



# TOWN OF NEWBURGH

Crossroads of the  
Northeast

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

OFFICE OF ZONING BOARD  
DARRIN SCALZO, CHAIRMAN  
SIOBHAN JABLESNIK, SECRETARY

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



## APPLICATION

DATED: 9-6-24

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

I (WE) RYAN M. CARLETON PRESENTLY

RESIDING AT NUMBER 281 HARDENBURGH RD, PINE BUSH, NY 12566

TELEPHONE NUMBER 404-245-1510

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

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

97-1-58 (TAX MAP DESIGNATION)

600 STONY BROOK CT (STREET ADDRESS)

B (ZONING DISTRICT)

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 PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

BULK TABLE SCHEDULE 7 COLUMN D #2

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: A 3' VARIANCE FOR AN

EMERGENCY ADA/HANDICAP EXIT LANDING THAT WILL ONLY BE 12' FROM THE PROPERTY LINE NOT THE REQUIRED 15'.

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:

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

IT IS A SIMPLE DECK/LANDING USED AS AN EMERGENCY HANDICAP EXIT THAT REPLACES AN OLD LANDING AND STAIRS THAT HAVE BEEN THERE UNPERMITTED FOR YEARS.

- 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:

IT WILL ALLOW THE NEEDED SIZING TO BEST ACCOMMODATE AN EMERGENCY HANDICAP LANDING.

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

IT ONLY REQUIRES A 3' VARIANCE THAT DOES NOT IMPOSE ON ANY OF THE OTHER PROPERTIES ON THAT PROPERTY LINE.

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

IT IS REPLACING AN EXISTING DECK/LANDING THAT HAS BEEN THERE FOR YEARS. IT WILL IMPROVE THE PHYSICAL APPEARANCE OF THE NEIGHBORHOOD.

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

BECAUSE A HANDICAP EMERGENCY EXIT WAY ALWAYS NEEDED, BUT NOT PROVIDED, AT THIS LOCATION AS IT HAS BEEN USED AS A MEDICAL FACILITY, OPEN TO THE PUBLIC, FOR YEARS.



7. ADDITIONAL REASONS (IF PERTINENT):

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

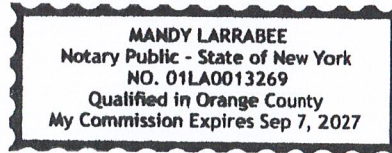
*Ryan M. Carter*

PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 6<sup>th</sup> DAY OF September 20 24

*Mandy Larrabee*  
\_\_\_\_\_  
NOTARY PUBLIC



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)



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

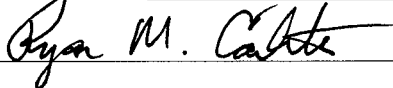
<b>Part 1 – Project and Sponsor Information</b>			
Ryan Carleton w/Tri-Car Properties, LLC			
Name of Action or Project: Side Deck Replacement			
Project Location (describe, and attach a location map): 600 Stony Brook Ct, Newburgh, NY 12550			
Brief Description of Proposed Action: Replace old 8'x8' deck and steps with a 6'x8' deck and 34' long ramp for ADA handicap accessible emergency exit.			
Name of Applicant or Sponsor: Ryan Carleton w/Tri-Car Properties, LLC		Telephone: 845-391-3370	
		E-Mail: tricarprop11c@icloud.com	
Address: 600 Stony Brook Ct			
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		48 sq. ft. acres	
b. Total acreage to be physically disturbed?		48 sq. ft. acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.593 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
I guess so. It is being put on an existing slope that already runs to a drainage ditch behind the building. But the slope and amount of water draining there is not being changed from what it has been for the last 30+ years.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Ryan M Carleton Date: 9/6/2024

Signature:  Title: President - Tri-Car Properties, LLC



Project:

Date:

**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?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?  b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FORM**

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 determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**



## 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

### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**Date: 09/09/2024**

**Application No. 20-1023**

**To: Tri-Car Properties, LLC**  
**600 Stony Book**  
**Newburgh, NY 12550**

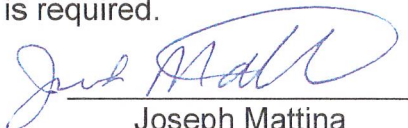
**SBL: 97-1-58**  
**ADDRESS:600 Stony Brook Court**

**ZONE: B**

PLEASE TAKE NOTICE that your application dated 10/08/2020 for permit to Build an 6' x 8' side yard deck with a 34' long ramp on the premises located at 600 Stony Brook Court is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

1) Bulk table schedule 7 column D #2: A 15' minimum side yard setback is required.

  
\_\_\_\_\_  
Joseph Mattina

Cc: Town Clerk & Assessor (500')  
File



# Town of Newburgh Code Compliance

**OWNER INFORMATION**      *BUILT WITH OUT A PERMIT*      YES / NO

**NAME:** TRI-CAR PROPERTIES LLC      **Building application #** 20-1023

**ADDRESS:** 166 BURLINGHAM RD BLOOMINGBURG NY 12721

**PROJECT INFORMATION:**      AREA VARIANCE      USE VARIANCE

**TYPE OF STRUCTURE:** 6' X 8' OPEN SIDE DECK

**SBL:** 97-1-58      **ZONE:** B      **ZBA Application #** \_\_\_\_\_

**TOWN WATER:** YES / NO      **TOWN SEWER:** YES / NO      N/A

	MINIMUM	EXISTING	PROPOSED	VARIANCE	VARIANCE PERCENTAGE
LOT AREA					
LOT WIDTH					
LOT DEPTH					
FRONT YARD					
REAR YARD					
SIDE YARD	15'		10'	5'	33.00%
MAX. BUILDING HEIGHT					
BUILDING COVERAGE					
SURFACE COVERAGE					

INCREASING DEGREE OF NON-CONFORMITY - 185-19-C-1 \_\_\_\_\_ YES / NO

2 OR MORE FRONT YARDS FOR THIS PROPERTY \_\_\_\_\_ YES / NO

CORNER LOT - 185-17-A \_\_\_\_\_ YES / NO

**ACCESSORY STRUCTURE:**

GREATER THEN 1000 S.F. OR BY FORMULA - 185-15-A-4 \_\_\_\_\_ YES / NO

FRONT YARD - 185-15-A \_\_\_\_\_ YES / NO

STORAGE OF MORE THEN 4 VEHICLES \_\_\_\_\_ YES / NO

HEIGHT MAX. 15 FEET - 185-15-A-1 \_\_\_\_\_ YES / NO

10% MAXIMUM YARD COVERAGE - 185-15-A-3 \_\_\_\_\_ YES / NO

**NOTES:** **6' X 8' DECK BUILT WITHOUT A PERMIT: WANTS TO REBUILD IT WITH A 34' LONG RAMP**

**REVIEWED BY:** Joseph Mattina

**DATE:** 9-Sep-24





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

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



BOOK/PAGE: 14715 / 1129  
 INSTRUMENT #: 20200015830  
 Receipt#: 2766891  
 Clerk: MAH  
 Rec Date: 03/10/2020 02:17:40 PM  
 Doc Grp: D  
 Descrip: DEED  
 Num Pgs: 6  
 Rec'd Frm: HILL N DALE ABSTRACTERS INC  
 Party1: TOPO REALTY LLC  
 Party2: TRI CAR PROPERTIES LLC  
 Town: NEWBURGH (TN)  
 97-1-58

Recording:

Recording Fee	50.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00
<b>Sub Total:</b>	<b>325.00</b>
Transfer Tax	
Transfer Tax - State	1900.00
<b>Sub Total:</b>	<b>1900.00</b>
<b>Total:</b>	<b>2225.00</b>

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
 Transfer Tax #: 6752  
 Commercial Transfer Tax  
 Consideration: 475000.00

Transfer Tax - State	1900.00
<b>Total:</b>	<b>1900.00</b>

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

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

STATE OF NEW YORK, COUNTY OF ORANGE ss:  
 I, Kelly A. Eskew, County Clerk and Clerk of the Supreme and County Courts, Orange County, do hereby certify that I have compared this copy with the original thereof filed or recorded in my office 3/10/2020 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 09/04/2024.

*Kelly A. Eskew*  
 County Clerk & Clerk of the Supreme County Courts  
 Orange County

*Ann G. Rabbitt*  
 Ann G. Rabbitt  
 Orange County Clerk

Record and Return To:  
 JACOBOWITZ & GUBITS LLP  
 158 ORANGE AVENUE  
 PO BOX 367  
 WALDEN, NY 12586-0367

97-1-58

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS** #N65502

*THIS INDENTURE*, made the <sup>6<sup>th</sup></sup> 9<sup>th</sup> day of March, 2020

**BETWEEN,**

TOPO Realty, LLC  
1 Columbia Street, Suite 390  
Poughkeepsie, New York 12603

party of the first part, and

Tri-Car Properties, LLC  
166 Burlingham Road  
Bloomingburg, New York 12721

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of TEN (\$10.00) dollars, lawful money of the United States, 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 commonly known as 600 Stony Brook Court, Newburgh, New York 12550, Section 97, Block 1, Lot 58 and more particularly described in Schedule A annexed hereto and incorporated herein.

**BEING** and intended to be the same premises conveyed to the party of the first part by deed from Harold L. Kahn, dated July 7, 2005 and recorded on November 10, 2005 in Liber 11987 of Deeds at page 1936 in the Orange County Clerk's Office.

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

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

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

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

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

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



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

**IN PRESENCE OF:**


**TOPO Realty, LLC**

By:   
**Jason Krumholtz, Managing Member**

**ACKNOWLEDGMENT:**

State of New York )  
County of ~~Dutchess~~ <sup>Ulster</sup> ) ss.:

On the 10<sup>th</sup> day of March in the year 2020 before me, the undersigned, personally appeared Jason Krumholtz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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

**LOIS D. DIORIO**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
No. 01D14911721  
Qualified in ~~Ulster~~ <sup>Ulster</sup> County  
My Commission Expires November 16, 2021

TOWN OF NEWBURGH  
COUNTY OF ORANGE  
STATE OF NEW YORK  
SECTION: 97  
BLOCK: 1  
LOT: 58

**RECORD & RETURN TO:**  
William E. Duquette, Esq.  
Jacobowitz & Gubits, LLP  
158 Orange Avenue  
P.O. Box 367  
Walden, New York 12586

4 A 11

ALL that certain plot, piece, or parcel of land, situate, lying, and being in the Town of Newburgh, County of Orange, State of New York being known as Lot #5 on a map entitled "Plan of Subdivision for Section IIB, Harold L. Kahn Properties, Inc." filed in the Orange County Clerk's Office on October 31, 1986, as map #7926 being more particularly bounded and described as follows:

BEGINNING at a point lying on the westerly side of Stony Brook Court, said point being the southeasterly corner of lands now or formerly of Normet Industries, Inc. (Lot #4 on the above referenced filed map) and also being the northeasterly corner of the parcel herein intended to be described.

THENCE south 15 degrees 00 minutes 00 seconds west for a distance of 53.34 feet along the westerly side of Stony Brook Court to a point.

THENCE on a curve to the left having a radius of 508.67 feet and an arc length of 99.68 feet continuing along the westerly side of Stony Brook Court to a point.

THENCE south 03 degrees 46 minutes 20 seconds west for a distance of 34.34 feet continuing along the westerly side of Stony Brook Court to a point.

THENCE north 86 degrees 13 minutes 40 seconds west for a distance of 144.00 feet along lands now or formerly of St. Mauro (Lot #11 on the above referenced filed map) to an iron pin found in a stonewall.

THENCE north 15 degrees 17 minutes 35 seconds east for a distance of 214.11 feet along lands now or formerly of KH Orange Realty, LLC and generally along a stonewall to a point.

THENCE south 75 degrees 00 minutes 00 seconds east for a distance of 123.73 feet along lands now or formerly of Normet Industries, Inc. (Lot #4 on the above referenced filed map) to the point or place of beginning.

SAID parcel contains 25,849.26 square feet or 0.593 acres more or less.

SUBJECT to a 20-foot wide drainage easement a portion of which runs along the southerly side of the above described lot as shown on filed map #7926.

TOGETHER with and subject to any rights, title, or interests of others in and to that portion of Stony Brook Court being private or a public road and being more particularly bounded and described as follows:

BEGINNING at a point lying on the westerly side of Stony Brook Court, said point being the southeasterly corner of Lot #4 on the above referenced filed map and also being the northeasterly corner of Lot #5 on the above referenced filed map.

THENCE south 15 degrees 00 minutes 00 seconds west for a distance of 53.34 feet along Lot #5 on the above referenced filed map to a point.

THENCE on a curve to the left having a radius of 508.67 feet and an arc length of 99.68 feet continuing along the easterly side of Lot #5 on the above referenced filed map to a point.

THENCE south 03 degrees 46 minutes 20 seconds west for a distance of 34.34 feet continuing along the easterly side of Lot #5 on the above referenced filed map to a point.

THENCE south 86 degrees 13 minutes 40 seconds east for a distance of 50.00 feet along the northerly side of Lot #11 on the above referenced filed map to a point.

THENCE north 03 degrees 46 minutes 20 seconds east for a distance of 34.34 feet along the westerly side of Lot #6 on the above referenced filed map to a point.

THENCE on a curve to the right having a radius of 458.67 feet and an arc length of 89.88 feet continuing along the westerly side of Lot #6 on the above referenced filed map to a point.

THENCE north 15 degrees 00 minutes 00 seconds east for a distance of 80.54 feet continuing along the westerly side of Lot #6 on the above referenced filed map to a point.

THENCE on a curve to the right having a radius of 200.00 feet and an arc length of 170.43 feet through Stony Brook Lane and along lands now or formerly of Kann to a point.

THENCE north 53 degrees 28 minutes 30 seconds east for a distance of 185.44 feet continuing along lands now or formerly of Kahn to a point.

THENCE on a curve to the left having a radius of 100.00 feet and an arc length of 82.75 feet continuing along lands now or formerly of Kahn to a point.

THENCE north 06 degrees 03 minutes 51 seconds east for a distance of 4.45 feet continuing along lands now or formerly of Kahn to a point.

THENCE north 75 degrees 09 minutes 38 seconds west for a distance of 37.65 feet along the southerly side of New York State Route 17K to a point.

THENCE north 83 degrees 07 minutes 14 seconds west for a distance of 21.00 feet continuing along the southerly side of New York State Route 17K to a point.

THENCE south 31 degrees 56 minutes 33 seconds east for a distance of 13.32 feet along lands now or formerly of Pawling Savings Bank to a point.

THENCE on a curve to the right having a radius of 50.00 feet and an arc length of 41.37 feet continuing along lands now or formerly of Pawling Savings Bank to a point.

THENCE south 53 degrees 28 minutes 30 seconds west for a distance of 185.44 feet continuing along lands now or formerly of Pawling Savings Bank to a point.

THENCE on a curve to the left having a radius of 250.00 feet and an arc length of 167.88 feet continuing along lands now or formerly of Pawling Savings Bank and along the easterly side of Lot #4 on the above referenced filed map to a point.

THENCE south 15 degrees 00 minutes 00 seconds west for a distance of 30.00 feet continuing along the easterly side of Lot #4 on the above referenced filed map to the point or place of beginning.

Hill N Dale Abstracters, Inc.  
20 Scotchtown Avenue  
PO Box 547  
Goshen, NY 10924  
(845) 294-5110  
(845) 294-9581 fax

**NOTES:**

SUBJECT to any easements, rights-of-ways, and/or agreements that the utility companies may have.  
 SUBJECT to such facts disclosed by an accurate, up-to-date title search.  
 OFFSETS shown hereon are not to be used for construction purposes and/or fence installation.

**REFERENCES:**

TAX MAP DATA:  
 Section: 97  
 Block: 1  
 Lot: 58

Deed Liber: 11987, Page: 1936

Being Lot 5 as shown on a map entitled "Plan of Subdivision for Section 11B; Harold L Kahn Properties, Inc.," said map filed in the Orange County Clerk's office on 31 October 1986 as map number 7926.

I hereby certify to:  
 -Tri-Car Properties, LLC;  
 -Topo Realty, LLC;  
 -Westcor Land Title Insurance Company;

that this mapping is based on a field survey performed on the date indicated hereon, deeds and/or maps obtained from the County Clerk's office, and is correct and accurate to the best of my knowledge.

*Howard W. Weeden*

Howard W. Weeden, P.L.S., P.C. NYS Lic. No. 049967

**AREA= 25,850 S.F.**  
 = 0.593± acres

Reputed Owner: 400  
**STONY BROOK COURT LLC**  
 (deed liber: 13909, page: 271)  
 FM Lot 4

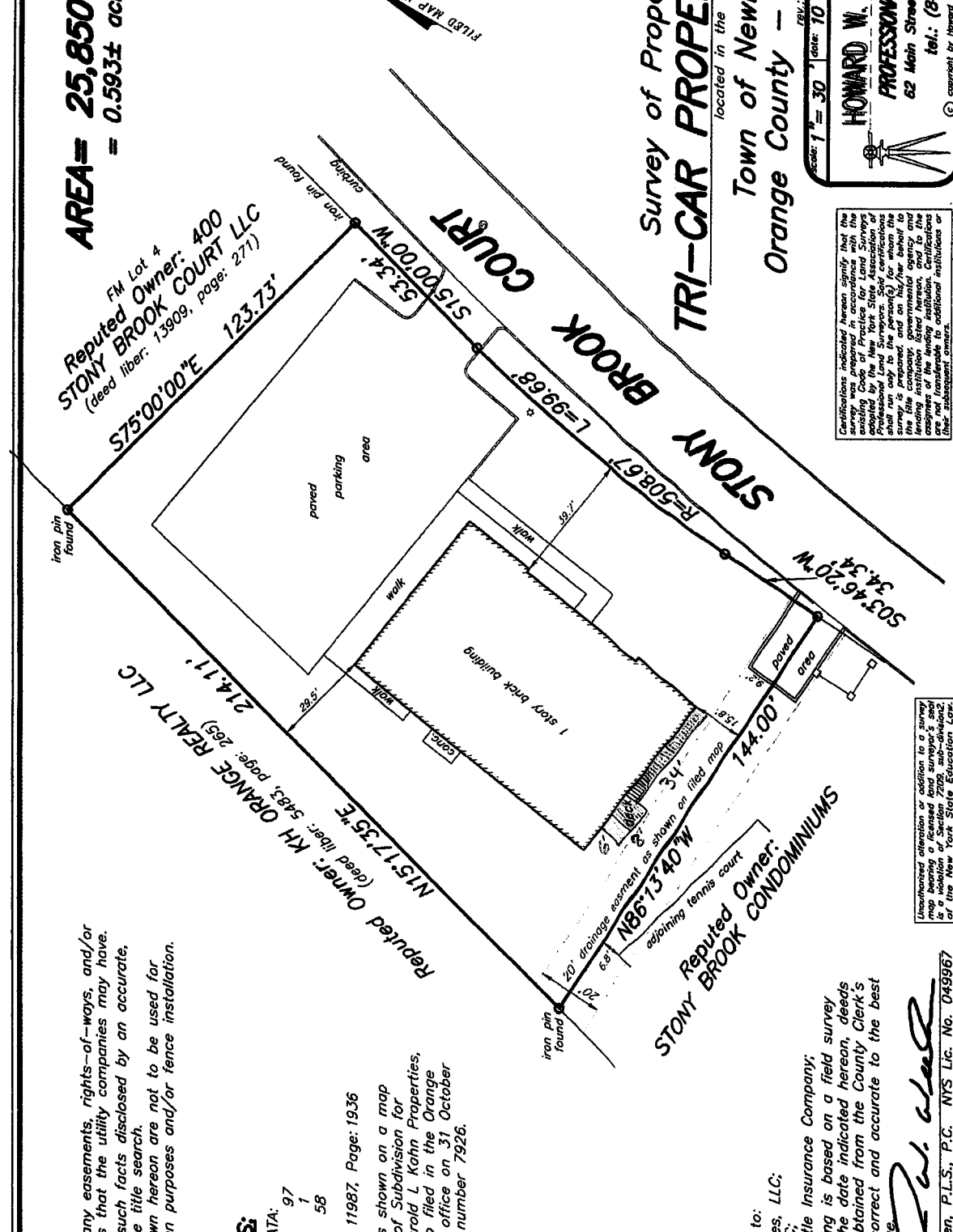
Reputed Owner: KH ORANGE REALTY LLC  
 (deed liber: 5483, page: 265)  
 214.11'

Survey of Property for  
**TRI-CAR PROPERTIES, LLC**  
 located in the  
 Town of Newburgh  
 Orange County - New York

Scale: 1" = 30' Date: 10 Jan. 2020  
 Rev: 18 Feb. 2020  
 File no.: 20-04

Certifications indicated hereon signify that the survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. Such certifications are not a warranty of the accuracy of the survey. The title company, governmental agency and the surveyor are not liable for the accuracy of the survey or for the accuracy of the information contained hereon. Such information is not transferable to additional institutions or their subsequent owners.

**HOWARD W. WEEDEN, P.L.S., P.C.**  
**PROFESSIONAL LAND SURVEYING**  
 62 Main Street, Wadken, N.Y. 12586  
 tel.: (845) 778-7843  
 © copyright by Howard W. Weeden, P.L.S., P.C. Wadken, New York

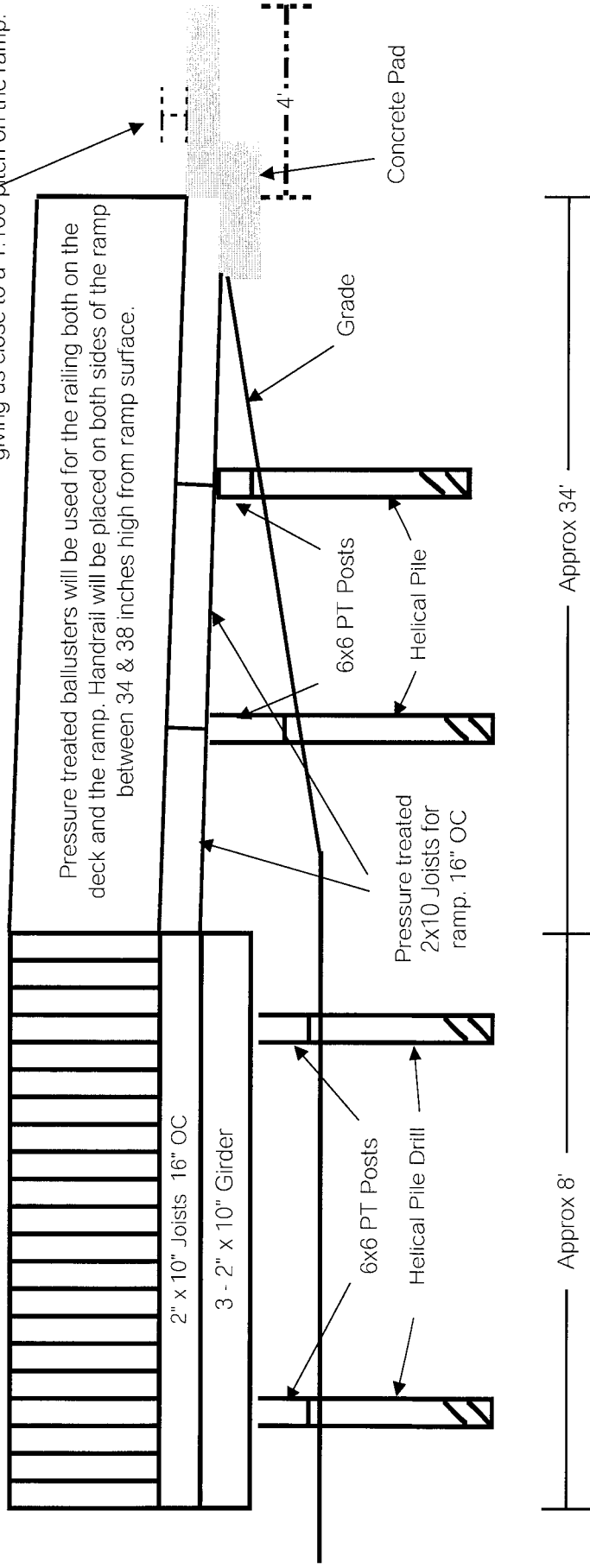




# PC Health Care Proposed Deck Replacement

600 Stony Brook Ct, Newburgh, NY 12550  
 Work to be done by Jason's Seasonal Services, Inc

**NOTE:** The height difference between the top of the deck and the top of the finished concrete pad is only about 4-5". Thus over a 34' long span, there will only be a 4-5" drop giving us close to a 1:100 pitch on the ramp.



(Not to scale)

**ADDITIONAL NOTES:** Deck will have an <sup>6'</sup> projection. Ramp will have a 4' projection. Decking boards will be 5/4" PT decking boards. Teco hangars will be used at all attachment points as needed.

### Project Information

**Client Name:** Jason Copolla

**Address:** 600 Stony Brook Ct  
Newburgh, NY 12550

**Ref documents (file number):**

### Distances & Dimensions Required

### Installation Information

**Date:** 10/13/2020

**Installer Name:** Zach Livingston

**Signature:** Zach Livingston

**Welder Name:** n/a

**Project Type:** Covered Deck  
 Hot tub  
 Brick

**Machine / Motor:** Approx. 48 sq ft

**Serial #:** R2DV2019210

Serial number	Serial #
<input checked="" type="checkbox"/> 212-125	L5K-070
<input checked="" type="checkbox"/> 212-200	L5K-115
<input checked="" type="checkbox"/> 512-350	L5K-200
<input type="checkbox"/>	EM-1
<input type="checkbox"/>	EM-2
<input type="checkbox"/>	812-160
<input type="checkbox"/>	812-315
<input type="checkbox"/>	812-160
<input type="checkbox"/>	812-315

**Notes:** Self-Tapping Screw to be installed by others (Bottom of cap plate must directly bear on pile shaft)  
All shafts inclination (angle) is less than 1 degree

File #	Pile and Helix Model	Type of Supporting Plate <input type="checkbox"/> Adjustable Square <input checked="" type="checkbox"/> Fixed "U"	Black or Galvanized	Pressure (psi at max RPM)	Torque (lb-ft)	Depth (feet)	Height of piles above ground	Allowable		Impact Δ"5 hits with 8 lbs hammer (10 kips or <)	16 lbs hammer (10 kips or >)
								Compression Capacity (lb) FS =	Tension Capacity (lb) FS =		
1	P2-8GR	UAS2-5G	Galv	600	4-9	6' 6"	< 6"	2345	0"	<input checked="" type="checkbox"/>	0"
2	P2-12G	UAS2-5G	Galv	spun on rock	-	4'	< 6"	11200	0"		0"
3	P2-12G	UAS2-5G	Galv	800	802	6' 6"	< 6"	1610	0"		0"
4	P2-12G	UAS2-5G	Galv	800	802	6' 6"	< 6"	1610	0"		0"
5											
6											
7											
8											
9											
10											

**Notes:**

FS = Factor of Safety (see Evaluation Report)

Ultimate Load = Allowable Load x FS

**Reviewed by:**

PE review is for FDN axial capacity based upon torque correlation only and does not include any connection design to the structure or any other analysis.

Sheet #: 1 of 1



















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

STATE OF NEW YORK: COUNTY OF ORANGE:

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

September 12, 2024, post and will thereafter maintain at

600 Stony Brook Ct 97-1-58 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.

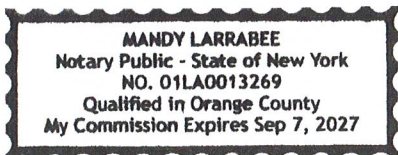
The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the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

*Ryan M. Carleton*

Sworn to before me this 10<sup>th</sup>

day of September, 2024.

*Mandy Larrabee*







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