



TOWN OF NEWBURGH

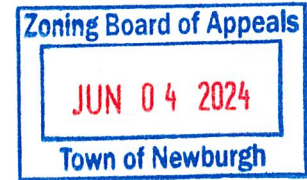
Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD

TELEPHONE 845-566-4901

FAX LINE 845-564-7802



APPLICATION

DATED: _____

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

I (WE) Jason Tuvel, of Prime and Tuvel PRESENTLY
RESIDING AT NUMBER 1 University Plaza Drive, Suite 500, Hackensack, NJ
TELEPHONE NUMBER 201-883-1010

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

- _____ USE VARIANCE
- 4 _____ AREA VARIANCE (S) (see attached addendum)
- _____ INTERPRETATION OF THE ORDINANCE
- _____ SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

Section 86 Block 1 Lots 39.3 (TAX MAP DESIGNATION)

2 Lakeside Road (STREET ADDRESS)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).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

185-18

185 Attachment 13

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: approval for construction of gas station within 1,000 ft. of other gas stations
21.7 ft. landscape buffer along Route 17k where 35 ft. is required/ two freestanding signs totalling 120 sq. ft. where 1 sign and 75 ft. permitted

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

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

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

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

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: see attached addendum

a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

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

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

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

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

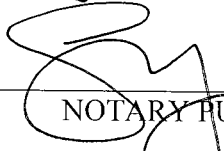
7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 13 DAY OF MAY 2024



NOTARY PUBLIC



Sally C La
NOTARY PUBLIC
State of New Jersey
ID # 50111300
My Commission Expires
August 26, 2024

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)

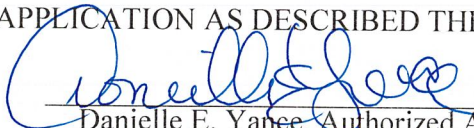
TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Danielle E. Yance, DEPOSES AND SAYS THAT
HE/SHE RESIDES AT 361 Summit Blvd, Suite 110 Birmingham, AL 35243
IN THE COUNTY OF Jefferson AND STATE OF Alabama
AND THAT HE/SHE IS THE OWNER IN FEE OF 2 Lake Rd, Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED Jason Tuvel
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

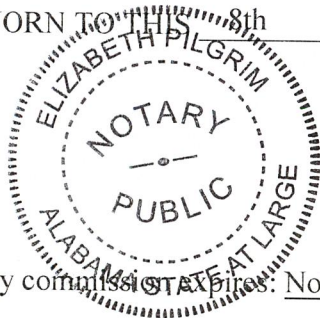
DATED: May 8, 2024


Danielle E. Yance, Authorized Agent
OWNER'S SIGNATURE


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 8th DAY OF May 2024




NOTARY PUBLIC Elizabeth Pilgrim

My commission expires: November 12, 2024

Addendum in Support of the Application/Variance Request for 2 Lakeside Rd.

Project Description:

The Property is located at the intersection of Lakeside Rd., 17K, and the 84 off-ramp, making it an ideal location for the proposed development. It is a vacant lot within the IB Interchange Business District, and contains 5.56 acres (where 0.92 acres is required) of which a significant portion of the Property is designated wetlands and cannot be fully developed due to requiring a significant 100 ft. buffer area. The Applicant proposes to develop the Property with a 6,730 sq. ft. Quickchek convenience store and fueling center. The application requires a number of variances, enumerated below. Due to the site constraints, it is extremely difficult to develop the Property in full compliance with all zoning regulations, we believe the variances can be justified and when weighing the benefits provided by the variances granted against the detriments to the public, the benefits outweigh the detriments, if any.

Variances sought for the Project:

- A. Gasoline station within 1,000 ft. of an existing gasoline station
- B. Front yard landscaping buffer less than required along 17K (45 ft. required; 23.1 ft. proposed)
- C. Number of signs (1 permitted; 2 proposed)
- D. Sign size greater than permitted (75 sq. ft. permitted; 150 total sq. ft. proposed)

5 Part Test and Analysis:

1. Will an undesirable change be produced to the detriment of nearby properties by granting the variances sought:

The Property exists at the intersection of 2 major highways and one smaller road. The nearest properties consist of a hotel, diner, and truck rest center on the opposite side of 17K. Allowing the Property to be developed with a gasoline station will not impact the neighboring truck rest center as it will not attract the same type of user, in addition by operating on the other side of the highway it will not be attracting the same incidental users. The signage and landscaping variances also do not impact the nearby properties. Due to the frontages on three streets, it is a safety feature to allow signage on more than one frontage giving drivers more notice of the gasoline station, the same is true of allowing a smaller buffer.

2. Whether the benefit sought by the Applicant can be achieved by other means besides the variances:

The Property cannot be developed as proposed without variance A (gas station within 1,000 ft. of existing), as it is an all or nothing proposition. The additional safety measure by allowing the additional signage and reduced buffer cannot be achieved by any other means due to the wetlands restrictions and 3 frontages.

3. Whether the requested variances are substantial:

The Property is situated along two major thoroughfares, it can support an additional gasoline station without substantial impact to the area or surrounding properties. Our traffic analysis also shows the intersection will continue to operate at similar levels with this proposed development. The additional sign and reduced buffer will have *de minimis* impact to the neighborhood.

4. Whether the requested variances will have an adverse impact on the physical or environmental conditions of the district:

The proposed development is designed to limit any disturbance to the wetlands on the Property as well as address any stormwater runoff or drainage from the proposed development. The signage and reduced buffer from 17K will have no environmental impact.

5. Whether the alleged difficult was self-created:

The presence of significant wetlands on the Property necessitates the reduced setback to allow the Property to be properly developed and safe for all users. In addition, the 3 frontages require an additional sign to allow safe flow of traffic and entry into the proposed development. These conditions exist now unrelated to the Applicant and proposed development.

Conclusion:

Based upon the foregoing, the Applicant's requested variances can be granted and the variances produce a much greater benefit to the Applicant with little to no detriment to the neighborhood and/or community. These arguments may be supplemented with additional testimony/proofs at the public hearing in support of the Application.

CONVEYANCE

DOCUMENT TYPE: B/S with Covenant

GRANTOR:

Patricia A. Stubbs, by atty

GRANTEE:

Costubbs, LLC

LIFE ESTATE? YES NO

LIFE TENANT: _____

CONVEYS AFFECTS

P.U.E

P.U.E + MORE

P/O P.U.E.

P/O P.U.E. + MORE

CONTROL# DOC OR INST. #

LIBER/PAGE REEL/PAGE

4679-p186

DATED: 11/17/1997

ACK'D: 11/17/1997

RECORDED: 12/9/1997

STAMPS: \$ 3,800.00

NOMINAL CONS: \$ 10.00

FULL CONS: \$ 950,000.00

TITLE COMPANY: McCall Abstract

TITLE NUMBER: 97C-101559

COPY ATTACHED: YES NO

SP X SD AS: _____

C & R'S YES NO

EASEMENTS(S): YES NO

RESERVATION(S): YES NO

PROPERTY INFO:

P.U.E. Parcel II

NOTES: Sell off of Parcel I in deed L. 13926-p522

DEED RECITES BEING SAME/PORION OF PREMISES IN: _____

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
 THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

PATRICIA A. STUBBS

TO

COSTUBBS, LLC

SECTION 63 BLOCK 3 LOT 5 and 39.3
86

RECORD AND RETURN TO:
(Name and Address)

BLOOM & BLOOM, P.C.
 P. O. BOX 4323
 NEW WINDSOR, NY 12553

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

- | | |
|----------------------------|---------------------------|
| 2089 BLOOMING GROVE (TN) | 4289 MONTGOMERY (TN) |
| 2001 WASHINGTONVILLE (VLG) | 4201 MAYBROOK (VLG) |
| 2289 CHESTER (TN) | 4203 MONTGOMERY (VLG) |
| 2201 CHESTER (VLG) | 4205 WALDEN (VLG) |
| 2489 CORNWALL (TN) | 4489 MOUNT HOPE (TN) |
| 2401 CORNWALL (VLG) | 4401 OTISVILLE (VLG) |
| 2800 CRAWFORD (TN) | 4600 NEWBURGH (TN) |
| 2800 DEERPARK (TN) | 4800 NEW WINDSOR (TN) |
| 3089 GOSHEN (TN) | 5089 TUXEDO (TN) |
| 3001 GOSHEN (VLG) | 5001 TUXEDO PARK (VLG) |
| 3003 FLORIDA (VLG) | 5200 WALLKILL (TN) |
| 3005 CHESTER (VLG) | 6489 WARWICK (TN) |
| 3200 GREENVILLE (TN) | 5401 FLORIDA (VLG) |
| 3489 HAMPTONBURGH (TN) | 5403 GREENWOOD LAKE (VLG) |
| 3401 MAYBROOK (VLG) | 5405 WARWICK (VLG) |
| 3889 HIGHLANDS (TN) | 6800 WAWAYANDA (TN) |
| 3801 HIGHLAND FALLS (VLG) | 6889 WOODBURY (TN) |
| 3889 MINISINK (TN) | 5801 HARRIMAN (VLG) |
| 3801 UNIONVILLE (VLG) | |
| 4089 MONROE (TN) | |
| 4001 MONROE (VLG) | |
| 4003 HARRIMAN (VLG) | |
| 4005 KIRYAS JOEL (VLG) | |

NO. PAGES 5 CROSS REF _____
 CERT. COPY _____ AFFT. FILED _____

PAYMENT TYPE: CHECK
 CASH _____
 CHARGE _____
 NO FEE _____

CONSIDERATION \$ 950,000 -
 TAX EXEMPT

MORTGAGE AMT \$ _____
 DATE _____

MORTGAGE TYPE:
 (A) COMMERCIAL
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000.
 (E) EXEMPT
 (F) 3 TO 8 UNITS
 (I) NAT.PERSON/CR UNION
 (J) NAT.PER-CR UNA OR 2
 (K) CONDO

CITIES
 0900 MIDDLETOWN
 1100 NEWBURGH
 1300 PORT JERVIS

9998 HOLD

Joan A. Macchi

JOAN A. MACCHI
 Orange County Clerk

RECEIVED FROM: McCall

1-724679PC 186

LIBER 4679 PAGE 186
 ORANGE COUNTY CLERKS OFFICE 62179 LAL
 RECORDED/FILED 12/09/97 01:48:15 PM
 FEES 50.00 EDUCATION FUND 5.00
 SERIAL NUMBER: 003709
 DEED CNTL NO 63584 RE TAX 3800.00

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 17th day of November 19 97.
BETWEEN PATRICIA A. STUBBS, presently residing at P.O. Box
3128, Apopka, FL 32703

a New York Limited Liability Company grantor
COSTUBBS, LLC, /with offices located at 401 Hackensack Avenue,
Lobby, Hackensack, NJ 07601

grantee

101559

WITNESSETH, that the grantor, in consideration of
TEN AND 00/100 (\$10.00) Dollars, paid by the grantee
hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

ALL PARCEL I: ROUTE 52
NEWBURGH, ORANGE COUNTY
NEW YORK, 12550
(60 - 3 - 5)

PARCEL II: ROUTE 17K
NEWBURGH, ORANGE COUNTY
NEW YORK, 12550
(86 - 1 - 39.3)

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

Parcel I being the same premises acquired by Paul J. Stubbs and Patricia A. Stubbs from
Raymond C. Catania, Joseph A. Catania, Leonard F. Catania and Francis L. Catania d/b/a
Rex Land Co. by that certain deed dated April 16th, 1986 and recorded in the Orange
County Clerk's Office on May 16th, 1986 in Liber 2517 Page 169.

Parcel II being the same premises acquired by Paul J. Stubbs and Patricia A. Stubbs
from George M. Northrup, as Executor of the Last Will and Testament of Ada B. Banke
by that certain deed dated January 22, 1986 and recorded in the Orange County Clerk's
Office on January 27th, 1986 in Liber 2469 Page 291.

The said Paul J. Stubbs having died testate a resident of Orange County on January 18th,
1994 leaving surviving Patricia A. Stubbs, his widow.

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.
TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the
grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said
premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.
The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

PATRICIA A. STUBBS
Patricia A. Stubbs
BY DANIEL J. BLOOM, HER ATTORNEY-IN-FACT
Daniel J. Bloom
L. S.

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____ 19____, before
me personally came _____ to me known,
who, being by me duly sworn, did depose and say that deponent resides
at No. _____
deponent is _____

of _____
the corporation described in and which
executed the foregoing instrument; deponent knows the seal of said
corporation; that the seal affixed to said instrument is such corporate
seal; that it was so affixed by order of the Board of Directors of said
corporation; deponent signed deponent's name thereto by his order.

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____ 19____, before
me personally came _____

to me known to be the individual described in, and who executed
the foregoing instrument, and acknowledged that he executed
the same.

CHICAGO TITLE INSURANCE COMPANY
TITLE NUMBER 97C-101559

SCHEDULE A

PARCEL I - Tax Lot 60-3-5

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 and more particularly bounded and described as follows:

BEGINNING at a point on the southwesterly side of NYS Route 52, said point being the northeasterly corner of the premises and the northwesterly corner of lands now or formerly of Louis & Jean Gallo, T.M.# 60-3-6.1 and running thence;

1. South 40° 04' 28" West along the southeasterly line of the premises and the northwesterly line of said lands now or formerly of Louis & Jean Gallo, T.M.# 60-3-6.1 the distance of 317.88 feet to an iron rod found at or near a stone wall at a point in the northeasterly line of lands now or formerly of Corel Realty, Inc., T.M. #60-3-3 and being the southwesterly corner of said lands now or formerly of Louis & Jean Gallo, T.M.# 60-3-6.1 and being the southeasterly corner of the premises, thence;
2. North 53° 04' 21" West along the southwesterly line of the premises, along or near a stone wall and along the northeasterly line of said lands now or formerly of Corel Realty, Inc. T.M. #60-3-3 the distance of 236.81 feet to a pipe found and being the southwesterly corner of the premises, thence;
3. North 24° 50' 15" East along the northwesterly line of the premises and the southeasterly line of said lands now or formerly of Corel Realty, Inc., T.M. #60-3-3 and the southeasterly line of lands now or formerly of Joseph & Michelle Mikita, T.M. #60-3-2 the distance of 418.00 feet to a point in the southwesterly side of NYS Route 52, being the northeasterly corner of said lands now or formerly of Joseph & Michelle Mikita, T.M. #60-3-2 and being the northwesterly corner of the premises, thence;
4. South 38° 06' 45" East along the southwesterly side of NYS Route 52 the distance of 353.80 feet to the northwesterly corner of lands now or formerly of Louis & Jean Gallo, T.M. #60-3-6.1, the northeasterly corner of the premises and the point or place of BEGINNING.

CHICAGO TITLE INSURANCE COMPANY
TITLE NUMBER 97C-101559

SCHEDULE A

PARCEL II - Tax Lot 86-1-39.3

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, State of New York, being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the northeasterly line of New York State Route 17K (a/k/a State Highway #43 - Cohecton Turnpike) with the easterly line of Lakeside Road and running thence;

1. North 13° 20' 03" East along the easterly side of Lakeside Road, as the same was relocated and appropriated by Parcel No. 1076 of the appropriation by The People of the State of New York in Liber 1790 of Deeds, Page 746 and as shown on the corresponding map labeled "Interstate Route 503-1-7.1, Route 17K to New York State Thruway, Map No. 694, Parcel No.s 1076 and 1077, Orange County, Sheet 1 of 1 Sheets" the distance of 15.23 feet to a point, thence;
2. Northeasterly along the southerly side of Lakeside Road, as the same was appropriated by The People of the State of New York as Parcel No. 1076 by the aforesaid appropriation and as shown on the aforesaid map and along the northerly line of the premises herein being described the following four (4) courses and distances:
 - a) North 63° 41' 19" East 216.91 feet to a point, thence;
 - b) North 82° 47' 42" East 266.83 feet to a point, thence;
 - c) North 81° 41' 33" East 455.18 feet to a point, thence;
 - d) North 68° 15' 53" East 140.98 feet to the northwesterly corner of lands now or formerly of Frank Darrigo, T.M. #86-1-60 and being the northeasterly corner of the premises herein being described, thence;
3. South 17° 59' 46" West along the easterly line of the premises, passing over a granite monument on line, along the westerly line of said lands now or formerly of Frank Darrigo, T.M. #86-1-60 and along westerly bounds of Interstate Route 84 the distance of 215.41 feet to a granite monument at the northeasterly corner of Parcel No. 1077 appropriated by The People of the State of New York in Liber 1790 of Deeds, Page 746 and as shown on the aforesaid map, thence;

-SCHEDULE A CONTINUED-

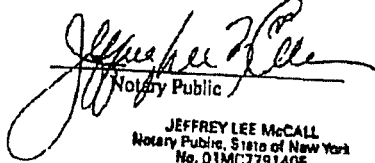
CHICAGO TITLE INSURANCE COMPANY
TITLE NUMBER 97C-101559

-SCHEDULE A CONTINUED-

4. Southwesterly and northwesterly along the southerly and westerly lines of the premises herein being described and the northerly and easterly lines of Interstate Route 84 (a/k/a Interstate Route 503-1-7.1) and New York State Route 17K (a/k/a State Highway #43 - Cochecton Turnpike), respectively and being those lands appropriated by The People of the State of New York as Parcel No. 1077 in Liber 1790 of Deeds, page 746 and as shown on the aforesaid map the following nine (9) courses and distances:
- a) South 69° 49' 06" West 317.03 feet to a granite monument, thence;
 - b) South 55° 12' 24" West 165.31 feet to a point, thence;
 - c) South 69° 10' 40" West 253.70 feet to a concrete monument at the southwest corner of the premises, thence;
 - d) North 71° 51' 40" West 65.37 feet to a point, thence;
 - e) North 39° 45' 30" West 41.05 feet to a point, thence;
 - f) North 56° 51' 05" West 52.63 feet to a point, thence;
 - g) North 38° 45' 05" West 114.72 feet to a point, thence;
 - h) North 57° 12' 59" West 102.46 feet to a point, thence;
 - i) North 57° 13' 52" West 19.80 feet to the point or place of BEGINNING.

STATE OF NEW YORK)
)ss.
COUNTY OF ROCKLAND)

On the 17th day of November, 1997, before me personally came, DANIEL J. BLOOM, to me personally known to be the person described and appointed attorney-in-fact in and by a certain Power of Attorney executed by PATRICIA A. STUBBS, dated the 13th day of November, 1997, to be recorded in the Office of the Orange County Clerk simultaneously with the foregoing instrument and acknowledged to me that he had executed the foregoing instrument as the act of the said PATRICIA A. STUBBS.


Notary Public

JEFFREY LEE McCALL
Notary Public, State of New York
No. 01MC7791405
Qualified in Rockland County
Commission Expires Jan. 31, 1999

9974679PG 191

James R. Loeb
Richard J. Drake, *retired*
Glen L. Heller*
Marianna R. Kennedy
Gary J. Gogerty
Stephen J. Gaba
Adam L. Rodd
Dominic Cordisco
Ralph L. Puglione, Jr.
Alana R. Bartley**
Aaron C. Fitch

Sarah N. Wilson
Michael J. Barfield **
Ivan M. Bonet

Jennifer L. Schneider
Managing Attorney

*L.L.M. in Taxation
**Member NY & NJ Bar

April 7, 2024

BY EMAIL ONLY

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

Re: Quickchek Newburgh // ZBA referral
Planning Board Project No. 2024-01

Dear Chairman Scalzo and Zoning Board Members:

At the Planning Board's April 4, 2024 meeting, the Planning Board resolved to refer this application to the Zoning Board of Appeals for its consideration of the following area variances that are required for this site plan application for the development of a Quickchek convenience store and motor vehicle service station proposed to be located at 2 Lakeside Road at the intersection of NYS Route 17K.

The proposed project does not comply with the following zoning requirements:

- Section 185-28(G) requires that in no instance shall a new motor vehicle service station or any other establishment dispensing gasoline be permitted to be established within 1,000 feet in any direction from a lot on which there is an existing motor vehicle service station or other establishment dispensing gasoline. The proposed project is within 1,000 feet of an existing motor vehicle service station.
- Section 185-18.C(4)(c) requires that the first 35 feet of front yards of all properties fronting on Route 17K from the City of Newburgh west to the Town of Montgomery shall be landscaped, and the 35 foot dimension shall be expanded to 45 feet for all properties within 350 feet of the intersection. A 23.1 foot landscaped buffer is provided.
- Section 185-14O(3)(b) allows one free standing sign. The applicant is requesting two free standing signs.
- Section 185-14O(3)(b)(1) allows a maximum sign area of 75 square feet. The applicant is requesting 120 feet of sign area.

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

334600 86-1-39.1
Mid-Hudson Civic Center, Inc., Attn: Office Manager
14 Civic Center Plaza
Poughkeepsie NY, 12601

334600 86-1-37.1
Timfristos Properties LLC
240 Route 17K
Newburgh NY, 12550

334600 86-1-39.3
Costubbs Llc
60 East 42nd St Ste 1942
New York NY, 10165

334600 86-1-39.21
Newburgh EOM LLC
2571 East 17th St Fl 3
Brooklyn NY, 11235

334600 86-1-41
Diaz, Marjorie V
47 Lakeside Rd
Newburgh NY, 12550

334600 86-1-96
Darrigo, Frank
84 Lakeside Rd
Newburgh NY, 12550

334600 89-1-33
243 Route 17K, LLC
P.O. Box 361
Central Valley NY, 10917

334600 86-1-97
Manheim Remarketing, Inc
6205-A Peachtree Dunwoody Rd Fl 14
Atlanta GA, 30328

334600 92-6-2
Cassidy, Joseph P
900 Cove Cay Dr Apt 1C
Clearwater FL, 33760

334600 89-1-38.22
Pilot Travel Centers LLC
P.O. Box 54470
Lexington KY, 40555

334600 86-1-36
GTY NY Leasing, Inc.
292 Madison Ave Fl 9
New York NY, 10017

334600 86-1-37.221
Burgos, Edwin M
22 Pomarico Dr
Newburgh NY, 12550

334600 86-1-42.22
VanVleit, Aaron
49 Lakeside Rd
Newburgh NY, 12550

334600 86-1-37.223
Dimmick Properties, LLC
402 VT Route 107
South Royalton VT, 05068

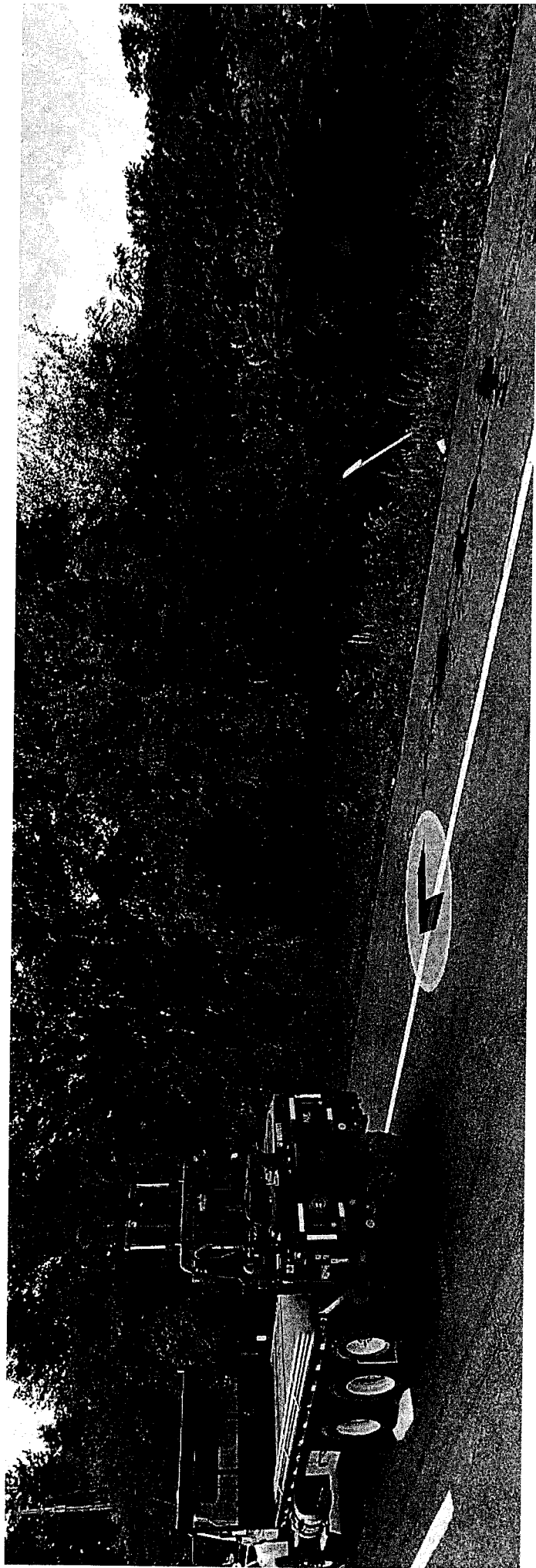
334600 86-1-35.12
Dimmick Properties, LLC
402 VT Route 107
South Royalton VT, 05068

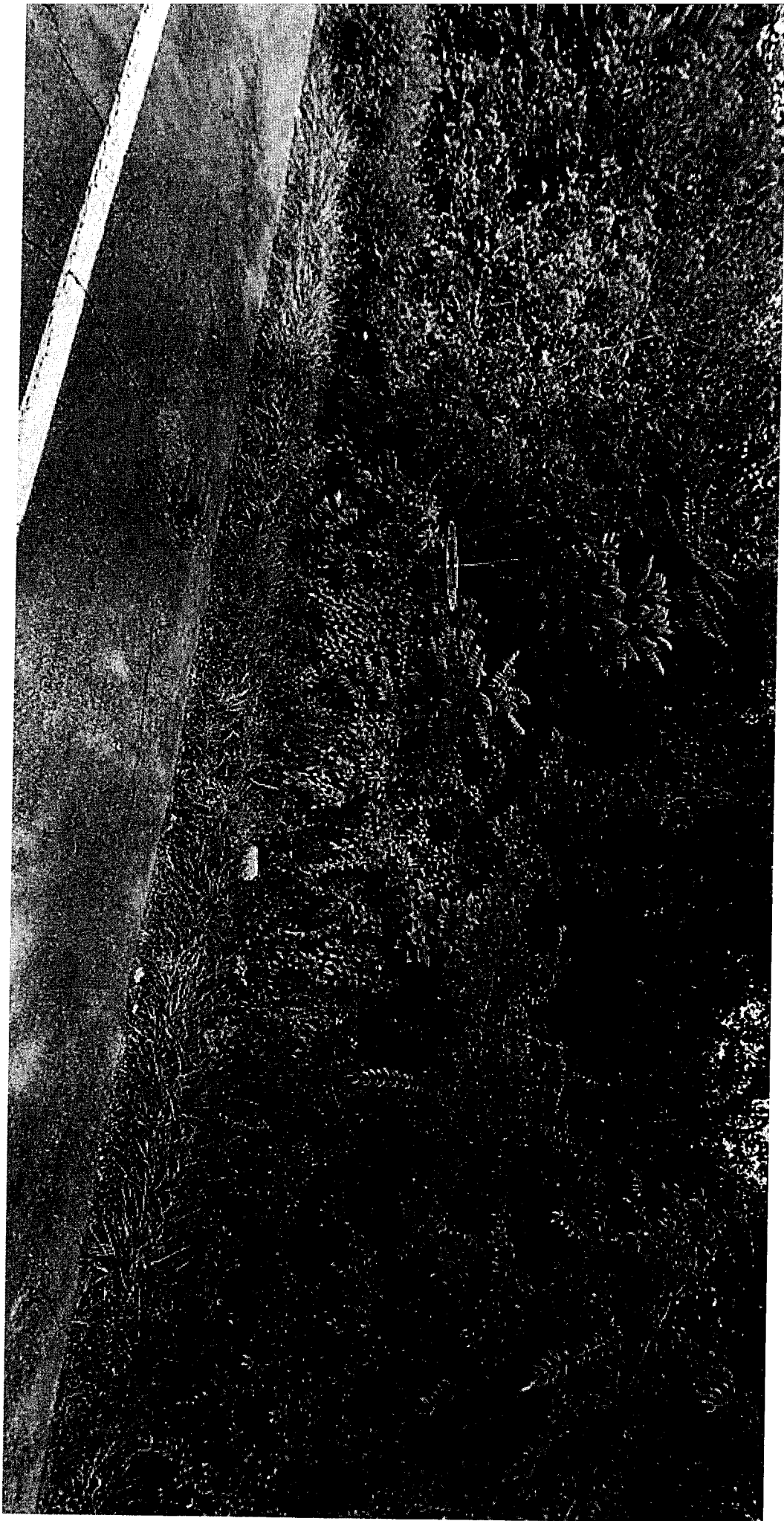
**Town of Newburgh
Office of the Assessor
1496 Route 300
Newburgh, NY 12550**

Done 2/10/18

SEC 86 BLK 1 LOT 39,3

18.1.18







Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|---|--------------|------------------------------------|
| Name of Action or Project: QuickChek Newburgh, NY | | |
| Project Location (describe, and attach a general location map): 2 Lakeside Rd, Newburgh, NY 12550 | | |
| Brief Description of Proposed Action (include purpose or need): The proposed action is developing a 6,730 SF Quickchek building with a gasoline fueling station and truck parking. Additional improvements include an accompanying parking lot and lighting improvements. Three curb cuts are proposed on Lakeside Road; one for truck ingress, one for truck egress, and one full movement driveway for passenger vehicles. | | |
| Name of Applicant/Sponsor: Zachary E. Chaplin | | Telephone: 718-606-8305 |
| | | E-Mail: zchaplin@stonefieldeng.com |
| Address: 584 Broadway, Suite 310 | | |
| City/PO: New York | State: NY | Zip Code: 10012 |
| Project Contact (if not same as sponsor; give name and title/role): Victor Mickel | | Telephone: 205-407-5463 |
| | | E-Mail: vmickel@cgpre.com |
| Address: 361 Summit Blvd, Suite 110 | | |
| City/PO: Birmingham | State: AL | Zip Code: 35243 |
| Property Owner (if not same as sponsor): QC Newburgh PBXDEV, LLC | | Telephone: 205-407-5463 |
| | | E-Mail: vmickel@cgpre.com |
| Address: 361 Summit Blvd, Suite 110 | | |
| City/PO: Birmingham | State: AL | Zip Code: 35243 |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No

If Yes, what is the zoning classification(s) including any applicable overlay district?

IB - Interchange Business District

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Valley Central School District

b. What police or other public protection forces serve the project site?

Newburgh Police Department

c. Which fire protection and emergency medical services serve the project site?

Coldenham Fire District

d. What parks serve the project site?

Stewart State Forest

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? 5.56 acres

b. Total acreage to be physically disturbed? 3.30+/- acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 5.56 acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 6 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ 1,600 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: Town of Newburgh Water Department
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 1,600 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: City of Newburgh Wastewater Treatment Plant
- Name of district: Crossroad Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing 0 Proposed 65 Net increase/decrease Increase by 65

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
Two driveways are proposed on Lakeside Road

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
TBD

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Via local utility provider

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: based on Town requirements
- Saturday: based on Town requirements
- Sunday: based on Town requirements
- Holidays: based on Town requirements

ii. During Operations:

- Monday - Friday: _____ 24 hours
- Saturday: _____ 24 hours
- Sunday: _____ 24 hours
- Holidays: _____ 24 hours

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

commercial to the north and west, undeveloped land to the east and state highway to the south

b. Land uses and covertypes on the project site.

| Land use or Covertypes | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 0 | 2.15 | +2.15 |
| • Forested | 5.13 | 1.56 | -3.57 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 0 | 0 | 0 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | 0 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0.19 | 0.19 | 0 |
| • Wetlands (freshwater or tidal) | 0.43 | 0.43 | 0 |
| • Non-vegetated (bare rock, earth or fill) | 0 | 0 | 0 |
| • Other Describe: _____ | | | |

- v. Is the project site subject to an institutional control limiting property uses? Yes No
- If yes, DEC site ID number: _____
 - Describe the type of institutional control (e.g., deed restriction or easement): _____
 - Describe any use limitations: _____
 - Describe any engineering controls: _____
 - Will the project affect the institutional or engineering controls in place? Yes No
 - Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 4.5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

| | | |
|---------------------------------|-------|------|
| Bath-Nassau channery silt loams | _____ | 88 % |
| Histic Humaquepts | _____ | 12 % |
| _____ | _____ | % |

d. What is the average depth to the water table on the project site? Average: _____ 2.5 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ 100 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 862-136 Classification C
- Lakes and Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) NB-21

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:
 i. Name of aquifer: _____

e. 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? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. 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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

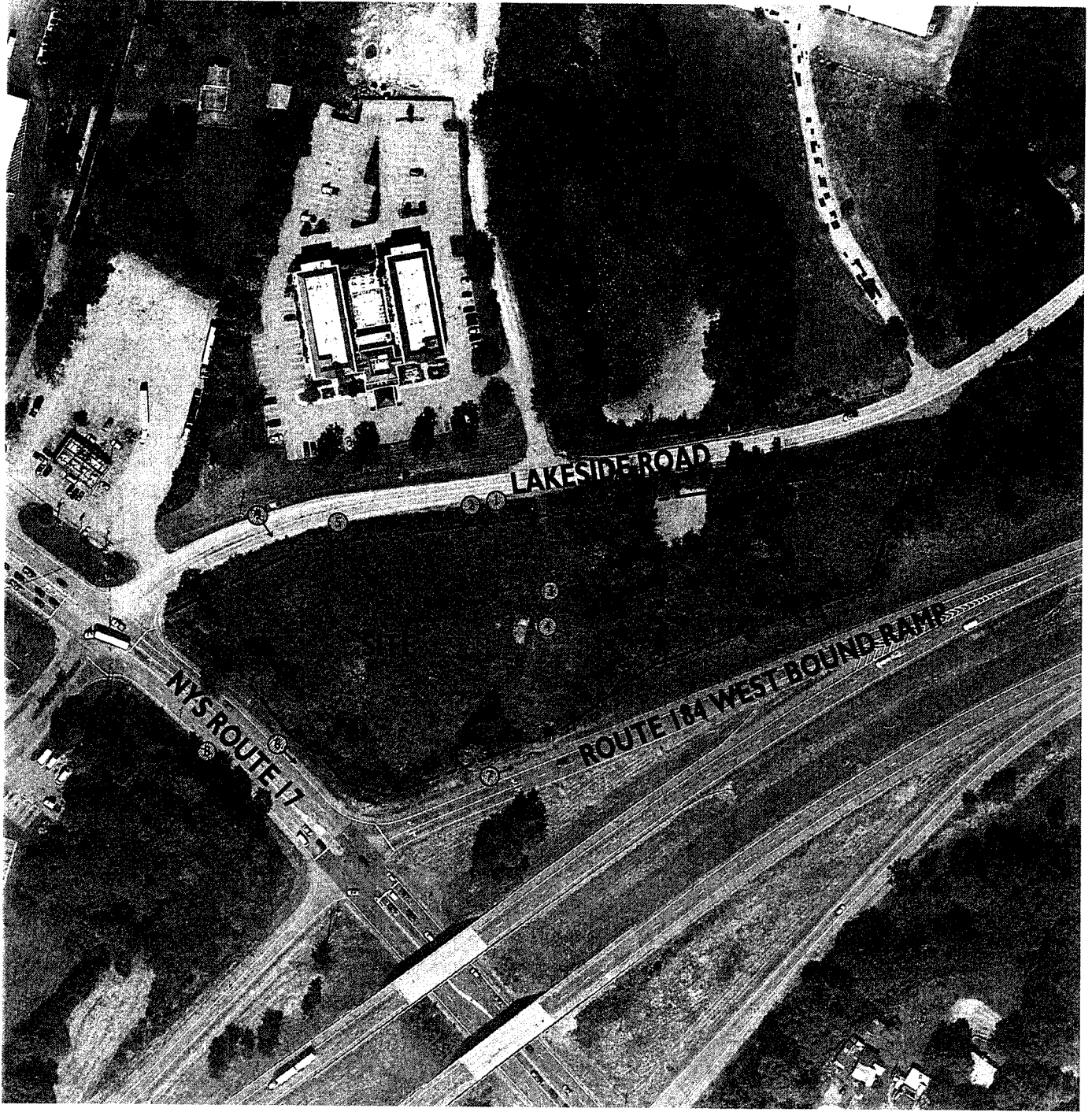
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Zachary Chaplin Date 5/7/2024

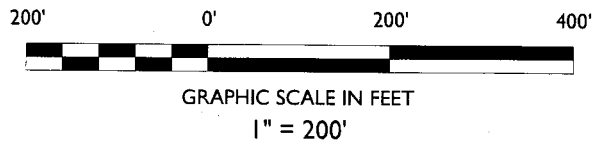
Signature  Title Project Manager

PRINT FORM

| | |
|--|--|
| E.2.h.iv [Surface Water Features - DEC Wetlands Number] | NB-21 |
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | No |
| E.2.n. [Natural Communities] | Yes |
| E.2.n.i [Natural Communities - Name] | Red Maple-Hardwood Swamp |
| E.2.n.i [Natural Communities - Acres] | 1460.0 |
| E.2.o. [Endangered or Threatened Species] | Yes |
| E.2.o. [Endangered or Threatened Species - Name] | Indiana Bat |
| E.2.p. [Rare Plants or Animals] | No |
| E.3.a. [Agricultural District] | Yes |
| E.3.a. [Agricultural District] | ORANc01 |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | No |
| E.3.i. [Designated River Corridor] | No |



SITE PHOTOGRAPH LOCATION MAP



SOURCE: SITE VISIT DECEMBER 5, 2023

CAPITAL GROWTH BUCHALTER

SECTION 86, BLOCK 1, LOT 39.3
2 LAKESIDE ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

| | |
|-------------|---------------|
| DRAWN BY: | KL |
| CHECKED BY: | MC |
| DATE: | 05/1/2024 |
| SCALE: | NOT TO SCALE |
| PROJECT ID: | NYC-230182.01 |



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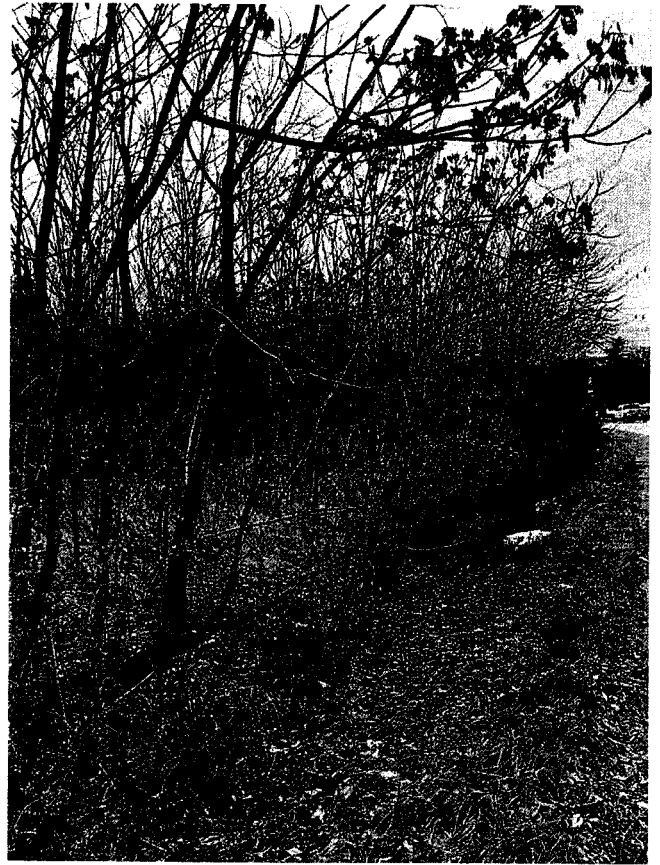
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PHOTOGRAPH 1

FACING SOUTH
TOWARDS THE SITE
FROM LAKESIDE ROAD



PHOTOGRAPH 2

FACING EAST ON
LAKESIDE ROAD

SITE PHOTOGRAPHS

SOURCE: SITE VISIT DECEMBER 5, 2023

CAPITAL GROWTH BUCHALTER

SECTION 86, BLOCK 1, LOT 39.3
2 LAKESIDE ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

| | |
|-------------|---------------|
| DRAWN BY: | KL |
| CHECKED BY: | MC |
| DATE: | 05/11/2024 |
| SCALE: | NOT TO SCALE |
| PROJECT ID: | NYC-230182.01 |



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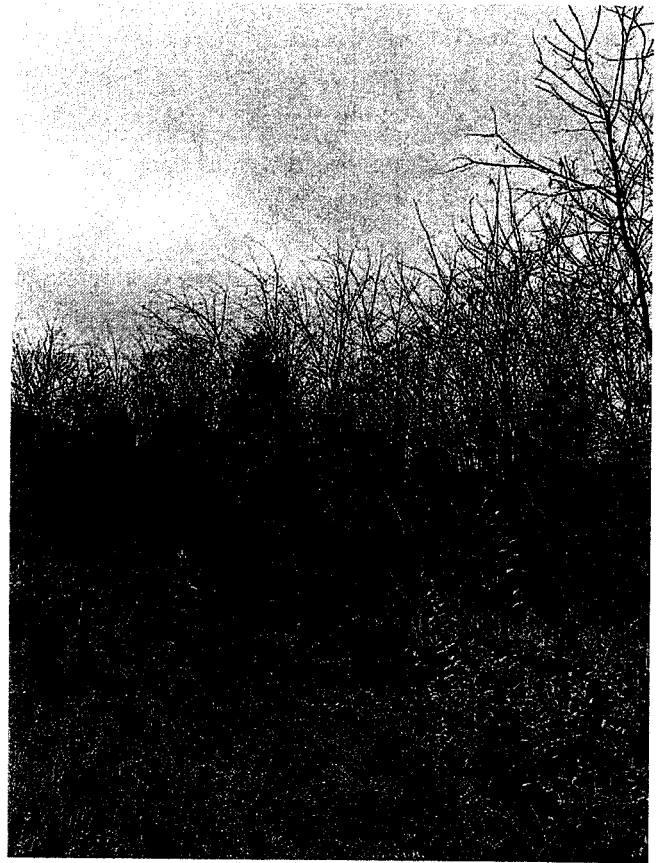
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Phone 718.606.8305

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PHOTOGRAPH 3

FOLIAGE ON SITE



PHOTOGRAPH 4

FOLIAGE ON SITE

SITE PHOTOGRAPHS

SOURCE: SITE VISIT DECEMBER 5, 2023

CAPITAL GROWTH BUCHALTER

SECTION 86, BLOCK I, LOT 39.3
2 LAKESIDE ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

| | |
|-------------|---------------|
| DRAWN BY: | KL |
| CHECKED BY: | MC |
| DATE: | 05/11/2024 |
| SCALE: | NOT TO SCALE |
| PROJECT ID: | NYC-230182.01 |



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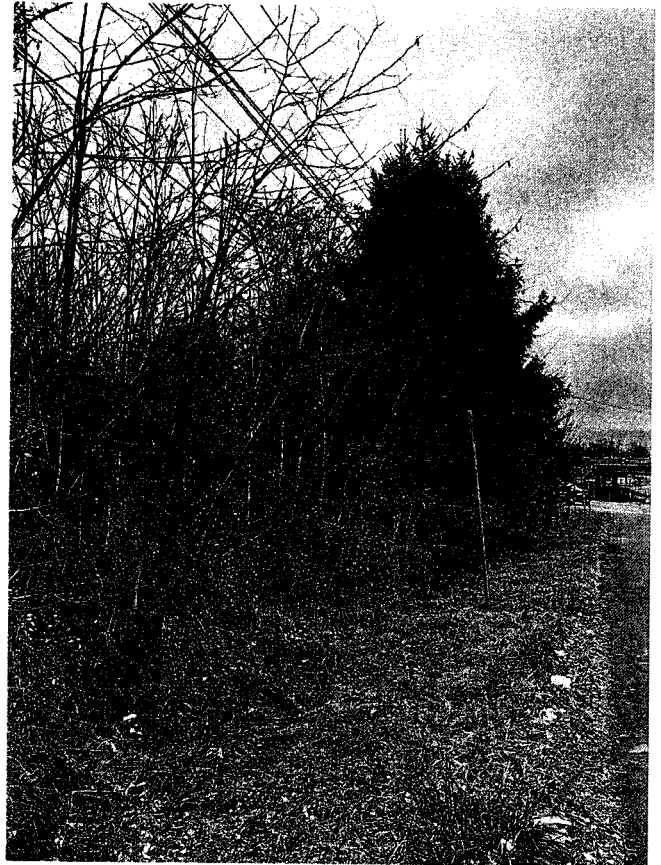
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Phone 718.606.8305



PHOTOGRAPH 5

FOLIAGE ON SITE



PHOTOGRAPH 6

FACING SOUTH ON
ROUTE 17

SITE PHOTOGRAPHS

SOURCE: SITE VISIT DECEMBER 5, 2023

CAPITAL GROWTH BUCHALTER

SECTION 86, BLOCK 1, LOT 39.3
2 LAKESIDE ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

| | |
|--------------------|---------------|
| DRAWN BY: | KL |
| CHECKED BY: | MC |
| DATE: | 05/11/2024 |
| SCALE: | NOT TO SCALE |
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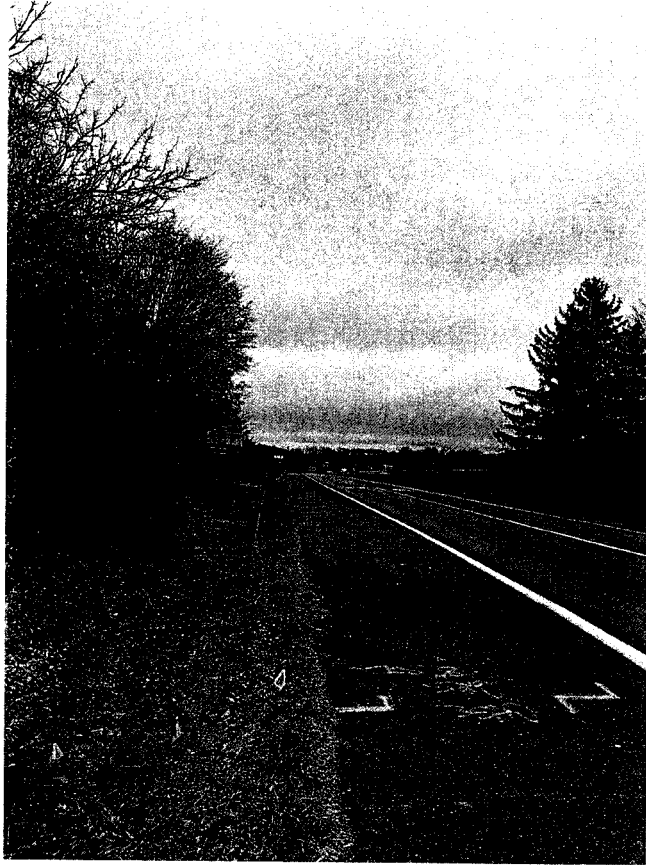


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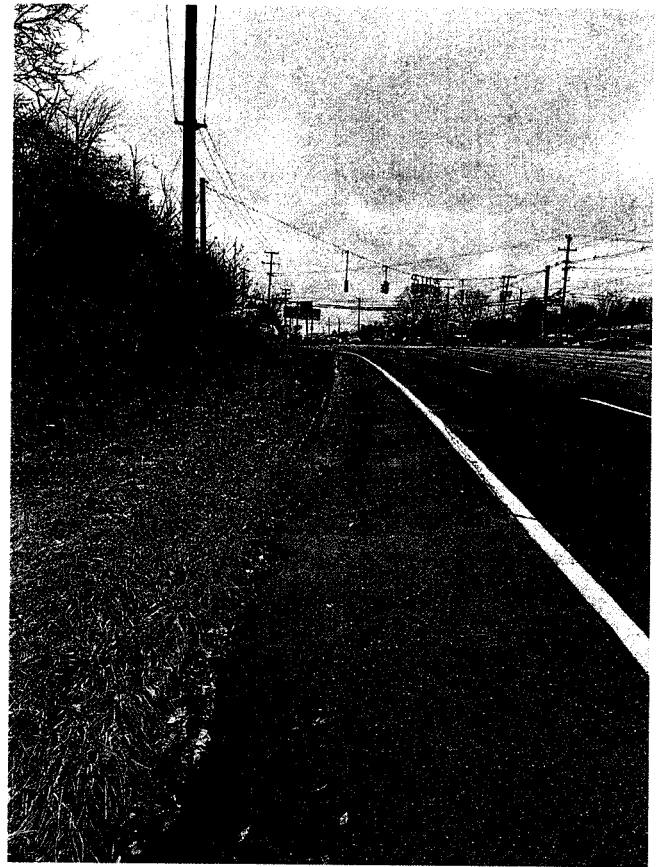
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Phone 718.606.8305

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PHOTOGRAPH 7

FACING EAST ON
ROUTE 184



PHOTOGRAPH 8

FACING NORTH
ON ROUTE 17

SITE PHOTOGRAPHS

SOURCE: SITE VISIT DECEMBER 5, 2023

CAPITAL GROWTH BUCHALTER

SECTION 86, BLOCK 1, LOT 39.3
2 LAKESIDE ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

DRAWN BY:

KL

CHECKED BY:

MC

DATE:

05/11/2024

SCALE:

NOT TO SCALE

PROJECT ID:

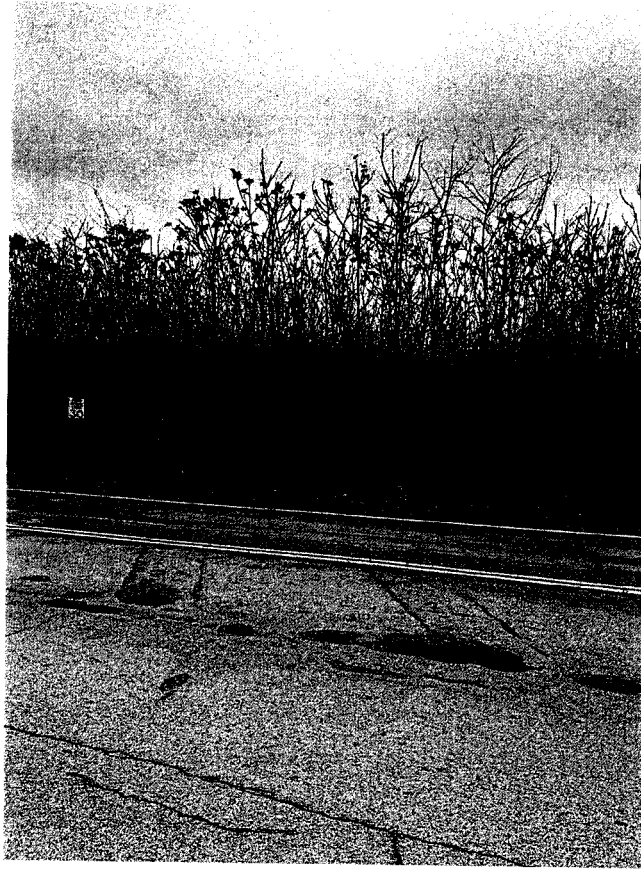
NYC-230182.01



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PHOTOGRAPH 9

FACING SITE FROM
LAKESIDE ROAD

SITE PHOTOGRAPHS

SOURCE: SITE VISIT DECEMBER 5, 2023

CAPITAL GROWTH BUCHALTER

SECTION 86, BLOCK I, LOT 39.3
2 LAKESIDE ROAD
TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

| | |
|--------------------|---------------|
| DRAWN BY: | KL |
| CHECKED BY: | MC |
| DATE: | 05/1/2024 |
| SCALE: | NOT TO SCALE |
| PROJECT ID: | NYC-230182.01 |



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

STATE OF NEW YORK: COUNTY OF ORANGE:

SHAHROOH ISRAIL

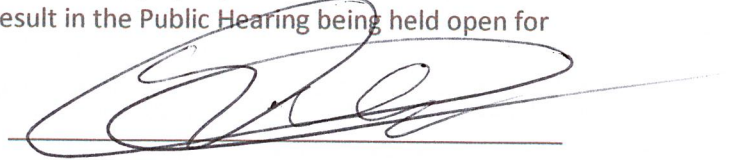
, being duly sworn, depose and say that I did on or before

June 11, 2024, post and will thereafter maintain at

2 Lakeside Rd 86-1-39.3 IB Zone in the Town of Newburgh, New York, at or near the front

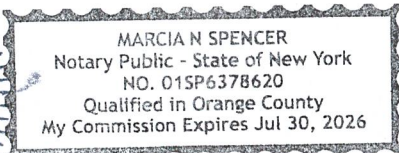
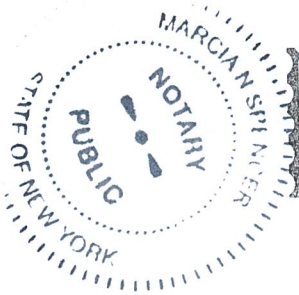
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which notice was in the form attached hereto.

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 4th

day of June, 2024.



SPACE AVAILABLE
516.933.8880
ANTHONY M. NATE
RIPCO

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
OFFICE OF ENVIRONMENTAL ADJUDICATION
100 NASSAU ST., 12TH FLOOR
NEW YORK, NY 10038
TEL: (914) 612-3000
WWW.DEC.NY.GOV





TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

PROXY

Danielle E. Yance, DEPOSES AND SAYS THAT

SHE RESIDES AT 361 Summit Blvd., Suite 110, Birmingham, AL 35243

IN THE COUNTY OF Jefferson AND STATE OF Alabama

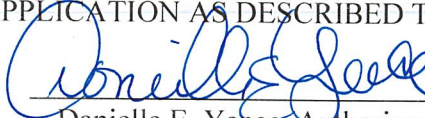
AND THAT HE/SHE IS THE OWNER IN FEE OF 2 Lakeside Rd., Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Prime and Tuvel

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: May 23, 2024



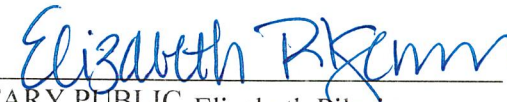
Danielle E. Yance, Authorized Agent
OWNER'S SIGNATURE



WITNESS' SIGNATURE

STATE OF ALABAMA COUNTY OF JEFFERSON:

SWORN TO THIS 23rd DAY OF May 2024



NOTARY PUBLIC Elizabeth Pilgrim
My Commission Expires: November 12, 2024

