

ZB# 07-11

**Timely Signs
(First Columbia)**

3-1-54.2

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 6-11-07

07-11
Timely Signs (for First Columbia)
506 Hudson Valley Ave (3-1-54.2)

Sent to County 4/19/07

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 3-1-54.2

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

FIRST COLUMBIA

SIGN

CASE #07-11

WHEREAS, Ozzie Beichert represented First Columbia, owner(s) of 500 Hudson Valley Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 2 ft. Height and 10.25 ft. Width for Façade sign at 500 Hudson Valley Avenue in an AP-1 Zone (3-1-54.2)

WHEREAS, a public hearing was held on June 11, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

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

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located on a busy commercial highway in an AP-1 zone.
 - (b) The distance between the building and the road is substantial, being in excess of 1,000 feet. The applicant seeks a larger façade sign than is allowed in the zone because of this distance.
 - (c) The proposed sign will be the only sign on the premises.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 2 ft. Height and 10.25 ft. Width for Façade sign at 500 Hudson Valley Avenue in an AP-1 Zone (3-1-54.2) as sought by the Applicant in accordance with plans 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/or Building Inspector and Applicant.

Dated: June 11, 2007



Chairman

FIRST_COLUMBIA_(07-11)

MR. KANE: Request for 2 foot height and 10.25 foot width for facade sign at 500 Hudson Valley Avenue in an AP-1 zone.

Mr. Ozzie Beichert appeared before the board for this proposal.

MR. BEICHERT: My name is Ozzie Beichert, I own Timely Signs in Kingston. We're representing First Columbia, actually their tenant LSI Lighting Solutions in this procedure. And I think the reason that we're asking for this variance is the distance from the road is rather substantial and I guess at the last meeting we've got the pictures and it's 1,040.

MR. KANE: From the road?

MR. BEICHERT: Yes and when you look at it from that perspective it's pretty small.

MR. KANE: Is the light illuminated in any way?

MR. BEICHERT: No.

MR. KANE: Is this the only sign on the building?

MR. BEICHERT: Yes, the address there, the number is 500 but that's the only sign.

MR. LUNDSTROM: On this map here that you provided there's a dotted line is that a proposed road?

MR. BEICHERT: That I, let me just take a look at it.

MR. BABCOCK: That was an existing road.

MR. BEICHERT: Yeah, I think they've just eliminated that.

MR. BABCOCK: That was the existing road that the military housing was on that they tore down that's where LSI is now, LSI is on 207 there by the water fountain, the new fountain by the new red light.

MR. KANE: Now that kind of distance off the road it doesn't seem overly big to me at all. I'll get the public portion out of the way. Anybody here for this particular hearing? We'll close the public portion of the meeting and ask Myra how many mailings we had.

MS. MASON: On May 30, I mailed out 9 addressed envelopes and had no response.

MR. KANE: Eric, any further questions?

MR. LUNDSTROM: I have no further questions, Mr. Chairman.

MS. LOCEY: No.

MR. TORPEY: No.

MR. KANE: I'll accept a motion.

MS. LOCEY: I will offer a motion regarding the application of First Columbia by Timely Signs of Kingston to approve the request for two foot height and 10.2 foot wide variance for a facade sign at 500 Hudson Valley Avenue in an AP-1 zone.

MR. TORPEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

LSI Lighting Solutions Plus - Dimensional letters on building fascia

CLIENT PATRICIA MASTEN

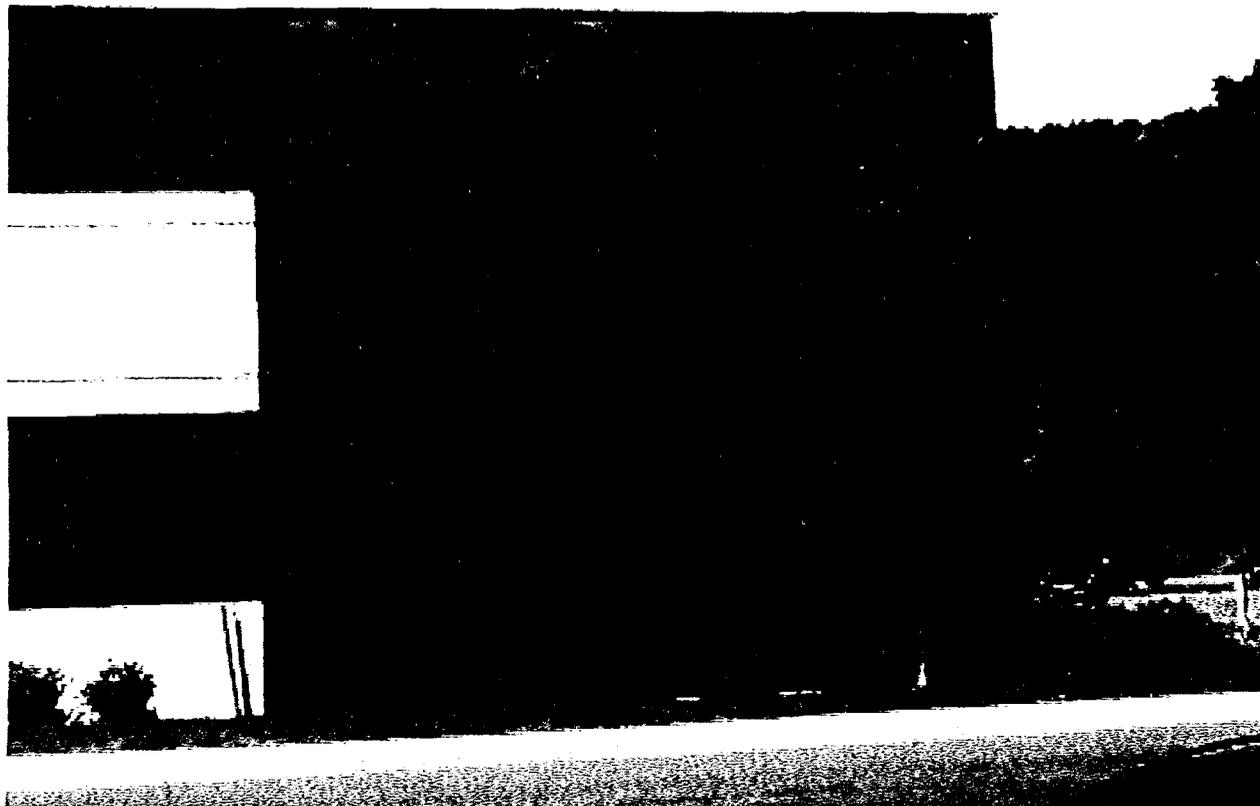
PROJECT EXTERIOR SIGNAGE

NOTES:

LSI text and rule below PLUS is 3/4" thick Extria Composite painted to match PMS 5625 Green, aluminum mounting studs.

Lighting Solutions and Plus text is 3/4" thick Extria Composite painted tint of PMS 5625 approximately 70%, aluminum mounting studs.

LSI Lighting Solutions *plus*



DATE OCTOBER 12, 2006

TITLE LSI-BuildingLettersLayout2.ai

LSI Lighting Solutions Plus - Dimensional letters on building fascia

CLIENT PATRICIA MASTEN

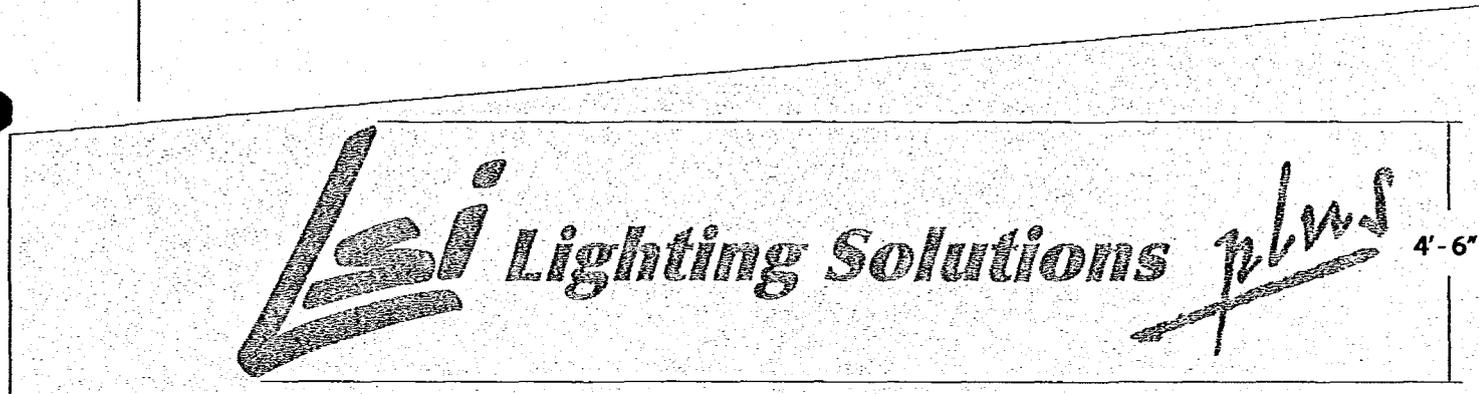
PROJECT EXTERIOR SIGNAGE

NOTES:

LSI, Lighting Solutions text and rule below PLUS is 3/4" thick Extra Composite painted to match PMS 5625 Green, aluminum mounting studs.

Lighting Solutions and Plus text is 3/4" thick Extra Composite painted tint of PMS 5625 Green, approximately 70%.

Represents building fascia



20'-3"

4'-6"



DATE OCTOBER 12, 2006

TITLE LSI-BuildingLettersLayout1.ai

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 1/11/07

APPLICANT: Timely Signs
154 Clinton Avenue
Kingston, NY 12401

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 1/10/07

FOR : LSI Industries

LOCATED AT: 500 Hudson Valley Avenue

ZONE: AP-1 Sec/ Blk/ Lot: 3-1-54.2

DESCRIPTION OF EXISTING SITE: Office with manufacturing facility

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-45, A-2 Façade signs: 2.5ftx10ft permitted. Proposed 4.5ftx20.25ft façade sign. A variance of 2ft height and 10.25 width is required.

COPY


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: AP-1	USE:		
SIGN:	Façade 2.5ftx10ft	4.5ftx20.25ft	2ftx10.25ft
FREESTANDING:			
HEIGHT:			
WIDTH:			
WALL SIGNS:			
TOTAL ALL SIGNS:			
FEET FROM ANY LOT LINE:			

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

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 certificate for plumbing 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

JAN 10 2007

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2007-25

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

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

Owner of Premises LSI INDUSTRIES

Address 10000 ALLIANCE ROAD CINCINNATI, OH 45242 Phone # 845-220-3200

Mailing Address _____ Fax # 845-220-2133

Name of Architect _____

Address _____ Phone _____

Name of Contractor TIMELY SIGNS OF KINGSTON, INC.

Address 154 CLINTON AVE KINGSTON, NY 12401

845-389-1245
Phone

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

Ozzie Beulert, Pres.

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 500 HUDSON VALLEY AVENUE
(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 X

3. Tax Map Description: Section 3 Block 1 Lot 54.2

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

a. Existing use and occupancy L-SI SYSTEMS b. Intended use and occupancy SAME (LOGO CHANGE)

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

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
SEE ATTACHED DRAWINGS

8. If dwelling, number of dwelling units: N/A 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 OFFICE/WAREHOUSE/MFG

10. Estimated cost \$2,500.00 Fee \$50

CH# 2370

PAID

118107

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Ozzie Seichert
(Signature of Applicant)

TIMELY SIGNS 154 CLINTON AVE KINGSTON, NY 12401

(Address of Applicant)

NOTARIZED LETTER ATTESTED

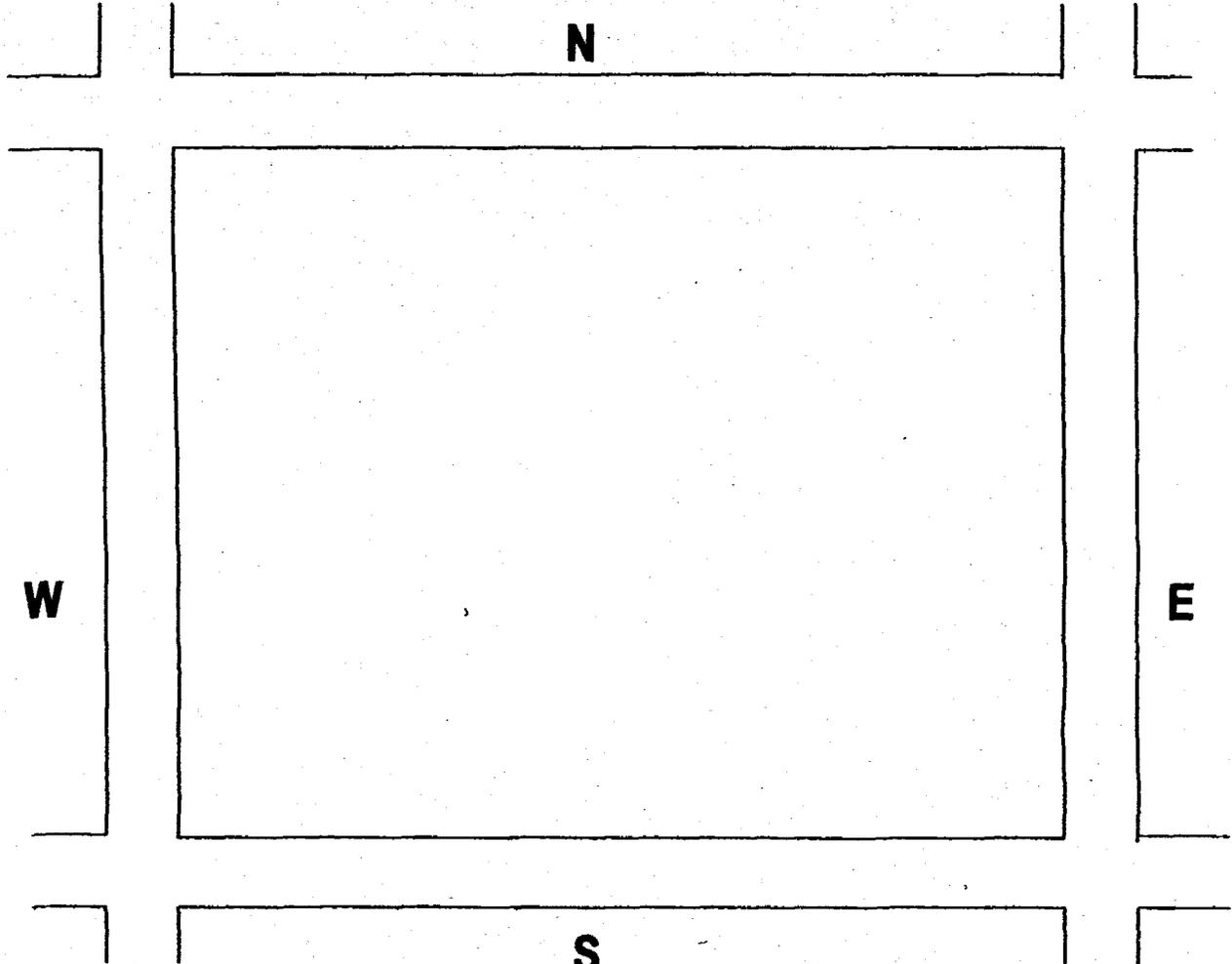
LSI INDUSTRIES

(Owner's Signature)

(Owner's Address)

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



LETTER OF AUTHORIZATION

January 2, 2007

Code Compliance Office, Town of New Windsor:

This letter serves as authorization for Timely Signs of Kingston, Inc. or it's agents to obtain any permits or variances or planning procedures required to erect signage on the following property:

500 Hudson Valley Avenue
New Windsor, NY 12553

Owner name and address:

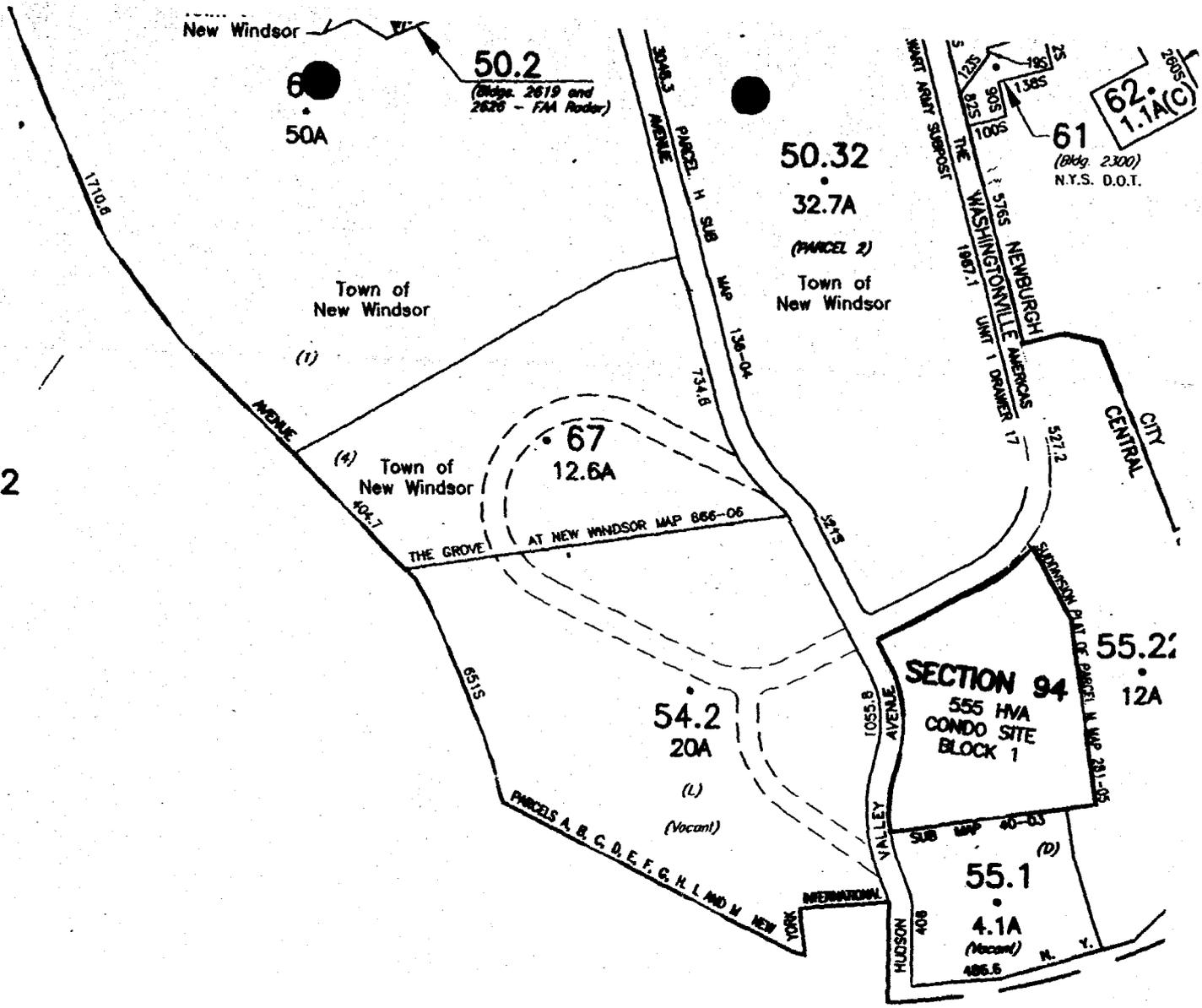
LSI Industries
10000 Alliance Road
Cincinnati, Ohio 45242

Signature: _____

Notary: _____

RENE WOODRUFF
Notary Public, State of New York
Qualified in Orange County
Registration No. 01W04200011
Commission Expires July 27, 2010

N 2



SECTION 32

PRODUCED FOR COMMERCIAL PURPOSES
OR TAX PURPOSES ONLY
BE USED FOR CONVEYANCE

ORANGE

Date of Map _
Scale

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: OCTOBER 4, 2007
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 372.15 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-11

NAME & ADDRESS:

**Timely Signs of Kingston, Inc. (FOR FIRST COLUMBIA)
154 Clinton Avenue
Kingston, NY 12401**

THANK YOU,

MYRA

J.F.10-04-07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #07-11 TYPE:SIGN TELEPHONE: 331-8710

APPLICANT:
Timely Signs of Kingston, Inc.
154 Clinton Avenue
Kingston, NY 12401

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>2690</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 2691



<u>DISBURSEMENTS:</u>		MINUTES	ATTORNEY
		<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:05-25-07 \$ 15.85

TOTAL: \$ 57.85 \$ 70.00



ESCROW POSTED:	\$ 500.00
LESS: DISBURSEMENTS:	\$ <u>127.85</u>
AMOUNT DUE:	\$ _____
REFUND DUE:	\$ <u>372.15</u>

Cc:

J.F. 10-04-07

April 23, 2007

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FIRST_COLUMBIA_(07-12)

MR. KANE: Request for 2 ft. height and 10.25 ft. width for facade sign at 500 Hudson Valley Avenue.

Mr. Jeff Zduniak appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MR. ZDUNIAK: Jeff Zduniak with Timely Signs of Kingston representing First Columbia. And I'm trying to get approval on a facade sign that's larger than zoning is I believe.

MR. KANE: Yes, by a good amount. Explain to me the need for the excess width, how far is the building off of the road as far as line of sight that would make a big difference?

MR. ZDUNIAK: I don't have those exact figures.

MR. KANE: Mike, do we have anything like that?

MR. BABCOCK: No, I don't, Mr. Chairman.

MR. KANE: We'll need something like that for the public hearing.

MR. ZDUNIAK: I stopped on the way here and I took some measurements of the building, basically, the frontage is 510 feet and the side or the depth is 490 feet.

MR. KANE: So it's 510 across and you're proposing a 20.25 foot sign?

MR. ZDUNIAK: Yes, it does not directly face the road and I think that's part of the reason why the road, 207 comes in right off the side, and it would be away from the building probably close to 800 and 1,000 feet from

the entrance, this is all wooded on the side so this is the only place that they could do it.

MR. KANE: Understood. The sign itself, is it going to be illuminated in any way?

MR. ZDUNIAK: No.

MR. KANE: Mike, we're looking at did we do square footage on the facade signs or just the size?

MR. BABCOCK: No, it's the size, it's 2 x 10 and he wants to be 4 1/2 by 20.

MR. KANE: If you can get us some exact distances for the public hearing that would be a good thing or even some pictures from the roadway showing the building would even be better. Any further questions from the board?

MR. LUNDSTROM: The only thing I would suggest is if it hasn't already been suggested that on the plot plans just the location of the building in relationship to the roads.

MR. ZDUNIAK: Okay.

MR. KANE: Very similar to what you had right there, we just need the numbers.

MS. LOCEY: I'm fine.

MR. KANE: I'll accept a motion.

MS. LOCEY: I will offer a motion to schedule up a public hearing on the application of First Columbia by Timely Signs of Kingston for their request for 2 foot height and 10.25 foot width for variance for a facade sign at 500 Hudson Valley Avenue in an AP-1 zone.

April 23, 2007

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MR. LUNDSTROM: I'll second it.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. KANE	AYE

FIRST_COLUMBIA_(07-11)

MR. KANE: Request for 2 foot height and 10.25 foot width for facade sign at 500 Hudson Valley Avenue in an AP-1 zone.

Mr. Ozzie Beichert appeared before the board for this proposal.

MR. BEICHERT: My name is Ozzie Beichert, I own Timely Signs in Kingston. We're representing First Columbia, actually their tenant LSI Lighting Solutions in this procedure. And I think the reason that we're asking for this variance is the distance from the road is rather substantial and I guess at the last meeting we've got the pictures and it's 1,040.

MR. KANE: From the road?

MR. BEICHERT: Yes and when you look at it from that perspective it's pretty small.

MR. KANE: Is the light illuminated in any way?

MR. BEICHERT: No.

MR. KANE: Is this the only sign on the building?

MR. BEICHERT: Yes, the address there, the number is 500 but that's the only sign.

MR. LUNDSTROM: On this map here that you provided there's a dotted line is that a proposed road?

MR. BEICHERT: That I, let me just take a look at it.

MR. BABCOCK: That was an existing road.

MR. BEICHERT: Yeah, I think they've just eliminated that.

June 11, 2007

42

MR. BABCOCK: That was the existing road that the military housing was on that they tore down that's where LSI is now, LSI is on 207 there by the water fountain, the new fountain by the new red light.

MR. KANE: Now that kind of distance off the road it doesn't seem overly big to me at all. I'll get the public portion out of the way. Anybody here for this particular hearing? We'll close the public portion of the meeting and ask Myra how many mailings we had.

MS. MASON: On May 30, I mailed out 9 addressed envelopes and had no response.

MR. KANE: Eric, any further questions?

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MS. LOCEY: No.

MR. TORPEY: No.

MR. KANE: I'll accept a motion.

MS. LOCEY: I will offer a motion regarding the application of First Columbia by Timely Signs of Kingston to approve the request for two foot height and 10.2 foot wide variance for a facade sign at 500 Hudson Valley Avenue in an AP-1 zone.

MR. TORPEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



COUNTY OF ORANGE

EDWARD A. DIANA
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845)291-2318 FAX: (845)291-2533
www.orangecountygov.com/planning

DAVID CHURCH, A.I.C.P.
COMMISSIONER

ORANGE COUNTY DEPARTMENT OF PLANNING
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
Zoning Board of Appeals

Reference/County ID No.: NWT19-07M

County Tax ID: S3 B1 L54.2

Applicant: Timely Signs of Kingston

Proposed Action: Area Variance for proposed signage

Reason for Review: Within 500 ft of NYS Routes 207

Comments:

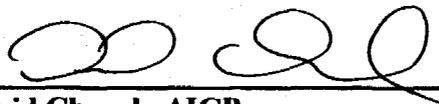
1. The applicant seeks an area variance of 2ft x 10.25ft for proposed signage on an existing office and manufacturing facility, in an AP-1 Airport-1 zoning district.
2. Although this request has no countywide or inter-municipal impact this Department reminds the ZBA to grant only the minimum variance deemed necessary and adequate to remedy the difficulty imposed by the dimensional requirements of the Town of New Windsor.

County Recommendation:

Local Determination XXXX

Date: May 22, 2007

Prepared by: Atticus Lanigan, Planner



David Church, AICP
Commissioner of Planning

Please return with payment



THE SENTINEL

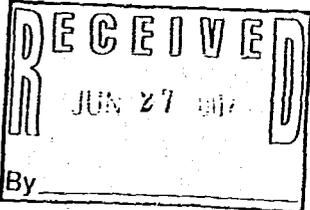
P.O. BOX 406
VAILS GATE, NY 12584

Invoice

Date	Invoice #
6/18/2007	443

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
49466		

Issue Date	Description	Rate	Amount
5/25/2007	LEGAL ADS: PUBLIC HEARING NOTICE FIRST COLUMBIA	11.85	11.85
	1 AFFIDAVIT	4.00	4.00
			
		Total	\$15.85

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

Proposition:
 Appeal No. (07-11)
 Request of FIRST COLUMBIA
 (by Timely Signs of Kingston)
 for a VARIANCE of the Zoning
 Local Law to Permit:
 Request for 2 ft. Height and 10.25 ft.
 Width for Façade sign at 500 Hudson
 Valley Avenue in an AP-1 Zone (3-1-
 54.2)
PUBLIC HEARING will take place
 on **JUNE 11, 2007** at the New Windsor
 Town Hall, 555 Union Avenue, New
 Windsor, New York beginning at 7:30
 P.M.
Michael Kane,
Chairman

State of New York
 County of Orange, ss:
 Kathleen O'Brien being duly sworn
 disposes and says that she is
 the Supervisor of Legal Dept. of the
 E.W. Smith Publishing Company; Inc.,
 Publisher of The Sentinel, a weekly
 newspaper published and of
 general circulation in the Town of New
 Windsor, Town of Newburgh and City
 of Newburgh and that the notice of which
 the annexed is a true copy was published
 in said newspaper, 1 time (s)
 commencing on
 the 25th day of May A.D., 2007
 and ending on the 25th day of
May A.D. 2007

Kathleen O'Brien
 Subscribed and shown to before me
 this 22nd day of June, 2007.

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

DEBORAH GREEN
 Notary Public, State of New York
 Qualified in Orange County
 #4984065
 Commission Expires July 15, 2011

My commission expires _____

ZBA # 07-11

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

RECEIPT
#269-2007

04/20/2007

Timely Signs Of Kingston, Inc.

Received \$ 150.00 for Zoning Board Fees, on 04/20/2007. 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
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 04-17-07

FOR: 07-11 ESCROW

FROM:

Timely Signs of Kingston, Inc.
154 Clinton Avenue
Kingston, NY 12401

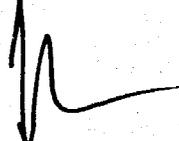
CHECK FROM:
SAME

CHECK NUMBER: 2691

TELEPHONE: 331-8710

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

4/20/07
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

April 26, 2007

Timely Signs of Kingston, Inc.
154 Clinton Ave.
Kingston, NY 12401

Re: 3-1-54.2 ZBA#: 07-11 (9)

Dear Timely Signs:

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

The charge for this service is \$25.00 minus your deposit of \$25.00.

Please remit the balance of \$0.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board

94-1.-1, 1.-2,3-1-50.32,55.22,64,67
FIRST COLUMBIA
ATTN: KEVIN BETTE
22 CENTURY HILL DR. STE 301
LATHAM, NY 12110

32-2-4
NYS DOT
C/O CARLTON BOORN
BLDG 5 RM 401 STATE CAMP
ALBANY, NY 12232-0745

32-2-52,2-1-32
NYC DEPT E P
C/O NYC DEPT WATER OWSL
465 COLUMBUS AVE STE 350
VALHALLA, NY 10595

32-2-80
SLATERS OF THE PRESENTAION
880 JACKSON AVE.
NEW WINDSOR, NY 12553

32-2-81
HENRY & NANCY SPECHT
511 LAKE RD.
NEW WINDSOR, NY 12553

32-2-82
LYNN &
LIDUVINA BEESECKER
118 WEEKS AVE.
CORNWALL ON HUD, NY 12520

32-2-83.1, 83.2, 84
BUILDERS ASSO. OF HUD VALLEY
INC.
1161 LITTLE BRITAIN RD.
NEW WINDSOR, NY 12553

32-1-11.31
SCHOONMAKER HOMES
JOHN STEINBERG INC.
275 RTE 17K
NEWBURGH, NY 12550

2-1-33
WASHINGTONVILLE CENTRAL
SCHOOL DIST.
52W MAIN ST.
WASHINGTONVILLE, NY 10992

PUBLIC HEARING NOTICE
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 on the following Proposition:

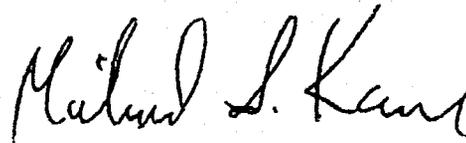
Appeal No. (07-11)

Request of FIRST COLUMBIA (by Timely Signs of Kingston)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 2 ft. Height and 10.25 ft. Width for Façade sign at 500 Hudson Valley Avenue in an AP-1 Zone (3-1-54.2)

PUBLIC HEARING will take place on JUNE 11, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.



Michael Kane, Chairman

RESULTS OF Z.B.A. MEETING OF: April 20, 2007

PROJECT: First Columbia (by Timely Signs) ZBA # 07-12
P.B.# _____

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) LO S) LO VOTE: A 3 N 0

~~GANN~~ _____
LUNDSTROM A _____
LOCEY A _____
~~TORPEY~~ _____
KANE A _____

CARRIED: Y ✓ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

Need distance of Bldg from Roadway

Pictures from Roadway showing sign

April 23, 2007 Agenda



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

3/9/07
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. Owner Information:

Phone Number: (518) 213-1600
Fax Number: (518) 213-1030
FIRST COLUMBIA
(Name)
22 CENTURY HILL DRIVE LATHAM, NY 12110
(Address)

II. Applicant:

Phone Number: (845) 331-8710
Fax Number: (845) 331-8712
TIMELY SIGNS OF KINGSTON, INC.
(Name)
154 CLINTON AVE KINGSTON, NY 12401
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: (845) 331-8710
Fax Number: (845) 331-8712
TIMELY SIGNS
(Name)
154 CLINTON AVE. KINGSTON, NY 12401
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number (845) 331-8710
Fax Number: (845) 331-8712
TIMELY SIGNS OF KINGSTON, INC.
(Name)
154 CLINTON AVE KINGSTON, NY 12401
(Address)

V. Property Information:

Zone: AP-1 Property Address in Question: 500 HUDSON VALLEY AVE
Lot Size: _____ Tax Map Number: Section 7 Block I Lot 54.2
a. What other zones lie within 500 feet? AP-1
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? UNKNOWN
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law, Section 300-45, A-2, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	FACADE 2.5' x 10'	4.5' x 20.25'	2' x 10.25'
Sign #2			
Sign #3			
Sign #4			

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

NON-ILLUMINATED LETTERS - THEY ARE 2 STORIES HIGH AND WOULD NOT BE BE VISIBLE -
A 2 1/2' x 10' SIGN WOULD NOT BE IN THE PROPER SCALE FOR THE SIZE OF THE BUILDING

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 28 ?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____

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

**PLEASE NOTE:
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

XII. 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 Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
- One in the amount of \$ 300.00 or 500.00, (escrow)
- One in the amount of \$ 50.00 or 150.00, (application fee)
- One in the amount of \$ 25.00, (Public Hearing List Deposit)
- Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

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/her 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.

Sworn to before me this:

14th day of March 2007.

Chris Britta
Owner's Signature (Notarized)

FIRST COLUMBIA (CHRIS BRITTA)
Owner's Name (Please Print)

Mary A. Thompson
Signature and Stamp of Notary Public, State of New York
No. 01MA5015435
Qualified in Schenectady County
Commission Expires July 19, 2007

Ozzie Beichert
Applicant's Signature (If not Owner)

PLEASE NOTE:
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

CHRIS BETTE (FIRST COLUMBIA), deposes and says that he resides
(OWNER)

at 22 CENTURY HILL DRIVE LATHAM, NY 12110 in the County of SCHENECTADY
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. 3 Block 1 Lot 54.2)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

TIMELY SIGNS OF KINGSTON, INC. 154 CLINTON AVE KINGSTON, NY 12401
(Applicant Name & Address, if different from owner)

OZZIE BEICHERT, PRES. TIMELY SIGNS 154 CLINTON AVE KINGSTON, NY 12401
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 3/20/07

Sworn to before me this:
14th day of March 20 07

Amy A. Thompson
Notary Public, State of New York
Signature and Stamp of Notary No. 01MA5015435
Qualified in Schenectady County
Commission Expires July 19, 2009

** Chris Bette
Owner's Signature (MUST BE NOTARIZED)

Ozzie Beichert
Applicant's Signature (If different than owner)

Ozzie Beichert
Representative's Signature

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

COMPLETE THIS PAGE

4/23



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)

ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)	
APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
MULTI-FAMILY: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
COMMERCIAL: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
INTERPRETATION: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

* **ESCROW**
 IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:	
APPROXIMATE COST FOR PUBLIC HEARING LIST:	
1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00
ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME	

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH **YOUR** RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH **"NOTICES OF PUBLIC HEARING"** TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PAGE 2

READ THIS PAGE CAREFULLY □

PROJECT I.D. NUMBER

617.21

SEQR

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)

<p>1. APPLICANT /SPONSOR <i>TIMELY SIGNS OF KINGSTON, INC.</i></p>	<p>2. PROJECT NAME <i>LSI WALL SIGNAGE</i></p>
<p>3. PROJECT LOCATION: Municipality <i>TOWN OF NEW WINDSOR</i> County <i>ORANGE</i></p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>500 HUDSON VALLEY AVE NEW WINDSOR, NY</i></p>	
<p>5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration</p>	
<p>6. DESCRIBE PROJECT BRIEFLY: <i>WALL SIGNAGE FOR BUILDING</i></p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <i>7</i> acres Ultimately <i>7</i> acres</p>	
<p>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>NEED AREA VARIANCE OF 2' x 10.25'</i></p>	
<p>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input 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: <i>AIRPORT</i></p>	
<p>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 <i>SIGN PERMIT - TOWN OF NEW WINDSOR</i></p>	
<p>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</p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p>	
<p>Applicant/sponsor name: <i>OSZIE BELCHERT TIMELY SIGNS</i> Date: <i>3/20/07</i></p>	
<p>Signature: <i>Ozzie Belchert</i></p>	

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

