

TOWN OF NEWBURGH

Crossroads of the Northeast <u># 2954 21</u> ZONING BOARD OF APPEALS 21 Hudson Valley Professional Plaza Newburgh, NY 12550

APPLICATION

Z	oning Board of Appeal	S
	SEP 3 0 2021	
	Town of Newburgh	

T

OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901 FAX LINE 845-564-7802

DATED: 9/30/2021

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

I (WE) NICK CITERA (CPK UNION LLC) PRESENTLY

RESIDING AT NUMBER 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602

TELEPHONE NUMBER ____914-474-8567

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

USE VARIANCE

_____XXX AREA VARIANCE (S)

INTERPRETATION OF THE ORDINANCE

SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

96-1-11.1 (TAX MAP DESIGNATION)

1217 ROUTE 300 (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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

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: 9/14/2021
- 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: SIGNAGE
- 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/A

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

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

6. IF AN AREA VARIANCE IS REQUESTED:

	CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:
	THE SIGNS WERE INSTALLED 20+YEARS AGO
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:

N/A

- .
- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:
 SIGNAGE IS EXISTING
 d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE: SIGNAGE IS EXISTING
- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE: N/A

3

7. ADDITIONAL REASONS (IF PERTINENT):

PETITIONER (8) SIGNATURE STATE OF NEW YORK: COUNTY OF ORANGE: SWORN TO THIS **30**TH DAY OF SEPTEMBER 20 21 NOTARY PUBLIC

SUSAN M. POWLES NOTARY PUBLIC-STATE OF NEW YORK No. 01PO4757398 Qualified in Orange County My Commission Expires March 30, 2022

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City. (ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

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

TOWN OF NEWBURGH ZONING BOARD OF APPEALS

PROXY

NICK CITERIA (CPK UNION LLC), DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602

IN THE COUNTY OF DUTCHESS AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF

1217 ROUTE 300, NEWBURGH, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED COMMERCIAL INDUSTRIAL CONSTRUCTION CORP

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/30/2021

OWNER'S SIGNATURE

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF SEPTEMBER 2021

Macouth Danda

NOTARY PUBLIC

WANDA J MCCARTHY No. 01MC6230091 Notary Public - State of New York Qualified in Dutchess County My Commission Exp. 11/01/2022

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:

CPK UNION LLC SIGNAGE

Project Location (describe, and attach a location map):

1217 ROUTE 300, NEWBURGH, NY 12550

Brief Description of Proposed Action:

APPROVAL OF EXISTING SIGNAGE

NT. Ch II						•	
Name of Applican				Telephone:	914-755-	1654	;
COMMERCIAL	INDUSTRIAL CONSTR	UCTTON COR	р	E-Mail:			
Address:			L	f	lynn@cico	eny.com	· .
9 WEYANTS	LANE	10		•	· · ·		
City/PO:			· · · · · · · · · · · · · · · · · · ·				
NEWBURGH	<u>.</u>	· .		State:		Zip Code:	•
	desting - 1 1 1				NY	1255(0
administrative ru	ed action only involve the leg	islative adoptio	n of a plan, lo	cal law, ordinar	ice,	NO	YES
If Yes, attach a nam	rative description of the inten	t of the propose	d pation and 4	h			
may be affected in t	the municipality and proceed	to Part 2. If no	continue to c	ne environment	al resources th	nat X	
2. Does the proposi	ed action require a permit, ap	provel or fundi	na from ante				
If Yes, list agency(s	s) name and permit or approv	al:	ng nom any o	iner governmen	tal Agency?	NO	YES
		•				x	
				-			
3.a. Total acreage of	f the site of the proposed acti	on?	N/A	acres	·····	l	L
b. Total acreage to	be physically disturbed?	•	N/A				
c. 10tal acreage (p	project site and any contiguou	s properties) ov	vned				
or controlled by	the applicant or project spon	isor?	_N/A	acres			
4. Check all land us	es that occur on, adjoining an	id noar the area	oned estimation				
Urban	Rural (non-agriculture)	Industrial	Sed action.				
Forest					ntial (suburba	a) ⁻	1
Parkland	-	LIAYUAUC	□Other (sp	ecity):			
Lifakianu				•			
	· · · · · · · · · · · · · · · · · · ·						

5. Is the proposed action,	
a. A permitted use under the zoning regulations?	NO YES
b. Consistent with the adopted comprehensive plan?	
6. Is the proposed action consistent with the predominant character of the existing builter natural landscape?	
landscape?	NO
7. Is the site of the proposed action located in an Invited in the second secon	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental A If Yes, identify:	rea? NO Y
	—— x [
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO Y
b. Are public transportation service(s) available at or near the site of the proposed action?	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed act	
. Dues the proposed action meet or exceed the state	
f the proposed action will exceed requirements, describe design features and technologies:	NO YI
0 Will the proposed action	
0. Will the proposed action connect to an existing public/private water supply?	NO YE
If No, describe method for providing potable water:EXISTING	
1. Will the proposed action connect to existing wastewater utilities?	
	NO YE
If No, describe method for providing wastewater treatment: <u>EXISTING</u>	
2 Does the cite contains all the literation of the literation	• •
2. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO YES
b. Is the proposed action located in an archeological sensitive area?	x
	x
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
b. Would the proposed action physically alter or encroach into any aviating worther the	X
Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	X
	-
. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all t	hat apply:
La Shoremite La Porest La Agricultural/grasslands La Early mid-successiona	al
	•
Does the site of the proposed action contain any species of animal, or associated habitats, listed	NO YES
by the State or Federal government as threatened or endangered?	
Is the project site located in the 100 year flood plain?	NO YES
XY111	X
Will the proposed action create storm water discharge, either from point or non-point scurces?	NO YES
	X
a. Will storm water discharges flow to adjacent properties?	
b. Will storm water discharges be directed to established conveyance systems (nunoff and storm desire)?	
n. Will storm water discharges flow to adjacent properties? INO YES p. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? INO YES des, briefly describe: INO YES	

18. Does the proposed action include construction or other activities that result in the impoundment of	NO	YES
water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:		1
	X	
19. Has the site of the proposed action on an adiation	-	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
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
completed) for hazardous waste? If Yes, describe:		
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE I	BEST O	FMY
Applicant/sponsor name: JOE FLYNN Data 0/20/2021		
Signature: Date: 9/30/2021		

Agency I	lse Only	[If applicable]	
----------	----------	-----------------	--

Project:

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

1.	Will the proposed action and the	No, or small impäct 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?		
	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11.	Will the proposed action create a hazard to environmental resources or human health?		

Agen	cy Us	e Or	ily	[If	app	liça	ible].	
Project:		•. 				:			····
Date:									
L			_						_

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, 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

Print or Type Name of Responsible Officer in Lead Agency

Date

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE TYPE WAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK COSTNO DIBRIZZI AND NICOLA CITERA NO DIBRIZZI AND NICOLA CITERA TO OPE UNION LLC THIS IS PAGE ONE OF THE RECORDING ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DO NOT WRITE BELOW THIS LINE DO NOT WRITE BELOW THIS LINE NO PAGE STORE (N) DO NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED A MORTGAGE ATTACH THE MELON TOWNING (VLG) A MORTGAGE ATTACH TYPE: DEED A MORTGAGE A MORTGAGE A CORNAUL (VLG) A CORNAUL (VLG) A CORNAUL (VLG) A MORTGAGE ANT YE A MOR		ORANGE C	OUNTY (CLERK'S OFFICE REC	CORDING PAGE	
COSTNO DIBRIZZI AND NICOLA CITERA TO SECTION 96 BLOCK LOT 10 + 1 COSTNO DIBRIZZI AND NICOLA CITERA TO CRECORD AND RETURN TO: Name and Address! DRAFE, SOMMERS, LOEB, TANSHIS & CATANIA, P.C. ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DO NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED MORTGAGESATIEFACTIONASSIGNMENTOTHER PROPERTY LOCATION ADD NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED MORTGAGESATIEFACTIONASSIGNMENTOTHER 200 WASHINGTONULLE (VLG) 200 HESTER (VLG) 200 WASHINGTONULLE (VLG) 200 WASHINGTONULLE (VLG) 200 WASHINGTONULLE (VLG) 200 CHESTER (VLG) 200 CONVALLE (VLG)						
COSTNO DIBRIZZI AND NICOLA CITERA TO SECTION 96 BLOCK LOT 10 + 1 COSTNO DIBRIZZI AND NICOLA CITERA TO CRECORD AND RETURN TO: Name and Address! DRAFE, SOMMERS, LOEB, TANSHIS & CATANIA, P.C. ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DO NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED MORTGAGESATIEFACTIONASSIGNMENTOTHER PROPERTY LOCATION ADD NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED MORTGAGESATIEFACTIONASSIGNMENTOTHER 200 WASHINGTONULLE (VLG) 200 HESTER (VLG) 200 WASHINGTONULLE (VLG) 200 WASHINGTONULLE (VLG) 200 WASHINGTONULLE (VLG) 200 CHESTER (VLG) 200 CONVALLE (VLG)	TYPENA	ME(S) OF PARTY(S) TO DO	DCUMENT:	BLACK INK		
NICOLA CITERA TO GRK UNION LLC TO ATTACH THIS IS PAGE ONE OF THE RECORDING RECORD AND RETURN TO: ATTACH THIS SHEET TO THE FIRST PAGE OF EACH DRAVE, SOMMERS, LOES, TARJIG & CATANIA, P. C. RECORDED INSTRUMENT ONLY ON CONSILIONS AND COUNSILIONS AND COUNSILIERS AND COUNSILIES AND AND THE PROPERTY LOCATION PROPERTY LOCATION MONTGOMERY (IN) NO. PAGES SC COORS REF_ 2000 BLOCOMING GROVE (IN) 4203 MONTGOMERY (VLG) MAP # PGS. 2200 CHESTER (IN) 4409 MOUNT HOPE (IN) NO. PAGES SC COORS REF_ 2200 CORNWALL (VLG) 4401 OTISVILLE (VLG) MAP # PGS. CONSIDERATION \$ CONSIDERATION \$ 2200 CORNWALL (VLG) 4400 NOUNT HOPE (IN) NO FEE CONSIDERATION \$ CONSIDERATION \$ CONSIDERATION \$ CONSIDERATION \$	cos	IMO DIBRIZZI AND			NAME OF THE PARTY	
ID RECORD AND RETURN TO: Name and Address) THIS IS PAGE ONE OF THE RECORDING ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DAVE	NIC	OLA CITERA		SECTION 90	BLOCK / LOT / 2 Y-	
RECORD AND RETURN TO: Name and Address) Name and Address) THIS IS PAGE ONE OF THE RECORDING ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DO NOT WRITE BELOW THIS LICE, TABLIS & CATSIN, P. C. ATTORNTA MO COMMULATE KILLS, INC. DO NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED A. MORTGAGE SATISFACTION ASSIGNMENT OTHER 2009 BLOOMING GROVE (TN) 2000 ONWALL (VLG) 2000 ONWALL (VLG) <td co<="" td=""><td></td><td>то</td><td></td><td></td><td></td></td>	<td></td> <td>то</td> <td></td> <td></td> <td></td>		то			
Name and Address THIS IS PAGE ONE OF THE RECORDING ATTACH THIS SHEET TO THE PIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DO NOT WRITE BELOW THIS LINE ON CONVOLUTION OD NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED A. MORTGAGE SATISFACTION ASSIGNMENT OTHER 2009 BLOOMING GROVE (TN) 2001 WASHINGTONVILLE (VLG) 2001 CORNWALL (TN) 2000 CRAWFORD (TN) 2000 CRAWFORD (TN) 2000 NEW WINDSON (TN) 2000 NEW WINDSON (TN) 3000 CRAWFORD (TN) 30	CPK	UNION LLC				
ATTACH THIS SHEET TO THE FIRST PAGE OF EACH ATTACH THIS SHEET TO THE FIRST PAGE OF EACH Construction of the construction of t		······································			(Name and Address)	
ONE CORRUPTION THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY DO NOT WRITE BELOW THIS LINE DO NOT WRITE BELOW THIS LINE DO NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED A MORTGAGE SATISFACTION ASSIGNMENT OTHER 2099 BLOOMING GROVE (TN) 2009 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN) 2010 WASHINGTOWILLE (VLG) 4201 MAYBROOK (VLG) 2201 CHESTER (TN) 4202 MONTGOMERY (VLQ) 2409 CORNWALL (TN) 4409 MOUNT HOPE (TN) 2409 CORNWALL (TN) 4409 MOUNT HOPE (TN) 2409 CORNWALL (VLG) 4401 OTISVILLE (VLG) 2409 CORNWALL (VLG) 4400 NEW WINDSOR (TN) 2409 CORNWALL (VLG) 4400 NEW WINDSOR (TN) 2409 CORNWALL (VLG) 4400 NEW WINDSOR (TN) 3000 BEERPARK (TN) 5099 TUXEDO (TN) 3001 GOBERN (VLG) 5099 TUXEDO (TN) 3005 CHESTER (VLG) 5408 WARWICK (VLG) 3005 CHESTER (VLG) 5408 WARWICK (VLG) 3005 CHESTER (TN) 5403 GREE WOOD LAKE (VLG) 3004 HANPTONBURGH (TN) 5600 WANAYANDA (TN) 3005 CHESTER (VLG) 5609 WOODBURY (TN) 3004 MIGHLAND FAILS (VLG) 5609 MOODDUL LE (VLG) <td>THIS IS F</td> <td>PAGE ONE OF THE REC</td> <td>ording</td> <td>DRAKE, SOMMERS, LO ATTORNEYS AN</td> <td>DEB, TARSHIS & CATANIA, P.C.</td>	THIS IS F	PAGE ONE OF THE REC	ording	DRAKE, SOMMERS, LO ATTORNEYS AN	DEB, TARSHIS & CATANIA, P.C.	
NUMBER NUMBER MULTION MULTION INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER PROPERTY LOCATION 4289 MONTGOMERY (TN) NO. PAGES 5 CROSS REF 2009 BLOOMING GROVE (TN) 4209 MONTGOMERY (TN) OTHER CERT. COPY ADD'L X-REF 2201 CHESTER (VLG) 4203 MONTGOMERY (VLG) MAP # PGS. PGS. 2201 CORNWALL (TN) 4489 MOUNT HOPE (TN) PAGE CASH CASH 2401 CORNWALL (VLG) 4490 MONTGOMERY (VLG) MAP # PGS. CASH 2401 CORNWALL (VLG) 4490 MOUNT HOPE (TN) PGS. CASH 2401 CORNWALL (VLG) 5400 NO. PAGES CONSIDERATION \$ CASH 2600 CRAWFORD (TN) 5403 TUXEDO PARK (VLG) CONSIDERATION \$ CASH 3003 FLORIDA (VLG) 5403 FLORIDA (VLG) CONSIDERATION \$ CASH 3004 HORHLANDS	ATTACH TH	IS SHEET TO THE FIRST PAGE	OF EACH	ONE	CORWIN COURT	
DO NOT WRITE BELOW THIS LINE INSTRUMENT TYPE: DEED X MORTGAGE SATISFACTION ASSIGNMENT OTHER PROPERTY LOCATION 2099 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN) NO. PAGES 5 CROSS REF_ 2091 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG) CERT. COPY ADD'L X-REF_ 2200 CHESTER (TN) 4203 WONTGOMERY (VLG) MAP # PGS. 2240 CHESTER (VLG) 4400 WINDGOK (VLG) MAP # PGS. 2401 CORNWALL (TN) 4489 MOURT HOPE (TN) PAMENT TYPE: CHECK X CARREE 2400 DEERPARK (TN) 4400 NEWBURGH (TN) CHARGE CARREE 2800 DEERPARK (TN) 4600 NEWBURGH (TN) CHARGE CONSIDERATION \$ -O 3001 GOSHEN (VLG) 5601 TUXEDO PARK (VLG) CONSIDERATION \$ -O - 3003 FLORIDA (VLG) 5403 GREENWICK (TN) MORTGAGE AMT \$	RI	ECORDED INSTRUMENT ONLY	(CH, NEW YORK 12550	
INSTRUMENT TYPE: DEED A. MORTGAGE SATISFACTION ASSIGNMENT OTHER PROPERTY LOCATION _2089 BLOOMING GROVE (TN) 4289 MONTGOMERY (TN) NO. PAGES 5 CROSS REF_ _2289 CHESTER (TN) 4203 MONTGOMERY (VLG) CERT. COPY ADDL X-REF_ _2289 CHESTER (VLG) 4203 WONTGOMERY (VLG) MAP # PGS. _2280 CHESTER (VLG) 4205 WALDEN (VLG) MAP # PGS. _2281 CHESTER (VLG) 4489 MOUNT HOPE (TN) PAMENT TYPE: CHECK X CERT. COPY ADDL X-REF_ _2481 CORNWALL (TN) 4489 MOUNT HOPE (TN) PAMENT TYPE: CHECK X CERT. COPY CARSH	•		DO NOT	L. WRITE BELOW THIS !!	` <i>∜</i> `	
PROPERTY LOCATION 4289 MONTGOMERY (TN) NO. PAGES CROSS REF 2009 BLOOMING GROVE (TN) 4289 MONTGOMERY (VLG) CERT. COPY ADD'L X-REF 2289 CHESTER (TN) 4205 WADDEN (VLG) MAP # PGS 2401 CORNWALL (TN) 4409 MONTGOMERY (VLG) MAP # PGS 2401 CORNWALL (TN) 4409 MONT HOPE (TN) PAYMENT TYPE: CHECK // CASH 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG) CASH 2400 DEERPARK (TN) 4600 NEW WINDSOR (TN) CONSIDERATION \$ 2800 DEERPARK (TN) 4600 NEW WINDSOR (TN) NO FEE 3001 GOSHEN (VLG) 5001 TUXEDO PARK (VLG) CONSIDERATION \$ 3005 CHESTER (VLG) 5403 WARWICK (TN) MORTGAGE AMT \$ 3005 CHESTER (VLG) 5403 GREENWOOD LAKE (VLG) DATE 3401 MAYBROK (VLG) 5600 WARWICK (TN)	INSTRUME	<u> </u>				
				ALISFACTION ASSIGNMEN	U OTHER	
2001 WASHINGTONVILLE (VLG) 4201 MAYBROOK (VLG) CERT. COPY ADDL X-REF 2209 CHESTER (TN) 4203 MONTGOMERY (VLG) MAP # PGS. 2201 CHESTER (VLG) 4205 WALDEN (VLG) MAP # PGS. 2401 CORNWALL (TN) 4409 MOUNT HOPE (TN) PAYMENT TYPE: CHECK ∠ 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG) CASH 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG) CASH 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG) CASH 2401 GORNEN (TN) 5089 TUXEDO (TN) NO FEE 3009 GOSHEN (TN) 509 TUXEDO (TN) NO FEE 3009 GOSHEN (VLG) 5001 TUXEDO PARK (VLG) CONSIDERATION \$	2089 E	BLOOMING GROVE (TN)	4289	MONTGOMERY (TN)	NO. PAGES_ 5 CROSS REF.	
2201 CHESTER (VLG) 4205 WALDEN (VLG) MAP # PGS 2409 CORNWALL (TN) 4489 MOUNT HOPE (TN) PAYMENT TYPE: CHECK X 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG) CASH		WASHINGTONVILLE (VLG)	4201	MAYBROOK (VLG)	CERT, COPY ADD'L X-REF	
2469 CORNWALL (TN) 4489 MOUNT HOPE (TN) PAYMENT TYPE: CHECK X 2401 CORNWALL (VLG) 4401 OTISVILLE (VLG) CASH 2400 CRAWFORD (TN) X 4600 NEWBURGH (TN) CASH 2800 DEERPARK (TN) 4800 NEW WINDSOR (TN) CHARGE 3001 GOSHEN (TN) 5089 TUXEDO (TN) CONSIDERATION \$ O 3003 FLORIDA (VLG) 5001 TUXEDO PARK (VLG) CONSIDERATION \$ O O 3003 FLORIDA (VLG) 5401 FLORIDA (VLG) TAX EXEMPT D 3005 CHESTER (VLG) 5403 GREENWOOD LAKE (VLG) DATE DATE 3489 HAMPTONBURGIN (TN) 5403 GREENWOOD LAKE (VLG) DATE DATE 34601 HIGHLAND FALLS (VLG) 5600 WAWAYANDA (TN) MORTGAGE TAX TYPE: DATE 3689 HIGHLAND FALLS (VLG) 5600 WAWAYANDA (TN) (B) 1 OR 2 FAMILY DATE 3801 UNIONVILLE (VLG) 5600 MAWAYANDA (TN) (B) 1 OR 2 FAMILY (C) UNDER \$10,000 (B) 1 OR 2 FAMILY 3801	2201	CHESTER (VLG)			MAP # PGS	
2600 CRAWFORD (TN) X 400 NEWBURGH (TN) CASH 2800 DEERPARK (TN)			4489	MOUNT HOPE (TN)	PAYMENT TYPE: CHECK X	
2800 DEERPARK (TN) 4600 NEW WINDSOR (TN) NO FEE 3009 GOSHEN (TN) 5089 TUXEDO (TN) CONSIDERATION \$			X 4600	OTISVILLE (VLG) NEWBURGH (TN)		
3001 GOSHEN (VLG) 5001 TUXEDO PARK (VLG) CONSIDERATION \$	2800 D	DEERPARK (TN)	4800	NEW WINDSOR (TN)		
3003 FLORIDA (VLG) 5000 MALLUFLACTIN TAX EXEMPT 3005 CHESTER (VLG) 5403 S200 WARLWILK (TN) 3200 GREENVILLE (TN) 5401 FLORIDA (VLG) MORTGAGE AMT \$ 3489 HAMPTONBURGH (TN) 5403 GREENWOOD LAKE (VLG) DATE 3401 MAYBROOK (VLG) 5405 WARWICK (VLG) DATE 3601 HIGHLAND S (TN) 5600 WAWAYANDA (TN) (A) COMMERCIAL/FULL 1% 3889 MINISINK (TN) 5601 HARRIMAN (VLG) (B) 1 OR 2 FAMILY 3801 UNIONVILLE (VLG) 5801 HARRIMAN (VLG) (C) UNDER \$10,000 4001 MONROE (TN) CITTES (F) 3 TO 6 UNITS 4001 MONROE (VLG) 0900 MIDDLETOWN (F) 3 TO 6 UNITS 4003 HARRIMAN (VLG) 1100 NEWBURGH (I) NAT. PERSON/CR. UNION 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (V) ONDO 7 DONNA L BENSON SECEIVED FROM: HOX1, Z ON 7 DONNA L BENSON RECEIVED FROM: HOX2, Z ON	•				CONSIDERATION \$O	
	3003	FLORIDA (VLG)	5200	WALLKILL (TN)		
3489 HAMPTONBURGH (TN) 5403 GREENWOOD LAKE (VLG) DATE 3401 MAYBROOK (VLG) 5405 WARWICK (VLG) MORTGAGE TAX TYPE: 3669 HIGHLANDS (TN) 5600 WAWAYANDA (TN) MORTGAGE TAX TYPE: 3601 HIGHLAND FALLS (VLG) 5889 WOODBURY (TN) (A) COMMERCIAL/FULL 1% 3689 MINISINK (TN) 5601 HARRIMAN (VLG) (B) 1 OR 2 FAMILY 3801 UNIONVILLE (VLG) 5801 HARRIMAN (VLG) (C) UNDER \$10,000 4089 MONROE (TN) CITIES (E) EXEMPT 4001 MONROE (VLG) 0900 MIDDLETOWN (F) 3 TO 6 UNITS 4003 HARRIMAN (VLG) 1100 NEWBURGH (I) NAT. PERSON/CR. UNION 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (V) ONDO 4005 JONNA L, BENSON 9999 HOLD HOLD HOM. 1, DENSON VI Orange County Clerk DONNA L, BENSON RECEIVED FROM: HOM. 2, Z J M			5489	WARWICK (TN)	MORTGAGE ANT \$	
3401 MAYBROOK (VLG) 5405 WARWICK (VLG) MORTGAGE TAX TYPE: 3669 HIGHLANDS (TN) 5600 WAWAYANDA (TN) (A) COMMERCIAL/FULL 1% 3601 HIGHLAND FALLS (VLG) 5899 WOODBURY (TN) (A) COMMERCIAL/FULL 1% 3869 MINISINK (TN) 5601 HARRIMAN (VLG) (B) 1 OR 2 FAMILY 3861 UNIONVILLE (VLG) 5801 HARRIMAN (VLG) (B) 1 OR 2 FAMILY 4001 MONROE (TN) 5801 HARRIMAN (VLG) (F) 3 TO 6 UNITS 4003 HARRIMAN (VLG) (F) 3 TO 6 UNITS (F) 3 TO 6 UNITS 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (I) NAT. PERSON/CR. UNION 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (K) CONDO 9999 HOLD					DATE	
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$	3401	MAYBROOK (VLG)		WARWICK (VLG)		
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$						
$\begin{array}{c c c c c c c c c c c c c c c c c c c $					(B) 1 OR 2 FAMILY	
4001 MONROE (VLG) 0000 MIDDLETOWN (F) 3 TO 6 UNITS 4003 HARRIMAN (VLG) 1100 NEWBURGH (I) NAT. PERSON/CR. UNION 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (J) NAT.PER-CR.UN/1 OR 2 00 MODDLETOWN (J) NAT.PERSON/CR. UNION (J) NAT.PER-CR.UN/1 OR 2 00 MODDLETOWN (J) NAT.PER-CR.UN/1 OR 2 00 MODDLETOWN (J) NAT.PER-CR.UN/1 OR 2 00 9999 HOLD 10 DONNA L BENSON 9999 0 Orange County Clerk HOR. 200				. ,		
4003 HARRIMAN (VLG) 1100 NEWBURGH (1) NAT. PERSON/CR. UNION 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (J) NAT. PERSON/CR. UNION 4005 KIRYAS JOEL (VLG) 1300 PORT JERVIS (J) NAT. PERSON/CR. UNION 6 Oracac A. Brean (K) CONDO 9999 HOLD HOR. 1 ZON 7 DONNA L. BENSON Orange County Clerk HOR. 1 ZON HOR. 2900						
(K) CONDO (K) CONDO	1	• •				
Beceived FROM: HORIZON DONNAL BENSON Orange County Clerk DONNAL BENSON DONNAL	4005	KIRYAS JOEL (VLG)	1300	PORT JERVIS		
RECEIVED FROM: 1 (OVC. 7 20 A)	8-1) in	9999	Hold	11	
V Grange County Clerk	168	0000000		RECEIVED FROM	tor, zon	
Lider 521 3 page 220	\sim r c					
<i>V</i> %	360				LIBER 5213 PAGE 220	
	1.0				•	
				· .		
	Γ				3 6465 650	
	0		0s	1		
LIBER 5213 PAGE 220	2-		RE	CORDED/FILED 12/2	5 OFFILE (1825 LAL 9/1999 12:20:53 PM	
URANGE COUNTY CLERKS OFFICE 71825 LAL RECORDED/FILED 12/29/1939 12:20:53 PM	17		SE	RIAL NUMBER: 00	5076	
URANGE COUNTY CLERKS OFFICE 71825 LAL RECORDED/FILED 12/29/1939 12:20:53 PM FEES 50.50 EDUCATION 5.00 SERIAL NUMBER: 005076	0	1	DE	ED CNTL NO 68036	RE TAX .00	
Image County Clerks Office 71825 LAL RECORDED/FILED 12/29/1939 12:20:53 PM FEES 50.50 EDUCATION FUND 5.00 SERIAL NUMBER: 005076 DEED COULT NO COST				and the second se	(c) A second provide the second seco second second sec	

#6157

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

THIS INDENTURE, made the 30 that day of September, nineteen hundred and ninety-

BETWEEN

Cosimo DiBrizzi, residing at 450 River Road, Newburgh, New York 12550 and Nicola Citera, residing at 3 Old Farms Road, Poughkeepsie, New York 12603, AS TENANTS IN COMMON, party of the first part, and

CPK Union LLC, a New York limited liability company with offices for the transaction of business at 1089 Little Britain Road, New Windsor, New York 12553, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 (\$10.00) dollars, lawful money of the United States and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, and State of New York, being further bounded and described in Schedule A attached hereto.

Being and intended to be the same premises conveyed in a certain deed dated December 28, 1998 by Cosimo DiBrizzi and Nicola Citera to Cosimo DiBrizzi and Nicola Citera and recorded in the office of the Orange County Clcrk in Liber 4961 of deeds at page 64 on January 14, 1999.

This conveyance is made and accepted subject to an indebtechess secured by a mortgage dated June 12, 1992 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$230,000.00, recorded in the Orange County Clerk's Office in Liber 4331 at page 272, and mortgage dated October 17, 1997 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$208,083.53, recorded in the Orange County Clerk's Office in Liber 6360 at page 224, which two mortgages were consolidated by agreement dated October 17, 1997 made between Cosimo DiBrizzi and Nicola Citera and The Bank of New York to form a single first lien in the amount of \$325,000.00, which mortgage was assigned by Assignment of Mortgage dated September

30, 1999 made by The Bank of New York to Premier National Bank to be recorded simultaneously herewith and on which there is an unpaid principal amount of \$265,416.74, together with interest from September 1, 1999, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the conveyance of the above described premises, and the party of the second part hereby executes and acknowledges this instrument for the purpose of complying with the provisions of Section 5-705 of the General Obligations Law.

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

LIBER 5213 page 221

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

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

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

IN PRESENCE OF:

Cosimo DiBrizzi ww Nicola Citera CPK UNION LLC Bу Cosimo DiBrizzi, President

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

STATE OF NEW YORK

COUNTY OF ORANGE

4.1

))ss.:

)

On the 35 day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the instrument

Not

GLEN L. HELLER NOTARY PUBLIC, State of New York No. 02H24059682 Qualified in Orange County Commission Expires April 21, 20

On the 37^{-} day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicola Citera, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the

Notary Public GLEN L. HELLER KOTARY PUBLIC, State of New York No. 02HE4859682 Qualified in Orange County

Commission Expires April 21, 20.

LIBER 5213 PAGE 222

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

On the 30th day of September, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

GLEN L. HELLER NOTARY PUBLIC, State ol New York No. 02HE4853682 Qualitied in Orange County Commission Expires April 21, 20 EC)

LIBER 5213 PAGE 223

r,



561 1170

P.02

OCE ASSOCIATES

All that piece or parcel of land with buildings and improvements thereon, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described as follows :

Beginning at a point in the westerly line of Union Avenue, New York State Route 300, at the southeasterly corner of lands now or formerly of Distefano; thence, along said westerly line of Union Avenue, South 28 degrees 20 minutes West 255.15 feet to a point in the northerly line of Orr Avenue; thence, along the northerly, northeasterly and easterly lines of Orr Avenue, the following four (4) courses, (1) South 87 degrees 00 minutes 57 seconds West 23.00 feet, (2) North 44 degrees 55 minutes 04 seconds West 27.20 feet, (3) North 28 degrees 04 minutes 21 seconds West 73.04 feet, and

(4) North 19 degrees 21 minutes 59 seconds West 129.13 feet to a point in the division line between the lands now or formerly of Distefano on the northwest and the parcel herein described on the southeast; thence, along the last said division line, North 27 degrees 20 minutes East 132.83 feet to point in the division line between the lands now or formerly of Distefano on the northeast and the parcel herein described on the southwest; thence, along the last said division line, Bouth 61 degrees 42 minutes 04 seconds East 204.38 feet to the point or place of beginning, containing 1.00 acres of land more or less.

LIBER 5213 PAGE 224 LIBER 4961PG 66



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

2954.21 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/14/2021

Application No. 21-0736

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

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

ZONE: IB

PLEASE TAKE NOTICE that your application dated 07/01/2021 for permit to keep a roof mounted sign that was installed without a permit on the premises located at 1217 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

1) 185-14-E-10: Prohibited signs. The following signs are prohibited and shall be removed. (Roof signs)

Joseph Mattina

Cc: Town Clerk & Assessor (500') File











TOWN OF NEWBURGH

_____Crossroads of the Northeast____ ZONING BOARD OF APPEALS 21 Hudson Valley Professional Plaza Newburgh, NY 12550

			1
世	2954.	21	(6)
	0131	<u> </u>	12

Z	oning B	oard o	f Appe	als
	SEP	30	2021	
	anhara an		vburgh]

APPLICATION

TELEPHONE 845-566-4901 FAX LINE 845-564-7802

OFFICE OF ZONING BOARD

DATED: 09/30/2021

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

I (WE) __NICK CITERA (CPK UNION LLC)

PRESENTLY

RESIDING AT NUMBER 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602

TELEPHONE NUMBER 914-474-8567

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

USE VARIANCE

_____XXX AREA VARIANCE (S)

INTERPRETATION OF THE ORDINANCE

_____ SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

96-1-11.1 (TAX MAP DESIGNATION)

1217 ROUTE 300 (STREET ADDRESS)

B-BUSINESS (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-J-5-A 185-14-J-5-D 185-14.1-B-4-B-1-C

3. IF VARIANCE TO THE ZONING LAW IS REQUES'	3.	IFV	VARIANCE	TO TH	E ZONING	LAWIS	S REOUEST	ED:
---	----	-----	----------	-------	----------	-------	-----------	-----

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: 9-14-2021
- 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: SIGNAGE
- 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/	'A

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

N/A

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

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 SIGNS WERE INSTALLED 20+ YEARS AGO

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:
- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

SIGNAGE IS EXISTING

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

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

3

7. ADDITIONAL REASONS (IF PERTINENT):

PERITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS _	30TH	DAY OF	SEPTEMBER	20 21
			Jusan	M awles

SUSAN M. POWLES NOTARY PUBLIC-STATE OF NEW YORK No. 01PO4757398 Qualified in Orange County My Commission Expires March 30, 20

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City. (ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

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

TOWN OF NEWBURGH ZONING BOARD OF APPEALS

PROXY

NICK CITERIA (CPK UNION LLC) , DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 19 KINGWOOD LANE, POUGHKEEPSIE, NY 12602

IN THE COUNTY OF DUTCHESS AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF

1217 ROUTE 300, NEWBURGH, NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED COMMERCIAL INDUSTRIAL CONSTRUCTION COL

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 9/30/2021

OWNER'S SIGNATURE

WHYNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 30TH DAY OF SEPTEMBER 2021

WANDA J MCCARTHY No. 01MC6230091 Notary Public - State of New York Qualified in Dutchess County My Commission Exp. 11/01/2022

NOTARY PUBLIC

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:

CPK UNION LLC SIGNAGE

Project Location (describe, and attach a location map):

1217 ROUTE 300, NEWBURGH, NY 12550 Brief Description of Proposed Action:

APPROVAL OF EXISTING SIGNAGE

		•
Name of Applicant or Sponsor:	Telephone: 914-755-	1654
COMMERCIAL INDUSTRIAL CONSTRUCTION CORP	E-Mail: flynn@cic	
Address:		city.com
9 WEYANTS LANE TESTAN		
City/PO:	Cana	
NEWBURGH	State: NY	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, lo		12550
administrative rule, or regulation?	ical law, ordinance,	NO YES
If Yes, attach a narrative description of the intent of the proposed action and t		
may be affected in the municipality and proceed to Part 2. If no, continue to c	he environmental resources th	nat X
	Juestion 2.	
2. Does the proposed action require a permit, approval or funding from any o	ther governmental A gapav?	NO INTO
If Yes, list agency(s) name and permit or approval:	Be to mittan a receivy?	NO YES
3.a. Total acreage of the site of the proposed action? N/A		
b lotel company to be uline to 11 11 1 10		
C. 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? <u>N/A</u>	acres	
4. Check all land uses that occur on, adjoining and near the proposed action.		
Urban Rural (non-agriculture) X Industrial Commerce	cial XResidential (suburbar	
Forest Agriculture Aquatic Other (sp.	. Outour out	1)
	contyr.	
	·	
	· · · · · · · · · · · · · · · · · · ·	

5. Is the proposed action,		
a. A permitted use under the zoning regulations?	NO YI	
b. Consistent with the adopted comprehensive plan?		
6. Is the proposed action consistent with the predominant character of the existing builter natural landscape?		YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental An If Yes, identify:		YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		
b. Are public transportation service(s) available at or near the site of the proposed action?	X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed acti	on? X	
Does the proposed action meet or exceed the state energy code requirements? f the proposed action will exceed requirements, describe design features and technologies:	NO	YES
0. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water:EXISTING		YES
Will the proposed entire and the state		
. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment: <u>EXISTING</u>	- X	
. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES
b. Is the proposed action located in an archeological sensitive area?	x	
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
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	X X	
	-	
Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all th Shoreline Forest Agricultural/grasslands IEarly mid-successional Wetland Urban X Suburban	at apply:	
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
Is the project site located in the 100 year flood plain?		
Will the proposed action create storm water discharge, either from point or non-point sources?	x	YES
es, Will storm water discharges flow to adjacent properties?		TES
Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		

18. Does the proposed action include construction or other activities that result in the impoundment of		
	NO	YES
water of outer inquities (e.g. retention pond, waste lapoon dam)?		1
If Yes, explain purpose and size:		
	x	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed	_	
solid waste management facility?	NO	YES
If Yes, describe:		
x1 1 05, deseript.		, mi
20. Has the site of the proposed action or an adjoining property been the subject of remeliation (ongoing or completed) for bazerdous waste?	NO	YES
completed to Marandous Waster		
If Yes, describe:		—
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE		· · · · · · · · · · · · · · · · · · ·
KNOWLEDGE	BEST OF	MY
And I man		
Applicant/sponsor name: JOE FLYNN Date: 9/30/2021		
Signature:	1.1	1 a 👖

Agency Use Only []	If applicable]
--------------------	----------------

Project:

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

1.	Will the monogoal action and a start of the	No, or smali impáct may occur	Moderate to large impact may occur
	regulations?		
2.			
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)?		
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?		

Agency Use Only [If applicable]

Project:		
Date:		
	• • •	· .

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

environmental impact statement is required	primation and employing the		
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)		

4 *				RECORDING PAGE	
			OF THE INSTRUMENT	- DO NOT REMOVE	
TYPEI	NAME(S) OF PARTY(S) TO D	OCUMENT:	BLACK INK		
	OSIMO DIBRIZZI AND ICOLA CITERA				
	TO		SECTION	76_BLOCK_1_LOT_10+11	
	?K UNION LLC				
			RE	CORD AND RETURN TO:	
THIS I	IIS IS PAGE ONE OF THE RECORDING		DRAKE, SOMMER	(Name and Address) DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	
		IS SHEET TO THE FIRST PAGE OF EACH		ATTORNEYS AND COUNSELLORS AT LAW ONE CORWIN COURT	
	RECORDED INSTRUMENT ONL			POST OFFICE BOX 1479 WBURGH, NEW YORK 12550	
•			WRITE BELOW THIS	· · · · · · · · · · · · · · · · · · ·	
		GAGE S	ATISFACTION ASSIGN	Ment Other	
	PERTY LOCATION BLOOMING GROVE (TN)	4289	MONTGOMERY (TN)	NO. PAGES 5 cross ref	
2001	WASHINGTONVILLE (VLG) 4201	MAYBROOK (VLG)	CERT, COPY ADD'L X-REF	
2289 2201	CHESTER (TN) CHESTER (VLG)	4203 4205			
2489	CORNWALL (TN)		MOUNT HOPE (TN)		
2401	CORNWALL (VLG) CRAWFORD (TN)	× 4401	OTISVILLE (VLG) NEWBURGH (TN)	CASH	
	DEERPARK (TN)	4600	NEWBURGH (TN) NEW WINDSOR (TN)		
	GOSHEN (TN)		TUXEDO (TN)		
3001 3003	GOSHEN (VLG) FLORIDA (VLG)	5001	TUXEDO PARK (VLG)	CONSIDERATION \$O TAX EXEMPT	
3005			WALLKILL (TN) WARWICK (TN)		
	GREENVILLE (TN)	5401	FLORIDA (VLG)	MORTGAGE AMT \$	
	HAMPTONBURGH (TN)	5403	GREENWOOD LAKE (VLG) DATE	
3401	MAYBROOK (VLG) HIGHLANDS (TN)	5405	WARWICK (VLG)	MORTGAGE TAX TYPE:	
3601	HIGHLAND FALLS (VLG)		WAWAYANDA (TN) WOODBURY (TN)	(A) COMMERCIAL/FULL 1%	
3889	MINISINK (TN)	5801	HARRIMAN (VLG)	(B) 1 OR 2 FAMILY	
3801	UNIONVILLE (VLG)			(C) UNDER \$10,000	
	MONROE (TN)		TIES	(E) EXEMPT	
4001	MONROE (VLG) HARRIMAN (VLG)		MIDDLETOWN	(1) NAT. PERSON/CR. UNION	
4005	KIRYAS JOEL (VLG)		PORT JERVIS	(J) NAT.PER-CR.UN/1 OR 2 (K) CONDO	
25	\bigcap in	9999	HOLD		
8 2	Dorna J. Borson		RECEIVED F	ROM: TOR, ZUN	
1-2	DONNA L. BENSON Orange County Clerk				
4331	·			LIBER 5213 PAGE 220	
in o				TINTE O MATCHANT MAAA	

#6157

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

THIS INDENTURE, made the 30 that day of September, nineteen hundred and ninety-

BETWEEN

Cosimo DiBrizzi, residing at 450 River Road, Newburgh, New York 12550 and Nicola Citera, residing at 3 Old Farms Road, Poughkeepsie, New York 12603, AS TENANTS IN COMMON, party of the first part, and

CPK Union LLC, a New York limited liability company with offices for the transaction of business at 1089 Little Britain Road, New Windsor, New York 12553, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 (\$10.00) dollars, lawful money of the United States and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, and State of New York, being further bounded and described in Schedule A attached hereto.

Being and intended to be the same premises conveyed in a certain deed dated December 28, 1998 by Cosimo DiBrizzi and Nicola Citera to Cosimo DiBrizzi and Nicola Citera and recorded in the office of the Orange County Clerk in Liber 4961 of deeds at page 64 on January 14, 1999.

This conveyance is made and accepted subject to an indebtechness secured by a mortgage dated June 12, 1992 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$230,000.00, recorded in the Orange County Clerk's Office in Liber 4331 at page 272, and mortgage dated October 17, 1997 made by Cosimo DiBrizzi and Nicola Citera to The Bank of New York in the amount of \$208,083.53, recorded in the Orange County Clerk's Office in Liber 6360 at page 224, which two mortgages were consolidated by agreement dated October 17, 1997 made between Cosimo DiBrizzi and Nicola Citera and The Bank of New York tc form a single first lien in the amount of \$325,000.00, which mortgage was assigned by Assignment of Mortgage dated September

30, 1999 made by The Bank of New York to Premier National Bank to be recorded simultaneously herewith and on which there is an unpaid principal amount of \$265,416.74, together with interest from September 1, 1999, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the conveyance of the above described premises, and the party of the second part hereby executes and acknowledges this instrument for the purpose of complying with the provisions of Section 5-705 of the General Obligations Law.

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.

IN PRESENCE OF:

Cosimo DiBrizz Nicola Citera CPK UNION LLC Βv Cosimo DiBrizzi, President

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

On the 3 day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the instrument.

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

STATE OF NEW YORK

...

On the $\underline{\mathcal{A}}^{\star}$ day of September, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicola Citera, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the the same in his capacity.

)ss.:

}

otary Public

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

LIBER 5213 PAGE 222

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

On the 30th day of September, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Cosimo DiBrizzi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

LIBER 5213 PAGE 223

r,



DESCRIPTION LANDS OF NICHOLAS CITERA & COSIMO DIBRIZZI UNION AVENUE, TOWN OF NEWBURGH, NEW YORK TAX PARCELS : SECTION 96 BLOCK 1 LOTS 10 & 11 P.02

All that piece or parcel of land with buildings and improvements thereon, situate, lying and being in the Town of Newburgh, County of Orange, State of New York and being more particularly bounded and described as follows :

Beginning at a point in the westerly line of Union Avenue, New York State Route 300, at the southeasterly corner of lands now or formerly of Distefano; thence, along said westerly line of Union Avenue, South 28 degrees 20 minutes West 256.15 feet to a point in the northerly line of Orr Avenue; thence, along the northerly, northeasterly and easterly lines of Orr Avenue, the following four (4) courses, (1) South 87 degrees 00 minutes 57 seconds West 23.00 feet, (2) North 44 degrees 55 minutes 04 seconds West 27.20 feet, (3) North 28 degrees 04 minutes 21 seconds West 73.04 feet, and

(4) North 19 degrees 21 minutes 59 seconds West 129.13 feet to a point in the division line between the lands now or formerly of Distefano on the northwest and the parcel herein described on the southeast; thence, along the last said division line, North 27 degrees 20 minutes East 132.83 feet to point in the division line between the lands now or formerly of Distefano on the northeast and the parcel herein described on the southwest; thence, along the last said division line, South 61 degrees 42 minutes 04 seconds East 204.38 feet to the point or place of beginning, containing 1.00 acres of land more or less.

LIBER 5213 PAGE 224 LIBER 4961 PG 66



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

2954-21 (0)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 09/14/2021

Application No. 21-0738

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

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

ZONE:

PLEASE TAKE NOTICE that your application dated 07/01/2021 for permit to keep a third free standing sign which was installed without a permit on the premises located at 1217 Route 300 is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code Sections:

1) 185-14-J-5-a: No freestanding sign shall be located less than 15 feet from any front or side property line, or a distance equal to the height of said sign, whichever is greater. 2) 185-14-J-5-d: A freestanding sign shall not overhang any property lines.

3) 185-14.1-B-4-b-1-c: Up to two pylon signs may be placed on the property.

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:

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

_____October 14_____, 2021, post and will thereafter maintain at

1217 Route 300 96-1-11.1 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 $2^{\sigma T}$

day of October 2021.

Twees

SUSAN M. POWLES NOTARY PUBLIC-STATE OF NEW YORK No. 01PO4757398 Qualified in Orange County My Commission Expires March 30, 20<u>22</u>



