

**ZB# 01-09**

**Bila Family Partnership /  
KMART**

**65-2-12.1**

Prelim.

April 9, 2001.

Public Hearing;

May 14, 2001

Granted

Refund. \$389.50

#01-09 Bile Family Partners/KMart  
(Street Works) Sign  
Area 65-2-12.1.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Bila Family Partners of K-Mart  
(Street Works - Sign Contractor)

FILE# 01-09

RESIDENTIAL: \$50.00  
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X USE     

*paid #17018  
4/18/01.  
paid #17020  
4/18/01.*

APPLICATION FOR VARIANCE FEE..... \$ 150.00

ESCROW DEPOSIT FOR CONSULTANT FEES..... \$ 500.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/9/01 - 4 \$ 18.00.  
2ND PRELIMINARY- PER PAGE... 5/14/01 - 5 \$ 22.50.  
3RD PRELIMINARY- PER PAGE..... \$ \_\_\_\_\_  
PUBLIC HEARING - PER PAGE..... \$ \_\_\_\_\_  
PUBLIC HEARING (CONT'D) PER PAGE..... \$ \_\_\_\_\_  
TOTAL..... \$ 40.50.

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING:..... 4/9/01 \$ 35.00  
2ND PRELIM..... 5/14/01 \$ 35.00.  
3RD PRELIM..... \$ \_\_\_\_\_  
PUBLIC HEARING..... \$ \_\_\_\_\_  
PUBLIC HEARING (CONT'D)..... \$ \_\_\_\_\_  
TOTAL..... \$ 70.00

MISC. CHARGES:

..... \$ \_\_\_\_\_  
TOTAL..... \$ 110.50

LESS ESCROW DEPOSIT..... \$ 500.00  
(ADDL CHARGES DUE)..... \$ \_\_\_\_\_  
REFUND DUE TO APPLICANT.. \$ 389.50.



**BILA FAMILY PARTNERSHIP**

17010

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
4-18-01	K Mt. Const.		150.00	.00	150.00
<b>CHECK DATE</b>	4-18-01	<b>CHECK NUMBER</b>	17018	<b>TOTALS</b>	150.00
			150.00	.00	150.00

**BILA FAMILY PARTNERSHIP**  
 158 N. MAIN STREET  
 FLORIDA, NY 10921

THE BANK OF NEW YORK  
 252 MAIN STREET  
 GOSHEN, NY 10924

17018

50-235/219

Pay: \*\*\*\*\*One hundred fifty dollars and no cents

DATE: April 18, 2001      CHECK NO. 17018      AMOUNT \$\*\*\*\*\*150.00

PAY TO THE ORDER OF  
 Town of New Windsor  
 555 Union Ave.  
 New Windsor, NY 12553

*John C. Ray*  
 AUTHORIZED SIGNATURE

ZBA #01-09.

⑈017018⑈ ⑆021902352⑆ ⑈6801431397⑈

Security features. Details on back.

**BILA FAMILY PARTNERSHIP**

17020

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
4-18-01	Kmt. ZBA Escrow		500.00	.00	500.00
CHECK DATE	4-18-01	CHECK NUMBER	17020	TOTALS	
			500.00	.00	500.00

**BILA FAMILY PARTNERSHIP**  
 158 N. MAIN STREET  
 FLORIDA, NY 10921

THE BANK OF NEW YORK  
 252 MAIN STREET  
 GOSHEN, NY 10924

17020

50-235/219

Pay: \*\*\*\*\*Five hundred dollars and no cents

DATE  
April 18, 2001

CHECK NO.  
17020

AMOUNT  
\$\*\*\*\*\*500.00

PAY  
TO THE  
ORDER  
OF

Town of New Windsor  
555 Union Ave.  
New Windsor, NY 12553

*John C. Ryan*  
 AUTHORIZED SIGNATURE

ZBA# 01-09

⑈017020⑈ ⑆021902352⑆ ⑈6801431397⑈

Security features. Details on back.

**Town of New Windsor,  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#364-2001**

#01-09

04/18/2001

**Bila Family Partnership**

Received \$ 150.00 for Zoning Board Fees, on 04/18/2001. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green  
Town Clerk**

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
 NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth  
 168 N. Drury Lane ..... DR.  
 Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
5/14/01	Zoning Board Mtg	75 00	
	Misc -		
	Zupitza - 3		
	Byron - 1		
	McLurry - 3		
	Proffs - 3		
	Walda - 2		
	Merced - 2		
	Bila / Big V Centre - 8	157 50	
	Bila / K Mart - 5 22.50		
	Bila / K Mart - 3	232 50	
	Gurgulo / Lyons - 3 // 35 pgs.		

BILA FAMILY PARTNERSHIP/K MART

MR. TORLEY: Second of this trilogy. Request for variation of Section 48-18 of Supplemental Sign Regulations for 3 signs in a C zone as attached in Schedule 2.

Mr. Bill Pfaff appeared before the board for this proposal.

MR. PFAFF: These signs are for K-Mart so K-Mart's the tenant that's going in the space that was previously occupied by Caldor and the mall. Part of the building that's presently there now will get demolished and this facade will be built at the location, what's now, what's currently now an interior space where the original Caldors store front was and again, three signs were being proposed.

MR. TORLEY: Do you have another copy of that?

MS. CORSETTI: I have it in here.

MR. MC DONALD: I've seen it all.

MR. PFAFF: Applications were made for three signs, the first sign being, this Big K sign, the second sign and, well, the Big K sign is an internally illuminated sign, the second sign is the one hour photo pharmacy which is not internally illuminated, those two signs require variances, the third sign was this Western Union panel sign and a permit was granted for that box sign because it complies with the sign code.

MR. TORLEY: It shows Western Union sign is one of the signs of which a variance is requested.

MR. PFAFF: It's listed here but we actually did get a--

MR. TORLEY: That meets the code, no problem with the Western Union sign?

MR. BABCOCK: I'll have to look, Mr. Chairman.

MR. PFAFF: Cause that's a two foot high by four foot wide sign.

MR. BABCOCK: Yes.

MR. TORLEY: That's the one sign that would be allowed, right?

MR. KANE: Yes.

MR. BABCOCK: I'm trying to catch up with the last 13, doing the paperwork.

MR. TORLEY: The signs aren't there now, are they?

MR. PFAFF: No, they are not.

MR. TORLEY: So Western Union sign meets the code, therefore, not really a variance really, look at two variances then if we're considering the Big K sign is one, that's one illuminated sign?

MR. PFAFF: That's correct.

MR. TORLEY: And it's 10 feet high by 36.5 feet wide?

MR. PFAFF: That's correct, the ten foot high being the maximum height at the K.

MR. TORLEY: How does that compare to the old sign that's there now for the Big V or Caldors?

MS. DROSS: Caldor was ten foot and the V was ten foot.

MR. KANE: This is going to be further back from the road than the existing sign?

MR. PFAFF: Right.

MR. TORLEY: How far back?

MS. DROSS: Another 169 feet back.

MR. PFAFF: So the total distance back from Route 32 will now be approximately 475 feet, an additional 169

feet from what was there now.

MR. TORLEY: You feel that that distance from the road requires such a large sign for visibility?

MS. DROSS: Yes.

MR. PFAFF: Yes.

MR. TORLEY: Again, internally lit, no flashing, no neon?

MR. PFAFF: No.

MR. REIS: Excuse me, you quoted that the prior Big V sign and/or Caldor sign was ten foot high, is that right?

MR. PFAFF: That's correct.

MR. REIS: How wide was it?

MR. PFAFF: Caldor was ten foot high by 25 feet wide, the V letter was ten foot high by five feet wide and all the signage, the square footage of all the signage, again, Caldor, Big V and tenant panel signs totaled slightly over 1,000 square feet of signage and these three signs total just under 500 square feet of signage, so we're significantly reducing the square footage of signage from what existed.

MR. TORLEY: Instead of being an anchor store, this is a series of store fronts, we might have 10 or 15 signs along the same amount of frontage?

MS. DROSS: Like we had before, we had 12.

MR. TORLEY: Actually reducing the total number of signs.

MS. DROSS: Yes.

MR. REIS: Seems like a, not to be difficult and make your life miserable here, but there are two, what is it, Big K, right?

MR. PFAFF: Big K.

MS. REIS: Do you feel that you can accomplish your goals and diminish your variance somewhat?

MR. TORLEY: What's the next size smaller K that you've got in your stock?

MS. DROSS: We're going by K-Mart's requirements, they usually have a larger size, we have asked them to cut it down for this building.

MR. TORLEY: What's their normal size that they have as a standard?

MS. DROSS: They'll go as high as five foot high.

MR. TORLEY: Ten foot is smaller than the normal was, what's the smallest that they have, you have to remember, it's not what they allow, it's what the Town Code allows.

MR. PFAFF: Right, I know in discussions with them, they said they've never gone under ten feet so we did per their typical size, we did go to the minimum.

MR. TORLEY: One hour photo pharmacy, it's the banner sign underneath the Big K that's for the photo and pharmacy, separate operations?

MS. DROSS: It's not lit, it's a non-illuminated sign.

MR. PFAFF: Just acrylic letters.

MR. TORLEY: So to some extent, your corporation centers the style K is a logo as well as a name?

MS. DROSS: Yes.

MR. REIS: Accept a motion?

MR. KANE: Sure.

MR. REIS: Make a motion that we pass the Bila Family's

May 14, 2001

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request for variance for their three signs listed on  
Schedule 2.

MR. MC DONALD: Second it.

ROLL CALL

MR. KANE	AYE
MR. MCDONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 01-09

Date: 4/11/01

I. Applicant Information:

- (a) Bila Family/WVR Real Estate II LLC, 158 N. Main St. Florida NY 845-651-7973  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) Street Works, 30 Glenn St. White Plains, NY 914-949-6505  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Interpretation

III. Property Information:

- (a) C NYS Rt. 32/Windsor Highway 65-2-12.1 30 acres  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-5
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? \_\_\_\_\_
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? Yes  
If so, when? 11/00
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? \_\_\_\_\_
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes \_\_\_ No \_\_\_.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: N/A

(a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

\* Residential Districts only

\*\* No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

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

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section 48-18, Supplementary Sign        Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign	<u>See Attached</u>	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

Kmart store front facade signs as per their specifications. Decreasing original total square footage of signs and increasing distance of store front from Rte. 32.  
\_\_\_\_\_  
\_\_\_\_\_

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?  
See Attached

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

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

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- Copy of tax map showing adjacent properties.
- N/A Copy of contract of sale, lease or franchise agreement.
- Copy of deed and title policy.
- Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copy(ies) of sign(s) with dimensions and location.
- Two (2) checks, one in the amount of \$150.00 and the second check in the amount of \$500.00, each payable to the TOWN OF NEW WINDSOR.
- Photographs of existing premises from several angles.

X. Affidavit.

Date: 4/18/01

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

*Deane Devo*  
(Applicant)

Sworn to before me this

18<sup>th</sup> day of April, 2001

*Daisy Hoyer*

DAISY HOYER  
Notary Public-State of New York  
Appointed in Orange County  
Commission Expires 4/30/02

XI. ZBA Action:

(a) Public Hearing date: 5/14/01

**Bila Family/WVR Real Estate II LLC/Big V Town Centre  
Sign Variance Detail Appeal No. 01-09**

No.	Sign	Permitted	Proposed	Variance Request	Sq.Ft.
1	Western Union illuminated	3.5ft.H x 10ft. W	2ft.H x 4ft. W		8 sf
2	BIG K illuminated	3.5ft.H x 10ft. W	10ft. H x 36.5ft. W	6.6ft. H x 26.5ft. W	365 sf
3	1 Hr Photo Pharmacy non-illuminated	3.5ft.H x 10ft. W	2.75ft. H x 44.1ft. W	34.1ft. W	121.3 sf
<b>Total</b>					<b>494.3 sf</b>

Date 4/27/01, 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth ..... DR.  
168 N. Drury Lane  
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
4/01	Zoning Board	75 00	
	Misc. - 2		
	Langer - 2		
	Pila Family K-Mart - 3		
	" " " - 4		
	" " " - 4		
	Arguido/Lynn - 14	130 50	
	29		
		205 50	

April 9, 2001

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BILA FAMILY PARTNERS/K-MART

Mr. Bill Pfaff and Mr. Jeff Rosenberg appeared before the board for this proposal.

MR. TORLEY: Request for variation of Section 48-18H(1)(b) of the Supplementary Sign Regulations to permit 6 ft. 6 in. sign height, 26 ft. 5 in. sign width, plus one additional facade sign for K Mart (formerly Caldor); and 34.1 ft. sign width variance for One-Hour Photo & Pharmacy, plus a variance for one additional facade sign (request for three; only one permitted) for K Mart at Big V Town Centre at 366 Windsor Highway in C zone.

MR. PFAFF: My name is Bill Pfaff, I'm with Streetworks Architects, we're the architects, Streetworks Architects were the architects for the Big V and also for the K-Mart that's going in there. We have submitted a signage drawing, the drawing I believe you've seen, this is the sign that's being proposed that they'd like to have for their front facade and actually three signs, there's the main sign, Big K, Big K-Mart.

MR. KANE: Excuse me a second, Len, do you want to walk over and take a look? Might as well.

MR. PFAFF: There's three signs that they have applied for, the main sign is this big K-Mart sign that's an internally illuminated acrylic faced sign, there's the sign below that is the One-Hour Photo-Pharmacy, which is a non-illuminated sign with acrylic letters and third sign which has gotten approval which is a small box sign that says Western Union Telegraph or Telegram sign.

MR. ROSENBERG: This is the whole facade, if you want to see, is the whole front, what the front is going to look like.

MR. PFAFF: This is a view now of the new facade that will be there once the existing Shop Rite building and the existing mall building is demolished back and what you see in this drawing here, this is the end of the

new renovated retail for the new retail building and then from here is the new facade which will carry on the materials of the existing or of the newly renovated center in terms of the bands of brick, bands of split face block as used on the Shop Rite building and then the main central entrance to K-Mart will pick up the other materials, this will be the clapboard siding that's used on the rest of the center.

MR. TORLEY: Looking for three facade signs, where is the third one?

MR. PFAFF: This little Western Union illuminated panel sign and we submitted an application for the three signs being Sign A, Sign B and Sign C and we've got approval for the little panel sign because that's in compliance with the zoning and we're seeking a variance for the Big K sign and the Sign B, the one below that.

MR. TORLEY: One-Hour Photo-Pharmacy is a different business?

MR. ROSENBERG: It's part of K-Mart.

MR. PFAFF: They have a one hour photo shop and a pharmacy within the store and just for a sense of color, what that would look like, those are their standard colors, the Big in blue, K in red and the Mart in orange.

MR. TORLEY: How does the Big K sign compare in size to the existing Shop Rite sign?

MR. ROSENBERG: It's smaller than the, if you remember the Big V sign that was up there, it's smaller in size to that, that was really big and it's smaller in size than the Caldor sign that was up, if you remember that huge Caldor sign, but it's not, it's only smaller because it's really a logo type sign, rather than the whole thing spelled out.

MR. TORLEY: Basically, instead of the large Caldor sign, large Shop Rite sign we're going to have one large Big K sign.

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MR. ROSENBERG: Right, instead of a huge Big V Plaza and huge Caldor you'll have this one Big K sign, that's correct, and one hour photo that's correct on this building.

MR. KANE: Mike, just--

MR. TORLEY: How far back from the street are you?

MR. ROSENBERG: Pretty far back, that whole interior mall comes down far.

MR. PFAFF: As you can see in the site plan here, Route 32 is down there. Right now, the building that you see, the facade of the existing building is about here, so all that gets demolished back to what was the, if you're familiar with it, what used to be the internal store front of Caldor.

MR. TORLEY: This is not directly relevant to your particular variance, my recollection was when we granted the variances and the package for the whole renovation, there's going to be a two level parking area?

MR. ROSENBERG: That's correct.

MR. TORLEY: Is that no longer going to be there?

MR. ROSENBERG: It is, that's on this site plan right now, actually, elevator access right here between the two levels right in the corner, there's an elevator and stairway right on the corner between the two levels.

MR. TORLEY: I wanted to make sure we weren't losing parking spaces.

MR. ROSENBERG: No, no, we're gaining parking spaces, actually, actually, one of the big things for K-Mart it's tight on parking to begin with so they require that we expand the parking structure that we have to build but we felt it was important to have K-Mart here for the center.

MR. TORLEY: Good anchor. Gentlemen, anything you want

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to ask about?

MR. REIS: In light of the fact that K-Mart's going to be controlling and occupying that tremendous expanse, we're going to have an issue if there were six, there's no issue of six or eight stores, so seems like a reasonable use as far as the signs.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: I make a motion that we set up the Bila Family Partners and K-Mart for the requested variances.

MR. KRIEGER: Agenda item number 3.

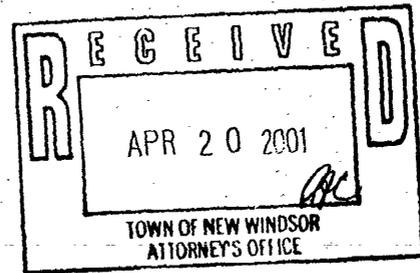
MR. KANE: Second it.

ROLL CALL

MR. KANE	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE



PUBLIC NOTICE OF HEARING  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR



**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 01-09

Request of Bila Family/WVR Real Estate II LLC, Big V Town Centre

for a VARIANCE of the Zoning Local Law to Permit:

Three (3) facade signs at Big V Town Centre with more than the allowable sign area;

being a VARIANCE of Section 48-18 Supplementary Sign Regulation

for property situated as follows:

366 Windsor Highway, Big V Town Centre, Vails Gate, NY

known and designated as tax map Section 65, Blk. 2 Lot 12.1

**PUBLIC HEARING** will take place on the 14th day of May, 20 01 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley

Chairman

Sent By: Billa Family Partners; 845 651 1283; Mar-26-01 11:44AM; Page 2

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



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

BILLA FAMILY PARTNERSHIP and  
WVR REAL ESTATE II LLC  
  
TO  
  
WVR REAL ESTATE II LLC

SECTION 65 BLOCK 2 LOT 12.1

RECORD AND RETURN TO:

(Name and Address)

THIS IS PAGE ONE OF THE RECORDING  
ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

James G. Sweeney  
P.O. Box 806  
Goshen, NY 10924

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED  MORTGAGE  SATISFACTION  ASSIGNMENT  OTHER

PROPERTY LOCATION

- |                            |                           |
|----------------------------|---------------------------|
| 2089 BLOOMING GROVE (TN)   | 4289 MONTGOMERY (TN)      |
| 2001 WASHINGTONVILLE (VLG) | 4201 MAYBROOK (VLG)       |
| 2289 CHESTER (TN)          | 4203 MONTGOMERY (VLG)     |
| 2201 CHESTER (VLG)         | 4205 WALDEN (VLG)         |
| 2489 CORNWALL (TN)         | 4489 MOUNT HOPE (TN)      |
| 2401 CORNWALL (VLG)        | 4401 OTISVILLE (VLG)      |
| 2600 CRAWFORD (TN)         | 4600 NEWBURGH (TN)        |
| 2800 DEERPARK (TN)         | 4800 NEW WINDSOR (TN)     |
| 3089 GOSHEN (TN)           | 5089 TUXEDO (TN)          |
| 3001 GOSHEN (VLG)          | 6001 TUXEDO PARK (VLG)    |
| 3000 FLORIDA (VLG)         | 6200 WALLKILL (TN)        |
| 3005 CHESTER (VLG)         | 5489 WARWICK (TN)         |
| 3200 GREENVILLE (TN)       | 5401 FLORIDA (VLG)        |
| 3489 HAMPTONBURGH (TN)     | 5403 GREENWOOD LAKE (VLG) |
| 3401 MAYBROOK (VLG)        | 5405 WARWICK (VLG)        |
| 3689 HIGHLANDS (TN)        | 5600 WAWAYANDA (TN)       |
| 3801 HIGHLAND FALLS (VLG)  | 5889 WOODBURY (TN)        |
| 3809 MANSINK (TN)          | 5801 HARRIMAN (VLG)       |
| 3801 UNIONVILLE (VLG)      |                           |
| 4089 MONROE (TN)           | <b>CITIES</b>             |
| 4001 MONROE (VLG)          | 0800 MIDDLETOWN           |
| 4023 HARRIMAN (VLG)        | 1700 NEWBURGH             |
| 4005 KIRYAS JOEL (VLG)     | 1300 PORT JERVIS          |
|                            | 0800 HOLD                 |

NO. PAGES 4 CROSS REF \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ ADD'L X-REF \_\_\_\_\_  
MAP # \_\_\_\_\_ PGS. \_\_\_\_\_  
PAYMENT TYPE: CHECK   
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

CONSIDERATION \$ \_\_\_\_\_  
TAX EXEMPT \_\_\_\_\_  
MORTGAGE AMT \$ \_\_\_\_\_  
DATE \_\_\_\_\_

MORTGAGE TAX TYPE:  
\_\_\_\_ (A) COMMERCIAL/PULL 1%  
\_\_\_\_ (B) 1 OR 2 FAMILY  
\_\_\_\_ (C) UNDER \$10,000  
\_\_\_\_ (E) EXEMPT  
\_\_\_\_ (F) 3 TO 6 UNITS  
\_\_\_\_ (I) NAT. PERSONCR. UNION  
\_\_\_\_ (J) NAT.PER-CR.UN/1 OR 2  
\_\_\_\_ (K) CONDO

*Donna L. Benson*  
DONNA L. BENSON  
Orange County Clerk

RECEIVED FROM:

*James G. Sweeney*

LIBER 5392 PAGE 84

LIBER 5392 PAGE 84  
ORANGE COUNTY CLERK'S OFFICE 39042 JUL  
RECORDED/FILED 10/23/2000 07:00:00 AM  
SERIAL NUMBER: 008973  
DEED CNTL NO 64208 RE TAX .00

**BARGAIN AND SALE DEED  
With Covenant Against Grantor's Acts**

THIS INDENTURE made the 16<sup>th</sup> day of October the year two thousand,

BETWEEN BILA FAMILY PARTNERSHIP, 158 North Main Street, Florida, NY 10921 and WVR REAL ESTATE II LLC, of the same address, parties of the first part, and WVR REAL ESTATE II LLC, 158 North Main Street, Florida, NY 10921 party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars, lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

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

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

BEING AND INTENDED TO BE the same premises conveyed to BILA FAMILY PARTNERSHIP and WVR REAL ESTATE II LLC by virtue of the following deeds:

Bila Family Partnership and WVR Real Estate II LLC dated November 4, 1999 and recorded in the Orange County Clerk's Office on December 1, 1999 in Liber 5195 of Deeds at page 160.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid and, if a corporation, the party of the first part covenants that this conveyance is made in the regular course of the business conducted by it.

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

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

IN WITNESS WHEREOF, the parties of the first part have duly executed this deed the day and year first above written.

IN PRESENCE OF:

Bila Family Partnership

By Jeff G. Rosenberg

WVR Real Estate II LLC

By Jeff G. Rosenberg

Jeffrey G. Rosenberg, Member

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ORANGE )

On the 16<sup>th</sup> day of October in the year 2000, before me, the undersigned, personally appeared Jeffrey G. Rosenberg, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Daisy Hoyer  
Notary Public

DAISY HOYER  
Notary Public, State of New York  
Appointed in Orange County  
Commission Expires 7/31/2002

RECORD AND RETURN BY MAIL TO:

James G. Sweeney  
P.O. Box 806  
Goshen, NY 10924

## SCHEDULE "A"

\*-PROPERTY DESCRIPTION OF THE SECTION 65,  
BLOCK 2, LOT 12, 35, 36, 37, 38, 39, & 40  
VAILS GATE, ORANGE COUNTY, NEW YORK

Commencing at a point on the easterly line of Old Temple Hill Road, said point being the northwesterly corner of Section 65, Block 2, Lot 34 and the point of beginning;

- 1) Continuing along said easterly line of Old Temple Hill Road, North 26° 48' 38" West, a distance of 1021.71 feet to a point, thence;
- 2) North 26° 31' 42" West, a distance of 200.04 feet to a point, thence;
- 3) Leaving said easterly line, North 44° 43' 42" East, a distance of 360.82 feet to a point, thence;
- 4) North 71° 09' 00" East, a distance of 55.70 feet to a point, thence;
- 5) South 57° 11' 00" East, a distance of 322.00 feet to a point, thence;
- 6) North 74° 49' 03" East, a distance of 956.85 feet to a point on the westerly line of Old Forge Hill Road, thence;
- 7) Continuing south along said line, South 08° 01' 29" East, a distance of 222.79 feet to a point, thence;
- 8) South 81° 18' 31" West, a distance of 3.00 feet to a point, thence;
- 9) South 07° 53' 50" East, a distance of 153.07 feet to a point, said point being the intersection of the westerly line of Old Forge Hill Road with the Northerly line of N.Y.S. Route 32, thence;
- 10) Continuing southwesterly along said line of N.Y.S. Route 32, South 06° 41' 00" West, a distance of 10.14 feet to a point, thence;
- 11) South 36° 51' 20" West, a distance of 279.16 feet to a point, thence;
- 12) South 32° 44' 20" West, a distance of 250.65 feet to a point, thence;
- 13) South 36° 33' 22" West, a distance of 372.52 feet to a point, thence;
- 14) South 37° 47' 57" West, a distance of 208.63 feet to a point, thence;
- 15) North 52° 13' 28" West, a distance of 28.50 feet to a point, thence;
- 16) South 37° 46' 32" West, a distance of 45.00 feet to a point, thence;
- 17) South 25° 29' 24" West, a distance of 133.60 feet to a point, thence;
- 18) South 37° 47' 57" West, a distance of 65.41 feet to a point, said point being the southeast corner of Section 65, Block 2, Lot 34, thence;
- 19) North 26° 48' 38" West, a distance of 193.71 feet to a point, thence;
- 20) South 37° 47' 57" West, a distance of 180.65 feet to the point and place of beginning.

Encompassing an area of 1,283,733 square feet or 29.47 acres, more or less.

\*The above description is prepared in accordance with a plan entitled "Boundary and Topographic Survey for Bila Partnership, Town of New Windsor, Orange County, New York", prepared by Eustance & Horowitz, P.C., dated February 27, 1998.

C:\DA1AD\14620\legalkew\trip\desc.doc

Kangan Engineering and Environmental Services

LIBER 5392 PAGE 87

OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

#01-09.  
Pg. 2 of 2

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/21/01

APPLICANT: Street Works  
30 Glenn Street  
White Plains, NY 10603

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/20/01

FOR : Bila Family Partnership

LOCATED AT: 366 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 65-2-12.1

DESCRIPTION OF EXISTING SITE: 1 Hr. Photo Pharmacy Sign at Big V Town Center

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-18H, 1b One Façade Sign permitted 3.5ftx10ft. Proposed sign 2.75ftx44.1ft requires a variance for additional sign and 34.1ft width.

**COPY**

*Louis J. Kucher*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: C      USE:

SIGN: 1 Façade Sign

3 Façade Signs

1 Façade Sign

FREESTANDING:

HEIGHT: 3.5ft

2.75ft

WIDTH: 10ft

44.1ft

34.1ft

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

, cc: Z.B.A.. APPLICANT. FILE.W/ATTACHED MAP

SIGN A

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 2001-185

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises BILA FAMILY PARTNERSHIP

Address 158 N. MAIN ST., FLORIDA, NY 10921 Phone 845-651-7973

Mailing Address \_\_\_\_\_

Name of Architect STREET WORKS

Address 30 GREEN ST. WHITE PLAINS, NY 10603 Phone 914-949-6505

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder ARCHITECT

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 65 Block 2 Lot 12.1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) New Bldg  Addition  Alteration  Repair  Removal  Demolition  Other

6. Is this a corner lot? \_\_\_\_\_

*Big K MART SIGN*

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee <sup>H</sup> 50.00

*ck# 012243*

**PAID**



OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/21/01

APPLICANT: Street Works  
30 Glenn Street  
White Plains, NY 10603

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/20/01

FOR : Bila Family Partnership

LOCATED AT: 366 Windsor Highway

ZONE: C    Sec/ Blk/ Lot: 65-2-12.1

DESCRIPTION OF EXISTING SITE: Big K mart Sign, Big V Town Center

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18H, 1b

1. One Façade Sign permitted not to exceed 3.5ft in height and 10ft in width. Proposed Big K mart sign is 10ft high & 36ft5in wide.

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: C      USE:

SIGN: 1 Façade Sign

3 Façade Signs

1 Façade Sign

FREESTANDING:

HEIGHT: 3.5ft

10ft

6ft6in

WIDTH: 10ft

36ft5in

26ft5in

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE.W/ATTACHED MAP

SKN B

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAR 20 2001

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:  
Building Permit #: 200-184

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises BIVA FAMILY PARTNERSHIP

Address 150 N. MAIN ST., FLORIDA, NY 10924 Phone 845-651-7973

Mailing Address \_\_\_\_\_

Name of Architect STREET-WORKS

Address 30 ~~GREEN~~ GLENN ST. WHITE PLAINS, NY 10603 Phone 914-949-6505

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder ARCHITECT

If applicant is a corporation, signature of duly authorized officer: \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 65 Block 2 Lot 12.1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) New Bldg  Addition  Alteration  Repair  Removal  Demolition  Other

6. Is this a corner lot? \_\_\_\_\_ Big - K MART SIGN  
10' X 36' 5"

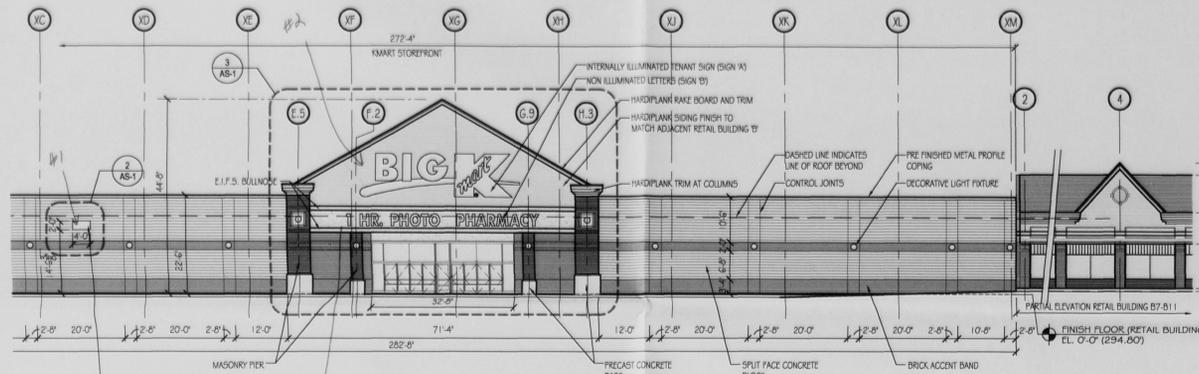
7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

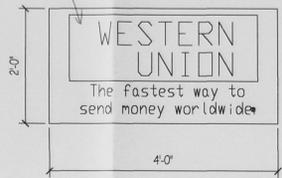
10. Estimated cost \_\_\_\_\_ Fee 50.00

#  
50.00  
**PAID**  
CK# 012271

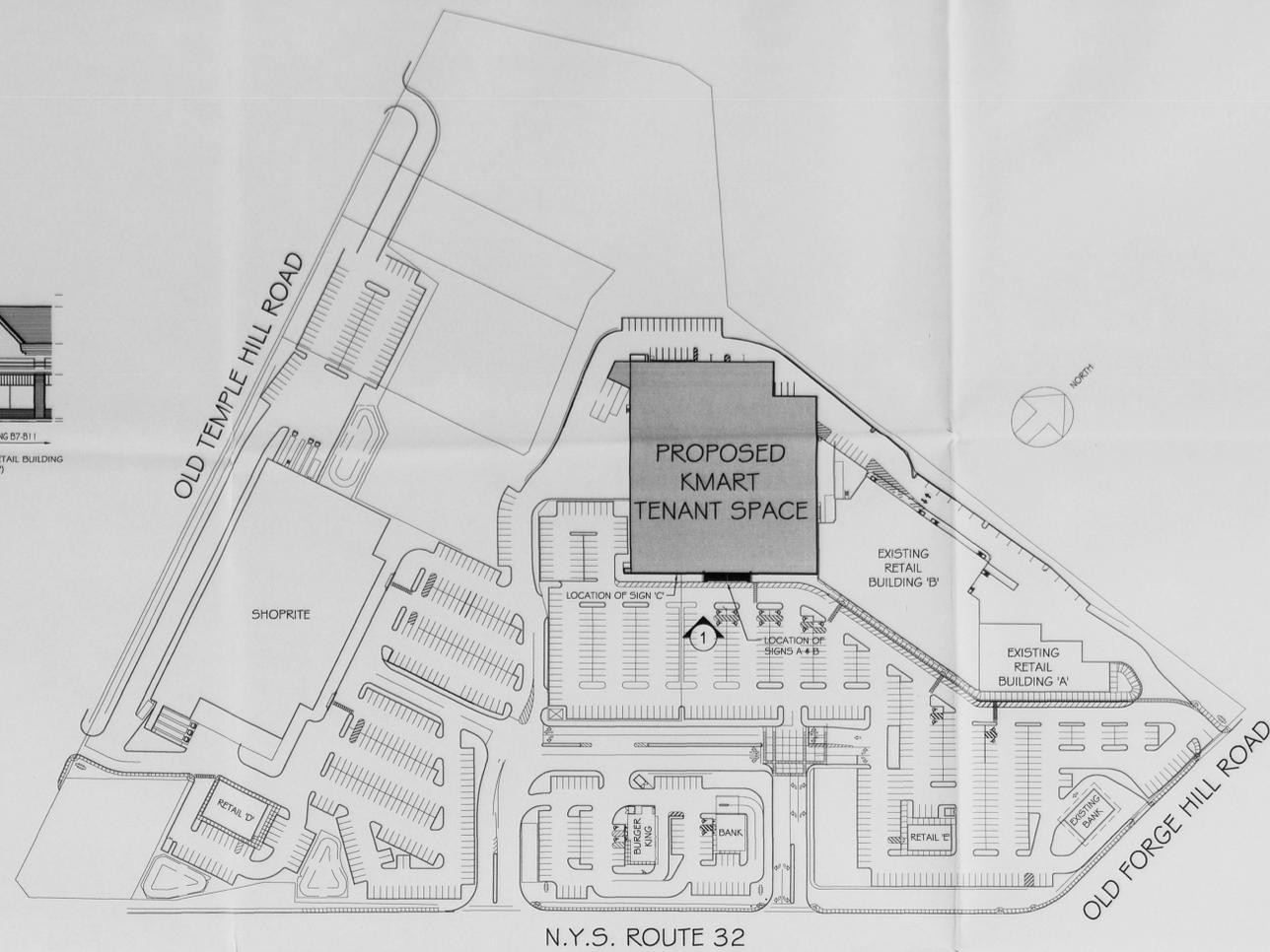


**SIGN C**  
"WESTERN UNION"  
ILLUMINATED PANEL SIGN

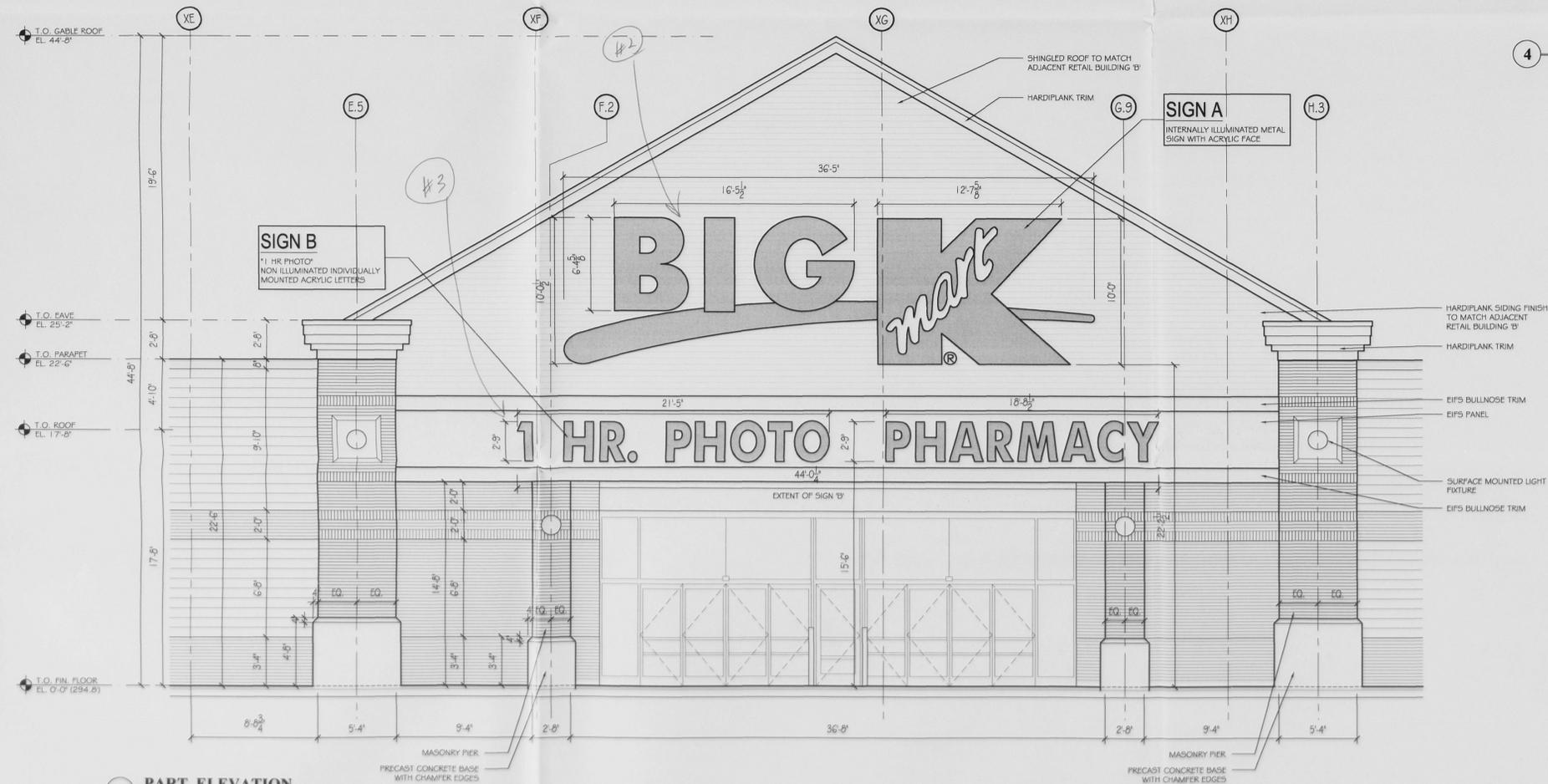
**1 FRONT ELEVATION**  
SCALE: 1/16" = 1'-0"



**2 SIGN 'C' (ILLUMINATED PANEL SIGN)**  
SCALE: N.T.S.



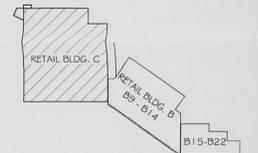
**4 SITE PLAN**  
SCALE: N.T.S.



**3 PART. ELEVATION**  
SCALE: 1/4" = 1'-0"

LEGEND	
<b>SIGN A</b>	INTERNALLY ILLUMINATED METAL SIGN WITH ACRYLIC FACE AREA = 200 SF. STYLE: FUTURA HEAVY  COLOR SCHEDULE: "KSMART" SN-299 (PMS #1 & C RED) "BIG" SN-499 (PMS #3005-C BLUE) "SWOOP" SN-599 (PMS #150 ORANGE)
<b>SIGN B</b>	NON ILLUMINATED INDIVIDUALLY MOUNTED ACRYLIC LETTERS AREA = 110 SF. STYLE: FUTURA BOLD
<b>SIGN C</b>	ILLUMINATED PANEL SIGN AREA = 8 SF.

KEY PLAN:



NORTH

SEAL:  
NEW YORK ALTERATION WARNING STATEMENT

It is a violation of New York regulation 69.5 (a) for any person, unless acting under the direction of a licensed professional architect, to alter any item in any way without affixing to the item his seal and the notification altered by, followed by a signature, date of such alteration and a specific description of the alteration.  
No use, reproduction or dissemination may be made of this drawing and the contents set forth without the prior written consent of PEG/Park LLC. Copyright 2000.

PROJECT:  
**Kmart Corp. #9462**  
**BIG K CONVERSION**  
**BIG 'V' TOWN CENTRE**  
VailsGate, New York

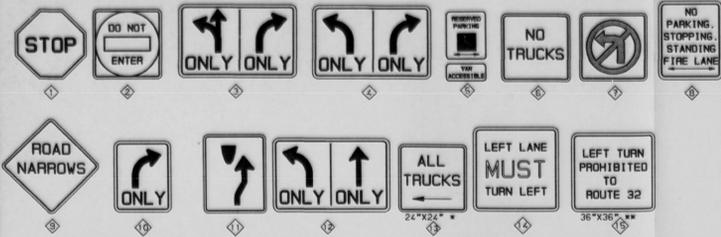
CLIENT:  
**KMART Corporation**  
3100 West Big Beaver Road  
Troy, MI 48084

SCALE: AS NOTED  
DATE: 30 JAN. 2001  
PROJECT NO.: 84520-87  
PLOT DATE: 30 JAN. 2001  
FILE PATH: \\vails\newvails\ret\_buil\_c\bigk\_vpl.sh\_VA20

DRAWING TITLE:  
**PROPOSED TENANT SIGNAGE**

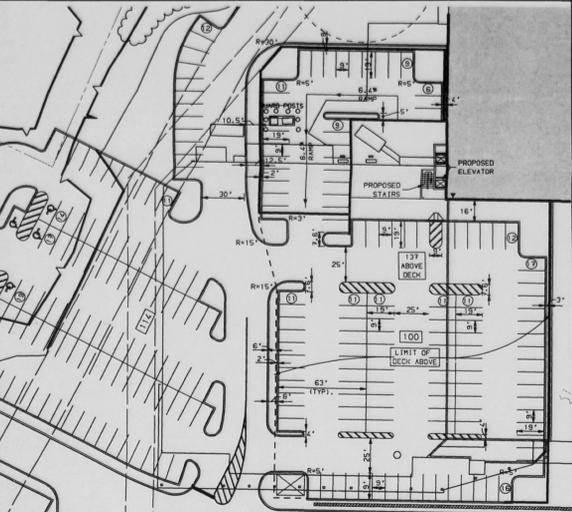
SHEET TITLE:  
**AS-1**

**SIGN LEGEND**

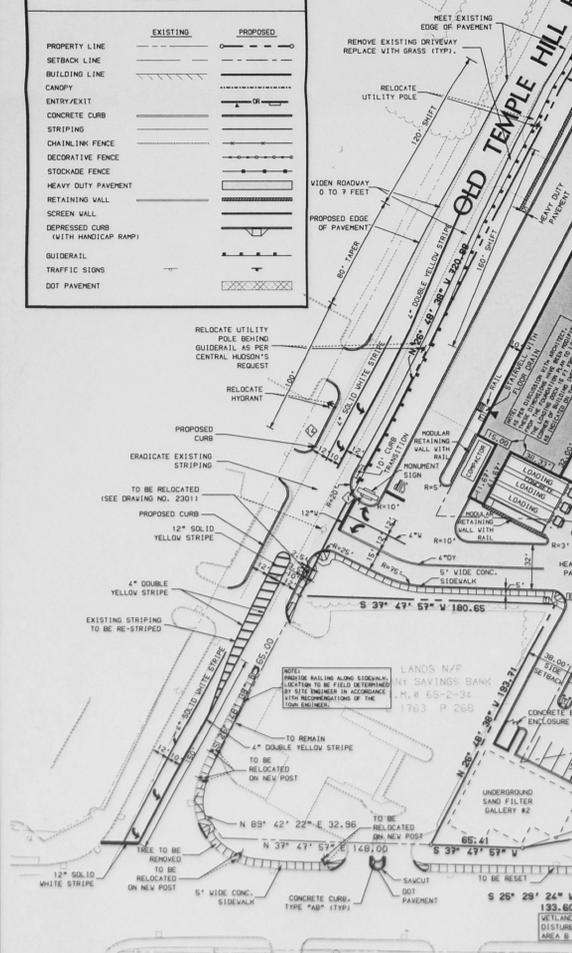


LEGEND & BORDER BLACK (NON REFLECTORIZED) BACKGROUND WHITE, REFLECTORIZED  
 WHITE BACKGROUND WITH BLACK LEGEND AND BORDER - LEGEND SIZE 4C

**PARKING DECK INSET** SCALE 1" = 50'



**LEGEND**



BUILDING AREA	
BUILDING	AREA
RETAIL B9	10,498
RETAIL B10	6,006
RETAIL B11	12,710
RETAIL B12	6,793
RETAIL B13	5,779
RETAIL B14	896
RETAIL B15	2,026
RETAIL B16	3,000
RETAIL B17	4,000
RETAIL B18	1,457
RETAIL B19	1,581
RETAIL B20	1,837
RETAIL B21	690
RETAIL B22	765
RETAIL D	4,980
RETAIL E	2,503
CALDOR	87,000
SHOPPING	79,683
SPRINKLER ROOM	88
BANK	2,281
EXISTING BANK	2,785
RESTAURANT	3,110
<b>TOTAL PROPOSED</b>	<b>240,468</b>
<b>TOTAL EXISTING</b>	<b>267,000</b>

TABLE OF USE/BULK REGULATIONS														
USE	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM BUILDING FRONT SETBACK	MINIMUM BUILDING HEIGHT	FLOOR AREA RATIO	MINIMUM FLOOR AREA	DEVELOPMENT COVERAGE	PERMITTED ACCESSORY USES	PERMITTED ACCESSORY SIGNS	MINIMUM OFF-STREET PARKING SPACES	MINIMUM OFF-STREET LOADING BERTHS		
RETAIL STORES	200	60	30/70	30	N/A	0.5	N/A	N/A	ACCESSORY SIGNAGE	FOR ANY BUILDING EXCEEDING 10,000 SF PLUS 1 FOR EACH 1,000 SF OF FLOOR AREA	1 FOR ANY BUILDING EXCEEDING 10,000 SF PLUS 1 FOR EACH 1,000 SF OF FLOOR AREA			
RESTAURANTS	200	60	30/70	30	N/A	0.5	N/A	N/A	ACCESSORY SIGNAGE	FOR ANY BUILDING EXCEEDING 10,000 SF PLUS 1 FOR EACH 1,000 SF OF FLOOR AREA	1 FOR ANY BUILDING EXCEEDING 10,000 SF PLUS 1 FOR EACH 1,000 SF OF FLOOR AREA			

VARIANCES	
1. 455 PARKING SPACES AT 9'X15' SIZE STALLS WITH 25 FT AISLE WIDTH.	REQUIRED: 1,283,812 SF (29.47 AC.)
2. 4 FT BUILDING HEIGHT VARIANCE.	REQUIRED: 48,000 SF
3. 19 LOADING DOCK REDUCTION VARIANCE.	REQUIRED: 481 FT
4. 9 FT VARIANCE SETBACK FOR RETAINING WALL.	REQUIRED: 60.25 FT
5. FREE STANDING SIGN HEIGHT VARIANCE AND FACADE SIGN AREA VARIANCE AS STATED IN PROPOSAL PACKAGE SUBMITTED TO ZONING BOARD (SEE DETAIL 27.03).	REQUIRED: 30 FT/70 FT

ABBREVIATIONS	
4" V	4" SOLID WHITE
6" V	6" SOLID WHITE
8" V	8" SOLID WHITE
12" V	12" SOLID WHITE
4" DY	4" SOLID DOUBLE YELLOW
8" Y	8" SOLID YELLOW

SITE STATISTICS	
EXISTING ZONE: C (ZONING SHOPPING)	PROPOSED: 1,283,812 SF (29.47 AC.)
RETAIL STORES: 15.6 SPACE/1,000 SF (1278 SPACES)	RETAIL STORES: 15.6 SPACE/1,000 SF (1278 SPACES)
RESTAURANTS: 11 SPACE/3 SEATS = 455 SPACES	RESTAURANTS: 11 SPACE/3 SEATS = 455 SPACES
LOADING DOCKS: 19 DOCKS	LOADING DOCKS: 19 DOCKS

ALL ITEMS WITH THE STATE RIGHT-OF-WAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS CONSTRUCTION AND MATERIALS

<p><b>BILA FAMILY PARTNERSHIP</b>                  158 NORTH MAIN STREET                  FLORIDA, NEW YORK 10921</p>	<p>ARCHITECT:  <b>PEG / PARK ARCHITECTS, PC</b>                  30 Glen Street                  White Plains, NY 10603                  914.949.6505</p>	<p>ENGINEER:  <b>Langan Engineering and Environmental Services</b>                  River Drive Center 1 • Doylestown, PA                  Elmwood Park, NJ 07407 • Milens, FL                  (201) 794-6900 • New York, NY</p>	<p>Project:  <b>BIG V TOWN CENTRE</b>                  SILVER STREAM VALLEY GATE, ORANGE COUNTY, NEW YORK</p>	<p>Drawing Title:  <b>SITE PLAN</b></p>	<p>Job No.: 14670                  Date: 12/07/99                  Scale: 1"=50'                  Dwn. By: MEH                  Chkd. By: CMH</p>	<p>Drawing No.: <b>2001</b></p>
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