

PB# 92-18

Lorraine's Flowers

68-3-3

LORRAINE'S FLOWERS Site Plan (92-18)
RT. 300 (CUOMO)

Approved 11-20-92

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 12572
 555 Union Avenue
 New Windsor, NY 12550

Received of Borained Flowers - N-Stepp April 14, 1992
 \$ 150⁰⁰/₁₀₀

One hundred fifty and ⁰⁰/₁₀₀ 100 DOLLARS

For Planning Board Application Fee (#92-18)

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 1369		\$150 ⁰⁰

By Pauline D. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 12571
 555 Union Avenue
 New Windsor, NY 12550

Received of Pauline D. Townsend, Town Clerk April 14, 1992
 \$ 750⁰⁰/₁₀₀

Seven hundred fifty and ⁰⁰/₁₀₀ 100 DOLLARS

For Planning Board Expense (#92-18) Borained Flowers - N-Stepp

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 1368		\$750 ⁰⁰

By J. S. [Signature]
Controller
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13004
 555 Union Avenue
 New Windsor, NY 12550

Received of Borained Flowers - N-Stepp Nov. 12, 1992
 \$ 150⁰⁰/₁₀₀

One hundred fifty and ⁰⁰/₁₀₀ 100 DOLLARS

For P/B # 92-18 Site Plan Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CHK. # 1487		\$150 ⁰⁰

By Pauline D. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Town Hall
 555 Union Ave.

NO. 92-18

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 1369		\$150.00

By Pauline D. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK Co., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 12571
 555 Union Avenue
 New Windsor, NY 12550

Received of April 14, 1992
Pauline D. Townsend, Town Clerk \$ 750.00/100

Seven hundred fifty and 00/100 DOLLARS

For Planning Board (92-18) Lorraine's Flowers - N-stuff

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 1368		\$750.00

By J. S. [Signature]
Controller
 Title

© WILLIAMSON LAW BOOK Co., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR **GENERAL RECEIPT** 13004
 555 Union Avenue
 New Windsor, NY 12550

Received of Nov. 12, 1992
Lorraine's Flowers - N-stuff \$ 150.00/100

One hundred fifty and 00/100 DOLLARS

For P/B # 92-18 Site Plan Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CRK. # 1487		\$150.00

By Pauline D. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK Co., VICTOR, N.Y. 14564

Town Hall
 555 Union Ave.
 New Windsor, N.Y. 12553

NO. 92-18
November 12 1992

RECEIVED FROM Lorraine's flowers - N-stuff
Two hundred thirty-one 00/100 DOLLARS

4% of \$5,775.00 Inspection fee

Account Total \$ 231.00
 Amount Paid \$ 231.00
 Balance Due \$ -0-

Myna Mason, P.B. Secy

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Eng. #213.50



KL 300 (00000)

Planning Board
Town Hall

555 Union Ave.
New Windsor, N.Y. 12553

NO. 92-18

January 17, 1994

RECEIVED FROM Lorraine's Flowers - N. Stuff

Two Hundred 00/100 DOLLARS

Site Plan Bond

Account Total \$ 200.00

Amount Paid \$ 200.00

Balance Due \$ -0-

Myra Mason, Secy to
201 P.B.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

3 January 1994

MEMORANDUM

TO: Michael Babcock, Building Inspector

FROM: Mark J. Edsall, P.E., Planning Board Engineer

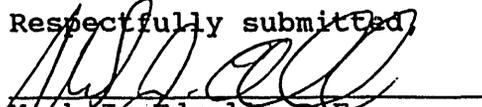
SUBJECT: LORRAINE'S FLOWERS SITE PLAN
FIELD REVIEW OF SITE IMPROVEMENT COMPLETION STATUS
MHE JOB NO. 87-56.2/T92-18

This memorandum shall confirm our field review on 29 December 1993 of the subject site, relative to the completion status of key site improvements. The following were our observations:

1. All key site improvements, with the exception of the proposed fence which crosses the thru-drive have been completed.
2. At the front of the parking spaces, both row of conventional and the handicapped space, curb was not installed and, in its place, precast concrete wheel stops have been utilized.
3. The Applicant encountered a large boulder in the construction of the five (5) conventional parking spaces and, to compensate for same, have added another parking space at the east end of the row of spaces.
4. The Applicant has added a short section of fence for privacy reasons at the northwest corner of the new building. In addition, he proposes to provide some privacy screening fencing along the east side of the parking area.

Based on the above, it is my opinion that the site plan has been completed in substantial conformance with the site plan stamped approved by the Planning Board on 20 November 1992. With regard to the non-completed fence, it is my recommendation that you accept a performance security in the amount of \$200.00 at the time of issuance of the Certificate of Occupancy, to guaranty completion of that item.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk

cc: Myra Mason, Planning Board Secretary ✓
A:1-3-2E.mk

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/20/92

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 92-18

NAME: LORRAINE'S FLOWERS - N - STUFF
APPLICANT: DE COUTO, TERRY

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
04/13/92	SITE PLAN MINIMUM	PAID		750.00	
04/22/92	P.B. ATTY. FEES	CHG	35.00		
04/22/92	P.B. MINUTES	CHG	9.00		
08/26/92	P.B. ATTY. FEES	CHG	35.00		
08/26/92	P.B. MINUTES	CHG	18.00		
11/12/92	P.B. ENGINEER FEE	CHG	213.50		
		TOTAL:	310.50	750.00	-439.50

Please issue a check in the amount of \$439.50 to:

*Lorraine Flowers - N - Stuff
P.O. Box 4537
New Windsor, N.Y. 12553*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/20/92

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 92-18

NAME: LORRAINE'S FLOWERS - N - STUFF

APPLICANT: DE COUTO, TERRY

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/20/92	PLANS STAMPED	APPROVED
08/26/92	P.B. APPEARANCE . SUB. TO COST ESTIMATE AND D.O.T. WORK PERMIT	APPROVE SUB. TO
08/04/92	WORK SESSION APPEARANCE	NEW PLANS:NEXT AGEND
07/13/92	Z.B.A. APPEARANCE . FORMAL DECISION IN FILE	APPROVED BY Z.B.A.
04/23/92	P.B. APPEARANCE	REFERRED TO Z.B.A.
03/31/92	WORK SESSION APPEARANCE	SUBMIT APPLICATION
06/18/91	WORK SESSION APPEARANCE	READY: PRESUBMISSION

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/26/92

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 92-18

NAME: LORRAINE'S FLOWERS - N - STUFF
APPLICANT: DE COUTO, TERRY

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	04/13/92	MUNICIPAL HIGHWAY	08/19/92	SUPERSEDED BY REV1
ORIG	04/13/92	MUNICIPAL WATER	04/16/92	APPROVED
ORIG	04/13/92	MUNICIPAL SEWER	08/19/92	SUPERSEDED BY REV1
ORIG	04/13/92	MUNICIPAL SANITARY	08/19/92	SUPERSEDED BY REV1
ORIG	04/13/92	MUNICIPAL FIRE	04/16/92	APPROVED
ORIG	04/13/92	PLANNING BOARD ENGINEER	08/19/92	SUPERSEDED BY REV1
ORIG	08/18/92	N.Y. STATE DEPT. TRANSPORT . REVIEW SUBMITTED BY APPLICANT	08/10/92	NO OBJECTION - HWY WORK PERMIT REQUIRED
REV1	08/19/92	MUNICIPAL HIGHWAY	/ /	
REV1	08/19/92	MUNICIPAL WATER	08/20/92	APPROVED
REV1	08/19/92	MUNICIPAL SEWER	/ /	
REV1	08/19/92	MUNICIPAL SANITARY	/ /	
REV1	08/19/92	MUNICIPAL FIRE	08/19/92	APPROVED
REV1	08/19/92	PLANNING BOARD ENGINEER	/ /	

RESULTS OF P.B. MEETING

DATE: August 26, 1992

PROJECT NAME: Lorraine's Flowers

PROJECT NUMBER 92-18

LEAD AGENCY: 8/26/92

NEGATIVE DEC: 8/26/92

PUBLIC HEARING: Waived 8/26/92

DISCUSSION:

Confirm D.C. Planning w/ Z.B.A. ✓

~~Plan #6 on Maps Commit - Bad Estimate~~

~~D.C.T. Work permit~~

SEND TO ORANGE CO. PLANNING: _____

DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY 8/26/92

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

See above

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN -- TOWN OF NEW WINDSOR

TASK: 92- 18

FOR WORK DONE PRIOR TO: 11/11/92

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
										EXP.	BILLED	BALANCE
92-18	50178	03/31/92	TIME	MJE	MC	DECOUTO FLOWER W/S	65.00	0.50	32.50			
92-18	50677	04/17/92	TIME	MJE	MC	LORRAINE S/P	65.00	0.40	26.00			
92-18	50816	04/21/92	TIME	MCK	CL	L/REVIEW COMMENTS	25.00	0.50	12.50			
92-18	49745	04/22/92	TIME	MJE	MM	LORRAINE TO ZBA	65.00	0.10	6.50			
92-18	52064	05/06/92	TIME	MJE	MC	ZBA REF-LORRAINES	65.00	0.50	32.50			
									110.00			
92-18	56919	07/21/92				BILL 92-407						-110.00
												-110.00
92-18	58172	08/04/92	TIME	MJE	MC	DECOUTO S/P	65.00	0.40	26.00			
92-18	58082	08/26/92	TIME	MJE	MM	LORRAINE COND FINAL	65.00	0.10	6.50			
92-18	59408	08/26/92	TIME	MCK	CL	LORRAINES-COMMENTS	25.00	0.50	12.50			
92-18	59511	08/26/92	TIME	MJE	MC	DECOUTO	65.00	0.50	32.50			
									187.50			
92-18	62482	10/14/92				BILL 92 555 pd						-77.50
												-187.50
92-18	64467	11/11/92	TIME	MJE	MC	REVIEW SITE BOND EST	65.00	0.40	26.00			
									=====	=====	=====	=====
TASK TOTAL									213.50	0.00	-187.50	26.00
									=====	=====	=====	=====
GRAND TOTAL									213.50	0.00	-187.50	26.00

CALDAS CONCRETE CURB + SIDEWALK \$ 1,650.00

BOB MULI BACKHOE DIG CURB 375.00

YOUNG'S RAVING & PAINT STRIPES 3,400.00

as per
Mark E. / Signage

\$ 5,425.00
350.00
\$ 5,775.00

4% Inspect
fee

\$ 231.00

Approval fee

\$ 150.00

Site improvement estimate for

P.B. # 92-18 Lorraine's Flowers

PROPOSAL

Bob Mule' Excavating
Rt. 94, P.O. Box 565
Vails Gate, NY 12584

No.	1
Date	10-08-92
Sheet No.	1

Proposal Submitted To:

Name Lorrains Flowers and Stuff
 Street P.O. Box 4537 Rt. 300
 City New Windsor, NY 12553
 State _____
 Phone _____

Work To Be Performed At:

Street SAME
 City _____ State _____
 Date of Plans _____
 Architect _____

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Dig for curbman - Estimated cost \$375.00

Rock Removal Will Be Done At Extra Cost.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of _____ Dollars (\$ XXXX).
with payments to be made as follows: Completion of job.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by

Fully Insured

Respectfully submitted

Per Bob Mule' Excavating

Note—This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date Oct. 9, 1992

Signature [Handwritten Signature]
Signature _____

Proposal

CALDAS CONCRETE CO., INC.
201 Howell Street
PINE BUSH, NEW YORK 12566
(914) 361-3700

PROPOSAL SUBMITTED TO Lorraine's Flowers & Stuff		PHONE 565-3261	DATE October 8, 1992
STREET P.O. Box 4537		JOB NAME Proposed Retail Store for Lorraine's...	
CITY, STATE AND ZIP CODE New Windsor, NY 12550		JOB LOCATION Rt. 300 - Temple Hill Rd.	
ARCHITECT Cuomo Engineering	DATE OF PLANS 3/12/92	New Windsor	JOB PHONE

We hereby submit specifications and estimates for:

160 ln. ft. curb and 138 sq. ft. sidewalk; complete.

Price includes: Concrete, reinforcement, labor and tools nessesary to form.

Price complete: -----\$1,650.00-----

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

One thousand six hundred fifty and 00/100----- dollars (\$ 1,650.00).

Payment to be made as follows:

Upon receipt of invoice.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature _____

Note: This proposal may be _____ 30 _____ days.
withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance: _____

(914) 496-7386



Salisbury Mills

512 Station Road

New York, 12577

PROPOSAL SUBMITTED TO Lorraine's Flowers-N-Stuff		PHONE 565-3261	DATE November 5, 1992
STREET P.O. Box 4537, 300 Temple Hill Rd. (Rt.)		JOB NAME	
CITY, STATE AND ZIP CODE New Windsor, New York, 12550		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Paving parking lot at above location as specified below.

- Level and grade existing stone parking lot with crushed stone, item #4, as needed.
- Treat all areas with vegetation killer as needed.
- Work to be as specified by town spec's.
- Pave parking lot with three inches of blacktop and compact with 10 ton vibratory roller.
- All work guaranteed for two years.
- Parking lot stripes (in. handicap) to be painted. Size and number to be determined by space available.

Please make check payable to William Young. Thank-You.

We Propose hereby to furnish material and labor -- complete in accordance with above specifications, for the sum of:

Three-thousand, four-hundred and no cents-----dollars (\$ 3,400.00).

Payment to be made as follows:

Half down to start; Balance upon completion.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Guaranteed against frost breakage and normal traffic. Not guaranteed against sharp objects being pressed into driveway or tire marks

Authorized Signature William Young
Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: 11-5-92

Signature Lorraine DeCunto
Signature _____

APPLICATION FEE (DUE AT TIME OF SUBMITTAL) \$ 150.00

PLAN REVIEW FEE: (APPROVAL) 150.00

PLAN REVIEW FEE (MULTI-FAMILY): A. \$150.00
PLUS \$25.00/UNIT B. _____

TOTAL OF A & B: _____

SITE IMPROVEMENT COST ESTIMATE: \$ _____

A. 4% OF FIRST \$50,000.00 A. _____
B. 2% OF REMAINDER B. _____

TOTAL OF A & B: _____

HIGHWAY WORK PERMIT

0-02-0000

Permit Fee: \$ 550.00 Permit No.: 08-92-0853
 Insurance Fee: \$ 175.00 Project Identification No.:
 Total Received: \$ 725.00 Estimated Completion Date: 09/30/93
 Check or M. O. No.: 1475 SH No.: 9457
 Liability Insurance: Policy No.: N/A Expiring: / / Deposit Rec. for \$: 1600.00
 Disability Benefit Coverage: Policy No.: N/A Check or M.O. No.: 638926
 Dated: 10/13/92
 Permittee: Estimated Cost of Work Performed in the State Right-of-Way \$: 0.00
 TERRY DECOUTO Chargeable to Bond No.:
 RTE 300, TEMPLE HILL RD. or Undertaking on File: (\$ 0.00)
 NEW WINDSOR, NY 12553 Workers' Compensation Policy No.: N/A
 att:

Billing Address: (Complete if different from above)

Return of Deposit Made Payable to: (Complete if different from Permittee)

Under the provisions of the Highway Law or Vehicle & Traffic Law permission is hereby granted to the permittee to:
 CONSTRUCT ENTRANCE AND EXT FOR COMMERCIAL SITE. ALL DISTURBED AREAS WITHIN STATE ROW ARE TO BE TOPSOILED, SEEDDED, AND MULCHED.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. IN ADDITION, ANYBODY WORKING IN THE RIGHT OF WAY IS REQUIRED TO WEAR A HARD HAT AND A REFLECTIVE SAFETY VEST
HIGH VISIBILITY APPAREL (ORANGE)

County — ORANGE Municipality — NEW WINDSOR Route # — 300

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and pursuant to the conditions and regulations whether, general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit.

Dated at: **POUGHKEEPSIE, N.Y.**
Date Signed: **10/29/92**

Commissioner of Transportation

By: *MJ Mignogna*
MICHAEL J. MIGNOGNA



This permit, with application and drawing (or copies thereof)

be placed in the hands of the contractor before any work begins.

NOTICE: Before work is started and upon its completion, the permittee absolutely must notify the Resident Engineer,

WILLIAM BAIN
(914) 562-4020

112 DICKSON STREET
NEWEBURGH, NEW YORK 12550

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED AND SIGNED BY THE PERMITTEE AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this Permit was completed on _____
DATE

Refund of deposit or return of bond or reduction of amount charged against bond or deposit on file for this permit whichever is appropriate, is requested.

DATE PERMITTEE AUTHORIZED AGENT (If Any)

Upon acceptance of work performed as satisfactorily completed, the Resident Engineer will sign the following and forward to the Regional Office.

Work authorized by this Permit has been satisfactorily completed and is accepted (Reverse side of this form must be completed).

DATE RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the appropriate box checked.

To: HIGHWAY PERMIT SECTION:

- Refund of Deposit on this Permit is authorized.
- Return of Bond furnished for this Permit is authorized.
- Amount charged against Blanket Bond for this permit may be cancelled.
- Retain Bond for future permits.

DATE REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

Upon completion of the work within the state highway right-of-way, authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.

August 26, 1992

3

LORRAINE'S FLOWERS SITE PLAN (92-18) ROUTE 300

Martin Rogers came before the Board representing this proposal.

MR. ROGERS: We are returning with a site plan for Lorraine's Flowers between Temple Hill Road and Old Temple Hill Road. We have been to the Zoning Board and acquired all the variances that were necessary for this. We have also heard from the New York State DOT that has no objections with this site.

MR. LANDER: What were the variances that you needed for this property?

MR. ROGERS: There were quite a few area variances proposed flower shop and Zoning Board recommended that we get all the variances that we required changed to a commercial site for the house as a commercial building. The only other variance that was required was use variance to allow the residence to remain on the commercial site.

MR. PETRO: For all the members sake, we did do a site visit at this site some time ago and since then in the file here I see that Municipal Fire has been approved on 8-19-92 and you did hear back from the DOT, you said, right, no objections?

MR. ROGERS: Yes.

MR. VanLEEUEWEN: I'd like to make a motion we take lead agency.

MR. LANDER: Seconded.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take lead agency on Lorraine's Flower Shop. Any discussion?

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. Dubaldi	Aye
Mr. Lander	Aye
Mr. Petro	Aye

August 26, 1992

4

MR. VanLEEuwEN: Since they already had a public hearing, I make a motion that we waive the public hearing. Zoning Board of Appeals already had a public hearing on this and I can't see making him go through it again.

MR. PETRO: What was the turnout on the public hearing?

MR. ROGERS: Zero.

MR. PETRO: I also find that very interesting but if you didn't have it --

MR. VanLEEuwEN: Somebody would come out of the woodwork and say you didn't have a public hearing.

MR. PETRO: Motion has been made, is there a second?

MR. DUBALDI: Seconded.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for Lorraine's Flower Shop Site Plan. Any other discussion?

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. Dubaldi	Aye
Mr. Lander	Aye
Mr. Petro	Aye

MR. PETRO: Negative dec?

MR. DUBALDI: I make a motion we declare a negative dec.

MR. VanLEEuwEN: I'll second that.

MR. PETRO: Motion has been made and seconded to declare a negative declaration on Lorraine's Flower Shop, New Windsor Planning Board. Any discussion from the members? If not, roll call.

August 26, 1992

5

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. Dubaldi	Aye
Mr. Lander	Aye
Mr. Petro	Aye

MR. VanLEEuwEN: I make a motion to approve.

MR. DUBALDI: How about Orange County Planning? Mark had something down about Orange County Planning.

MR. EDSALL: Martin, maybe you can confirm and we can get it into the file, confirm that it was forwarded with the information for the Zoning Board.

MR. PETRO: Do you know if it has been returned, the Zoning Board of Appeals sent it?

MR. ROGERS: I believe there was a return letter.

MR. PETRO: Local determination.

MR. ROGERS: Yes.

MR. VanLEEuwEN: From the Zoning Board of Appeals or from the Orange County?

MR. ROGERS: From Orange County Planning. Zoning Board of Appeals they did get a response.

MR. VanLEEuwEN: I'd like to add to my motion, subject to the approval of the Orange County, confirmation of the Orange County Planning Board.

MR. EDSALL: If possible, you can make subject to my comment #6 which is required.

MR. VanLEEuwEN: Where are we, Number 6?

MR. DUBALDI: Bond estimate.

MR. VanLEEuwEN: Yes, tie that in there.

MR. PETRO: Is there a second?

August 26, 1992

6

MR. DUBALDI: I'll second the motion.

MR. PETRO: Motion has been made that the New Windsor Planning Board approve Lorraine's Flowers Site Plan subject to bond estimate given through the Building Department and subject to local determination or confirmation of local determination from the Orange County Planning. Is there any other further discussion from any of the members.

MR. LANDER: And add to that DOT work permit, it says here.

MR. VanLEEuwEN: You're right, I'm sorry, it says there work permit tied into that.

MR. LANDER: Don Green didn't have a problem but we have to have the permit before we stamp anything.

MR. PETRO: Highway work permit, it has to be obtained.

MR. ROGERS: That's already in the works, the permit hasn't, we haven't gotten the permit back from Don Green but he does have an up-to-date plan so he's just waiting.

MR. VanLEEuwEN: Any objections?

MR. PETRO: It says no objections here, I do have it on 8-10-92 no objections but the highway work permit would be required so that would be the third subject to approval and I'll repeat them again for the record, highway work permit acquired, local determination by Orange County Planning and bond estimate through Mike's office, right?

MR. EDSALL: No, through me.

MR. PETRO: Through Mark Edsall. Any further discussion? If not, roll call.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. Dubaldi	Aye
Mr. Lander	Aye
Mr. Petro	Aye

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Roth 359 Moores Hill Rd DR.
New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
8/26/12	Planning Board Meeting	✓ 75 00	
	Misc - 1	✓ 4 50	
	Walter's Mobile - 1	✓ 4 50	
2-18	✓ Lorraine's Flowers - 4	✓ 18 00	
12-5	✓ Jagger - 5	✓ 22 50	
2-31	✓ Carol - 4	✓ 18 00	
2-32	✓ Kelly - 9	✓ 40 50	
	Forewood - 14	✓ 63 00	
	Bernhardt - 7	✓ 31 50	
	Windsor Woods - 7	✓ 31 50	
		←	
		1309 00	



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: LORRAINE'S FLOWERS-N-STUFF (DECOUTO) SITE PLAN
PROJECT LOCATION: OLD TEMPLE HILL ROAD AND TEMPLE HILL ROAD (RT 300)
SECTION 68-BLOCK 3-LOT 3
PROJECT NUMBER: 92-18
DATE: 26 AUGUST 1992
DESCRIPTION: THE APPLICATION INVOLVES THE CONVERSION OF AN
EXISTING GARAGE TO A RETAIL SALES AREA. THE
APPLICATION WAS PREVIOUSLY REVIEWED AT THE
22 APRIL 1992 PLANNING BOARD MEETING AND WAS
SUBSEQUENTLY REFERRED TO THE ZONING BOARD OF
APPEALS.

1. It is my understanding that all necessary variances have been received by the Applicant. A record of the actual variances received should be on file with the Planning Board and should be verified against the information shown on the plan.
2. Based on my review of the file information, it appears that the only significant outstanding issue was a response from the NYSDOT. I have received a copy of a memorandum from Donald Greene of DOT indicating "no objection", with a permit being required.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
4. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(9) of Chapter 19 of the Town Code.

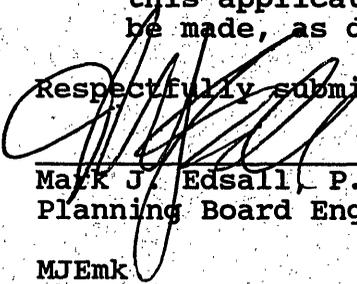
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: LORRAINE'S FLOWERS-N-STUFF (DECOUTO) SITE PLAN
PROJECT LOCATION: OLD TEMPLE HILL ROAD AND TEMPLE HILL ROAD (RT 300)
SECTION 68-BLOCK 3-LOT 3
PROJECT NUMBER: 92-18
DATE: 26 AUGUST 1992

7. Submittal of this plan/application to the Orange County Planning Department will be required (this may have already been done).
8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:LORRAIN2.mk

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of

LORRAINE DE COUTO,

DECISION GRANTING
USE/AREA VARIANCES

#92-15.
-----x

WHEREAS, LORRAINE DE COUTO, P. O. Box 4537, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for (1) a use variance to permit a change of use from pre-existing, non-conforming residential use to mixed use of retail sales by converting an existing residential garage to a flower shop and continuing the existing single-family residential use in a detached structure in a C zone, (2) 19,168.1 s.f. lot area variance, (3) 86 ft. lot width variance, (4) 33.1 ft. front yard variance, (5) 16.25 ft. side yard variance, (6) 1.95 ft. total side yard variance, (7) 10.42 ft. building height variance (area variances numbered 2 through 7 all apply to the conversion of the existing residential garage to retail sales as a flower shop), (8) 18.5 ft. side yard variance and (9) 21.2 ft. building height variance (area variances 8 and 9 refer to the existing residence as a single-family dwelling), all in connection with the applicant's proposal to convert the existing residential use to a mixed use of single family residential and retail sales on property located on Route 300 and Old Temple Hill Road in a C zone; and

WHEREAS, a public hearing was held on the 13th day of July, 1992 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, LORRAINE DE COUTO, the applicant, appeared with her engineer, Martin G. Rogers, P.E. of Cuomo Engineering, who represented the applicant at the public hearing and spoke in support of the application; and

WHEREAS, there were no spectators present at the public hearing; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel also as required by law.

2. The evidence shows that the applicant is seeking permission to change the use of her property from the present residential use as a single-family dwelling, which is a pre-existing non-conforming use in this zone, to a mixed use as residential by continuing the existing single-family dwelling and

the applicant, and is familiar with the area of the subject property and the currently changing character thereof and finds that the granting of the requested use variance will not result in any significant adverse environmental impact and consequently has made a negative declaration under SEQRA for the requested use variance.

10. Based upon the evidence presented, and the Boards familiarity with the applicant's property and the surrounding area, it is the finding of this Board that the applicant has demonstrated unnecessary hardship, entitling her to the granting of the requested use variance to create a mixed use of the subject property by continuing the residential use as a single-family dwelling as well as converting the existing residential garage to retail sales in a C zone.

11. Under the applicable zoning regulations, the applicant has demonstrated that she is deprived of all economic use or benefit from the property in question since it cannot yield a reasonable return if continued solely as the pre-existing residential use, and the pre-existing small size of the parcel precludes it from yielding a reasonable return if devoted solely to uses permitted as of right in the C zone.

12. The hardship relating to the property in question is unique given the small size of the parcel and its historical usage for residential purposes when contrasted with the bulk requirements for properties in the C zone. It is the finding of this Board that this uniquely undersized parcel in the C zone is not representative of a substantial portion of the district or neighborhood.

13. It is the finding of this Board that the requested use variance will not alter the essential character of the neighborhood since the neighborhood presently contains a number of mixed uses in that many older residential structures are gradually converting over to uses permitted in the C zone.

14. The hardship faced by the applicant is not self-created; the applicant historically has used the property for residential purposes and has not urged, supported nor petitioned the Town of New Windsor to zone the property for commercial uses.

15. It is the further finding of this Board that the applicant has made a sufficient showing of practical difficulty to entitle her to the granting of the requested bulk variances.

16. The applicant has shown significant economic injury from the application of the bulk requirements to the subject property since the premises would be virtually unusable for any use permitted in the C zone without substantial bulk variances to accompany the use variance. The applicant offered evidence that it is uneconomic to continue to use the subject premises solely for residential purposes. At the same time, the small size of the site makes it undesirable for use solely for purposes permitted in the C zone.

17. The requested area variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

18. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

19. The requested area variances, excluding the requested lot area variance which is substantial, are not substantial in relation to the bulk regulations for lot width, front yard, side yard, total side yards and building height, given the fact that the dimensions of this property pre-exist the adoption of zoning by the Town of New Windsor. It is the finding of this Board that the variances granted hereby represent a reasonable adjustment of the applicant's rights to make use of the subject property given the pre-existing, non-conforming residential use thereof and the small size of the parcel or uses permitted as of right in the C zone.

20. The requested area variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

21. The difficulty the applicant faces in conforming to the bulk regulations is not self-created.

22. It is the finding of this Board that the benefit to the applicant, if the requested area variances are granted, outweighs detriment to the health, safety and welfare of the neighborhood or community by such grant.

23. It is the further finding of this Board that the requested area variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

24. The interest of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) a use variance to permit a change of use from pre-existing, non-conforming residential use to mixed use of retail sales by converting an existing residential garage to a flower shop and continuing the existing single-family residential use in a detached structure in a C zone, and the following area variances (2) 19,168.1 s.f. lot area variance, (3) 86 ft. lot width variance, (4) 33.1 ft. front yard variance, (5) 16.25 ft. side yard variance, (6) 1.95 ft. total side yard variance, (7) 10.42 ft. building height variance (area variances numbered 2 through 7 all apply to the conversion of the existing residential garage to retail sales as a flower shop), (8) 18.5 ft. side yard variance and (9) 21.2 ft. building height variance (area

variances 8 and 9 refer to the existing residence as a single-family dwelling), all sought by applicant in accordance with a plan filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: August 10, 1992.


Chairman

(ZBA DISK#8-081092.FD)

B.I.

ZONING BOARD OF APPEALS
Summer Session
July 13, 1992

AGENDA:

7:30 P.M. - ROLL CALL

Motion to adopt minutes of 6/22/92 minutes if available.

PRELIMINARY MEETING:

NEED DEED
AND TITLE Policy
SET UP FOR
P/H

1. GRUBEL, SILVIA - Request for 10 ft. rear yard variance to construct deck at 333 Shore Drive in an R-4 zone. (62-9-18).

PUBLIC HEARINGS:

NEED DEC.
APPROVED
AREA+VSE

2. DE COUTO, LORRAINE - Request for (1) 19,168.1 s.f. lot area, (2) 86 ft. lot width, (3) 33.1 ft. front yard, (4) 16.25 ft. side yard, (5) 1.95 ft. total side yards, (6) 10.42 ft. bldg. hgt. variances for retail conversion to flower shop and (7) 18.5 ft. side yard and (8) 21.2 ft. bldg. hgt. variances for residence in order to convert to retail sales on property located on Rt. 300/Temple Hill Road in C zone. (68-3-3). ALSO USE VARIANCE FOR HOUS

APPROVED

3. BETTS, JOHN & SHARON - Request for 5 ft. side yard variance for roof over rear patio and 1.7 ft. rear yard variance to obtain certificate of occupancy for property located at 22 Brandon Court in an R-4 zone. (41-3-2.2).

APPROVED

4. DI GISCO, CHARLES - Request for 3 ft. rear yard set back for pool (Sec. 48-21G), 7 ft. side yard variance for deck, 7 ft. 6 in. rear yard - Sec. 48-14(1)C & D for accessory building and more than 35% of developmental coverage in order to obtain a certificate of compliance at 1 Birchwood Drive in an R-4 zone. (39-5-1). ALSO 486 SQ FT LOT COVERAGE FOR DECK AND 392 SQ FT LOT COVERAGE FOR POOL

APPROVED

5. DRENNEN, MARY ANN - Request for 1.1 ft. side yard for residential dwelling and 12 ft. rear yard variance for deck at existing location 104 Glendale Drive in an R-4 zone. (25-4-3).

APPROVED

6. SORBELLO, VINCENT - Request for 19,170 s.f. lot area variance to construct single-family residence on Riley Road in R-3 zone. (35-1-20).

FORMAL DECISIONS:

- (1) DEDOMINICIS
- (2) FITZGERALD
- (3) BONET

AMOUNT DUE 288.50

APPROVED

AMOUNT DUE - 32.00/100
PAT - 562-7107 - (H)

ZONING BOARD OF APPEALS
Regular Session
May 11, 1992

AGENDA: REVISED

7:30 p.m. - ROLL CALL

Motion to accept minutes of 4/13/92 AND 4/27/92 meetings as written. APPROVED

APPROVED DECISION: DEDOMINICIS, ANTONIO - Pending review by OCPD.

PRELIMINARY MEETING:

TABLE 1. MUGNANO, PASQUALE - Request for use variance for barber shop in R-4 zone located at corner of Cimorelli Drive/Union Avenue. (7-1-20). CHECK AF ONE OR TWO FAMILY

REAR 2. BONET, CATHERINE - Request for 5 ft. rear yard variance to construct deck at premises located at 15 Cherry Avenue in R-4 zone. (13-14-22.1). SIDE YARD OF ~~3.3~~ 3.3
YARD-SET FOR P/H REVISED 5-11-92

ET UP 3. FITZGERALD, WILLIAM - Request for 1 ft. 6 in. rear yard variance to obtain a c/c for existing wood deck and metal roof (awning) at 1 Herbert Hoover Drive in an R-4 zone. (7-2-9.3)
R P/H

ET UP 4. SHUPE, JOHN - Request for 6 ft. rear yard variance for existing deck at 245 James Street in an R-4 zone. (24-2-11).
OR P/H

5. DE COUTO, TERRY - Referred by P.B. - Request for (1) 19,168.1 s.f. lot area, (2) 86 ft. lot width (3) 33.1 front yard, (4) 16.25 ft. side yard (5) 1.95 ft. total side yard, and (6) 10.42 ft. height variances in order to convert a garage over to retail use (flower shop), retaining the single-family use at Old Temple Hill Road and Rt. 300 in a C zone. (68-3-3). NEED TO REVISE - NEED TWO SIDE YARDS - TOTAL SIDE YARD
NEED DISAPPROVAL FOR HOUSE NEED HEIGHT FOR HOUSE

6. BORDEN, SEYMOUR - (CARPET MILL OUTLET) - Referred by P.B. - Request for 15.07 ft. building height for addition to existing building located on Windsor Highway in C zone. (35-1-54.1).

FORMAL DECISIONS: (1) STENT
(2) DEDOMINICIS

PAT - 563-4630 (O)
562-7107 (h)

NEW DISAPPROVAL FOR HOUSE

USE FOR HOUSE
SIDE YARD FOR HOUSE
TOTAL SIDE YARD FOR HOUSE
HEIGHT FOR HOUSE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 92-18 DATE: 5-12-92

APPLICANT: De Couto, Terry (Lorraine's Flower-N- Stuff)
Rte. 300 - Temple Hill Rd. (P.O. Box 4537)
New Windsor, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED April 13, 1992

FOR (~~SUBDIVISION~~ - SITE PLAN)

LOCATED AT N.Y.S. Rte. 300 (East Side)

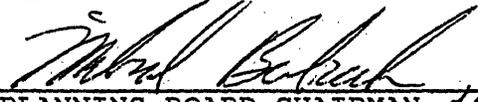
ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 68 BLOCK: 3 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: (House)

Insufficient side yard

Insufficient Building Height.


PLANNING BOARD CHAIRMAN *for James Patro*

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u> USE <u>A1</u>			
MIN. LOT AREA			
MIN. LOT WIDTH			
REQ'D FRONT YD			
REQ'D SIDE YD.	<u>30'</u>	<u>11.5'</u>	<u>18.5'</u>
REQ'D TOTAL SIDE YD.			
REQ'D REAR YD.			
REQ'D FRONTAGE			
MAX. BLDG. HT.	<u>3.8</u>	<u>25'</u>	<u>21.2</u>
FLOOR AREA RATIO			
MIN. LIVABLE AREA			
DEV. COVERAGE			
O/S PARKING SPACES			

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
 (914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 92-18

DATE: _____

APPLICANT: DeCouto, Terry (Lorraine's Flower - N - Stuff)
Rte. 300 Temple Hill Rd. (P.O. Box 4537)
New Windsor, N.Y. 12553

#1 ZDA
5-11-92
SET UP FOR
PUBLIC HEARINGS

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED April 13, 1992

FOR (~~SUBDIVISION~~ - SITE PLAN) _____

LOCATED AT N.Y.S. Rte. 300 (East Side)

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 68 BLOCK: 3 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: CONVERSION OF USE

RESULTS IN NEED FOR AREA, LOT WIDTH, FRONT YD.,
SIDE YD., TOTAL SIDE ~~YD.~~, BLDG. HT. VARIANCES.

VARIANCE MAY ALSO BE REQUIRED FOR MIXED (SEPARATED)
SINGLE FAMILY USE AND RETAIL USE ON ONE SITE.

[Signature]
PLANNING BOARD CHAIRMAN

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u> USE <u>A-1</u>		
MIN. LOT AREA	<u>40,000 S.F.</u>	<u>20,831.9</u>
MIN. LOT WIDTH	<u>200 FT</u>	<u>114.0</u>
REQ'D FRONT YD	<u>60 FT</u>	<u>26.9</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>13.75</u>
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>68.05</u>
REQ'D REAR YD.	<u>30 FT</u>	<u>N/A</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>—</u>
MAX. BLDG. HT.	<u>4" / FT = 4.58'</u>	<u>EXISTING HT = 15'</u>
FLOOR AREA RATIO	<u>0.5</u>	<u>0.06</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>—</u>
DEV. COVERAGE	<u>N/A</u> %	<u>—</u> %
O/S PARKING SPACES	<u>6</u>	<u>0</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
 (914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

April 22, 1992

17

LORRAINE'S FLOWERS SITE PLAN (92-18) ROUTE 300

Mr. Martin Rogers came before the board representing this proposal.

MR. PETRO: Water has been approved and fire is approved on this.

MR. ROGERS: We're here to present proposed site plan to convert existing garage that's on the same lot as residence and have you take a look at it, see how you feel before it gets sent to the Zoning Board to get our variances. We have a lot of existing non-conforming uses.

MR. PETRO: We did do a site visit here also gentlemen.

MR. VAN LEEUWEN: I make a motion we approve it.

MR. SCHIEFER: I'll second it but that isn't, he's not looking just to be sent out, he asked for concept.

MR. VAN LEEUWEN: My suggestion is this, the building is already existing, all we really got to consider is the parking lot. Let the Zoning Board get it over with and then come back to us and we can approve it.

MR. PETRO: Conceptually, it's okay. There's no drive-thru's and that's on the plan I see.

MR. VAN LEEUWEN: There's minor changes that might have to be made.

MR. PETRO: We'll address everything else when it comes back.

MR. SCHIEFER: There are no major objections if the ZBA grants the variance.

MR. PETRO: That's what I am hearing. We have a motion.

MR. SCHIEFER: I'll second it.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. LANDER	NO
MR. SCHIEFER	NO
MR. PETRO	NO



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: LORRAINE'S FLOWERS-N-STUFF (DECOUTO) SITE PLAN
PROJECT LOCATION: OLD TEMPLE HILL ROAD AND TEMPLE HILL ROAD (RT 300)
SECTION 68-BLOCK 3-LOT 3
PROJECT NUMBER: 92-18
DATE: 22 APRIL 1992
DESCRIPTION: THE APPLICATION INVOLVES THE CONVERSION OF AN
EXISTING GARAGE TO A RETAIL SALES AREA. THE
APPLICATION WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located within the "C" Zone. The proposed use is a Use Permitted By Right; however, the "Mixed Use" of the property to include a single family dwelling creates a non-conformance.

In addition, the bulk requirements for the retail use are not satisfied, based on the existing conditions of the lot. As such, area variances will be necessary.

All necessary use and area variances should be clearly defined on the plan, prior to referral to the Zoning Board of Appeals.

2. The Board may wish to make a concept review of this application, advising the Applicant of any concerns, prior to referring the application to the Zoning Board of Appeals.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:LORRAIN.mk

May 11, 1992
DE COUTO, TERRY

31

MR. FENWICK: Referred by Planning Board. Request for (1) 19,168.1 square foot lot area, (2) 86 ft. lot width (3) 33.1 front yard, (4) 16.25 ft. side yard (5) 1.95 ft. total side yard in order to convert a garage over to retail use (flower shop), retaining the single-family use at Old Temple Hill Road and Route 300 in a C zone.

Mr. Martin Rogers came before the Board representing this proposal.

MR. ROGERS: The DeCouto's live in this residence now and have been using this residential garage for four years now, was the original building permit.

MR. BABCOCK: Right.

MR. ROGERS: Mrs. DeCouto would like to, she does flower arranging for parties, stuff like that, open a retail shop in this garage. We have three quarters of the garage for retail space and the balance one quarter left for storage.

MR. FENWICK: This is the fairly new garage like the brown block?

MR. ROGERS: Yes diagonally across from the Minute Man.

MR. FENWICK: And the outside is not going to be changed?

MR. ROGERS: Right now there's in the front there's plate glass store front that Mr. DeCouto had put in last year in preparation to open for the shop and that's when Mike and Frank picked up on it and they're back here now a year later cause they had to straighten out the finances to be able to go through the full process.

MR. FENWICK: Mike, on what standard were they given a building permit for this building?

May 11, 1992

32

MR. BABCOCK: For residential garage.

MR. LUCIA: The application raises an interesting question that Mark Edsall points out in his comments to the Planning Board. They're proposing to use this for retail sales which is now a use permitted of right in the C zone. The problem is that they apparently are going to continue to live in the residence, that's a pre-existing exist non-conforming use. And apparently is going to require a use variance for them to stay on the house as the same property once they add retail sales in the garage. There's really no way they can come under the caretakers provision because that would require 20 acres you need.

MR. FENWICK: Original area variances on that provision and also special permit from the Planning Board on that provision in the C zone. It's kind of unique because the application doesn't involve any physical change in the premises. The area variance as you see before you basically arises because of the change of use but that change of use now makes the existing residential use a non-conforming one and probably require a use variance that's in the C zone. It's a funny application.

MR. TANNER: There's no way it can be a caretakers.

MR. LUCIA: The C zone table column B use allows special permit for the caretakers house but that line goes across 20 acres and very large sites so he would be applying for very substantial area variances to meet that obviously it was not designed for that type of operation.

MR. TORLEY: Existing use of the residential part of the building is not changing.

MR. LUCIA: Right it's pre-existing non-conforming as it sits but by virtue of the fact that he now wants to open a retail shop which is an use permitted by right. It involves changing that residential use. It's a funny application the way it comes in.

May 11, 1992

33

MR. TORLEY: I'm not convinced that opening up a flower shop behind his existing residence means existing residence now no longer can be there.

MR. LUCIA: That certainly is going to be part of his application. I think the problem is I don't think you want to establish a precedent town-wide saying that any application that comes in like this you don't want an opportunity to review that residential use. That seems to be opening up problems that are unforeseen at this point.

MR. FENWICK: Right in this area.

MR. BABCOCK: In my opinion I don't think you can call it a caretakers apartment because it's not in the same building and if you read the code the code says within a commercial building.

MR. LUCIA: That's a good point and this is a separate building also in that connection. I notice on your area variance calculations, you're looking for an 11 foot or the existing house is 11 1/2 feet side yard which is less than the 13.3/4 foot side yard for the proposed probably you need two separate side yard variance applications or the minimal.

MR. ROGERS: Or the minimal that's why we put both down.

MR. LUCIA: Looked like from the minutes you're only looking for the one on the flower shop, you probably need one on the house also and you might check the numbers to see if that affects total side yard, might be an amendment on both of those numbers. It's a question the board should consider. I would just while Mr. Torley's comment is welcome, I'm into too sure you want to set a precedent of forever ignoring this type of issue.

MR. TORLEY: But we don't set precedents.

MR. LUCIA: Well you don't but if you establish a different rule for a different applicant he's going to

May 11, 1992

34

argue you did set a precedent.

MR. TANNER: We may run into the same problem with homes in the same area. There are a lot that fall into the same category.

MR. FENWICK: Dan, you spoke about two different side yards here, why wouldn't the lesser side yard be the only one that would be looked at at this time.

MR. LUCIA: Normally that would be the case but since this is physically two separate buildings it might be clearer to establish two separate side yards applications, one for the residential building, one for the flower shop.

MR. BABCOCK: When we did this referral to the ZBA, we based on the flower shop, we didn't touch the single family residence because we don't have one down there for the single family.

MR. LUCIA: Paul's map showed both but it looked like it came in only on the flower shop.

MR. BABCOCK: We thought that that was the one that was.

MR. FENWICK: One of the things we have to look at is even though the applicant is still living in the house or whatever for this use it's still commercial use and if they were to come back tomorrow and say okay, I've decided to like down the street make this house a business, they're entitled to do so. I think probably we should be looking at this whole parcel of property and just like Dan said, we have two side yard variances. Let's approach all the buildings that are there, get them all lined up for now. That's what it is zoned for.

MR. ROGERS: That will effect the building height.

MR. LUCIA: You look like you might be close on the front yard on the residence. You might want to check that number, 60 feet is required.

May 11, 1992

35

MR. ROGERS: 62.2 that's right off the machine so I'll doublecheck it though.

MR. BABCOCK: We're going to need total side yard.

MR. ROGERS: Or whatever is more restrictive because this is a smaller dimension.

MR. BABCOCK: We'll do two different ones. We'll make a denial for the house and we'll make a denial for the building.

MR. LUCIA: Good. The house will need a height variance too then.

MR. ROGERS: Yes.

MR. FENWICK: Basically now we're setting the property up as commercial piece of property. So we might as well approach the whole thing I mean get it all done.

MR. TANNER: If it's ever sold, it's going to be sold as a commercial piece, not with the residence on it so.

MR. FENWICK: If in fact the variance were granted that can be residential then you're all set.

MR. BABCOCK: So if we revise the, leave this denial the way it is and make one for the house, we'll be set.

MR. LUCIA: Sure.

MR. FENWICK: Is there anything in the code to save me a look about two buildings on one parcel on one commercial lot as far as separation or anything else like that?

MR. BABCOCK: No you have some separation distances. The only time they'll come into play is the type of construction and what the uses of the buildings are and that will come later on with the building construction. As you know this is a block building completely masonry.

May 11, 1992

36

MR. FENWICK: Just to get this straight Dan he will need a use on the residential.

MR. LUCIA: Use on the residence even though it's continuing existing use in the commercial zone after a change of use and area variances on both the existing house on the proposed flower shop.

MR. FENWICK: So I know you're familiar if you want them read off to you what they're going to need with the use to get that all squared away, you can come back to the public hearing if you want to come back to a preliminary that's up to you.

MR. ROGERS: We'll go straight to the public hearing.

MR. LUCIA: You have two separate hoops to go through, one on the use variance which requires a showing of unnecessary hardship and that's the three part test with showing why the land can't yield a reasonable return if used for the purpose allowed in the zone, that's basically dollars and cents argument, two that the owner's plight is unique and three, that the variance requested will not alter the essential character of the location. Second hoop is on the area variance that's the practical difficulty showing that the applicant has to show significant economic injury from the application of the ordinance to his lot, through the several area variances your seeking. Application fees this is commercial so that would be \$150 application fee to the Town of New Windsor and a \$500 deposit since it's use an area variances together, for town consultant fees and various town disbursements. This will also need County referral and I think that covers it. Like to see some photographs of the site please and also copy of the deed and title policy.

MR. BABCOCK: If this went to the County for the Planning Board, would it also need referral from this board?

MR. LUCIA: I think it does because they're separate

May 11, 1992
applications.

37

MR. BABCOCK: You have to give me those numbers, the height of the house, side yards total side yards, that's it.

MRS. BARNHART: You also have to add onto this notice of denial.

MR. BABCOCK: I'm going to give you the new one for the house which is going to include height, side yard and total side yard. This one in the file stands for the flower shop. We'll have a new one just for the house.

MR. TORLEY: How do we set him up.

MR. FENWICK: I don't think this is going to be a problem what we're looking at not going to change anything.

MR. ROGERS: Nothing.

MR. FENWICK: All building will remain as they are.

MR. ROGERS: Yes.

MR. BABCOCK: We can do these numbers tomorrow morning, I mean we can probably do them right now.

MR. LUCIA: The notice of denial is going to conform to what's already on the record at this meeting and the existing maps. There's no new construction on the site.

MR. ROGERS: No, just the parking and that's it.

MR. FENWICK: Any other questions from the members of the board? Motion to set him up for a public hearing?

MR. TANNER: Make a motion we set him up for a public hearing.

MR. NUGENT: I'll second it.

May 11, 1992

38

ROLL CALL

MR. TORLEY	AYE
MR. TANNER	AYE
MR. NUGENT	AYE
MR. FENWICK	AYE



MARY MCPHILLIPS
County Executive

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

PETER GARRISON Commissioner
VINCENT HAMMOND Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor D P & D Reference No. NWT 19 92 M

County I.D. No. 68 / 3 / 3

Applicant Lorraine De Couto

Proposed Action: Use Variance - Conversion of garage to flower shop

State, County, Inter-Municipal Basis for 239 Review Within 500' of NYS Rte. 300

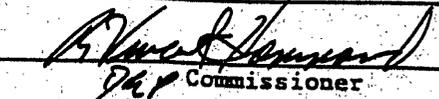
Comments: There are no significant Inter-Community or Countywide concerns to bring to your attention.

Related Reviews and Permits _____

County Action: Local Determination Disapproved Approved

Approved subject to the following modifications and/or conditions: _____

7/7/92
Date



Commissioner

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 19 August 1992

SUBJECT: Lorrain's Flowers-N-Stuff Site Plan

PLANNING BOARD REFERENCE NUMBER: PB-92-18

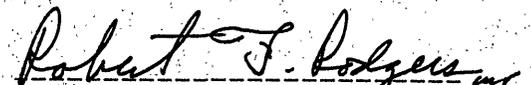
DATED: 7 August 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-044

A review of the above referenced subject site plan was conducted on 19 August 1992.

This site plan is accepted.

PLANS DATED: 5 August 1992; Revision 4.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

CC: H.E.

8-20-92

AUG - 7 1992
92-18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Cromo Eng. for the building or subdivision of

Cortines Acres - Staff has been

reviewed by me and is approved

disapproved

~~If disapproved, please list reason~~

Call water dept. on any water location.

HIGHWAY SUPERINTENDENT

John D. [Signature]
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
cc: M.E.

92-18

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
EAST ORANGE AND ROCKLAND OFFICE
PERMIT INSPECTION
112 DICKSON STREET
NEWBURGH, NEW YORK 12550

Albert J. Bauman
Regional Director

Franklin E. White
Commissioner

August 10, 1992

Planning & Zoning Board
Town of NEW WINDSOR
55 Union Ave.
New Windsor, N.Y. 12553

Re: LORRAINE'S FLOWERS
Route 300 SH 9457

Dear Chairperson;

We have reviewed this matter and please find our comments checked below.

A highway work permit will be required. Please ask Building Department not to issue building permit without proof of State Highway Work Permit.

No objection.

Need additional information; Traffic study _____, and or Drainage study _____.

To be reviewed by Regional Office.

Does not effect New York State Department of Transportation.

PLEASE NOTE: Entrance must conform to state highway work permit.

ADDITIONAL COMMENTS:

Yours truly,


Donald Greene
C.E.I Permits
East Orange and Rockland Counties.

cc: M.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Ouassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 92 - 18
 WORK SESSION DATE: 4 AUG '92 APPLICANT RESUB. REQUIRED: New Plans
 REAPPEARANCE AT W/S REQUESTED: No
 PROJECT NAME: De Couto (Lorraines) Flower s/p
 PROJECT STATUS: NEW _____ OLD _____
 REPRESENTATIVE PRESENT: Martin
 MUNIC REPS PRESENT: BLDG INSP. @ mts
 FIRE INSP. Bob
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Get variances. - show & date
- Plat waiver?
- get to Don G. re drainage & curb cut.
- App'l box
- call out paving for R Pkg Lot

next avail agenda
after new plans.

4-16-92

APR 16 1992

92-18

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Cuomo Eng for the building or subdivision of

Corcines Annex in St. BF has been

reviewed by me and is approved

~~disapproved~~ _____

If disapproved, please list reason _____

Notify water dept. for location of
water lines -

HIGHWAY SUPERINTENDENT

[Signature]
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
CC/M.E.

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: TOWN FIRE INSPECTOR
DATE: 16 APRIL 1992
SUBJECT: LORRAINE'S FLOWERS -N- STUFF
SITE PLAN

PLANNING BOARD REFERENCE NUMBER: PB-92-018

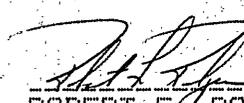
DATED: 13 APRIL 1992

FIRE PREVENTION REFERENCE NUMBER: FPS-92-023

A REVIEW OF THE ABOVE REFERENCED SUBJECT SITE PLAN WAS
CONDUCTED ON 16 APRIL 1992.

THIS SITE PLAN IS ACCEPTABLE.

PLAN DATED: 6 APRIL 1992



ROBERT F. RODGERS; CCA

CC: H.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
 Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 92-18

WORK SESSION DATE: 31 MAR 92 APPLICANT RESUB. REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Lorraine Flowers - (De Couto)

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Martin (PVC)

MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP.
ENGINEER
PLANNER
P/B CHMN.
OTHER (Specify) Don Lander

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 4" / ft
- add fence to stop drive thru
- Show all nec variances -
- finish parking calc.
- app box
- change rear to storage
- should show sign
- Need numerous variances
- ~~Min Escrow~~



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

new

TOWN/VILLAGE OF New Windsor

P/B # 92-18

WORK SESSION DATE: 18 June '91

APPLICANT RESUB.
REQUIRED: Later

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: S/P - Flower Shop 1/2 garage

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Terry DeCouto / Lorraine D.

MUNIC REPS PRESENT:

- BLDG INSP. Bob @ mtg 7/6
- FIRE INSP. Bob
- ENGINEER X
- PLANNER _____
- P/B CHMN. _____
- OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- "C" zone - 40,000 sqft only have 20,000
- area variances needed
- variance re living quarters separate bldg -
Bob Rodgers de car connect -
- see cut off thru traffic -
- Myra - set up for cont.
Presubmission
next avail.

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project LORRAINE'S FLOWER -n- STUFF
2. Name of Applicant TERRY DELCOTO Phone 505-3261
Address RTE 300 TEMPLE HILL RD P.O. BOX 4537 NEW WINDSOR, N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record TERRY & LORRAINE DELCOTO Phone _____
Address - SAME AS ABOVE -
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan CUOMO ENGINEERING Phone 507-0063
Address 2005 D. ST. BLDG. 704 NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting CUOMO ENGINEERING Phone 507-0063
(Name) (MARTIN ROGERS)
7. Location: On the EAST side of N.Y.S. ROUTE 300
(Street)
_____ feet _____
(Direction)
of _____
(Street)
8. Acreage of Parcel ± 1/2 ACRE 9. Zoning District C
10. Tax Map Designation: Section 08 Block 3 Lot 3
11. This application is for RETAIL STORE SITE PLAN DSE-A-1

PLANNING BOARD
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12550

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

Lorraine DeCorte being duly sworn, deposes and says that he resides at 132 Old Temple Hill Rd in the County of Orange and State of NY and that he is (the owner in fee) of _____
(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

13th day of April 1989

Wanda J. Herin
Notary Public

Lorraine DeCorte
(Owner's Signature)
Lorraine DeCorte
(Applicant's Signature)

(Title)

WANDA J. HERINA
Notary Public, State of New York
Qualified in Orange County
No. 4652226
Commission Expires Nov. 30, 1993

PROJECT I.D. NUMBER

617.21

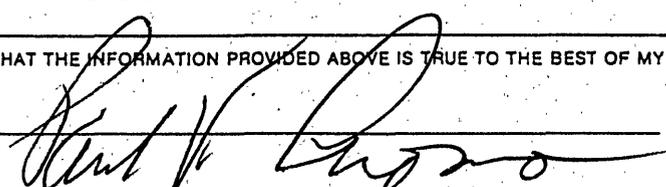
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR TERRY DELCATO		2. PROJECT NAME LORRAINE'S FLOWERS -n- STUFF	
3. PROJECT LOCATION: Municipality NEW WINDSOR County ORANGE			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) SEE SITE PLAN			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: IT IS PROPOSED TO MODIFY AN EXISTING RESIDENTIAL GARAGE INTO RETAIL SPACE & CONSTRUCT REQUIRED PARKING AREAS			
7. AMOUNT OF LAND AFFECTED: Initially ± 1/4 acres Ultimately ± 1/4 acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: MIX OF RESIDENTIAL HOUSES & COMMERCIAL BUSINESS			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals N.Y.S. DOT HIGHWAY WORK PERMIT			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: _____		Date: 4/7/92	
Signature: 			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

_____ Name of Lead Agency

_____ Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer

_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from responsible officer)

_____ Date

APR 13 1992

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Terry & Laraine DeCort, deposes and says that he
resides at 132 Old Temple Hill Rd
(Owner's Address)

in the County of Orange

and State of NJ

and that he is the owner in fee of _____

which is the premises described in the foregoing application and
that he has authorized CUOMO ENGINEERING (PAUL V. CUOMO, MARTIN
G. ROGERS, JOSEPH MINUTA)
to make the foregoing application as described therein.

Date: 4-13-92

Laraine DeCort
(Owner's Signature)

Wanda J. Herli
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

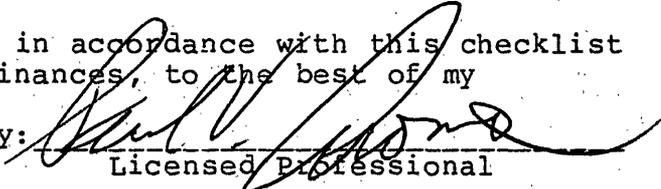
ITEM

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input checked="" type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <input checked="" type="checkbox"/> Curbing Through Section |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | 31. <input checked="" type="checkbox"/> Catch Basin Locations |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 32. <input checked="" type="checkbox"/> Catch Basin Through Section |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 33. <input checked="" type="checkbox"/> Storm Drainage |
| 6. <input checked="" type="checkbox"/> Drawing Date | 34. <input checked="" type="checkbox"/> Refuse Storage |
| 7. <input checked="" type="checkbox"/> Revision Dates | 35. <input checked="" type="checkbox"/> Other Outdoor Storage |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET | 36. <input checked="" type="checkbox"/> Water Supply |
| 9. <input checked="" type="checkbox"/> Site Designation | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet of Site | 38. <input checked="" type="checkbox"/> Fire Hydrants |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10) | 39. <input checked="" type="checkbox"/> Building Locations |
| 12. <input checked="" type="checkbox"/> PLOT PLAN | 40. <input checked="" type="checkbox"/> Building Setbacks |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) | 41. <input checked="" type="checkbox"/> Front Building Elevations |
| 14. <input checked="" type="checkbox"/> Metes and Bounds | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 15. <input checked="" type="checkbox"/> Zoning Designation | 43. <input checked="" type="checkbox"/> Sign Details |
| 16. <input checked="" type="checkbox"/> North Arrow | 44. <input checked="" type="checkbox"/> BULK TABLE INSET |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 45. <input checked="" type="checkbox"/> Property Area (Nearest 100 sq. ft.) |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 46. <input checked="" type="checkbox"/> Building Coverage (sq. ft.) |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 47. <input checked="" type="checkbox"/> Building Coverage (% of Total Area) |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. Ft.) |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 49. <input checked="" type="checkbox"/> Pavement Coverage (% of Total Area) |
| <u>PROPOSED IMPROVEMENTS</u> | |
| 22. <input checked="" type="checkbox"/> Landscaping | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.) |
| 23. <input checked="" type="checkbox"/> Exterior Lighting | 51. <input checked="" type="checkbox"/> Open Space (% of Total Area) |
| 24. <input checked="" type="checkbox"/> Screening | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Proposed. |
| 25. <input checked="" type="checkbox"/> Access & Egress | 53. <input checked="" type="checkbox"/> No. of Parking Required. |
| 26. <input checked="" type="checkbox"/> Parking Areas | |
| 27. <input checked="" type="checkbox"/> Loading Areas | |
| 28. <input checked="" type="checkbox"/> Paving Details (Items 25-27) | |

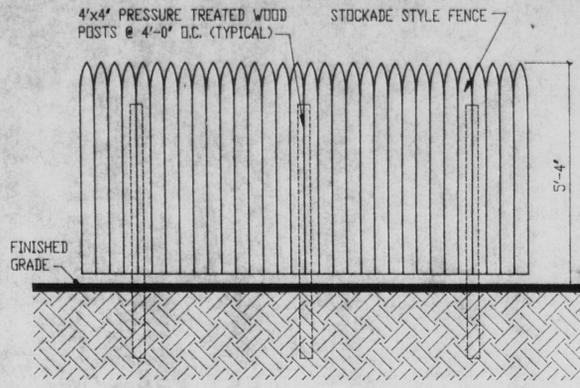
This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

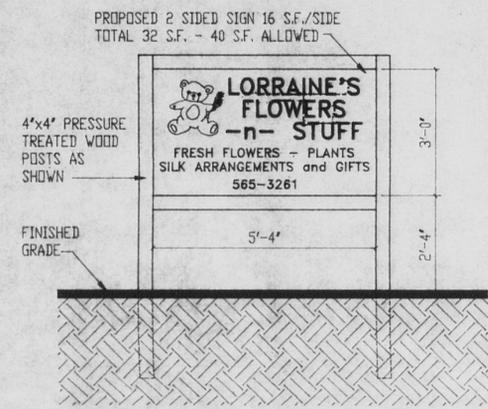
The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: 
Licensed Professional

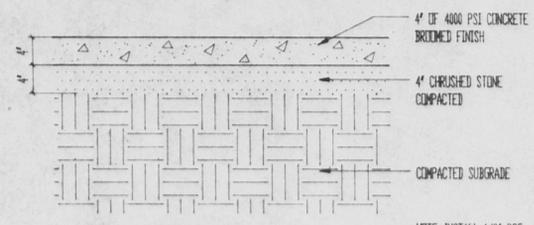
Date: _____



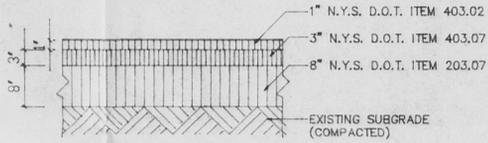
FENCE DETAIL
SCALE: 1/2"=1'-0"



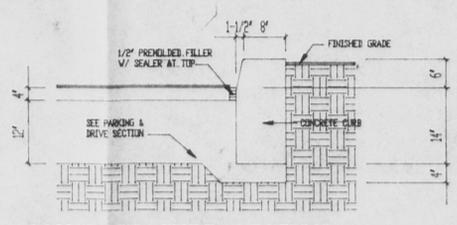
SIGN DETAIL
SCALE: 1/2"=1'-0"



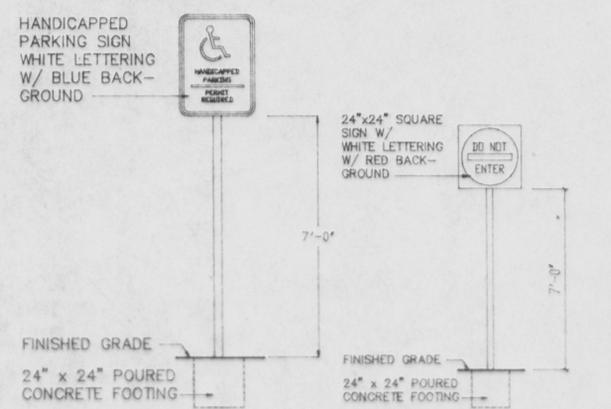
CONCRETE WALK DETAIL
SCALE: 1"=1'-0"



DRIVE SECTION (TO 35" IN FROM CURB ALONG RTE. 300)
SCALE: 1"=1'-0"

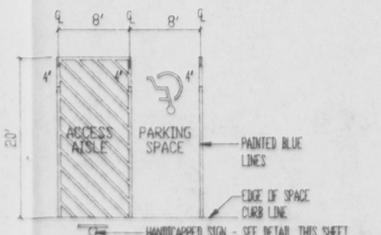


CONCRETE CURB SECTION
SCALE: 3/4"=1'-0"

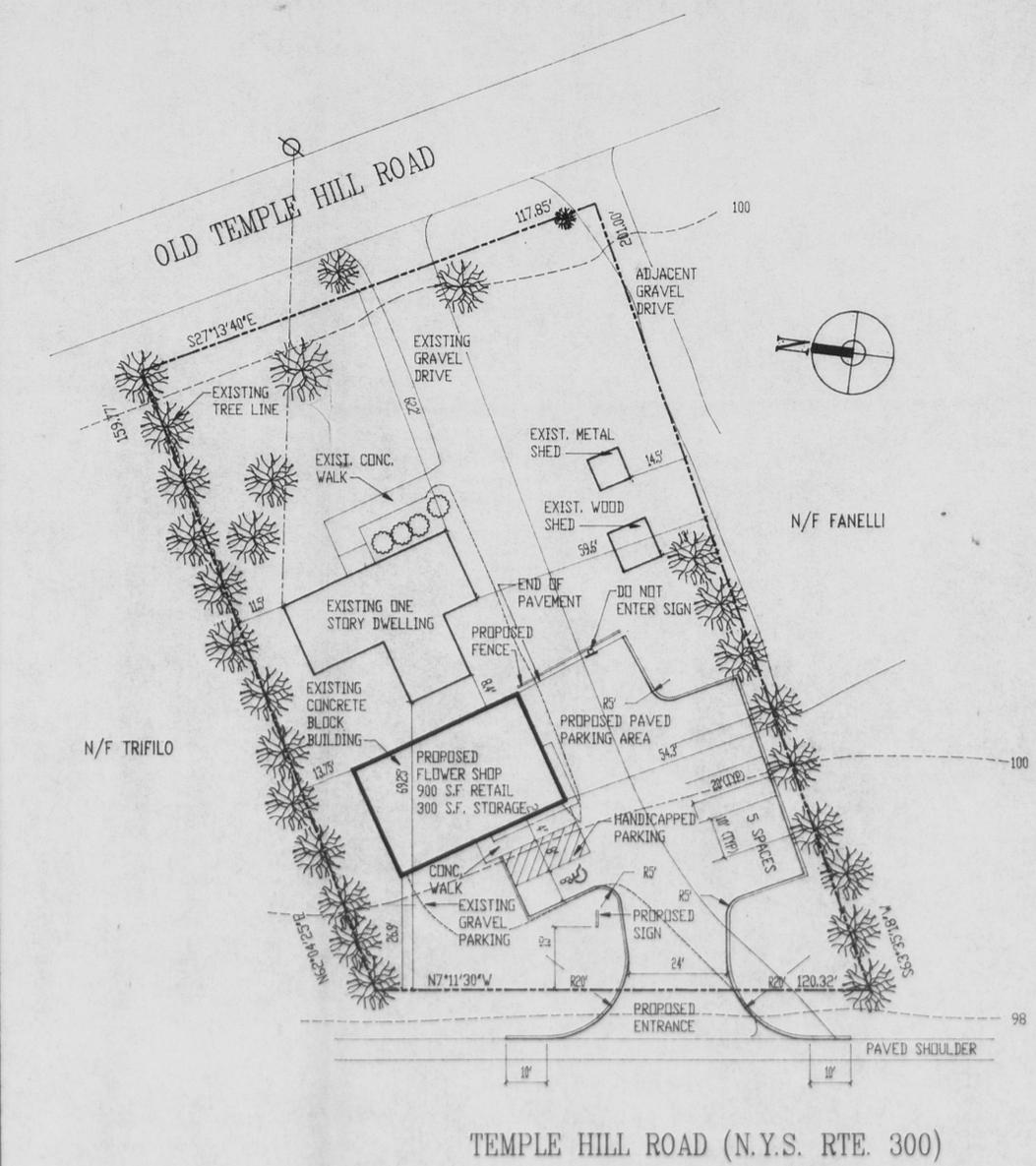


HANDICAP SIGN DETAIL
NO SCALE

DO NOT ENTER SIGN
NO SCALE



HANDICAPPED SPACE DETAIL
SCALE: 1"=10'



PROPOSED SITE PLAN
SCALE: 1"=20'



ZONING REQUIREMENTS

DISTRICT C - DESIGN SHOPPING USE A1
SECTION 68, BLK 3, LOT 3

ITEM	REQ'D	RETAIL	HOUSE	REQUIRED VARIANCES HOUSE	REQUIRED VARIANCES RETAIL
LOT AREA	40,000	20831.9			19168.1
LOT WIDTH	200'	114'	117.85'		86'
FRONT YARD	60'	26.9'	62.2'		33.1'
SIDE YARD	30'	13.75'	11.5'	18.5'	16.25'
BOTH SIDES	70'	68.05'	71.1'		1.95'
REAR YARD	30'	105.6'	69.25'		
FRONTAGE	N/A				
MAX. BLDG. HGT.	4.6'	EXIST	EXIST	21.2'	10.42'
FLOOR AREA RATIO	0.5	0.06	0.05		
LOT COVERAGE	N/A				

* INDICATES VARIANCES GRANTED BY THE NEW WINDSOR ZONING BOARD ON 7/13/92

PARKING REQUIREMENTS

REQUIRED:
1 SPACE PER 150 SQUARE FEET OF AREA IN RETAIL USE
900 SQUARE FEET IN RETAIL USE 900/150 = 6 SPACES
300 SQUARE FEET STORAGE SPACE NO ADDITIONAL EMP.

PROVIDED:
6 SPACES INCLUDING 1 HANDICAPPED

GENERAL INFORMATION

SURVEY INFORMATION:
TAKEN FROM A SURVEY BY PATRICK T. KENNEDY, L.S.
DATED OCTOBER 24, 1989

OWNER & APPLICANT:
TERRY & LORRAINE DECOUTO
ROUTE 300 TEMPLE HILL ROAD
NEW WINDSOR, N.Y.

DEED REFERENCE:
LIBER 2299, PAGE 784

CONSTRUCTION NOTES:

- EXISTING FIELDSTONE WALLS SHALL REMAIN INTACT TO THE MAXIMUM EXTENT POSSIBLE.
- PERFORM ALL WORK, FURNISH ALL MATERIALS AND INSTALL ALL MEASURES REQUIRED TO REASONABLY CONTROL SOIL EROSION AND TO PREVENT AN INCREASE IN OFF-SITE DRAINAGE RESULTING FROM CONSTRUCTION OPERATIONS.
- CONSTRUCTION SHALL BE EFFECTED WITH MINIMAL DISTURBANCE TO NATURAL VEGETATION.
- FOLLOWING ROUGH GRADEING, DISTURBED AREAS SHALL BE SEED AS FOLLOWS:
SEEDING RATE: 1/2 POUND RYE GRASS PER 1000 SQUARE FEET
MULCH RATE: 100 POUNDS HAY OR STRAW PER 1000 SQUARE FEET
- TEMPORARY SWALES AND SEDIMENT BASINS TO BE MAINTAINED DURING CONSTRUCTION AND REMOVED REGRADED AND SEEDED UPON COMPLETION OF ROAD AND UTILITY CONSTRUCTION.
- CATCH BASINS TO BE PROTECTED FROM SEDIMENTATION DURING CONSTRUCTION BY USE OF HAY BALES.

SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON **NOV 29 1992**
BY *Ronald Lander*
RONALD LANDER
SECRETARY
PLANNING BOARD APPROVAL BOX

NOTE: THIS PLAN IS COPYRIGHTED UNAUTHORIZED ALTERATION TO THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW.

05/92	REVISSE PLANNING BOARD	MGR
06/92	ZBA PUBLIC HEARING	MGR
06/92	PLANNING BOARD	MGR
07/92	PL. BD. WORKSHOP	MGR
DATE	ISSUANCE	BY

05/92	WORKSHOP COMMENTS	MGR
07/92	ZBA COMMENTS	JLM
06/92	WORKSHOP COMMENTS	MGR
DATE	REVISIONS	BY

CUOMO ENGINEERING
STEWART INTERNATIONAL AIRPORT, NEW WINDSOR, N.Y. 12553 (914) 567-0063
PROJECT TITLE: **PROPOSED RETAIL STORE FOR LORRAINE'S FLOWERS - n - STUFF**



DATE: MARCH 12, 1992
DRAWN BY: MGR
CHECKED BY: PVC
SCALE: AS NOTED

PROJECT NO.: 92026
SP-1