

PB# 87-1

The Family Laundromat

61-1-18

THE FAMILY LAUNDROMAT 87-1

Andrew & Wanda Herina

Approved 6-24-87

General Receipt

8537

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

January 7, 1987

Received of The Family Boardroom \$ 50.00

Fifty and 00/100 DOLLARS

For Application Fee (#87-1)

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1230		50.00

By Pauline B. Townsend *pt*

Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

Oxford®

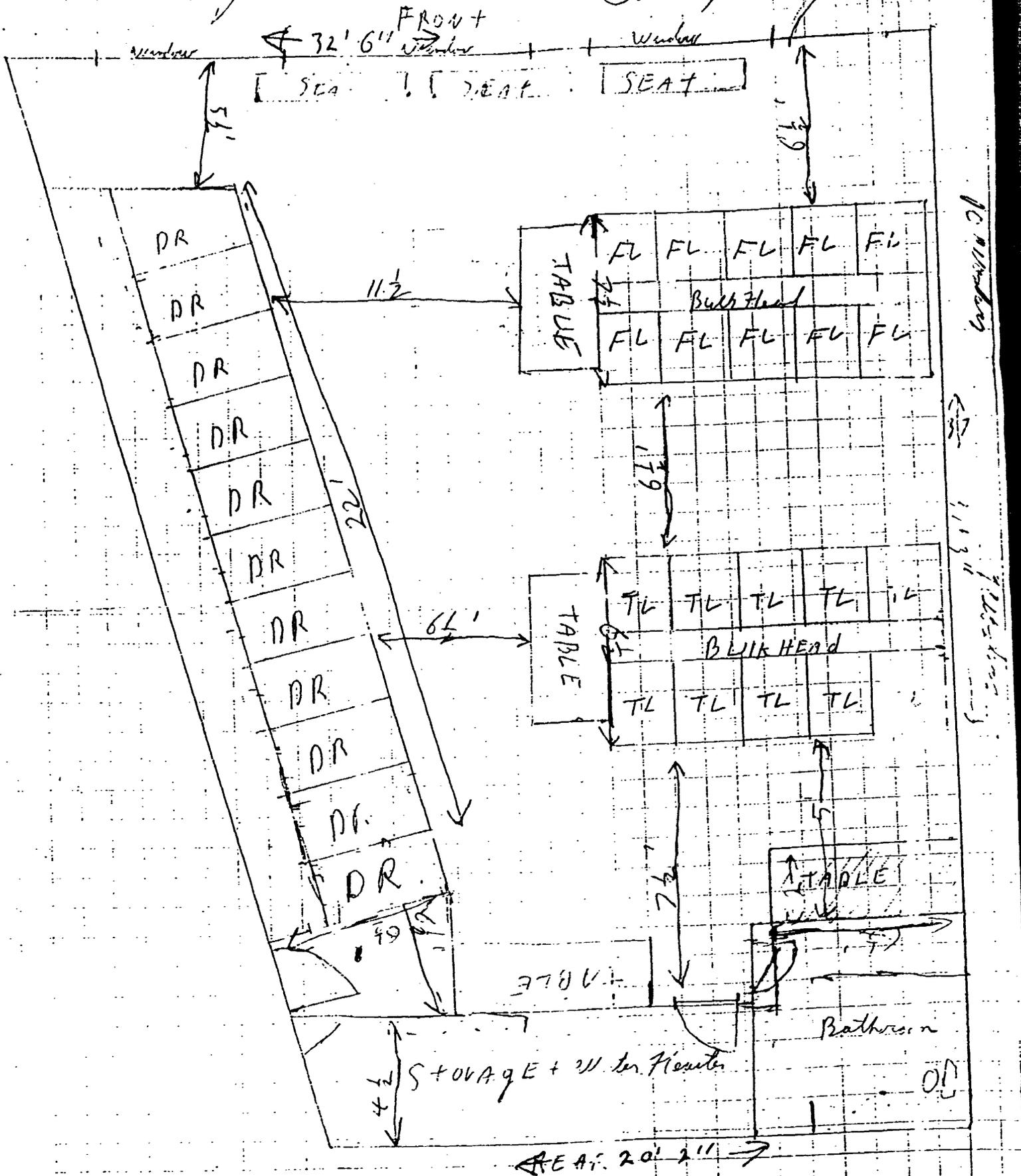
ESSELTE

MADE IN U.S.A.

NO. 752 1/3

The Family Luncheon

Orly Hising

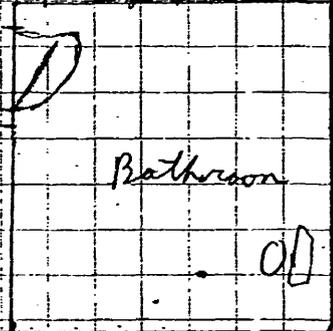
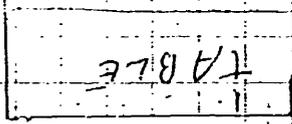
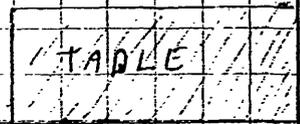
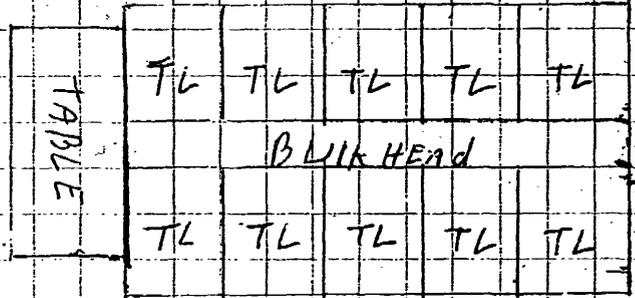
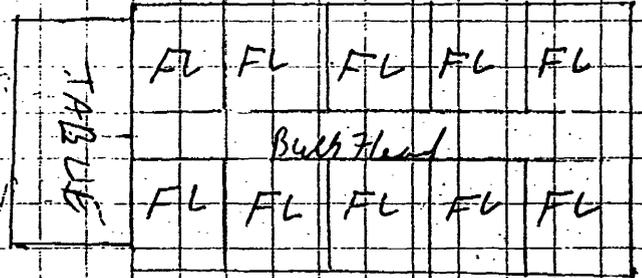
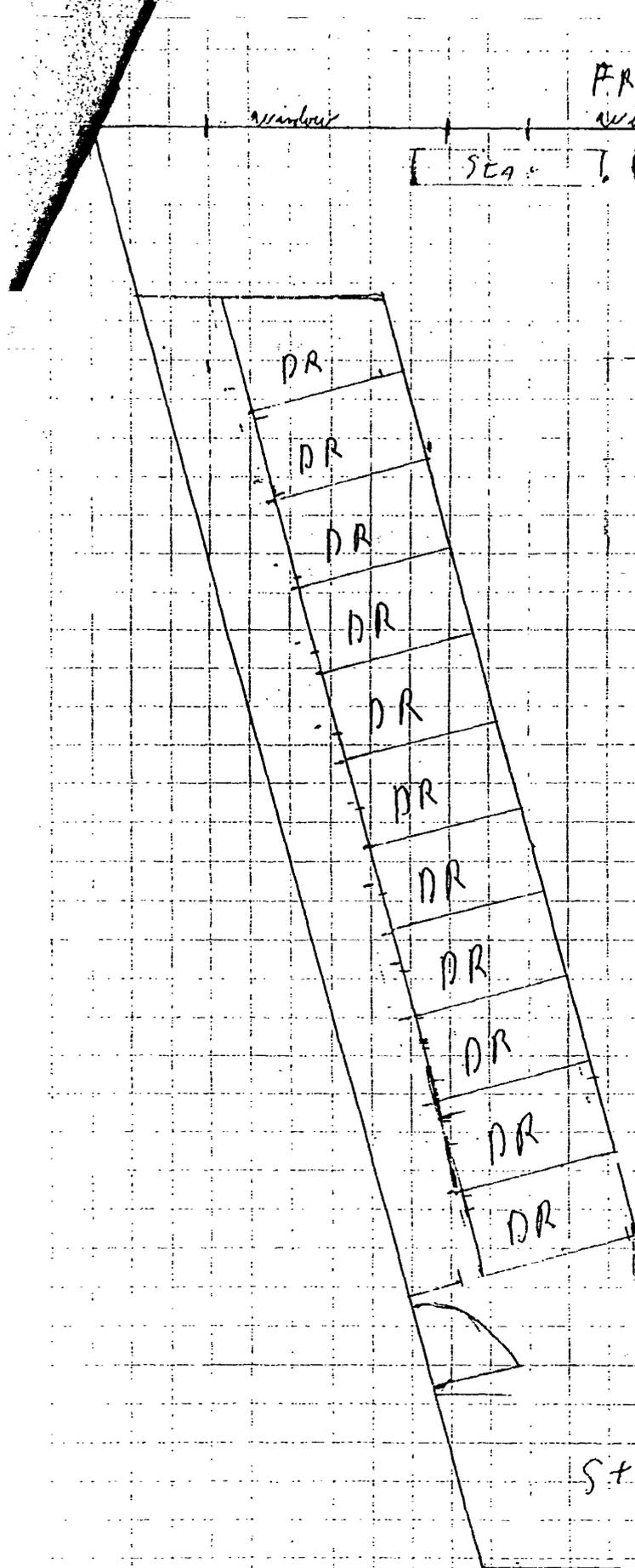


Window

FRONT
Window

Window

SEAT SEAT SEAT



STORAGE + water Heater

REAR

TOWN OF NEW WINDSOR
PLANNING BOARD

APPLICATION FOR SPECIAL PERMIT

DATE: 12/22/86

I. Applicant Information:

- (a) Andrew and Wanda Herina, 117 Coach La, Newburgh, NY 564-4813
(Name, address and phone# of Applicant) (Owner)
- (b) Andrew and Wanda Herina, 117 Coach La, Newburgh, NY 564-4813
(Name, address and phone# of purchaser or lessee)
- (c) Al Cavalari P.O. Box 276, Vails Gate, NY 12584
(Name, address and phone# of attorney)
- (d) Exurban Realty 614 Little Britain Rd, New Windsor, NY 12550
(Name, address and phone# of broker)

II. Describe proposed use in detail: Laundromat: Chemicals &

detergents to be used as as follow: Cheer, Tide, Clorax II
and other ^{ORDINARY} household cleaners.

III. Property Information:

- (a) NC 624 Little Britain Rdm New Windsor, NY 1.5 Acre
(Zone) (Address) (S B L) (Lot size)
- (b) Is the proposed use in or adjacent to a Residential District? NO
- (c) Is a pending sale or lease subject to Planning Board approval of this application? Yes
- (d) When was property purchased by present owner? 1/15/86
- (e) Has property been subdivided previously? NO When? _____
- (f) Has property been subject of special permit previously? NO . When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

- IV. Attach a proposed plan showing the size and Location of the Lot and Location of all buildings and proposed facilities, including access drives, parking areas and all Streets within 200 feet of the Lot.

Note: You will be scheduled for one or more preliminary reviews and then a public hearing on your application.

PREMISES, LOCATIONS, BUSINESS OF NAMED
INSURED AND SCHEDULE OF
COVERAGES FOR PREMISES (CONTINUED)

LOCATION 002 BUILDING 001
624 LITTLE BRITAIN ROAD
NEWBURGH GARDENS, NY. 12550.

COIN-OPERATED LAUNDRIES AND DRY CLEANING (SELF-SERVICE-ATTENDED)

SECTION I - BUILDING, BUSINESS PERSONAL PROPERTY
AND MONEY AND SECURITIES

DEDUCTIBLE: \$250

COVERAGE A - BUILDING

NOT APPLICABLE

COVERAGE B - BUSINESS PERSONAL
PROPERTY

LIMIT OF LIABILITY: \$57,900
REPLACEMENT COST COVERAGE APPLIES

PERSONAL PROPERTY OF OTHERS

NOT APPLICABLE

COVERAGE C - MONEY AND SECURITIES

LIMIT OF LIABILITY: \$10,000 ON PREMISES
\$2,000 OFF PREMISES

SECTION II - COMPREHENSIVE BUSINESS LIABILITY COVERAGE

COVERAGE D - BUSINESS LIABILITY

LIMIT OF LIABILITY: \$1,000,000 EACH OCCURRENCE

THE LIMIT OF LIABILITY, FOR COVERAGE D, WITH RESPECT TO THE
COMPLETED OPERATIONS AND PRODUCT HAZARDS COMBINED IS AN
AGGREGATE LIMIT FOR ALL OCCURRENCES DURING THE POLICY PERIOD.

PREMISES, LOCATIONS, BUSINESSES OF NAMED
INSURED AND SCHEDULE OF
COVERAGES FOR PREMISES (CONTINUED)

ADVERTISING INJURY LIABILITY

LIMIT OF LIABILITY: \$100,000 AGGREGATE

FIRE LEGAL LIABILITY

LIMIT OF LIABILITY: \$300,000 EACH OCCURRENCE

COVERAGES - MEDICAL PAYMENTS

LIMIT OF LIABILITY: \$5,000 EACH PERSON
\$10,000 EACH ACCIDENT

COPY

FORMS AND ENDORSEMENTS MADE PART OF
THIS POLICY AT TIME OF ISSUE:

- | | | | |
|---------|----------|----------|----------|
| SP-4-2 | SP-143-0 | SP-26-0 | G-2905-0 |
| SP-66-4 | SP-150-0 | SP-151-0 | |
- G-2240-3B FIRE DISTRICT FOR LOCATION #2 BUILDING #1

COPY

4000738

THE NEW YORK BOARD OF FIRE UNDERWRITERS

BUREAU OF ELECTRICITY
41 STATE STREET, ALBANY, NEW YORK 12207

Application No. on file 005396-87

A 686792

Date June 9, 1987

THIS CERTIFIES THAT

only the electrical equipment as described below and introduced by the applicant named on the above application number in the premises of

Family Laundramat, 614 Little Britian Rd., New Windsor, NY

in the following location: Basement 1st Fl. 2nd Fl. outside Section Block Lot

was examined on and found to be in compliance with the requirements of this Board

FIXTURE OUTLETS		RECEPTACLES	SWITCHES		FIXTURES		RANGES		COOKING DECKS		OVENS		DISH WASHERS		EXHAUST FANS																				
AMT.	K.W.		INCANDESCENT	FLUORESCENT	AMT.	K.W.	AMT.	K.W.	AMT.	K.W.	AMT.	K.W.	AMT.	K.W.	AMT.	H.P.																			
18		7		1		17										1	1/2																		
DRYERS		FURNACE MOTORS			FUTURE APPLIANCE FEEDERS			SPECIAL REC'PT.		TIME CLOCKS		BELL TRANS.	UNIT HEATERS		MULTI-OUTLET SYSTEMS		DIMMERS																		
AMT.	K.W.	OIL	K.P.	GAS	H.P.	AMT.	NO.	A.W.G.	AMT.	AMPS.	AMT.	AMPS.	AMT.	H.P.	NO. OF FEET	AMT.	WATTS																		
				3	5/8																														
SERVICE DISCONNECT				NO. OF METER BOUPE				S				E				N				V				I				C				E			
AMT.	AMP.	TYPE		# 2W	# 3W	# 3W	# 4W	NO. OF CC. COND. PER #	A.W.G. OF CC. COND.	NO. OF H-LEG	A.W.G. OF H-LEG	NO. OF NEUTRALS	A.W.G. OF NEUTRAL																						
1	200	cb	1				x	1	3/0			1	2/0																						

OTHER APPARATUS:

- 2-paddle fans
- 2-exit lights
- 1-emergency light
- 1-gfci
- 1-smoke detector

Duffie Electric
PO Box 3312
Newburgh, New York 12550



M. J. Lambing

BRANCH MANAGER

Per *CB*

This certificate must not be altered in any manner; return to the office of the Board if incorrect. Inspectors may be identified by their credentials.

COPY

565-8808

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

565-8802



1763

December 10, 1986

Mr. Andy Herina
117 Coach Lane
Newburgh, N.Y. 12550

Dear Mr. Herina:

RE: 3-1-33.2

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$35.00, minus your deposit of \$25.00, balance due \$10.00. Please remit same to the Town Clerk, Town of New Windsor, New York.

Very truly yours,

Christian E. Jahrling
CHRISTIAN E. JAHRLING, TAO
Sole Assessor

CEJ/jvv

COPY

Metropolitan Transportation Authority
1700 Broadway
New York, N.Y.

*NYC
(212-330-3321)
Phone*

10019

✓ (212-330-3321) → Info. for *ve trip*
Angelo N. & Micheline R. Sakadelis

✓ 448 Broadway
Newburgh, N.Y. 12550

Victoria Filladitis
% Stephen Sakadelas
✓ 87 S. William Street
Newburgh, N.Y. 12550

V.S. H. Realty Inc.
✓ 777 Dedham Street
Canton, Mass. 02021

Donald & Patricia MacInnes
& Robert Stradder
✓ 30 Maple Lane
Monroe, N.Y. 10950

Six Fourteen Britain Ltd.
614 Little Britain Road
✓ New Windsor, N.Y. 12550

Silver Stream Inc.
✓ 614 Little Britain Road
New Windsor, N.Y. 12550

Vails Gate Fire Company Inc.
✓ Route 94
New Windsor, N.Y. 12550

MPG Realty Assoc. Inc.
% Petroleum Marketers, Inc.
50 Prospect Street
✓ Poughkeepsie, N.Y. 12601

✓ Modesto & Gloria Torres Jr.
635 C Little Britain Road
New Windsor, N.Y. 12550

✓ Frank & Catherine S. Sladeski
635 Little Britain Road
New Windsor, N.Y. 12550

✓ Frank & Rose Bivona
633 Little Britain Road
Newburgh, N.Y. 12550

✓ Fred & Mary F. Anderson
625 Little Britain Road
Newburgh, N.Y. 12550

also on back page

COPY

John J. & Helen F. , John Jr.
& Helen G. Rueckert Sr.
615 Little Britain Road
New Windsor, N.Y. 12550

John Hur
35 Commodore Road
Chappaque, N.Y. 10514

Henry & Valerie Buckley,
John & Janice Steele
12 O'Dell Street
Newburgh, N.Y. 12550

Daniel & Linda M. Frank
613 Little Britain Road
New Windsor, N.Y. 12550

Vincent & Jean Minuta
607 Little Britain Road
New Windsor, N.Y. 12550

Vincent & Jean Minuta
607 Little Britain Road
New Windsor, N.Y. 12550

Fred R. & Mary F. Anderson
625 Little Britain Road
Newburgh, N.Y. 12550

another page

John J. & Helen F. Rueckert Sr.
125 BRITAIN RD, NEW WINDSOR, NY 12550
ASSESSOR

State of New York
County of Orange, ss:

Everett W. Smith, being duly sworn
disposes and says that he is
Publisher of the E.W. Smith
Publishing Company, Inc. publisher
of The Sentinel, a weekly newspaper
published and of general circulation
in the Town of New Windsor, and that
the notice of which the annexed is
a true copy was published once

in said newspaper, commencing on
the 4th day of June A.D., 1987
and ending on the 4th day of June
A.D. 1987

Everett W. Smith

Subscribed and shown to before me
this 4th day of June, 1987.

Patricia Moore

Notary Public of the State of New York
County of Orange.

My commission expires 7/31/88

PATRICIA A. MOORE
Notary Public, State of New York
Qualified in Orange County,
No. 4814759
Commission Expires July 31, 1988

NOTICE IS HERBY GIVEN
that the **PLANNING BOARD** of
the **TOWN OF NEW WINDSOR**,
County of Orange, State of New
York, will hold a **PUBLIC**
HEARING at Town Hall, 555
Union Avenue, New Windsor,
New York on June 24, 1987 at
7:30 p.m. on the approval of the
proposed **LAUNDROMAT** (Sub-
division of Lands) (Site Plan) of
STEWART MALL located Rt.
207 New Windsor, New York
12550. Map of the Subdivision of
Lands (Site Plan) on file and
open for inspection in the Town
clerk's office, Town Hall, 555
Union Avenue, New Windsor,
N.Y. prior to the Public Hearing.
Dated: June 1, 1987
By Order of
Town of New Windsor
Planning Board
Henry F. Scheible
Chairman

AFFIDAVIT OF MAILING

STATE OF NEW YORK
 COUNTY OF ORANGE
 TOWN OF NEW WINDSOR

SS:

Wanda Herma BEING DULY SWORN,
 deposes and says, I am a resident of 117 Coach Ln, Newburgh N.Y.
 and that on the 8 day of

June 1987 I mailed the annexed Notice of Public Hearing to each of the parties hereinafter named by depositing in a United States Post Office or official depository at New Windsor N.Y. a true copy of said notice, each properly enclosed in a securely sealed, post-paid wrapper, marked "CERTIFIED MAIL, RETURN RECEIPT REQUESTED", directed respectively to each of the following parties at the address set opposite their names:

NAME	ADDRESS
x. Metropolitan Transp. Auth.	1700 Broadway, N.Y. N.Y.
2. Angelo + Michelle Sabatella	4418 Bush, 7736 NY
3. Victoria + Vladits + Stephen Sabatella	1875 Wm St, 7736 NY
4. U.S.H. Realty Inc.	777 Dedham St, Canton, Mass
5. Don + Patricia Macchini + Robert Shadder	30 Maple St, Monroe, NY
6. Mrs. Barbara Burtian LTD	614 Little Britain Rd, New Windsor, NY
7. Silver Stream Inc.	614 Little Britain Rd, New Windsor, NY
8. Vails + Satisfull Inc.	Rt 94, New Windsor, NY
9. M.P.C. Realty Corp. Inc.	1061 + 1062 Market St, Chesapeake, Bay, NY
10. M. L. + H. + Maria Tarres	635 C. Little Britain Rd, New Windsor, NY
11. John + Catherine + Vladits	635 Little Britain Rd, Newburgh, NY
12. John + Rose Sivona	633 Little Britain Rd, Newburgh, NY
13. John + Mary Anderson	625 Little Britain Rd, Newburgh, NY
14. John + Helen	35 Commodore Rd, Chesapeake, NY
15. Henry + Valerie + Evelyn + John + Grace + Stull	12 Beech Street, 7736 NY
✓ DeWitt + Linda M O'Hara	613 Little Britain Rd, New Windsor, NY

Sworn before me this

Signed

22 day of June 1987

Wanda Herma

Notary Public **ALFRED F. CAVALARI**
 Notary Public in the State of New York
 Residing in and for Orange County
 Commission Expires Oct. 30, 1987

✓ Vincent + Jean Minuta
 ✓ John + Helen + John + Helen + Helen + Robert
 615 Little Britain Rd, New Windsor, NY

TOWN OF NEW WINDSOR PLANNING BOARD
TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

JUNE 24, 1987

BOARD MEMBERS PRESENT: HENRY SCHEIBLE, CHAIRMAN
LAWRENCE JONES
HENRY VAN LEEUWEN
DANIEL MC CARVILLE
RON LANDER
CARL SCHEIFER, (arriving late)
HENRY REYNS

OTHERS PRESENT: JOSEPH RONES, PLANNING BOARD ATTORNEY
MARK EDALL, PLANNING BOARD ENGINEER
FRANCES ROTH, SECRETARY

Mr. Scheible called the regular meeting to order.

Mr. Scheible asked if there were any additions or corrections to last month's minutes. It was decided by the Board to table the approval of last month's minutes until next month's meeting.

PUBLIC HEARING - FAMILY LAUNDROMAT (87-72)

Alfred Cavalari, Esq., came before the Board representing this proposal.

Mr. Cavalari: I have the Affidavit of Mailing, Affidavit of Publication and return receipts together with the underwriters certificate and I took about 7 or 8 photos of the laundromat.

Mr. Scheible read the notice of public hearing.

Mr. Cavalari: We think we have complied with all of the regulations of the Town we have worked very hard on it with you and we are quite anxious to open up so we can start doing business. We'd be glad to answer any questions that the Board members have if there are any.

Mr. Reys: I think since this is a public hearing you ought to tell the public just what size it is and what units and so forth.

Mr. Cavalari: How many units? This is a laudromat operation with 11 dryers and 19 washers. It is self-operating, the size of the store is approximately 1100 square feet located on Route 207 in Stewart Mall I believe it is called and everybody is up to date and ready to go.

Mr. Scheible: Do you have any comments Mike?

Mr. Babcock: No comments.

Mr. Edsall: No comments.

Mr. Babcock: There was some questions as to how the regulating of the waste water would be handled as far as the meters, since it is not a Town water system.

Mr. Scheible: Has that been taken care of Mark?

Mr. Edsall: I think Mike can answer that.

Mr. Babcock: What questions I have been asking and what information has been supplied to me is that the sewer points and sewer charges are based on the amount of water that is metered. Usually a laundromat is on a central water system his is on his own private system so something has to be worked out of how he is going to be paying his sewer points and the Town Board is well aware of it as myself and the now there is no answer as of yet. I think what we are going to have to do is get Mr. Herina and meet with the Town Board and discuss the way that that is going to be charged. I am sure that can be worked out.

Mr. Cavalari: I understand the question, we will abide by whatever the rates are that the Town prescribes.

Mr. Scheible: The Town Board is addressing the issue.

Mr. Cavalari: I suppose that is a Town Board issue.

Mr. Scheible: I want to make one note when did you close the business down the last date that you ceased doing business?

Mr. Herina: Ten days ago.

Mr. Scheible: It would have been approximately when?

Mr. Herina: A Sunday.

Mr. Cavalari: We were closed for a two week period prior to that also. When the communications gap occurred as I understand the intention being to comply with this what was required and that is why we have done that. We have tried hard and of course we are a small business people and trying we have an investment but we do have an understanding that we want to comply with the Town Board requirements.

Mr. Scheible: That was seemed to have been overlooked by the applicant since the very beginning complying with the Town Board.

Mr. Cavalari: As I gather there might have been communications gap certainly was no intent other than that but in the dynamics and pressures of doing things and investing and so on the cart might have gotten slightly before the horse depending on what was understood or misunderstood I hope the Board will now see we are in compliance and there was no intent no one ever understood you could operate without permits there was a discussion there that gave rise to what occurred.

Mr. Van Leeuwen: I can shed some light on this. Mr. Herina came to me on Saturday morning before I closed and I told him no under certain terms that he should close it.

Mr. Scheible: The applicant was told quite a while ago he shouldn't be operating and he continued to be operating he shouldn't have gone to a Board member and asked if he should operate or not that is not the case here.

Mr. Van Leeuwen: I have known Andy for many years he stopped in and asked me advice and I told him to close it.

Mr. Cavalari: We have been closed for approximately three weeks all total but again I hope that the Board won't take that and construe it in any matter than a misunderstanding because I am sure that is what it was.

Mr. Scheible: Is there any further questions from the Board.

Ms. Viola Steffel: I live on 50 Continental Drive New Windsor. If this is passed I am a laundramat owner myself if this thing goes through does that mean I am not going to have to get charged for consumption because mine alone is \$732.11 every three months for my O and M not including my water. Just my O and M and since he is on a well there is no telling how much water he is going to be consuming.

Mr. Scheible: That is being determined and the Town Board has not determined how they are going to rate this yet at the amount of water he is using. Right now the amount of outflow.

Ms. Steffel: Are they going to change the code because it is going to take a change of the code to do it as far as I understand I checked some of the records and I cannot find a C.O. for the main building. What they are doing is they are giving a building permit and everybody is getting a C.O. under the main building, it is all the stores, there is also a dry cleaner that should have a special permit and does not have it as far as I can find it. But the main building does not have a C. O. neither does the Home Town Cleaners have a special permit.

Mr. Babcock: The way it works is when you get a building permit for the entire building as the stores are finished individuals get a C. O. There is no one C. O. for the whole building. If a business comes in and there is no renovations needed to that store they just walk in the door and use it they just occupy with that C. O. If there is renovations like Herina's where he had to do plumbing he must obtain a building permit to do it and he gets issued a separate C. O. on the building as far as the answer of Home Town Cleaners that is not a cleaning business there it is a drop off.

Ms. Steffel: Would you check the code because it doesn't say it says drop off dry cleaning.

Mr. Cavalari: We don't know anything about Home Town Cleaners and we wouldn't want to get in any side wash or the ramifications of that.

Mr. Babcock: They apply for a building permit and I denied it on the basis they needed special permit and they were handled by the Zoning Board.

Ms. Steffel: They got a C. O.

Mr. Babcock: When it went to the Zoning Board of Appeals since it was just a drop off there was no need for a special permit they are just dropping clothes off somebody is taking them from there to another laundromat to have them done.

Ms. Steffel: That is not what your code says.

Mr. Roncs: Apparently the building inspector is telling us that the Zoning Board of Appeals already entertained it.

Mr. Scheible: I don't think it is germane to this public hearing.

Ms. Steffel: Could you read it?

Mr. Roncs: It says dry cleaning for pick up and delivery, only uses by special permit of the Planning Board or Town Board.

Ms. Steffel: Thank you.

Mr. Roncs: That is a new ordinance.

Mr. Edsall: One other note when it does go to the Town Board as far as the method used to meter the water use you can put a meter on a well discharge if the Town Board so desired it could be metered that way with a Town meter that is sealed. It is not a non-solveable item.

Mr. Babcock: Can we ask if we are, or he is willing to do that? Would you have any objection to putting a meter on your well?

Mr. Cavalari: We understand the water department was there and intends to put a meter there.

Mr. Babcock: Ok.

Mr. Herina: As long as it doesn't restrict the flow of the water.

Mr. Mc Carville: It does not.

Mr. Scheible: Hearing no further comments, I will close the public hearing.

Mr. Cavalari: What would be the procedure now that the matter is submitted to the Board do we know when we can expect the decision?

Mr. Scheible: There will be a decision made at the end of this meeting.

Mr. Cavalari: Then we'd be advised how? How can we find out what it is was?

Mr. Scheible: You can call the building inspector's office tomorrow and he can give the answer.

Mr. Cavalari: Thank you.

PUBLIC HEARING - LIBERTY MEADOWS SUBDIVISION (86-88)

Mr. Scheible: Years ago Macdonalds was looking to another entrance to go into the back of their establishment and at that time we approved subject to DOT approval but they turned them down so they never got approval and they have a road coming off Route 94 going down to a little area which I believe they are using for employee's parking lot.

Mr. Van Leeuwen: I think they should be sent a letter stating this was denied and it should be closed off.

Mr. Babcock: I have been approached by the people preparing the plan for Mac Donalds they are well aware of that entrance there they also want to continue that entrance into MacDonalds and they want to rent some property from Mobil and extend their parking lot on to the Mobil side. They are aware that they have been turned down by DOT so I am sure they are going to go talk to DOT before they submit a new plan.

Mr. Mc Carville: The problem with that being an access to MacDonalds can you imagine someone coming across Route 300 and trying to make a left with the traffic light there?

Mr. Scheible: That is why the DOT turned it down to begin with. The playground area that sits in front of MacDonalds.

Mr. Scheifer: We approved it but we feel it is a dangerous situation, but what can you do they have formal approval to build the playground there. Can we do anything about it?

Mr. Rones: No.

Mr. Mc Carville: We can insist on a guardrail in front of it I am sure.

Mr. Rones: Do they have a guardrail in the plans?

Mr. Scheifer: No.

Mr. Van Leeuwen: If a truck came down the hill and couldn't stop it would go right through the playground.

Mr. Scheible: We will bring them in and I am sure they will comply to what we would like to see.

Mr. Edsall: Maybe the Board could contact MacDonalds and indicate that they understand that there is plans in the works and you have some concerns and suggestions for a pre-subconference especially held so that maybe before they spend the money and get all the maps worked on and everybody necessary going maybe you can give them some ideas and maybe they can build it right into the new site plan.

REGIONS - FAMILY LAUNDROMAT

Mr. Mc Carville: Apparently it was an oversight in establishing the ordinance with the meters and didn't anticipate laundromat on a well and I think we should have some pretty firm direction that the Town Board is going to be able to

address that.

Mr. Jones: They can put a meter on the water to get a reading to guarantee the points you have to pay for sewage charges.

Mr. Scheible: I'd like to see the meter in before he is in business.

Mr. Roncs: As far as the points getting charged we are not the tax collectors in this Town so I really don't see what that has to do with the deliberations. Mr. Edsall mentioned there is a potential here for excessive amounts of water being drawn from that well and it is something that might require a DEC permit. I think that what we should do and then of course exactly how the Town taxes them is up to the Town Board is that we should make the special permit conditional upon his attaching a suitable meter to his water source so that his water consumption can be monitored by the Town and that his water consumption can be reported to the Department of Environmental Conservation so the appropriate State regulations with respect to commercial use of this well can be complied with also. But beyond that it is up to some other agency to police his payment of taxes and his use of the water.

Mr. Mc Carville: I make a motion that the Town of New Windsor Planning Board approves the application of the Family Laundromat special use permit with the provisions that a water meter be installed before a C.O. is issued and that the consumption is recorded and reported to the Town of New Windsor Water Department and if necessary as determined by the Town engineer to the Department of Environmental Conservation every three months. Seconded by Mr. Schiefer.

ROLL CALL:	MR. JONES	AYE
	MR. REYNS	AYE
	MR. VAN LEEUWEN	AYE
	MR. MC CARVILLE	AYE
	MR. LANDER	AYE
	MR. SCHIEFER	AYE
	MR. SCHEIBLE	AYE

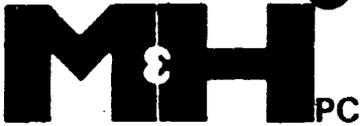
CORRESPONDENCE

Buhl - Rinaldi

Mr. Mc Carville: "That the Planning Board of the Town of New Windsor approve a six month extension to the preliminary approval with regard to Buhl-Rinaldi on Beattie Road, New Windsor." Seconded by Mr. Jones.

ROLL CALL:	MR. JONES	AYE
	MR. REYNS	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWEN	AYE
	MR. LANDER	AYE
	MR. SCHIEFER	AYE
	MR. SCHEIBLE	AYE

Being that there was no further business to come before the Board a motion was made to adjourn the June 24, 1987 meeting of the Town of New Windsor Planning



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
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RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

26 June 1987

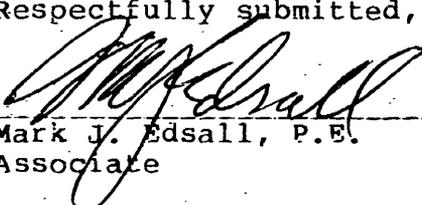
MEMORANDUM

TO: HENRY SCHEIBLE, PLANNING BOARD CHAIRPERSON
FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER
SUBJECT: FAMILY LAUNDROMAT (87-1)

Pursuant to the Planning Board request of 24 June 1987, I contacted Mr. William Steidle of the New York State Department of Environmental Conservation to clarify whether the Family Laundromat required a Water Taking Permit from the D.E.C. for their well utilized for the laundromat operations. Such permit, if necessary, would be pursuant to Article 15, Title 15 of the Environmental Conservation Law. A review with Mr. Steidle of the situation concluded that a permit was not required since the operation did not sell the water as part of a water supply system. The bulk use of water for the sale of laundromat services does not constitute the sale of water. Therefore, based on the above, the laundromat need not apply for a permit nor need report their water usage to the D.E.C.

If you should have any questions concerning the above, please do not hesitate to contact the undersigned.

Respectfully submitted,


Mark J. Edsall, P.E.
Associate

MJEnjE

PLANNING BOARD

Received 6/26/87

ALFRED F. CAVALARI, P. C.

ATTORNEY AT LAW
POST OFFICE BOX 276
VAILS GATE, NEW YORK 12584

914-561-5969

June 25 1987

Michael Babcock, Building Inspector
Town of New Windsor
555 Union Avenue
New Windsor NY 12550

Re: Family Laundromat 87-1

Dear Mr. Babcock:

It is my understanding that the Planning Board approved the above special permit subject only to two items as follows:

1. That Mr. Edsall the consulting engineer check and see whether DEC approval was required. I spoke with Mr Edsall this morning who advises that has determined that it is not.
2. That arrangements be made for installing a meter to register the flow for computation of applicant's sewer charge. I respectfully question whether this is within the domain of a Planning Board function and suggest that it is really more of a revenue function. Nevertheless, applicant of course wishes to pay its proper charges for sewer use. I spoke with Town Comptroller, Reis who advises that he spoke with you this morning and that it was agreed that this condition would be resolved by having the water department install a meter which is agreeable to the applicant.

As stated at the hearing we are most anxious to open in view of applicant's investment and we would appreciate your assistance in issuing the C. O..

Thank you.

Yours truly,

AFC;PJ

ALFRED F. CAVALARI

cc: Lawrence Reis, Comptroller
Mark J Edsall PE, McGoey & Hauser
Chairman, New Windsor Planning Board
Mr and Mrs Andrew Herina

Mr. Loeb: I had hoped by the next time to have a more current report on the cemetery problem.

Mr. Reynolds: That was the reason I was proceeding at this speed because you are going to have to address that before we go any further.

Mr. Loeb: I agree. Thank you very much.

THE FAMILY LAUNDROMAT (87-4)

5/27/57

Mr. Herina came before the Board.

Mr. Herina: You requested one machine be removed and it was.

Mr. Reynolds: Are you in operation now?

Mr. Herina: No not for the last two weeks. As per your request.

Mr. Mc Carville: Have we scheduled the public hearing?

Mr. Reynolds: No but I think since everything was taken care of...

Mr. Babcock: Everything was taken care of.

Mr. Reynolds: Then we can proceed.

Mr. Babcock: There is some minor things that have to be taken care of but it is the landlord's responsibility.

Mr. Reynolds: The next step is a public hearing.

Mr. Babcock: Yes.

Mr. Van Leeuwen: Is everything satisfactory as far as you are concerned?

Mr. Babcock: Yes.

Mr. Mc Carville: "That the Planning Board of the Town of New Windsor set the Family Laundromat up for a public hearing." Seconded by Mr. Van Leeuwen.

Mr. Reynolds: We will set the date for the next meeting. What we are trying to do here is to give you all the help we possibly can your position is going to be to work. The building inspector will get all the specs on what to do on the public hearing and get it in the paper so you can be at the next meeting.

ROLL CALL:	MR. VAN LEEUWEN	AYE
	MR. JONES	AYE
	MR. LANDER	AYE
	MR. REYNS	AYE
	MR. MC CARVILLE	AYE

HUSTED - TOWNSEND - PURDY SUBDIVISION (86-81)

Mr. Van Leeuwen: Is that where the little barn is across from the stone house?

Mr. Grevas: Remember Buhls Bull Road subdivision that wraps around this.

Mr. Schiefer: The home on lot 1 that says proposed here you said it already under construction?

Mr. Grevas: Yes.

Mr. Mc Carville: Where is the perc test results?

Mr. Grevas: In the bottom left.

Mr. Reynolds: Regarding those perc tests you have them in very odd spots here you are not going to be putting your septic over this area, that is wet area.

Mr. Grevas: That is why the perc tests are where they are those are the dryer areas and they are the minimum separation from the stream we have to be 1 hundred feet away from the stream that is why the tests are here and we had to determine if we could get perc tests at those locations.

Mr. Scheible: I'd like to see buildable area, I think we are going to have to look at this. I see a stream running through the middle I'd like to see a buildable area where you'd be able to see where to put a house.

Mr. Grevas: OK.

Mr. Scheible: This stream is cutting a lot off your buildable area out there.

Mr. Grevas: As the house doesn't have to be 100 feet away, the sanitary system does.

Mr. Grevas: The lot number 3 we pump to the sanitary system from the house. That is uphill and believe it or not...

Mr. Van Leeuwen: I know the land and so does Hank buy I think we should go out and take a look at it.

Mr. Grevas: I will be glad to meet you out there any time.

Mr. Reynolds: There is no designated wetlands there?

Mr. Grevas: No at least not on the maps that I saw when I started the project. I will double check this before we go out.

Mr. Reynolds: Thank you.

THE BOARD OF SUPERVISORS (1)

Mr. Andy Herina came before the Board with a sketch plan of his proposal.

Mr. Herina: This is located on Route 207 in Exurban Realty property. I have a plan here, a layout of the floor plan of the mall we are the corner store in

this are which is a hallway through here parking in the back for 30 cars approximately and off 207.

Mr. Scheible: Mr. Herina how long have you ben in operation?

Mr. Herina: Five weeks.

Mr. Scheible: Where you not notified before you started your operation that you have to come in for a special permit for this type of operation in New Windsor?

Mr. Herina: I had come over here approximately the second week of January to apply for a permit to get it scheduled to the Town Board for a hearing I didn't hear anything up to three weeks ago I said I was going to continue to go in with the operation and I checked with the code to make sure nothing was done out of order. I had it inspected prior to the completion, it was inspected after it was completed, electrical inspector had approved everything up to code. I had to do everything what was required because I checked with the Town Building Department.

Mr. Scheible: Mr. Babcock is everything in compliance as far as you are concerned.

Mr. Babcock: We have limitations on the special permit that says 30 machines maximum and we stil didn't get to anything, tha is still not a clear statement.

Mr. Scheible: How many do we have here, 31?

Mr. Herina: For going into the mall like this this is a blow up, right here is an alleyway which is covered and you have a door that comes here I have front loading machiens on this side, ten of them, ten top loaders on this side I have my dryers along the back wall there is also an exit, here is a storage unit plus the heating facilities and a bathroom here and I have another storage area here. The entarnce and exit I felt were more than adequate for the square footage of the building.

Mr. Scheible: Mr. Edsall did you have any comments on this application?

Mr. Edsall: Only to the fact that I would think that the Town would want to have an accurate plan on record so that the building inspector and the fire inspector and all involved agencies could have recorded what plan was approved should any authorized changes be made in the future it would be something for them to look back on for recorded approvals but the layout as it was approved this year I am not quite sure that this would be what they want.

Mr. Scheible: I didn't think this is a properly filed map either do you think it is proper?

Mr. Edsall: I have no problem with the style but if it was noted as to what scale and was done a little cleaner so that we can have it as recorded drawing or plan we hve a distance from this point back off the building to the front of 37 fet across the front we are talking about 32 feet end runs 40 and it becomes 20 from one point to another if that is the form you are requiring.

Mr. Babcock: The isleways between the washers and dryers should be labeled.

Mr. Herina: You have six feet between this isle.

Mr. Edsall: It doesn't reflect that on the plan and it was done to the scale and the name of the facility if this got dropped out of the file we wouldn't know whose it was there is no name or date no scale shown I think if you prepared it in that manner there could be something that could be filed in the Town's record.

Mr. Herina: If you require I will redo it with size, I can do that if that is what you want.

Mr. Scheible: Yes that will be necessary for our file.

Mr. Herina: That is no problem.

Mr. Schiefer: You said we have given permission for 30 machines and there is 31 on the scale does anyone have a problem with that?

Mr. Van Leeuwen: I don't have a problem.

Mr. Schiefer: But I don't want to get hung up on that.

Mr. Babcock: It would be a problem in the book as far as zoning that is what it permits it is not up to the discretion of the Board.

Mr. Schiefer: You'd have to go to the Zoning Board of Appeals. You may have a potential problem you may have to to the ZBA.

Mr. Rones: If you want to have the 31 machines yu are going to have to get a variance before we have the permit.

Mr. Van Leeuwen: Do we have to have a public hearing on this?

Mr. Rones: Yes.

Mr. Van Leeuwen: I think we should set him up for a public hearing and have the building inspector go over and check it when he takes the machine out and give us a letter stating there are 30 machines there and we wil set up the public hearing.

Mr. Rones: Unless you want to go for a variance.

Mr. Scheible: We are going to have to forward him to the ZBA.

Mr. Van Leeuwen: He is going to have 2 to 3 months maybe four months in the meantime this is sitting there in violation.

Mr. Rones: Is this facility open?

Mr. Van Leeuwen: Yes. He has been coming in here since January.

Mr. Herina: I came here January 2 to apply and I haven't gotten any notice whatsoever. If I had not been able to get to the Town Board now I'd be paying rent for a year and have nothing coming in.

Mr. Van Leeuwen: Why don't we set you up for a public hearing after you take the machines out after the public hearing put it in and go for a variance.

Mr. Scheible: We will not set up a public hearing until I know the machine is out.

Mr. Herina: What I will do rather is shut the machine off?

Mr. Van Leeuwen: It has to come out.

Mr. Scheible: Have the machine removed and notify Mr. Babcock and he will go up there to inspect the situation and when it is removed we will go ahead and set up a public hearing.

Mr. Babcock: We should also have the new maps for the public hearing to scale.

Mr. Mc Carville: Has there been a C.O. issued?

Mr. Babcock: No, nor a building permit.

Mr. Van Leeuwen: He hasn't gotten a permit to operate this type of facility inside the store?

Mr. Reyns: Mr. Herina, who allowed you to go ahead on this?

Mr. Herina: I took it upon myself but Mr. Clark my landlord knew what I was doing. He said go ahead. He said how long before you get started you are going to have to go before the Town Board I am going to start and do it anyway because I am going to do everything by the code. So he said go ahead and do it.

Mr. Reyns: We have had a couple right across from Key Bank in they were up here four or five months before he was opened up he had to go through all the legal stuff step by step and it puts us in a very precarious position.

Mr. Mc Carville: Are there any solvents being used?

Mr. Herina: No just household things, no dry cleaning.

Mr. Mc Carville: Where are the meters located?

Mr. Herina: On the side.

Mr. Mc Carville: Is there protection, guardrails?

Mr. Herina: Yes, he has them on the other end. That is his responsibility.

Mr. Reyns: Have you had a fire inspection?

Mr. Herina: Yes.

Mr. Ronen: I'd suggest, there are a number of legal issues involved here I think it would be appropriate to have an executive session then maybe we might have some other questions of Mr. Herina and maybe we could come out and give Mr. Babcock some direction as to which way we are going to go.

Mr. Van Leeuwen: I move the Town of New Windsor Planning go to executive session on this issue. Seconded by Mr. Mc Carville and approved by the Board.

(The Board went into executive session)

Mr. Scheible: Our attorney has something to say.

Mr. Roncs: After listening to your statement and the facts and circumstances of your application it appears that there is reasonable grounds to believe you are willfully in violation of the zoning ordinance of the Town and that anything that you didn't have the necessary permit you have taken it upon yourself to open your business. The zoning inspector has issued you a violation and while we are sympathetic with your needs to conduct your business we can't overlook the fact it is operating at present in violation of the Town Ordinance. The Planning Board is going to direct the building inspector to continue to issue violations if you continue to remain in operation and these are punishable as criminal offenses under our law. We'd like to try to accommodate you by processing your application as quickly as possible it is necessary for you to have a public hearing. Our special permit application to get documentation into us that we need to support that application to have the fire inspector and the other necessary agencies give their reports to us so that we know everything is in order and compliance while that process is going on we would request first of all that you voluntarily cease operating your business immediately until we have had a chance to review your application over and after the public hearing if you don't do that we are going to have to pursue all of the remedies available. We prefer not to have to do that as we say we suggest that you voluntarily comply and cease your operation until you have had a chance to do it.

Mr. Herina: Is there any way I can remove the machine and still operate?

Mr. Roncs: The machine is just one aspect it being over the 30 that are allowed under the ordinance. It is the fact that without a C.O. without a required special permit and the steps that are necessary that you have operated your business we have required other people operating similar businesses to go through the processes that normal legal process and it is not fair to the safety of the Town or to these other businesses who have complied to give you, to allow you to operate when you are in violation of ordinance. It isn't anything personal but it is this Board's obligation to follow the law and we have to do it and I think that you would minimize whatever hardship you are going to have, you would minimize it by voluntarily cooperating and cease your operation until you have gone through the permit procedure. We will try and cooperate on our end and expedite things for you but we want you to cooperate at your end too.

Mr. Herina: I'd have to claim financial difficulty if I was to have to shut down so I would like to request I could stay in operation while we are in process I will do everything I can as soon as possible I will send the letters tomorrow.

Mr. Roncs: We can't allow you to do it we don't have the discretion to allow you to operate in violation of the law. I'd suggest that it is going to be more of a hardship to operate in violation of the law you are going to be exposing yourself to liability for fines and other disruptions and I'd really suggest that your best course of action would be to voluntarily cooperate.

Mr. Herina: OK. That is it. Thank you. I have the application here.

Mr. Scheible: Correct. Mike, do you want to come here and make sure everything is in order for your department?

Mr. Babcock: Yes.

Mr. Scheible: Everything is there that is necessary.

Mr. Babcock: This is the building permit to install the washers and dryers which he hasn't received yet until he gets the permit.

Mr. Ronas: You will get things coordinated as far as the first inspection.

Mr. Babcock: Yes.

Mr. Scheible: If you will come and see Mike Babcock he will help coordinate everything.

Mr. Herina: Thank you.

JAMES V. RINALDI SUBDIVISION

Mr. Lou Grevas came before the Board with the maps of his proposal.

Mr. Grevas: I have also brought for your information the original boundary survey we had for the site. This site was originally three parcels of land and you will notice that the original parcel division lines contained two building lots on the site, unfortunately at some point in time the property was combined into 1 parcel. It is my understanding that there was even a building permit issued at one time for the lot at the northerly end of the property which is still under construction until very very recently. What we are trying to do here is to put a division line between the building and in doing so we can't meet the zoning requirements simply because of where the buildings are and what the size of the parcel is so we need to get booted over to the Zoning Board of Appeals.

Mr. Van Leeuwen: Is there an existing lot today?

Mr. Grevas: No sir, well again this is the subdivision plan I brought in along to show you what the existing conditions were this was a three parcel deed.

Mr. Mc Carville: You want to make it two.

Mr. Grevas: We have to make it two because we don't have enough land for the three.

Mr. Schiefer: "That the Planning Board of the Town of New Windsor approve the two lot subdivision of James E. Rinaldi." Seconded by Mr. Van Leeuwen and approved by the Board.

Mr. Ronas: Either in the motion or as a side note to it if the Board could indicate its favor, disfavor or comments on the plan one way or another then the ZBA will have some input. There was another one of these that came up and there was forwarded a letter and there was a footnote that the Board would view it favorably if the Zoning Board granted the variance and they appreciated that

May 18, 1987

Andrew M. Herina
117 Coach Lane
Newburgh, NY 12550

DBA The Family Laundromat

The New Windsor Planning Board
Henry Scheibe Chairman

Dear Sir,

On May 13, 1987 at the planning board meeting I applied for a building permit for a laundromat to be located at The Stewart Mall on Rt. 207 in the Town of New Windsor. This laundromat has been in operation for five weeks. The planning board apparently felt that I had taken it upon myself to ignore the law and do as I pleased, so they ordered me to close the laundromat immediatly or criminal action would be brought against me. I would like to list the series of events that have occured since Nov. 1986. I hope this will convince the board that I did try to stay with in the realm of the law and protect my interest at the same time.

In the early part of Nov. my wife started making inquiries as to the procedures necessary to acquire the proper permits. She experienced a very uncooperative attitude among the staff at The Town Hall in New Windsor, particularly from Shirley Hassdenteufel. She refused to take the application from my wife and assured her that if we filed on 1/2/87 we would be at the top of the list. After several unsuccessful attempts to file this application which was of vital importance in order to attain an early date of the agenda, I finally got the application filed on Jan. 2, 1987, and I was told of a tentative date for a hearing no later than the beginning of February. I called the department in February and was told I was 3 weeks away from a hearing. At that point we felt quite confident that we were finally on our way, and notified the building inspector that we intended to start construction immediatly and requested building codes and regulations which I have followed to the letter. If we had been on the agenda in Feb. as we were assured we would not have this current problem.

We called the building department every 2 weeks and each time were assured in would be only 2 or 3 weeks more. Because of the information we were receiving early on we had already placed our orders to the various suppliers for equipment, estimates for plumbing, electrical work, etc. These orders had to be placed when they were because it took 6-8 weeks for the equipment to arrive for installation. All things were falling into place.

(2)

We had our loan from the bank, the equipment was in and ready to be installed but still no word from The Town of New Windsor as to as date for a hearing on our application. We phoned again and were still told 2 to 3 weeks. We were now in the month of April and still no date for the hearing.

Upon receiving a violation on 4/20/87 from the zoning inspector, which I answered personally, I was told my application was never on the agenda! I feel the inaccurate information I received as to my status on the agenda from the building department akkiwed me to proceed with confidence to install the laundry facility.

Other points of interest to the board may be as follows: Electrical work inspected and passed by the New York State electrical inspector, fire retardent sheetrock and paneling, private water supply, inspected by insurance company prior to issuance of 1 million dollar liability coverage plus balloon policy totaling 3 million dollars liability.

Under these circumstances I feel I have been unjustly treated in being ordered to close the laundromat or criminal action would be taken. I am requesting that you withdraw this order as it will cause a tremendous financial burden on me.

Another item needs to be brought to your attention. I seem to have left an impression with the planning board that Lester Clark had advised me to do what I wanted and not worry. That is not the case. I discussed my situation with Mr. Clark and his statement to me was "If you feel you can proceed and not have any problems down the road do so, but be sure." , and as I stated before, the information I received from the building department since January prompted me to do just that.

Very truly yours,

Andrew M. Herina

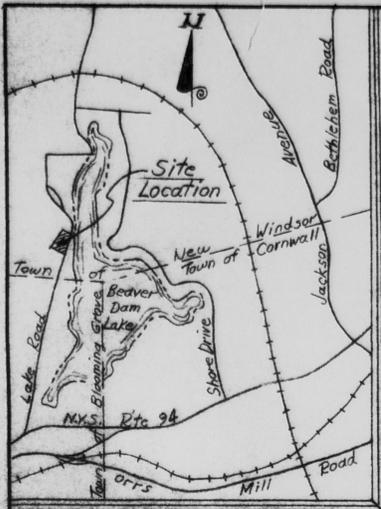
Andrew M. Herina

cc: A. Cavalari
Atty. at Law



STEWART MALL

RAHILL



Location Map:

Scale: 1" = 2,000'

Zoning District: R-3

Minimum Requirements

- Lot Area: 21,780 S.F.
- Lot Width: 100'
- Front Yard: 35'
- Side Yard: 15/30'
- Rear Yard: 40'
- Road Frontage: 60'

Lot Areas:

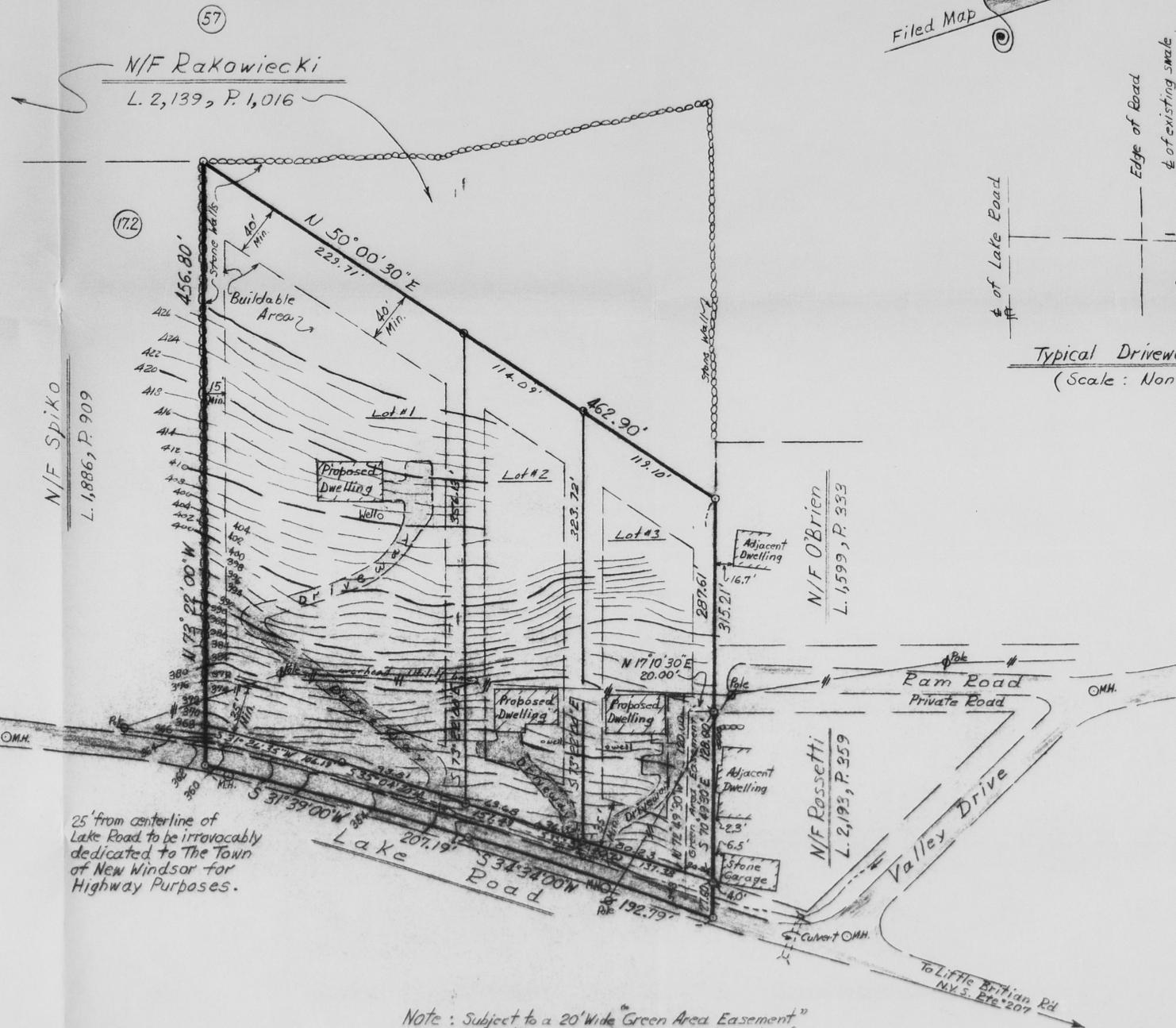
- Lot #1: 74,769 S.F. = 1.716 acres
- Lot #2: 32,386 S.F. = 0.744 acres
- Lot #3: 30,043 S.F. = 0.696 acres

Road Dedication: 10,685 S.F. = 0.245 acres

Total Parcel: 147,883 S.F. = 3.394 acres.

To Herbert J. Goodwin, Patricia A. Goodwin and The U.S.A. Title Insurance Corporation of New York, certified to be a correct and accurate survey.

Dated: July 14, 1986



25' from centerline of Lake Road to be irrevocably dedicated to The Town of New Windsor for Highway Purposes.

Note: Subject to a 20' Wide "Green Area Easement" Along the length of lands now or formerly of Rossetti, as shown. Lands now or formerly of Rossetti shall have rights of entry on the easement for purposes of maintenance and repair of the structures on the Rossetti lands. No structures or fences permanent or non-permanent, shall be erected within this easement.

Tax Map Data:

Section: 61
Block: 1
Lot: 18

Deed Reference:

Liber 2,539, Page 132

Map Reference:

"Map of Lands of Anna Johnson" dated: Nov 22, 1939
Filed: Jan. 31, 1940
Map # 1170
P/O Lot # 6

Notes:

1. Overhead Utility lines crossing the subdivided lands to be relocated along Lake Road.
2. All proposed lots to be hooked up to Town sewers in Lake Road.
3. All proposed lots to have individual private wells.
4. All proposed driveways to have a culvert at the existing drainage swale along Lake Road. The size of said culvert to be as required by the Town Highway Superintendent.
5. Lots 2 & 3 to have their driveways near the division line between said lots at a maximum of 5' apart and a single length of culvert under said driveways.

Record Owners & Subdividers:

Herbert J. Goodwin & Patricia A. Goodwin
Moffat Road,
Washingtonville, New York 10992

The Owners of the proposed subdivision have reviewed this plan and are in concurrence with the information and proposals shown hereon.

Patricia Goodwin

1. Unsanitized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 2209, sub-division 2 of the N.Y. State Education Law.
2. This comes from the original of the survey map when original of the land surveyor's hand seal or his authorized seal shall be considered to be valid true copies.
3. Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall not help in the process for when the survey is prepared, and shall be filed to the State Surveyor, the governmental agency and holding jurisdiction herein, and to the assistance of the holding institution. Certifications are not transferable to additional institutions or subsequent owners.
4. Underground improvements or encroachments, if any, are not shown herein.



Patrick T. Kennedy L.S.
335 Temple Hill Road - New Windsor, New York 12550

SCALE: 1" = 50' APPROVED BY: DRAWN BY:
DATE: July 14, 1986 REVISED: July 23, 1986
No. 49219 No. 49219
Survey of Lands for Herbert J. Goodwin & Patricia A. Goodwin
Town of New Windsor Orange County, New York DRAWING NUMBER 86-638
Revised 3-24-87