a referral for the signage, swapping

2 that sign out?

3 CHAIRMAN EWASUTYN: We're talking  
4 about a different subject as far as the  
5 storage for U-Hauls.

6 MR. DOMINICK: I know that. Would  
7 he also need a variance for that piece as  
8 well?

9 CHAIRMAN EWASUTYN: I don't know  
10 about signage.

11 MR. HINES: I defer signage reviews  
12 typically to Mr. Campbell who is not here  
13 tonight.

14 MR. WINGLOVITZ: I'll pick up on  
15 Dave's suggestion and include it. I'll  
16 talk to Jim. If Jim thinks we need it,  
17 we won't have to take an agenda spot to  
18 come back and get it.

19 CHAIRMAN EWASUTYN: Good comment.  
20 Just general comments from Board  
21 Members. Dave Dominick?

22 MR. DOMINICK: Do you have an  
23 onsite caretaker? Is anybody living --

24 MR. WINGLOVITZ: No.

25 MR. DOMINICK: -- in that motor



2                home in the back, that trailer?

3                MR. WINGLOVITZ: Not that I'm aware  
4                of.

5                MR. DOMINICK: It looks inhabited.

6                MR. WINGLOVITZ: In the back? I  
7                will ask.

8                MR. DOMINICK: That was my only  
9                question.

10               CHAIRMAN EWASUTYN: Stephanie DeLuca?

11               MS. DeLUCA: I may have missed a  
12               certain part of the fencing in the back  
13               where the outdoor trailers and boats are.  
14               How tall is that fence going to be?

15               MR. WINGLOVITZ: Six foot high.

16               MS. DeLUCA: Okay. Thank you.

17               CHAIRMAN EWASUTYN: No comment.  
18               Cliff Browne?

19               MR. BROWNE: No comment.

20               MS. CARVER: How many EV chargers  
21               will there be?

22               CHAIRMAN EWASUTYN: Six, I think.

23               MR. WINGLOVITZ: We have six  
24               chargers.

25               MS. CARVER: Thank you. I was

1                   curious.

2                   MR. WARD: No comment.

3                   CHAIRMAN EWASUTYN: Pat Hines with  
4                   MH&E.

5                   MR. HINES: Again, this is here  
6                   before you for ARB for the signage. I  
7                   think we're going to have to get some  
8                   input from Mr. Campbell.

9                   We have to circulate adjoiners'  
10                  notices.

11                  Just to note for the Board that the  
12                  boat and camper parking area continues to  
13                  be proposed.

14                  We just discussed the U-Haul rental  
15                  in this zone.

16                  Eventually it will need a County  
17                  Planning referral. It's within 500 feet  
18                  of a State highway and County owned  
19                  property as well, the transfer station.  
20                  It probably could be sent at this time.

21                  I know it will have to go to the  
22                  ZBA for the variance as well.

23                  The Board could do the County  
24                  referral at this time.

CHAIRMAN EWASUTYN: Dominic Cordisco, Planning Board Attorney.

MR. CORDISCO: I concur. As I suggested, the Board should also authorize me to prepare the referral letter to the ZBA for the variances needed for the U-Haul as well as potential variances that might be needed for signage. I would not actually send that letter until Mr. Winglovitz indicates that that is something that they want to proceed with. That will also provide him with an opportunity to speak to Mr. Campbell regarding the signage as well so that could be tightened up.

MR. HINES: I think it's a Type 2 action under Section 18 of the Code without physical changes to the site. There would not be a lead agency circulation if that's the case.

MR. CORDISCO: That's correct.

CHAIRMAN EWASUTYN: Having heard from Dominic Cordisco, one more time, the Board is in agreement to have Dominic

Cordisco prepare a referral letter to the ZBA subject to the use of U-Hauls and also for the signage as suggested by Pat Hines with MH&E. The Board will also move for Pat Hines to circulate to the Orange County Planning Department. Is everyone in agreement? Dave Dominick?

MR. DOMINICK: Yes.

MS. DeLUCA: Yes.

CHAIRMAN EWASUTYN: Yes.

MR. BROWNE: Yes.

MS. CARVER: Yes.

MR. WARD: Yes.

MR. WINGLOVITZ: Thank you.

(Time noted: 7:40 p.m.)

C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public  
for and within the State of New York, do  
hereby certify:

That hereinbefore set forth is a true  
record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
proceeding by blood or by marriage and that  
I am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 15th day of March 2025.

*Michelle Conero*

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MICHELLE CONERO



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

STATE OF NEW YORK: COUNTY OF ORANGE:

I JAMES HALLIGAN, being duly sworn, depose and say that I did on or before

May 8, 2025, post and will thereafter maintain at

14 Crossroads Ct 95-1-74.2 IB 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 2

day of May, 2025.

