

**CITY OF MIDDLETOWN
ZONING BOARD OF APPEALS AGENDA
JULY 15, 2026 7:00 PM
COMMON COUNCIL CHAMBERS**

Meeting called by: Jim Burtis, Chairman

Clerk: Martina Tu

Members: Wendy Rodrigues, Marc Woody, Tracy Racine, Jim Burtis, Keith Hallock

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Accept the Minutes of April 15, 2026

NEW BUSINESS

Request of Shiya Leibovitz for area variances for a proposed single-family dwelling located at 92 Linden Avenue, Middletown

ADJOURNMENT

**CITY OF MIDDLETOWN
ZONING BOARD OF APPEALS
MINUTES**

April 15, 2026

A meeting of the Zoning Board of Appeals was held in the Common Council Chambers, Second Floor, City Hall, 16 James Street, Middletown, New York on April 15, 2026 at 7:00 P.M., Jim Burtis presiding.

Members Present: Tracy Racine, Keith Hallock, Marc Woody, Jim Burtis

Members Absent: Wendy Rodrigues, Richard J. Croughan

The Pledge of Allegiance was said.

Motion to approve the December 17, 2025 minutes.

Roll Call Ayes: Tracy Racine, Keith Hallock, Marc Woody, Jim Burtis

Motion passed.

Orange Terrace Properties, LLC

Orange Terrace

**6-month extension for area variances for a proposed (4) four-lot subdivision
(3rd extension)**

Mr. Burtis: We have representative from Orange Terrace here this evening that's going to give us a brief update.

Mr. Johnson: Good evening. Ernie Johnson from Fusco Engineering. What we're asking for is a six-month extension on 2-7 Orange Terrace. We've been in front of the Common Council a couple times.

Their latest one when we got turned down was they had a request to try to cut down on an 11-foot retaining wall we had in the back of two of the four lots. Took us numerous times to figure out a way to grade this down, but we did get it down to a 4-foot retaining wall.

We've submitted new plans to Martina to hopefully be on the next agenda, so we're asking for the extension so we can keep going and try to finish this job off.

Mr. Burtis: Okay. Thank you for the update, Ernie.

Do any of the members of our Zoning Board of Appeals have questions of the applicant? Mark?

Mr. Woody: I have one question. With regard to the extension, is it primarily because of the retaining wall, or is there any other factors or weather-wise or is it --

Mr. Johnson: Basically, the retaining wall was the Common Council's main one. They wanted to know -- they didn't like the idea of an 11. They thought it would be -- what am I'm trying to say -- the aesthetics would be bad for the neighborhood. So we've, you know, like we say, we've cut it down to 4 and changed the grading in the back, so it'll work out.

It did take a lot of time because the Common Council also didn't want us taking out a lot of fill across that part. So it took a while, unfortunately for us and, you know, the person trying to get this through.

But it's ready and like Martina has the copies. What we're waiting for is your approval on that, and then we can go to -- hopefully get on the next agenda for Common Council.

Mr. Woody: Now, that retaining wall is adjacent to the cemetery. It comes in the back, I guess, of the complex.

Mr. Johnson: Yeah. The cemetery sits on this side of the --

Mr. Woody: Correct.

Mr. Johnson: -- at the end of the property.

Mr. Woody: Correct.

Mr. Johnson: The retaining wall faces more towards Mountain Avenue.

Mr. Woody: Correct. Okay. Thank you.

Mr. Johnson: Mm-hmm.

Mr. Burtis: All right. Just doing one last canvas of our board members. Does anyone need any further information from the applicant to make a decision on the request for a six-month extension? No? Okay. Thank you.

I'd like to thank the applicant for coming up, and we're in a spot where I'd

ask from our board for a motion to approve a six-month extension for 2-7 Orange Terrace application for the Zoning Board of Appeals.

Motion to approve six-month extension for 2-7 Orange Terrace by Mr. Woody, seconded by Mr. Hallock.

Roll Call Ayes: Tracy Racine, Keith Hallock, Marc Woody, Jim Burtis

Motion passed.

Motion to adjourn at 7:15 p.m. by Mr. Hallock, seconded by Mr. Racine.

Roll Call Ayes: Keith Hallock, Tracy Racine, Marc Woody, Jim Burtis

Motion passed.

Respectfully Submitted,

Diane Genender, Transcriptionist

APPLICATION

ZONING BOARD OF APPEALS

City of Middletown, New York

Date deemed complete _____
Accepted by _____

Date 3/12/26

Items 1, 2 and 3 are required to be completed

1. Address of Subject Property 92 Linden Ave. Middletown NY 10940

Section 16 Block 8 Lot 8 Current Zoning District OR-2

Building: Existing _____ New X

2. Owner of Property 92 Linden LLC

Owner's Address 199 Lee Avenue, Suite 538

City Brooklyn State NY Zip 11211

Phone numbers: Home: _____

Business: _____

Cell: 845-248-1760

3. Applicant name Shiya Leibovitz

If different from Owner

Applicants Address 5 Kerestier Ct #402

City Monroe State New York Zip 10950

Phone numbers: Home: _____

Business: _____

Cell: 845-248-1760

4. **AREA VARIANCE.** An appeal is requested from the Zoning Board of Appeals to the Zoning Ordinance, Section 475 of the Code of the City of Middletown. Indicate the Article, Section, Subsection, Paragraph, Subparagraph and Title of the Section that are the subject of the appeal. Indicate the necessary amount of relief requested. Additional sheets may be attached if more space is necessary.

	Section	Required Dimension	Actual Dimension	Variance Requesting
a.	475-9(F)(1)(a)	Front Yard 30'	11.4'	18.6'
b.	475-9(E)	Lot Area 5,000 s.f.	3,988 s.f.	1,088 s.f.

The Zoning Board of Appeals, shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances, as defined herein. The Board of Appeals, in granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider whether:

- (a) An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; and
- (b) The benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance; and
- (c) The requested area variance is substantial; and
- (d) The proposed variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (e) The alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

5. USE VARIANCE. Indicate on a separate piece of paper the specific reason(s) that the variance is necessary. All concerns listed below must to be addressed.

The Zoning Board of Appeals, on appeal from the decision or determination of the administrative official charged with the enforcement of this ordinance, shall have the power to grant use variances, as defined herein.

No use variance shall be granted by the Board of Appeals without showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- (a) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence; and
- (b) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; and
- (c) The requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (d) The alleged hardship has not been self-created.

The Board of Appeals, in granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

6. AN INTERPRETATION OF THE ZONING ORDINANCE. Explain the circumstances of the Section in question, the Title of the Section, the nature of the request, and the person or agency making the original determination. Additional sheets may be attached if more space is required.

7. SIGN ORDINANCE. Indicate the section to be varied, the title, and the amount of the variance in excess of the ordinance. Explain all conditions that require the variance to be issued. Additional sheets may be attached if more space is required.

Section/ Title	Required Dimension	Actual Dimension	Variance required

8. Sign at the place indicated and print name.

Signature of applicant Shiya Leibovitz

Printed name and title Shiya Leibovitz, Owner

Date 3/12/26

LAW OFFICES
FABRICANT LIPMAN & FRISHBERG, PLLC

ONE HARRIMAN SQUARE
POST OFFICE BOX 60
GOSHEN, NEW YORK 10924
Writer's E-Mail: nfrishberg@nfrishberg.com

Telephone 845-294-7944
Fax: 845-294-7889

Neal D. Frishberg*

Herbert J. Fabricant (1915-1987)
Alan S. Lipman (1934-2021)

Phil Dropkin, Esq.

Legal Assistants

Michelle Morgan
Rebekah Dahma
Ashley Hutchinson

*Also admitted in NJ and FL

April 8, 2026

Zoning Board of Appeals
City of Middletown
16 James Street
Middletown, New York 10940

Re: Application of 92 Linden LLC
92 Linden Avenue, Middletown, N.Y. 10940
Variance from Lot Area and Front Yard Regulations

Dear Members of the Board:

This firm represents 92 Linden LLC, the owner of the vacant land located at 92 Linden Avenue, Middletown, New York 10940, shown and designated on the City of Middletown Tax Maps as SLB 16-8-8. It is bringing an appeal to obtain area variances so that the Lot may be improved by a single family residence. The variances need are:

1. Lot area - required 5,000 Square feet - area proposed - 3,988 square feet
2. Front yard - required 30 feet; proposed - 12 feet.

The hardship which the Applicant would suffer, if variances are not granted is very significant. It paid \$65,000.00 for the Lot all of which would be lost if the variances are not granted.

As you know, the test as to whether or not to grant a variance, is the balancing between the benefits that would be gained by the applicant if the variance is granted against the injury such variances, if granted, would cause to the neighborhood. Here the applicant stands to lose \$65,000.00 if the variances are not granted. As opposed to that, there is no discernable injury to the community if the variances are granted.

(Continued)

City of Middletown

April 8, 2026

Page 2

The law governing the grant of area variances first and foremost directs the Zoning Board to balance the benefit to the applicant against the injury to the community stating:

"In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant."

Accordingly, even if there are some adverse affects to the neighborhood or community, if the applicant's need is great, the variances should be granted.

The Zoning Law then sets forth 5 criteria the Zoning Board should consider in the weighing process. They are:

"(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance".

Here there are virtually no adverse changes. The Block in which the Premises is located is made up of 17 Tax Lots 10 of which are the same size as the Premises or smaller in area.

"(2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance."

There is no other alternative for the applicant. Buying more land from a neighbor to get 5,000 square feet in area would only result in the neighbor's Lot becoming nonconforming.

"(3) whether the requested area variance is substantial."

Because more than half of the Tax Lots in the Block where the Premises is located have the same or greater degrees of non-conformities the variances sought are not substantial.

"(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district."

This application includes a traffic study which shows that there would be no adverse effects on traffic in the neighborhood if the Premises were developed by a single family residence. The design of the Lot includes two (2) off street parking spaces plus the ability

FABRICANT LIPMAN & FRISHBERG, PLLC

City of Middletown

April 8, 2026

Page 3

to stack parking in the driveway generally eliminating any significant on street parking. Finally, the plan also includes drainage control of the rear yard, generally improving on the existing conditions. Even if there were limited adverse impact, it is highly outweighed by the adverse impact the applicant would suffer if the variances were denied.

“(5) whether the alleged difficulty was self-created.”

The Applicant relied upon the fact that the Premises was a separate Tax Lot legally subdivided long before it purchased the Premises. It did not create the non-conformity. Further, even if the Board were to determine that the circumstances were self created, that alone is not a basis for denying the variances.

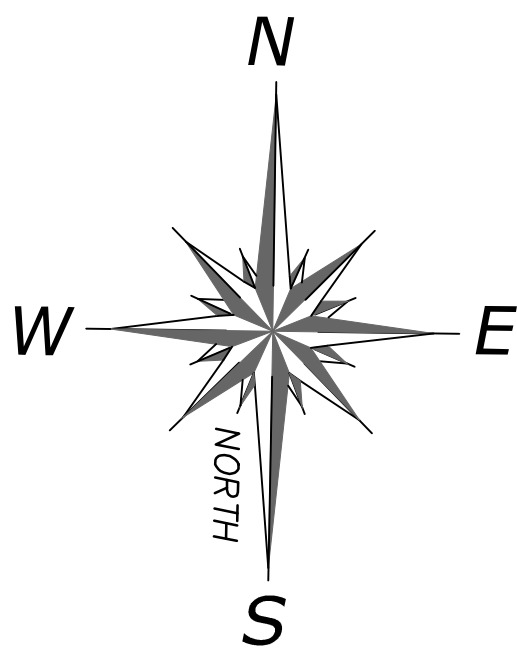
The Applicant has established it is entitled to the variances by showing that the grant of the variances would have minimal damaging affect upon the neighborhood and that the failure to grant the variances would have a significant adverse monetary impact to the Applicant.

For the foregoing reasons, it is respectfully submitted that the variances sought by the Applicant should be granted in all respects.

Very truly yours,

A handwritten signature in black ink, appearing to read 'NDF', is written over the typed name.

Neal D. Frishberg



ZONING REQUIREMENTS

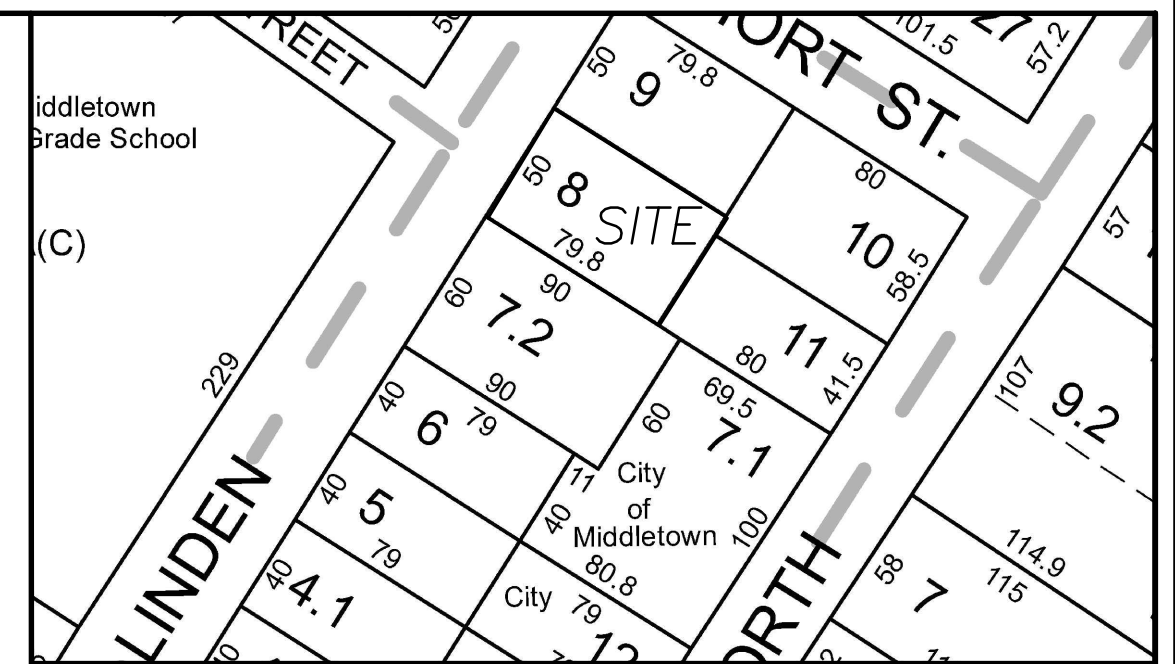
OR-2 TWO FAMILY OWNER OCCUPIED DISTRICT
MINIMUM REQUIRED FOR A SINGLE FAMILY DWELLING IN THE
OR-2 DISTRICT USE R-1 BULK TABLE REQUIREMENTS.

MINIMUM REQUIRED:
LOT AREA 5,000 S.F. (PRE-EXISTING LOT)
LOT WIDTH 50'
LOT DEPTH N/A
FRONT YARD 30'
EACH SIDE YARD 5'
SUM OF BOTH SIDE YARDS 15'
REAR YARD 30'
BUILDING HEIGHT 35'

PROVIDED: (PRE-EXISTING LOT)
LOT AREA 3,988 S.F.**
LOT WIDTH 50'
LOT DEPTH 79.8'
FRONT YARD 12'
ONE SIDE YARD 5.0'
SUM OF BOTH SIDE YARDS 15'
REAR YARD 20'
BUILDING HEIGHT <35'

MINIMUM SUM OF WIDTH OF BOTH SIDE YARDS
NOT LESS THAN 30% OF LOT FRONTAGE. (30% OF 50'=15')

** PRE-EXISTING NON-CONFORMING - VARIANCE REQUIRED



LOCATION MAP

N.T.S.

REFERENCE

TAX MAP DATA: SECTION 16 BLOCK 8 LOT 8
DEED LIBER: 15461, PAGE: 7

A MAP ENTITLED "SURVEY FOR MRKULIC" PREPARED BY
PREPARED BY: PAUL ROGGERMAN, P.L.S. AND DATED
FEBRUARY 15, 2024.

LINDEN AVENUE

REPUTED OWNER:
MRKULIC
TAX MAP #16-8-9

ADJOINER'S
BUILDING

PROPOSED
SINGLE FAMILY
2 STORY
92 LINDEN AVE.
F.F. 593.5
L.S.E. 583.9

AREA =
3,988± SQUARE FEET

REPUTED OWNER:
GRAN YORK LLC
TAX MAP #16-8-11

ADJOINER'S
BUILDING

REPUTED OWNER:
90 LINDEN LLC
TAX MAP #16-8-7.2

ADJOINER'S
BUILDING

LEGEND

---	PROPERTY LINE
---	ADJOINING PROPERTY LINE
---	MAJOR CONTOUR
---	MINOR CONTOUR
---	OVERHEAD UTILITIES
---	UTILITY POLE
---	SEWERMAIN
---	CONCRETE
---	PAVEMENT
X 504.4	SPOT ELEVATION
⊗	EXISTING WATER VALVE
---	PROPOSED WATER VALVE
---	PROPOSED SEWER
---	PROPOSED SWALE & DRAIN

THESE PLANS ARE INCOMPLETE/INVALID UNLESS THEY CONTAIN
THE ENGINEER'S SIGNATURE AND SEAL WHERE APPLICABLE AND
SHEETS 1 AND 3.

GRAPHIC SCALE

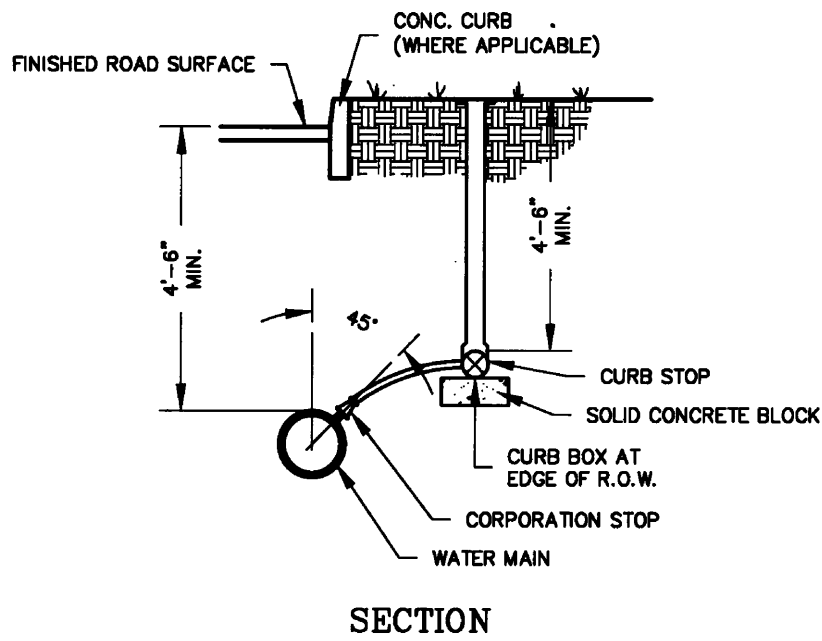


(IN FEET)
1 inch = 10 ft.

SDB	3/18/26	REVISED DRAINAGE
SDB	8/22/25	REVISED TO SHOW 2 STORY SINGLE FAMILY HOME
SDB	1/2/25	REVISED TO SHOW SINGLE FAMILY HOME
SYMB	DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.		
FUSCO ENGINEERING & LAND SURVEYING, D. P.C. CONSULTING ENGINEERS 233 EAST MAIN ST. MIDDLETOWN, NY 10940 PHONE: (845) 344-5863 FAX: (845) 956-5865		
SEAL: 		
DRAWING TITLE: SITE PLAN FOR 92 LINDEN AVENUE		
CITY OF MIDDLETOWN PREPARED FOR: 92 LINDEN LLC		STATE OF NEW YORK COUNTY OF ORANGE APPROVED BY: AAF SCALE: AS SHOWN DESIGNED BY: AAF REVISION DATE: 3/18/26 DRAWN BY: SDB DATE: 6/20/24
REFERENCE NUMBER: 24-074 SHEET NUMBER: 1 PAGE 1 OF 3		



Know what's below.
Call before you dig.

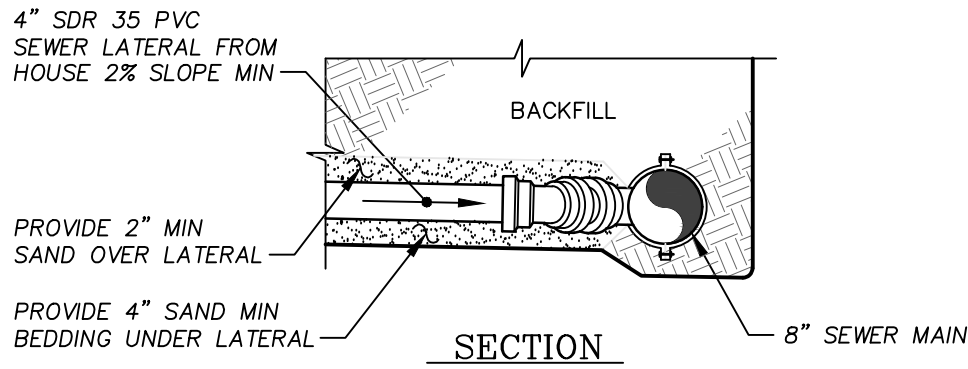
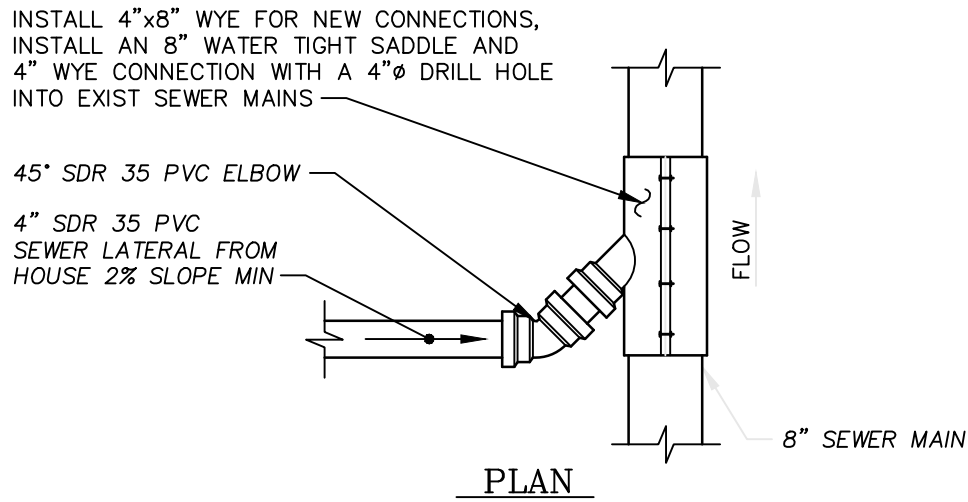


NOTES :

- CORPORATION STOPS FOR THREE-FORTHS-INCH AND ONE-INCH SERVICE LINES SHALL BE MUELLER H-1500B CONDUCTIVE COMPRESSION. CORPORATION STOPS FOR ONE-AND-ONE-HALF-INCH AND TWO-INCH SERVICE LINES SHALL BE MUELLER H-15013 CONDUCTIVE COMPRESSION. CORPORATION STOPS SHALL BE IN ACCORDANCE WITH AWWA C800, LATEST REVISION.
- CURB STOPS FOR THREE-FORTHS-INCH THROUGH TWO-INCH SHALL BE MUELLER H-15219 CONDUCTIVE COMPRESSION, WITH DRAIN. CURB STOPS SHALL BE PROVIDED WITH AN EXTENSION SERVICE BOX TO GRADE. CURB STOPS SHALL BE IN ACCORDANCE WITH AWWA C800, LATEST REVISION.
- UNDERGROUND SERVICE LINES FOR SIZES THREE-FORTHS-INCH THROUGH TWO-INCH SHALL BE TYPE K COPPER, SUPPLIED IN CONFORMANCE WITH ASTM B88, IN ACCORDANCE WITH AWWA C800, LATEST REVISION.
- SERVICE CONNECTIONS OR WATER MAIN EXTENSION CONNECTIONS OF THREE INCHES OR LARGER SHALL BE MADE BY MEANS OF AN APPROVED TAPPING SLEEVE AND TAPPING VALVE. MECHANICAL JOINT TAPPING SLEEVES SHALL BE PROVIDED WITH DUCK-TIPPED END GASKETS. OUTLET FLANGE SHALL BE CLASS 125, ANSI B16.1.

TYPICAL WATER SERVICE DETAIL

SCALE: NONE

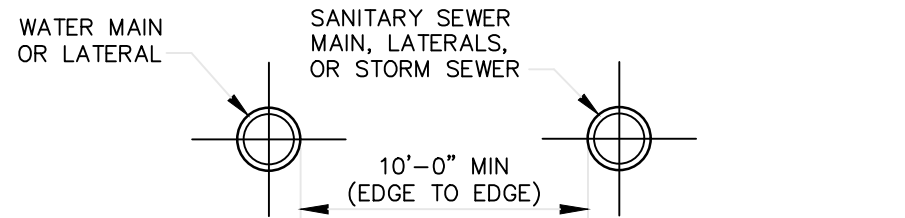


NOTES:

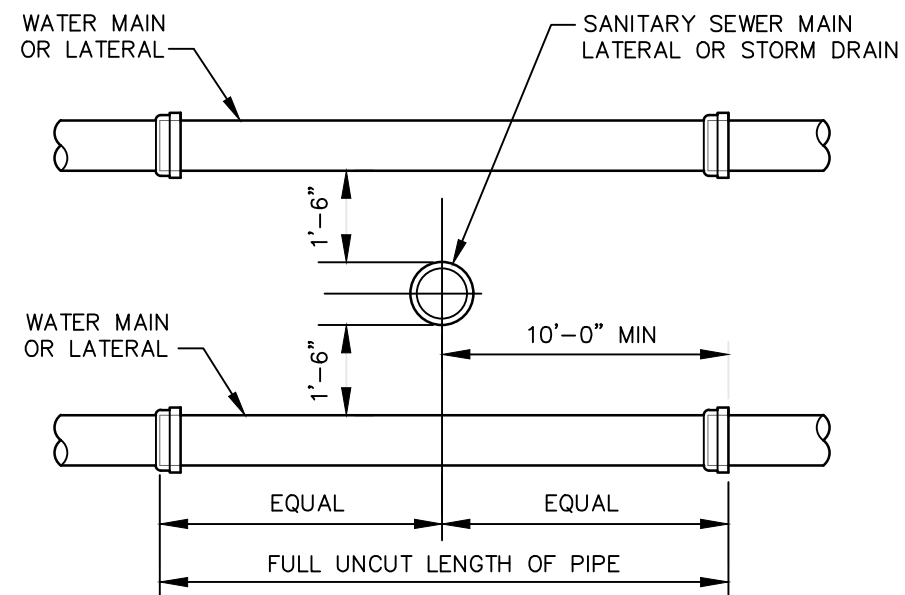
- BACKFILL TO BE FREE OF STONES AND FROZEN EARTH.
- COMPACT BACKFILL IN 12" LIFTS TO 95% PROCTOR DENSITY.
- PROVIDE K-CRETE BACKFILL UNDER EXISTING ROADWAYS. (SEE - PAVEMENT RESTORATION DETAIL)

SEWER SERVICE LATERAL

(NOT TO SCALE)



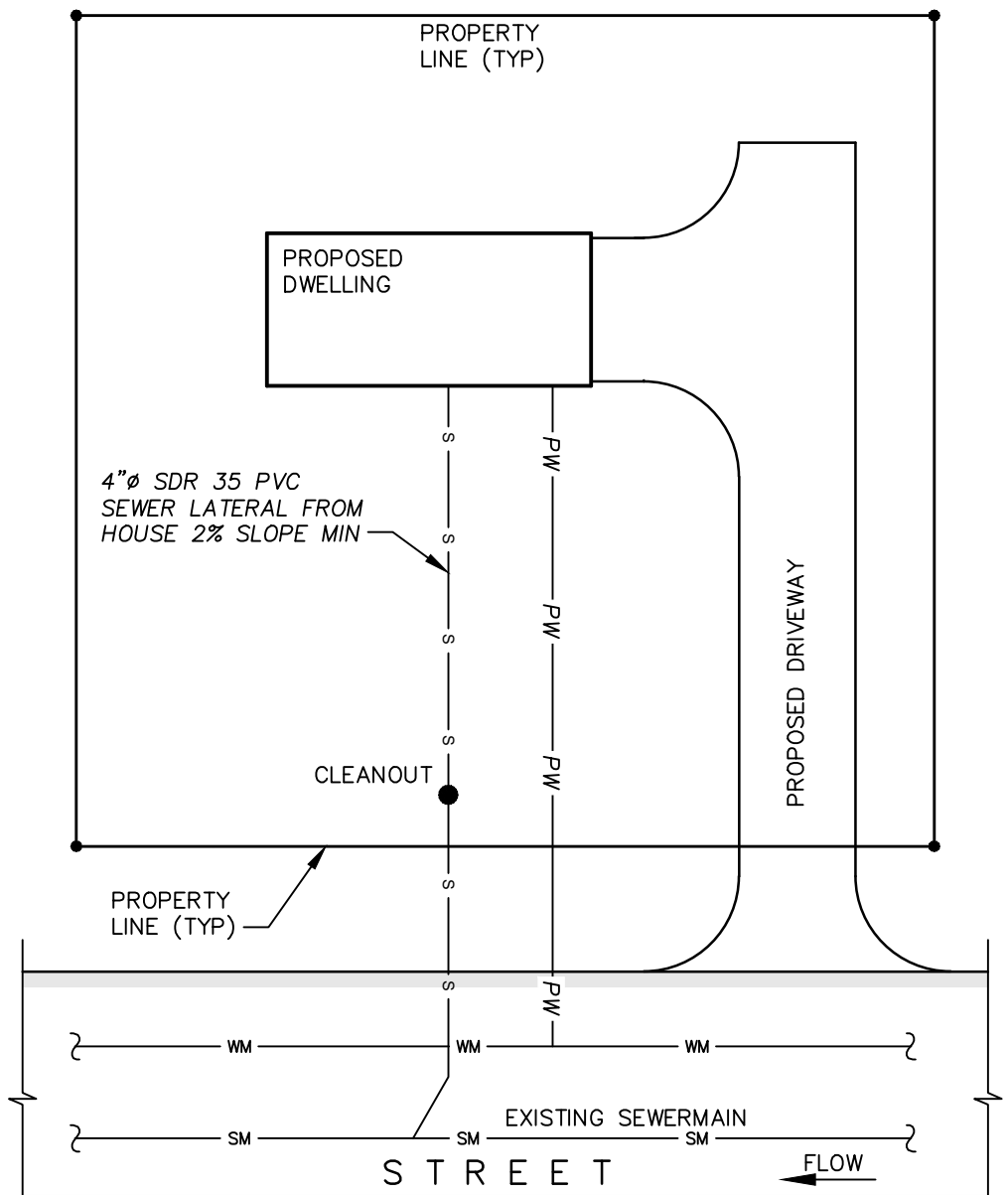
HORIZONTAL SEPARATION



VERTICAL SEPARATION

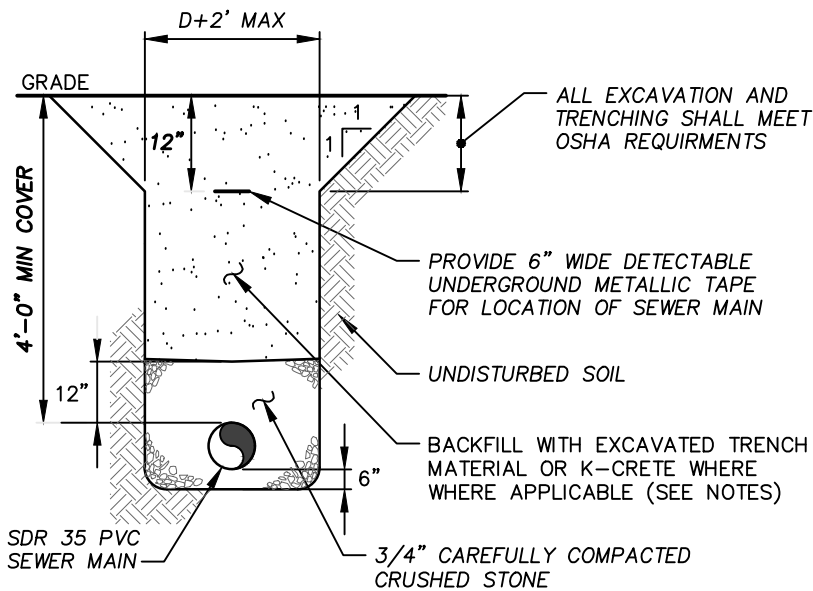
WATER AND SEWER SEPARATION DETAIL

(NOT TO SCALE)



TYPICAL LOT LAYOUT

(NOT TO SCALE)

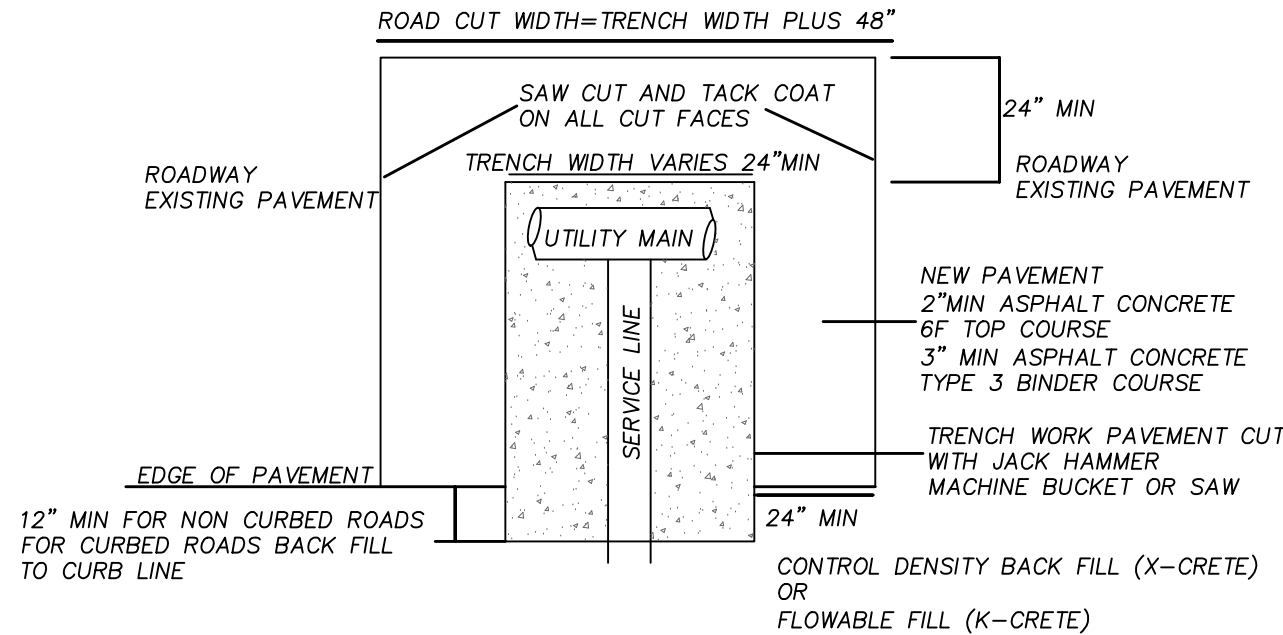


NOTES:

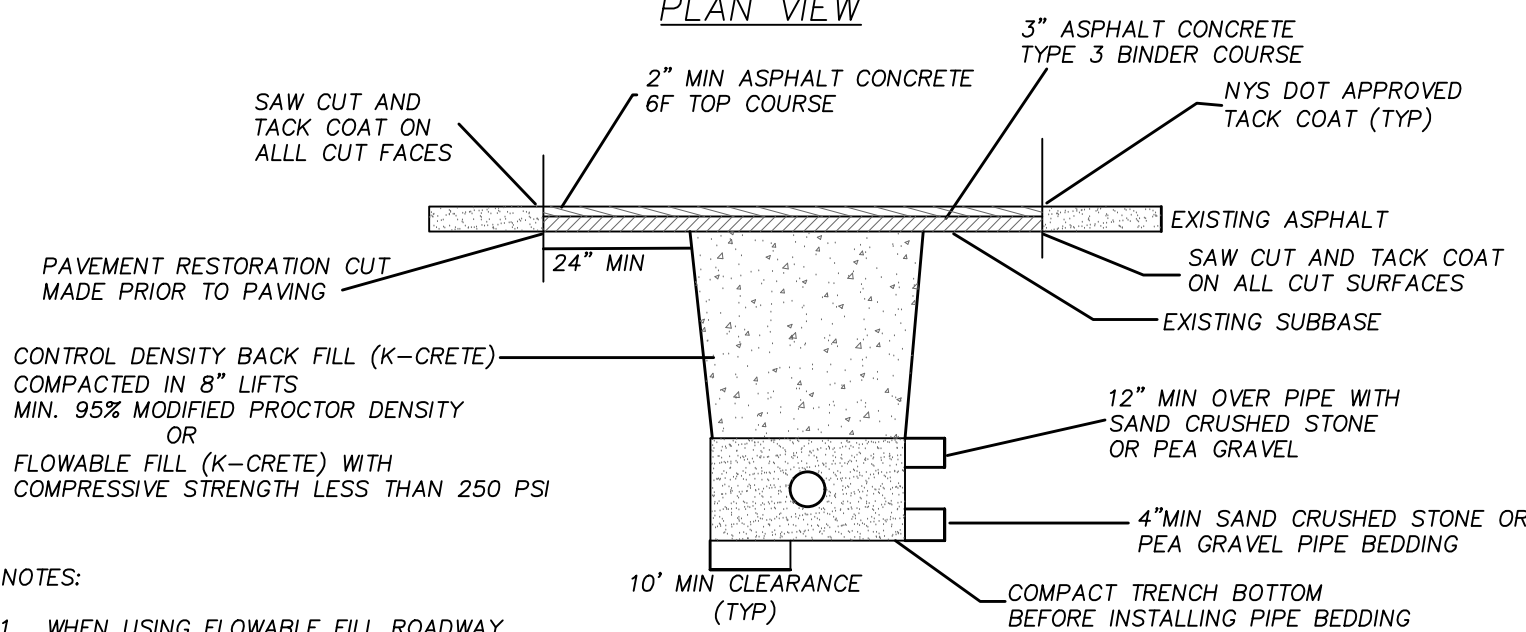
- ALL BACKFILL MATERIAL SHALL BE FREE OF DELETERIOUS MATERIAL AND STONES OVER 3" DIAMETER. BACKFILL SHALL BE PLACED IN 8" LIFTS AND COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY AN ASTM MODIFIED PROCTOR DENSITY TEST.
- ALL FILL BELOW BUILDINGS AND/OR PAVEMENT TO BE COMPACTED TO 95% MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557.
- BACKFILL UNDER ALL PAVED AREAS SHALL BE RUN-OF-BANK GRAVEL FOR THE FULL DEPTH.
- FOR EXIST ROAD CROSSINGS, BACKFILL WITH K-CRETE ONLY ABOVE CRUSHED STONE OR SAND.
- ALL EXCAVATION AND TRENCHING SHALL MEET OSHA REQUIREMENTS.
- BACKFILL SHALL BE FREE OF DELETERIOUS MATERIAL AND STONES OVER 3" IN DIAMETER.

SANITARY SEWER
PIPE TRENCH DETAIL

(NOT TO SCALE)



PLAN VIEW



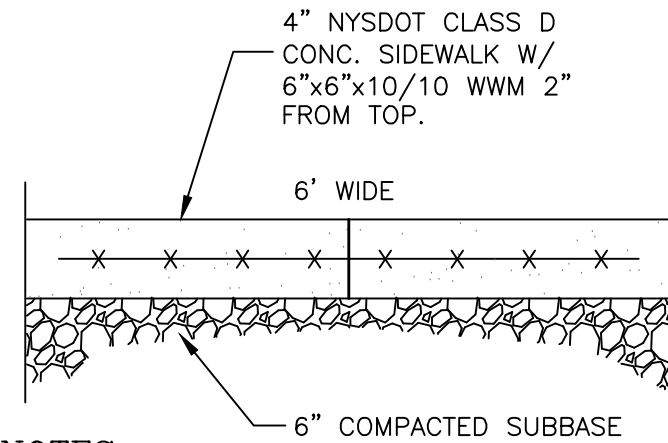
CROSS-SECTION

NOTES:

- WHEN USING FLOWABLE FILL ROADWAY OPENING MUST BE SECURELY STEEL PLATED FOR 24 HRS. PRIOR TO PAVING.
- PAVEMENT THICKNESS SHOWN ARE MINIMUM AND FINAL DETERMINATION IS TO BE DETERMINED BY THE TOWN OF WALLKILL HIGHWAY DEPARTMENT.

TRENCH RESTORATION
FOR ROADWAY OPENING

TOWN OF WALLKILL
SCALE: N.T.S.



NOTES:

- #6 GAUGE, 6"x6" STEEL REINFORCING MESH SHALL BE LAID 2" FROM BOTTOM OF SIDEWALK SLAB.
- CONTRACTION JOINTS HAVING A 1/4" RADIUS EDGES SHALL BE PLACED AT 4'-0" INTERVALS IN SIDEWALK.
- EXPANSION JOINTS OF 1/4" CELLULOSE MATERIAL OR APPROVED EQUAL SHALL BE PLACED AT 20' INTERVALS. EDGES SHALL HAVE A 1/4" RADIUS.

CONCRETE SIDEWALK REPAIR DETAIL

(NOT TO SCALE)

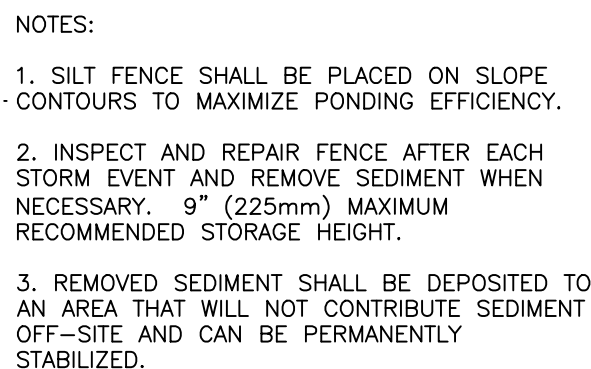


Know what's below.
Call before you dig.

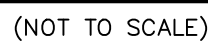
THESE PLANS ARE INCOMPLETE/INVALID UNLESS THEY CONTAIN THE ENGINEER'S SIGNATURE AND SEAL WHERE APPLICABLE AND SHEETS 1, 2 & 3.

SDB	3/18/26	REVISED DRAINAGE
SDB	1/2/25	REVISED TO SHOW SINGLE FAMILY HOME
SYMB	DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.		
FUSCO ENGINEERING & LAND SURVEYING, D. P.C. CONSULTING ENGINEERS 233 EAST MAIN ST. MIDDLETOWN, NY 10940 PHONE: (845) 344-5863 FAX: (845) 956-5865		
SEAL:	DRAWING TITLE:	
	SITE PLAN FOR 92 LINDEN AVENUE	
CITY OF MIDDLETOWN	APPROVED BY:	SCALE:
PREPARED FOR:	AAF	AS SHOWN
92 LINDEN LLC	DESIGNED BY:	REVISION DATE:
	AAF	3/18/26
	DRAWN BY:	DATE:
	SDB	6/20/24
		STATE OF NEW YORK COUNTY OF ORANGE
		REFERENCE NUMBER: 24-074
		SHEET NUMBER: 2
		PAGE 2 OF 3

1. THE MAINTENANCE OF THE EROSION CONTROL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE JOB SUPERINTENDENT WILL MONITOR THE CONDITION OF ALL OF THE EROSION CONTROL DEVICES. CLEAN OR REPLACE STRUCTURES AS CLIMATIC CONDITIONS REQUIRE. THE DEVELOPER WILL ALSO BE SUBJECT TO THE DIRECTIVE OF THE DESIGN ENGINEER AND TOWN REPRESENTATIVES TO INCLUDE TOWN ENGINEER, HIGHWAY SUPERINTENDENT AND BUILDING INSPECTOR.
2. GENERAL CONTRACTOR AND ALL CONTRACTORS SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE APPROVED PLANS AND MAY BE SUBJECT TO ADDITIONAL EROSION CONTROL REQUIREMENTS AS CONDITIONS MAY ARISE IN THE FIELD OR AS DIRECTED BY THE DESIGN ENGINEER.
3. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL DEVICES IN ACCORDANCE WITH THE APPROVED PLANS, MANUFACTURERS RECOMMENDATIONS AS DIRECTED BY THE DESIGN ENGINEER AND TOWN REPRESENTATIVES INCLUDING, TOWN ENGINEER, HIGHWAY SUPERINTENDENT AND BUILDING INSPECTOR.
4. NO EROSION CONTROL STRUCTURES SHALL BE REMOVED UNTIL ALL WORK UPGRADE THEREFROM HAS BEEN COMPLETED, INCLUDING STABILIZATION AND HAS BEEN APPROVED BY THE DESIGN ENGINEER AND TOWN REPRESENTATIVE.
5. CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE PERIOD OF TIME BETWEEN 7:00 AM TO 7:00 PM.
6. ALL CONSTRUCTION EQUIPMENT SHALL HAVE PROPERLY SIZED MAINTAINED MUFFLERS.
7. ALL CONSTRUCTION EQUIPMENT SHALL BE TURNED OFF WHEN NOT IN USE.



NOT TO SCALE



MODERATE TO STEEP SLOPES &
LOW MAINTENANCE AREAS

EMPIRE BIRDSFOOT TREFOIL
TALL FESCUE
RYEGRASS

8 LBS/ACRE
20 LBS/ACRE
5 LBS/ACRE

SUNNY SITES - (WELL, MODERATELY WELL AND SOMEWHAT POORLY DRAINED SOILS)

65% KENTUCKY BLUEGRASS BLEND
20% PERENNIAL RYEGRASS
15% FINE FESCUE

85-114 LBS/ACRE
26-35 LBS/ACRE
19-26 LBS/ACRE

SUNNY DROUGHTY SITES – (SOMEWHAT EXCESSIVELY TO EXCESSIVELY DRAINED SOILS)

65% FINE FESCUE
15% PERENNIAL RYEGRASS
20% KENTUCKY BLUEGRASS BLEND

114-143 LBS/ACRE
26-33 LBS/ACRE
35-44 LBS/ACRE

SHADY DRY SITES – (SOMEWHAT POOR TO POORLY DRAINED SOILS)

80% SHADE TOLERANT KENTUCKY
BLUE GRASS BLEND
20% PERENNIAL RYEGRASS

105-138 LBS/ACRE
25-37 LBS/ACRE

SHADY WET SITES – (SOMEWHAT POOR TO POORLY DRAINED SOILS)

70% ROUGH BLUEGRASS
80% SHADE TOLERANT KENTUCKY
BLUE GRASS BLEND

60-91 LBS/ACRE
25-39 LBS/ACRE

TEMPORARY DIVERSION AND SEDIMENT BASINS SHALL BE CONSTRUCTED DOWN SLOPE FROM THE PROPOSED CONSTRUCTION IN THE STEEPER SECTIONS. THESE SEDIMENT BASINS SHALL BE MAINTAINED AS REQUIRED.

TEMPORARY COVER OF RYE GRASS OR MULCH TO BE PROVIDED FOR ALL DISTURBED AREAS WHEN LEFT BARE FOR MORE THAN 30 DAYS.

TEMPORARY COVER OF RYE GRASS OR MULCH TO BE PROVIDED FOR ALL DISTURBED AREAS WHEN LEFT BARE FOR MORE THAN 30 DAYS.

CONTRACTOR SHALL SEED AND MULCH AS FOLLOWS:

CONTRACTOR SHALL SEED AND MULCH AS FOLLOWS:

RATE OF MULCHING- 100 POUNDS OF HAY OR STRAW PER 1000 S.F.
RATE OF SEEDING- 1 POUND OF RYE GRASS PER 1000 S.F.

TOPSOIL TO BE REPLACED TO ORIGINAL DEPTH OF NO LESS THAN 4".

TOPSOIL OBTAINED DURING STRIPPING WHILE REGRADING WILL BE STOCKPILED SO THAT IT MAY BE USED IN LATER SEEDING.

TRANSITIONAL GRADING FROM CUT TO FILL, FLATTENING SLOPES WHEREVER POSSIBLE AND ADEQUATE ROUNDING AT TOP OF CUT AND TOE OF FILL WILL REDUCE SURFACE EROSION AND PROMOTE THE ESTABLISHMENT OF AN EROSION-PROOF VEGETATIVE CROP.

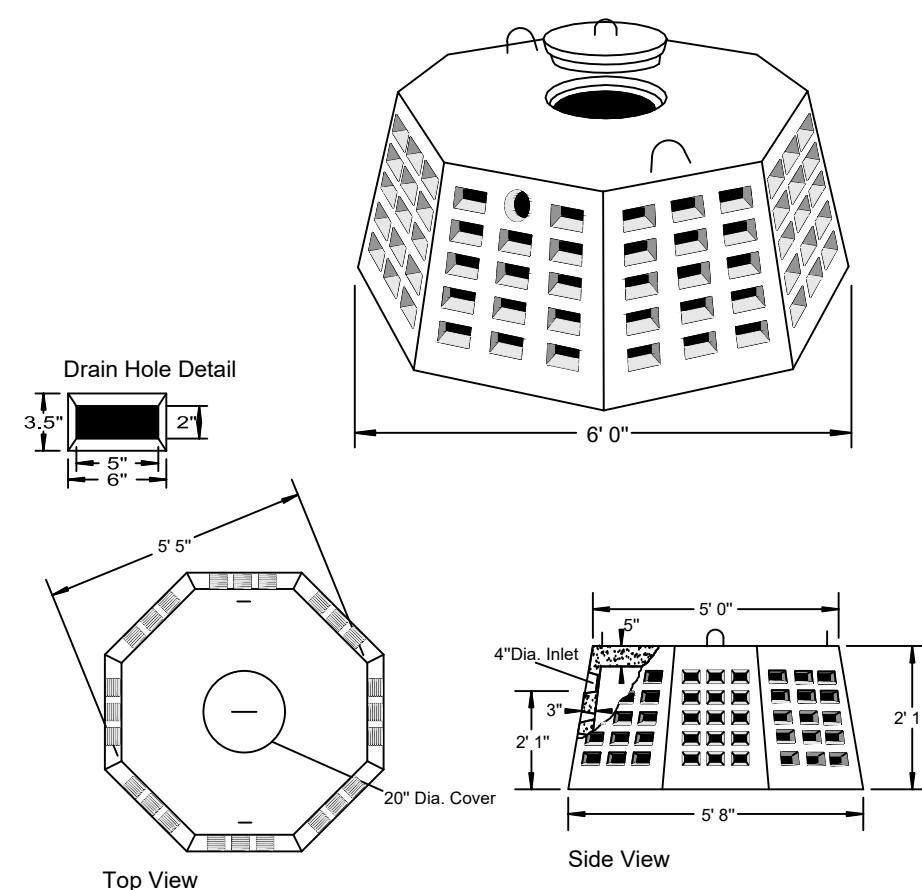
HAY BALES SHALL BE PLACED AT THE BOTTOM OF CUT AND FILL SLOPES TO PREVENT SILTATION ON LANDS OF OTHERS AND IN DRAINAGE WAYS, AND SHALL BE MAINTAINED UNTIL VEGETATION IS ESTABLISHED.



NOTES:

1. ENTRANCE SHALL BE MAINTAINED AS CONDITIONS DEMAND TO PREVENT TRACKING OF SEDIMENT INTO PUBLIC RIGHTS OF WAY.
2. ALL SEDIMENTATION STRUCTURES WILL BE INSPECTED AND MAINTAINED ON A REGULAR BASIS.
3. A CRUSHED STONE, VEHICLE WHEEL CLEANING BLANKET WILL BE INSTALLED WHENEVER A CONSTRUCTION ACCESS ROAD INTERSECTS ANY PAVED ROADWAY. SAID BLANKET WILL BE COMPOSED OF 6" DEPTH OF 4"-6" SURGE STONE, WILL BE AT LEAST 12" X 50" AND SHOULD BE PLACED ON COMPACTED SUBGRADE.
4. ALL DRIVEWAYS MUST BE STABILIZED WITH 1"-1 1/2" CRUSHED STONE OR SUBBASE DURING CONSTRUCTION.
5. PAVED ROADWAYS MUST BE KEPT CLEAN AT ALL TIMES.
6. ALL STORM DRAINAGE OUTLETS WILL BE STABILIZED, AS REQUIRED, BEFORE DISCHARGE POINTS BECOME OPERATIONAL.

(NOT TO SCALE)



SPECIFICATIONS	PRECAST DRY WELLS MODEL DW-3 (A)/ 370 GALLONS
Concrete Min. Strength: 4,000 psi at 28 days Reinforcement: #3 Rebar Air Entrainment: 5% Capacity = 370 gallons Weight = 1820 lbs Sidewall Area = 44 square feet Load Rating: 300 psf (H20 available)	Woodard's Concrete Products, Inc. 629 Lybott Road, Bullville, NY 10915 (845) 361-3471 / Fax 361-1050
	Page 1 D 5/20/02

www.woodardsconcrete.com

SDB	3/18/26	REVISED DRAINAGE
SDB	1/2/25	REVISED TO SHOW SINGLE FAMILY HOME
SYMB	DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.		
 FUSCO ENGINEERING & LAND SURVEYING, D. P.C. CONSULTING ENGINEERS 233 EAST MAIN ST. MIDDLETOWN, NY 10940 PHONE: (845) 344-5863 FAX (845) 956-5865		
SEAL:	DRAWING TITLE:	
	<i>SITE PLAN FOR</i> 92 LINDEN AVENUE	
	CITY OF MIDDLETOWN	STATE OF NEW YORK COUNTY OF ORANGE
	PREPARED FOR:	REFERENCE NUMBER: 24-074
	92 LINDEN LLC	APPROVED BY: AAF AS SHOWN DESIGNED BY: AAF REVISION DATE: 3/18/26 SHEET NUMBER: 3 DRAWN BY: SDB DATE: 6/20/24
PAGE 3 OF 3		



Know what's below.
Call before you dig.

THESE PLANS ARE INCOMPLETE/INVALID UNLESS THEY CONTAIN
THE ENGINEER'S SIGNATURE AND SEAL WHERE APPLICABLE AND
SHEETS 1, 2 & 3.



Consulting Engineers

Alfred A. Fusco, Jr.
P.E. Principal

Alfred A. Fusco, III
General Manager

City of Middletown
Zoning Board of Appeals
16 James Street
Middletown, NY 10940

RE: Engineering Traffic Analysis
Proposed Single-Family Dwelling
Shiya Leibovitz
92 Linden Avenue
City of Middletown
Orange County, New York
Section 16, Block 8, Lot 8
Our File #24-074B

1. Purpose This memorandum has been prepared to evaluate traffic and parking conditions associated with the proposed construction of a single-family dwelling at 92 Linden Avenue in the City of Middletown, Orange County, New York. This analysis is intended to supplement the application record and directly respond to concerns identified in the prior denial, specifically those related to neighborhood traffic conditions and on-street parking availability.

As part of this evaluation, field traffic observations were conducted during typical weekday peak periods to document existing roadway conditions. Traffic counts were collected between 9:00 AM and 11:00 AM (morning period) and between 4:00 PM and 6:00 PM (afternoon period). During the morning peak period, a total of 83 vehicles were observed, including 18 commercial vehicles. During the afternoon peak period, a total of 143 vehicles were observed, including 16 commercial vehicles. Additionally, 12 vehicles were observed stopping within the block and parking during the afternoon peak period.

The subject property is an existing lot ($\pm 3,988$ square feet), and the proposal consists of a single-family detached residence with two off-street parking spaces located at the rear of the parcel.

This report has been prepared in accordance with generally accepted traffic engineering practices and references data from the Institute of Transportation Engineers (ITE) Trip Generation Manual.

2. Existing and Proposed Land Use: The subject site is located within an established residential neighborhood characterized by a mix of single-family detached dwellings and two-family residences, small multi-family structures.

This development pattern is typical of legacy neighborhoods within the City of Middletown and reflects a range of residential densities.

The proposed project consists of one single-family dwelling, which represents the lowest intensity residential land use classification. A use that is less impactful than many permitted uses within residential zoning districts and that is fully consistent with the existing neighborhood character

importantly, the project does not include multiple dwelling units, mixed-use or commercial activity or any density increase beyond one household.

3. **Site Access and Parking:** The site plan depicts the proposed dwelling with two parking spaces in the rear portion of the property, providing on-site accommodation for resident vehicles. This is an important traffic and parking consideration because the project is designed to serve its parking demand internally rather than relying exclusively on curbside parking along Linden Avenue.

Based on the plans provided, the parking supply is appropriate for a single-family residence. In practical terms, a single-family home typically generates demand associated with a limited number of household vehicles, and the provision of two off-street spaces is consistent with ordinary residential parking needs. Because the parking is located on the subject property, the proposal should not materially increase parking pressure on the public street system.

4. **Existing Traffic Conditions (Field Observations)** Traffic counts collected during peak periods indicate that Linden Avenue currently operates at relatively low traffic volumes consistent with a local residential street.

- Morning Peak Hour: – 83 total vehicles observed – 18 commercial vehicles (approximately 22%)
- Afternoon Peak Hour: – 143 total vehicles observed – 16 commercial vehicles (approximately 11%) – 12 vehicles observed stopping and parking within the block during the peak hour

Engineering Interpretation:

- The observed volumes are modest and well within the operational capacity of a local residential roadway.
 - The presence of commercial vehicles reflects normal service activity (e.g., deliveries, contractors) typical of residential neighborhoods.
 - The limited number of parking maneuvers observed (12 vehicles) indicates moderate but manageable on-street parking activity without evidence of abnormal congestion or circulation issues.
5. **Traffic Effects** From a traffic engineering standpoint, the proposed land use is among the lowest-intensity forms of residential development. A single-family dwelling generates only routine residential trip activity, generally limited to household members, guests, deliveries, and service vehicles. Unlike apartments, commercial uses, or multi-unit projects, the proposed development will not create concentrated peak-hour traffic volumes or frequent turnover of vehicles.

The project narrative expressly notes that a single-family dwelling generates significantly less traffic and parking demand than many other permitted residential uses, and concludes that the project will not create parking impacts for the surrounding neighborhood.

Given the scope of the proposal, the resulting traffic effect on Linden Avenue and adjacent local streets is expected to be de minimis. The additional vehicle trips associated with one dwelling would be minor in comparison with normal background traffic documented above. No off-site roadway improvements,

traffic control changes, or capacity enhancements appear warranted based on the scale of the proposed use.

6. Response to Denial-Letter Parking and Traffic Concerns The denial letter expressed concern that parking is already tight and that development of the lot could add hardship. In response, the following engineering points are relevant:
7. The proposal is for one single-family home only. The project does not introduce multiple dwelling units or any use that would create unusually high vehicle demand.
8. Two off-street parking spaces are provided on site. By locating parking at the rear of the property, the plan accommodates resident parking within the parcel and reduces reliance on public curb space.
9. Trip generation is inherently limited by the use itself. A single-family residence produces ordinary neighborhood traffic only and does not create operational issues typically associated with higher-density development.
10. Existing traffic data demonstrates available capacity. Observed peak-hour volumes (83 vehicles in the morning and 143 vehicles in the afternoon) confirm that the roadway is operating at low volumes relative to its capacity.
11. No unusual access or circulation condition is evident from the plan. The site plan presents a conventional residential arrangement with building, access, and parking organized to function as a standard detached dwelling.

Based on these factors, the proposed project is not expected to create a significant adverse traffic or parking impact on the surrounding neighborhood.

7. Engineering Opinion It is my opinion, based on review of the submitted narrative, denial letter, site plan, and field traffic observations, that the proposed development at 92 Linden Avenue: • will generate only a minimal amount of new traffic consistent with normal single-family residential use; • provides adequate on-site parking through the two proposed rear parking spaces; should not materially worsen on-street parking conditions in the neighborhood; and does not warrant a detailed traffic impact study due to the very small scale and low-intensity nature of the project.
8. Zoning and Parking Considerations (Local Context) While specific zoning requirements are administered by the City of Middletown, it is typical for residential zoning districts to require: • Two (2) off-street parking spaces per single-family dwelling

The proposed site plan provides: • Two (2) off-street parking spaces located on-site This configuration: • Meets typical zoning expectations • Aligns with standard residential parking demand • Reduces dependence on public curb space

Engineering Interpretation Providing compliant on-site parking is a key mitigation measure in neighborhoods where on-street parking may already be utilized. The proposal is therefore responsive to local parking conditions rather than contributory to them.

-
9. **Site Access and Circulation** The site plan presents a conventional residential layout consisting of a single dwelling unit, rear-yard parking, standard access configuration

There are no unusual access constraints, no atypical circulation patterns, no design features that would create conflict points or safety concerns

All access movements are typical of a single-family residential use and are consistent with neighborhood conditions.

10. **Traffic Generation Analysis ITE Trip Generation Data (Land Use Code 210 – Single-Family Detached Housing)** Based on nationally accepted data:

Average Daily Trips (ADT): ~9–10 trips per dwelling

AM Peak Hour: ~0.7 trips

PM Peak Hour: ~1.0 trip

Projected Traffic for This Project

Daily traffic generation: ~10 vehicle trips per day

Peak hour traffic: approximately 1 trip (inbound or outbound)

Engineering Significance: Traffic is distributed throughout the day, not concentrated • Peak activity equates to one vehicle movement during peak periods • This level of traffic is functionally negligible when compared to observed background volumes

11. **Roadway Capacity and Operational Impact** Linden Avenue functions as a local residential street, which typically serves low-speed, low-volume traffic, has capacity to accommodate hundreds to thousands of vehicles per day. The addition of approximately 10 trips per day.

Represents: A negligible increase relative to observed peak-hour volumes (83–143 vehicles). A change that is not measurable in terms of level of service, delay, or safety.

Conclusion on Traffic Operations The proposed development will not alter traffic flow, congestion levels, or roadway performance in any meaningful way.

12. **Parking Demand and Utilization** Typical Residential Parking Demand • 1.5–2.5 vehicles per household (industry standard range) • Stable, predictable usage with low turnover

Project Parking Supply • Two (2) off-street spaces provided

Impact Assessment • Resident parking demand will be fully accommodated on-site • On-street parking demand from the project will be minimal to negligible • Observed on-street parking activity (12 vehicles during the PM peak) reflects typical neighborhood conditions

Key Engineering Point Unlike higher-density housing or rental units, single-family dwellings: • Do not generate frequent parking turnover • Do not create cumulative parking demand spikes

13. Professional Engineering Opinion Based upon: • Review of the site plan and project narrative • Consideration of local roadway conditions and observed traffic volumes • Application of ITE Trip Generation data • Standard traffic engineering methodologies

It is my professional opinion that the proposed development: • Will generate minimal traffic consistent with normal residential activity • Will not create a significant or measurable impact on traffic operations • Provides adequate on-site parking in accordance with typical zoning requirements • Will not materially exacerbate on-street parking conditions • Does not warrant preparation of a formal Traffic Impact Study (TIS) due to its limited scale

Furthermore, from an engineering standpoint, there is no technical basis to conclude that the project would create a traffic or parking hardship within the neighborhood.

14. Conclusion The proposed project represents a minor and appropriate residential infill development within an established neighborhood in the City of Middletown.

Key findings include:

- Existing peak-hour traffic volumes are low (83 AM / 143 PM vehicles)
- Observed parking activity is moderate and typical of residential conditions
- Traffic generation from the project is extremely low (~10 trips/day)
- Peak hour impact is negligible (~1 trip)
- Two off-street parking spaces fully accommodate demand
- No adverse impacts to traffic flow, safety, or parking are anticipated

Accordingly, the proposed single-family dwelling at 92 Linden Avenue will not create a significant traffic, circulation, or parking impact on Linden Avenue or the surrounding area.

Very Truly Yours,

Alfred A. Fusco, Jr., P.E.
Fusco Engineering
& Land Surveying, DPC



Consulting Engineers

Alfred A. Fusco, Jr.
P.E. Principal

Alfred A. Fusco, III
General Manager

City of Middletown
Zoning Board of Appeals
16 James Street
Middletown, NY 10940

RE: Project Narrative
Shiya Leibovitz
92 Linden Avenue
City of Middletown
Orange County, New York
Section 16, Block 8, Lot 8
Our File #24-074B

Dear Zoning Board of Appeals Members,

The applicant, Shiya Leibovitz, is seeking area variances from the City of Middletown Zoning Ordinance to permit the construction of a single-family residence on the subject property located at 92 Linden Avenue. The property is located within the OR-2 Two Family Owner Occupied District and consists of a pre-existing lot that is approximately 3,988 square feet in area, where 5,000 square feet is required, and proposes a front yard setback of approximately 11.4 feet where 30 feet is required.

Accordingly, the applicant is requesting the following area variances:

- Lot Area Variance: Required 5,000 square feet, proposed 3,988 square feet (variance of 1,088 square feet).
- Front Yard Setback Variance: Required 30 feet, proposed approximately 11.4 feet (variance of approximately 18.6 feet).

Character of the Neighborhood

The proposed single-family residence is consistent with and compatible with the surrounding neighborhood. The Linden Avenue area is developed with a mix of single-family and multi-family residential structures, and the proposed dwelling will be similar in scale, design, and residential use to the existing housing stock in the vicinity. The proposed development will therefore maintain the established residential character of the neighborhood and will not introduce any use or structure that is inconsistent with surrounding properties.

Additionally, many of the existing homes along Linden Avenue and the surrounding streets were constructed on similar sized lots and with comparable setback conditions. The proposed setbacks reflected on the site plan prepared for this application are therefore consistent with the pattern of development already present in the area. As a result, the requested variances would not produce an undesirable change in the character of the neighborhood nor create any detriment to nearby properties.

Pre-Existing Lot Conditions

The subject parcel is a pre-existing nonconforming lot, created prior to the adoption of the current zoning requirements. Due to the historic subdivision pattern of the neighborhood, the lot does not meet the current minimum lot area or setback requirements of the zoning ordinance. These dimensional constraints are inherent to the property and are not the result of any action by the current applicant.

Because the parcel is already established as a separate tax lot and surrounded by existing development, there is no feasible way to enlarge the property or otherwise meet the zoning requirements without obtaining relief from the Zoning Board of Appeals.

Title History and Ownership

A review of the title report submitted as part of this application confirms the chain of title and ownership history of the subject property. The title report indicates that the property is located at 92 Linden Avenue, Middletown, New York, and that title to the property was vested in Elvis Mrkulic and Eldina Mrkulic by deed from 92-94 Linden Ave LLC dated July 31, 2023 and recorded in the Orange County Clerk's Office.

Importantly, the title documentation reflects that the current owner acquired the property independently and did not own the adjoining parcel that had previously been included in an earlier transaction involving a larger property. The subject lot therefore exists as a separate and distinct parcel, and its present configuration was not created by the current applicant.

This information demonstrates that the lot's dimensional limitations are not self-created by the current owner, but rather are the result of prior conveyances and historic lot configurations. The applicant simply purchased an existing lot of record and seeks the necessary variances in order to make reasonable residential use of the property.

Response to Prior ZBA Findings

The prior Zoning Board determination raised several concerns regarding the requested variances. The applicant respectfully provides the following clarification.

Allegation of Self-Created Hardship

The previous decision suggested that the hardship may have been self-created because the applicant purchased the lot with knowledge of its nonconforming condition. However, under New York land use law, the mere purchase of a substandard lot does not in itself constitute a self-created hardship that precludes the granting of an area variance.

The applicant purchased a legally existing lot of record that has historically been recognized as a separate parcel. The applicant did not subdivide the property nor create the nonconforming condition. The dimensional constraints are therefore inherent to the property itself.

Neighborhood Character

The prior findings suggested that development of the lot would be out of character with the surrounding neighborhood. However, the surrounding block contains numerous residential structures on similarly sized parcels. The proposed single-family residence will be consistent with the residential nature of the neighborhood and will not introduce any incompatible use.

In fact, developing the vacant lot with a well-designed residence will improve the appearance of the property and enhance the overall character of the block.

Size of Variance

While the requested relief appears significant when expressed numerically, it must be evaluated within the context of the existing development pattern along Linden Avenue. The neighborhood was developed long before the adoption of modern zoning standards, and many homes were constructed with setbacks and lot areas similar to those proposed here.

Accordingly, the requested variances represent the minimum relief necessary to allow the reasonable use of this existing parcel.

Drainage and Environmental Impacts

The development of a single-family residence on the property will not create any significant adverse environmental impact. Any grading, drainage, or stormwater management requirements will be addressed through the building permit and engineering review process.

Standard construction practices will ensure that stormwater runoff is properly managed and that the development complies with all applicable municipal and state regulations.

Parking Concerns

The proposed residence will include off-street parking consistent with residential zoning requirements. A single-family dwelling generates significantly less traffic and parking demand than many other permitted uses within residential zoning districts. Therefore, the project will not create parking impacts for the surrounding neighborhood.

Viability of the Proposed Project

The denial findings issued previously acknowledged that the applicant intends to construct a single-family residence on the lot and that the surrounding area contains a mix of residential uses. The applicant has provided supporting documentation demonstrating that the proposed project is feasible and can be constructed in compliance with applicable building codes and engineering standards.

The requested variances represent the minimum relief necessary to allow reasonable use of the property. The project has been designed to fit within the constraints of the lot while maintaining appropriate building placement, access, and drainage considerations. The proposed home will not create adverse environmental impacts, and any stormwater or grading concerns can be addressed through the building permit review process.

Balancing Test Considerations

When considering the statutory balancing test for area variances, the following factors support approval:

1. No Undesirable Change in Neighborhood Character
The proposed single-family residence is consistent with surrounding residential uses and will maintain the existing character of the neighborhood.
2. No Feasible Alternative
Due to the size and configuration of the lot, there is no reasonable way to develop the property without the requested variances.

3. Variance is Not Substantial in Context

While the requested relief is numerical in nature, it is consistent with the development pattern of nearby properties that have similar lot sizes and setbacks.

4. No Adverse Environmental or Physical Impact

The proposed development will be constructed in accordance with applicable engineering standards and will not create adverse drainage, traffic, or environmental impacts.

5. Hardship is Not Self-Created

The lot is a pre-existing nonconforming parcel and its limitations were not created by the current owner.

Conclusion

The requested variances represent the minimum relief necessary to allow the reasonable development of a long-standing vacant lot within an established residential neighborhood. The proposed single-family home is consistent with the character of the surrounding area and will not create any adverse impacts to neighboring properties or the community.

For the reasons outlined above, the applicant respectfully requests that the Zoning Board of Appeals grant the requested area variances to permit construction of the proposed single-family residence at 92 Linden Avenue.

Very Truly Yours,



Alfred A. Fusco, Jr., P.E.

Fusco Engineering & Land Surveying, DPC