

ZB# 73-11

Calico Country Florists

(no SBL given)

73-~~10~~¹¹-Calico Country Florists, (Jerry Fidelholtz)
Inc.

Public Hearing
May 21st - 8:00.

Filed
6/28/73
11:45 P.M.
D.B.



Oxford

STOCK No 752

MADE IN U. S. A.

**PUBLIC NOTICE
OF HEARING BEFORE
THE ZONING BOARD OF APPEALS**

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 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 73-10
Request of Calico Country Florist, Inc. for a Variance of the regulations of the Zoning Ordinance, to permit the sale of flowers, being a Variance of Article III, Section 48-6 for property situated as follows:

R. D. No. 2, Riley Road, New Windsor, New York.

SAID HEARING will take place on the 21st day of May, 1973, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y., beginning at 8:00 P.M.

FRED WYGANT Chairman
Patricia Delle Secretary

May 11

State of New York

County of Orange, ss:

Olga Trachewsky she, being duly sworn deposes and says that she is Principal Clerk of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time in said newspaper, commencing on the 11th day of May A.D., 1973, and ending on the 11th day of May A.D., 1973

Subscribed and sworn to before me this }
11th day of May 19 73

Olga Trachewsky

Phyllis Suchoff

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1975

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 73-11

Date: May 7, 1973

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

~~XXXXXX~~ Calico Country Florist, Inc. of R. D. 2, Riley Road,
(Street & Number)

New Windsor,

New York
(State)

HEREBY MAKE

APPLICATION FOR A VARIANCE

A. Location of the Property R. D. 2, Riley Road, RA
(Street & Number) (Zone)

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) Article III, Section 48-6

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: It has become a business area as there
are other businesses close by.

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: There are other businesses in
the area--Saterly's Gift Store, five houses away.

MAY 7 1973

NOTED

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: _____

It has already become a business area.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: _____

It will be a small one-man business located in a business

area.

5. Relief, if approved, will not constitute a grant of special privilege, inconsistent with the limitations upon other properties in the zone because: _____

It will be a small one-man business located in a business area.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Used for a flower and gift shop on a small business scale,
operated by one person.

E. Application to be accompanied by two checks; one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: May 7, 1973

Ronald Yates
Signature of Applicant
Ronald Yates

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

Sworn to on this 2 day of May, 1973. R. D. 2, Riley Rd., New Windsor, NY
Address

[Signature]
(Notary Public)
(DO NOT WRITE IN THIS SPACE)

Telephone Number _____

Application No. 73 -
Date of Hearing May 21, 1973
Date of Decision June 1, 1973

Date Received _____
Notice Published _____

DECISION: Granted.

JERALD FIEDELHOLTZ
ATTORNEY AND COUNSELLOR AT LAW

POST OFFICE BOX 88
270 QUASSAICK AVENUE
New Windsor, New York 12550
(914) 562-4630

May 24, 1973

Patricia D'Elio
7 Franklin Avenue
Newburgh, New York

Re: Calico Country Florist, Inc.

Dear Pat:

Enclosed herewith please find the plot plan requested by the Zoning Board of Appeals on Monday, May 21st in the above entitled matter.

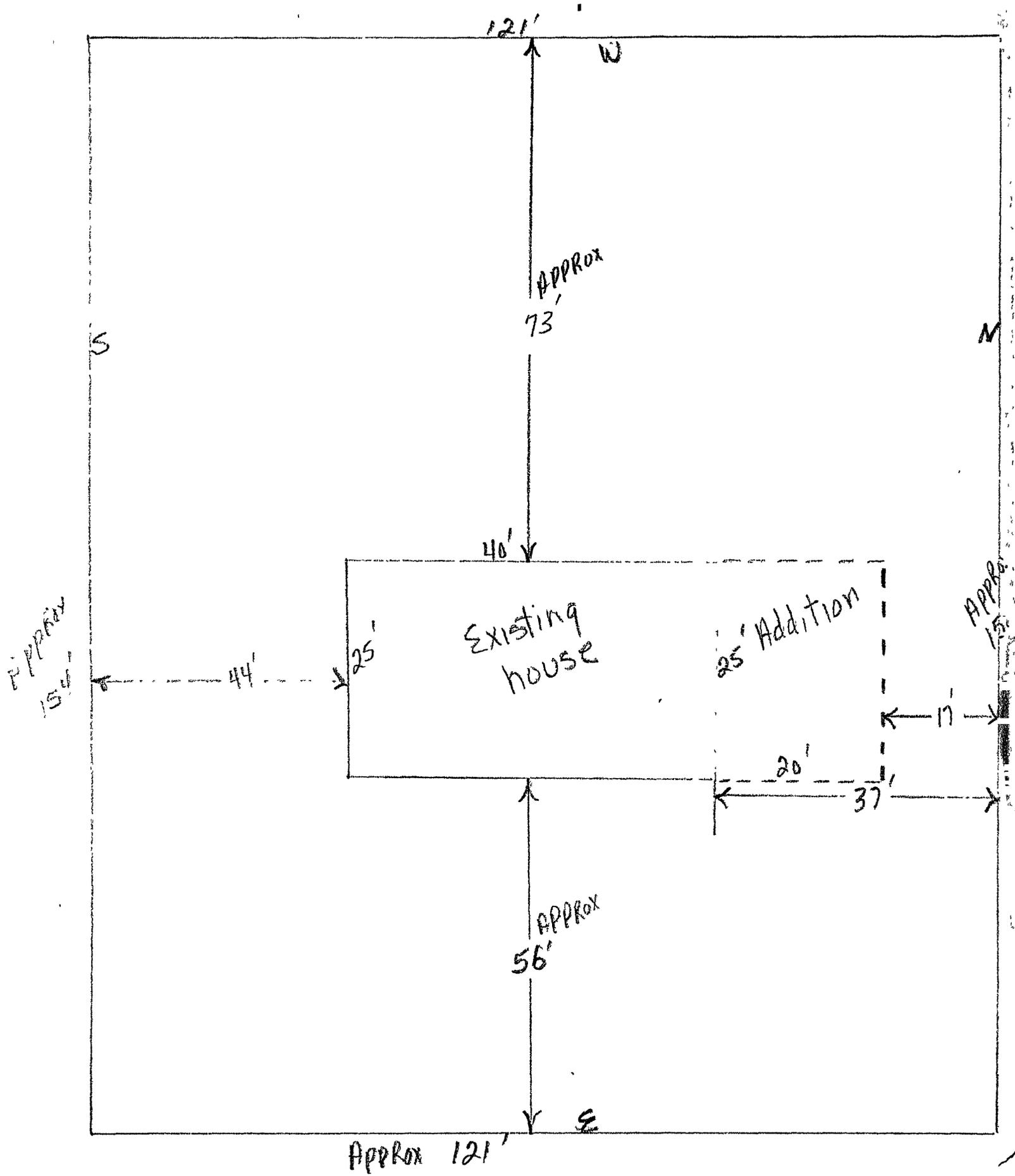
I am of the understanding that they are going to use this plot plan to give the necessary variances needed.

I would appreciate it if you would let me know as soon as possible when these variances are granted.

Very truly yours,

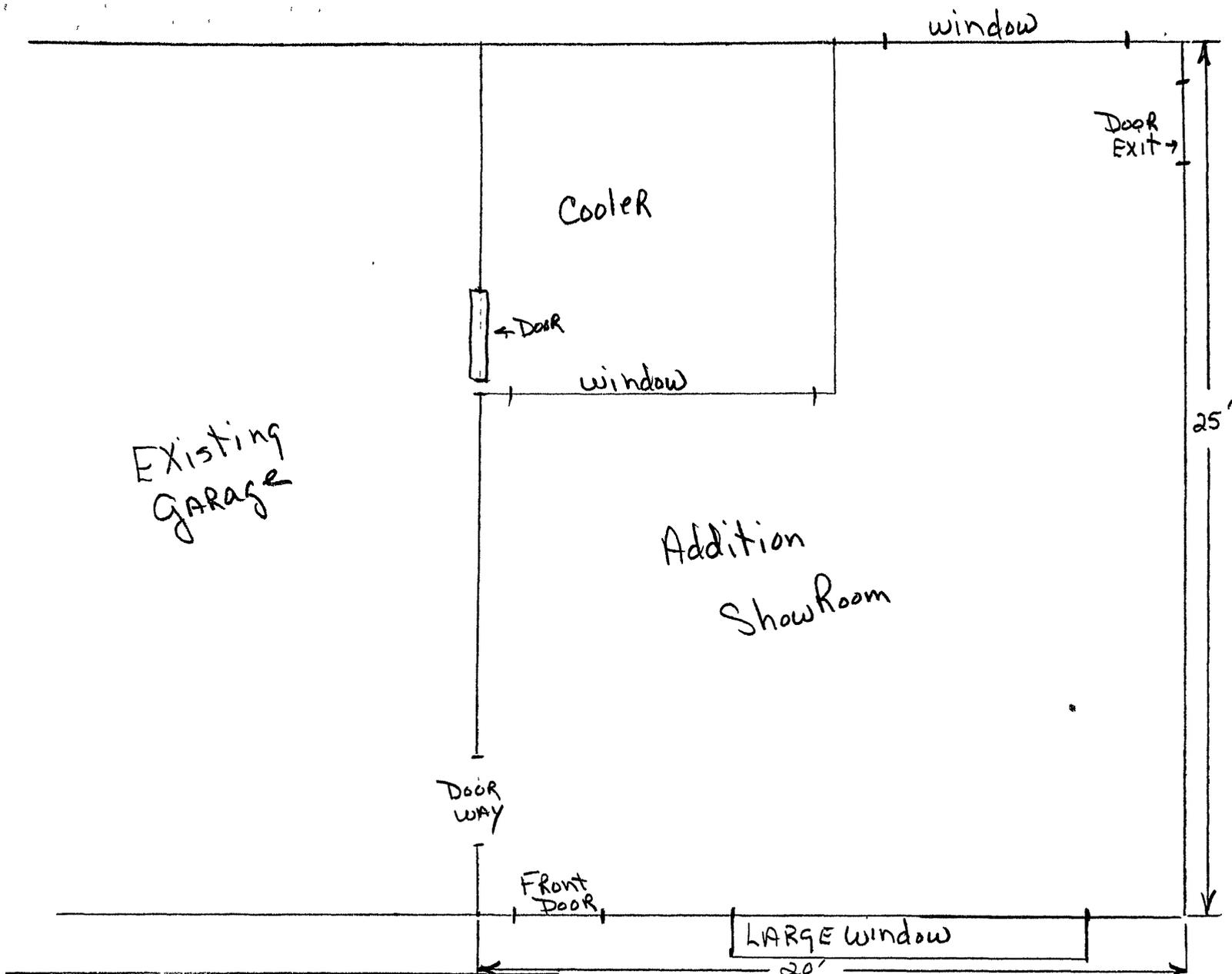

JERALD FIEDELHOLTZ

JF: jr
enc.



Riley Rd

Calico Country Flot



8:00 - Calico Flower Shop.

Name:	Address:
TR DAVIS	286 Quassaick Ave
HL DAVIS	ditto
Kathryn E. Gillen	289 Quassaick Ave
Jim L. Bryson, Counsel for E. Gillen	
Michael A. Grudis	291 Quassaick Ave.
Mildred Olsen	292 Quassaick Ave
Elizabeth Phillips	288 Quassaick Ave
John L. ...	PO 1104 New B.
Dean ...	189 Grand St., Newburgh
V.L. Soukup P.E.	1141 GREENWOOD LAKE TPKE Ringwood, N.J.
Mrs Elsie Chudguy	Box 186A RD 2 Newburgh
Mr. Leonard Chudguy	Box 186A RD 2 Newburgh, N.Y.



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OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

May 8, 1973

27

11 returned

Mr. Jerald Fiedelholtz
270 Quassaick Avenue
New Windsor, New York 12550

RE: Ronald N. & Ellen B. Yates Property
Riley Road New Windsor

Dear Mr. Fiedelholtz:

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

The charge for this service is \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk
att.



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OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Harris, Bryant & Ella
Box 525
Vails Gate, New York 12584

Wilson, Sam & Carrie
RD#2 Riley Road
New Windsor, New York 12550

McNicholas, Thomas
C/O George Pares
5 Ivy Lane
Tenafly, New Jersey

Aversano, Ignazio & Jennie
1472 82nd Street
Brooklyn, New York

Illuzzi, Joseph A. & Lucy
230 Elizabeth Street
New York New York

Trentacosta, Michael F. & ~~Ciro J.~~ Hernandez, Thomas & Edekfiná
35-09 21st Avenue
Astoria, New York 11105

Mink, Joseph & Genevieve
RD#2 Riley Road
New Windsor, New York 12550

Mock, George C. & Delores N.
RD#2 Riley Road
New Windsor, New York 12550

Davis, James L. & Maria R.
RD#2 Riley Road
New Windsor, New York 12550

Collins, Floyd & Mary
RD#2 Riley Road
New Windsor, New York 12550

Maceli, Mae
RD#2 Riley Road
New Windsor, New York 12550

Peterson, Alton & Alice
RD#2 Riley Road
New Windsor, New York 12550

Borden, Lindbergh & Annie
C/O Michael Condon
8 Carson Avenue
Newburgh, New York: 12550

Mula, Alice M.
Box 282
Vails Gate, New York 12584

DiStefano, Francis
22 Belvider Street
Brooklyn, New York

Martin, Mauro
158 Ninth Avenue
New York, New York

Hernandez, Thomas & Edekfiná
2050 Anthony Avenue
Bronx, New York 10457

Hubbard, Ulysses M.
RD#2 Riley Road
New Windsor, New York 12550

McCaster, Rufus & Beulah
RD#2 Riley Road
New Windsor, New York 12550

Barone, Andrew W.
128 Carpenter Place
Monroe, New York

Miele, Oneillo
25 Seven Lakes Road
Sloatsburg, New York

Maceli, Anthony F. & Mildred
RD#2 Riley Road Box 187
New Windsor, New York 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Beltempo, Joseph & Mary
229 Elizabeth Street
New York, New York 10012

Realm Rest. Inc.
Route 32
Vails Gate, New York 12584

✓ Chidgey, Leonard J. & Elsie C.
Box 186A RD#2
Newburgh, New York 12550

Hauver, William J. & Louise A.
Blooming Grove Turnpike
New Windsor, New York 12550

✓ Gerow, Walter H.
Lyman, Abbott & Arthur R.
92 Willets Drive
Syosset, New York

RESPECTFULLY SUBMITTED,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined... *APR 12... 16... 1973*
Approved..... 19.....
Disapproved a/c... *APR 14... 16... 1973*
Permit No.

Office of Building Inspector
HOWARD COLLETT, Building Inspector
Town Hall, 555 Union Avenue
New Windsor, N. Y. 12550
Telephone 565-8808

Refer —
Planning Board
Highway.....
Sewer
Water
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date... *4-14-1973*

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate 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 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 and regulations.

Ronald M. Yates
(Signature of Applicant)

2042 Riley Rd. New Windsor N.Y.
(Address of Applicant)

Name of Owner of Premises RONALD AND ELLEN VATES
Address RD#2 RILEY RD. NEW WINDSOR Phone No. 564.7575

Name of Architect
Address..... Phone No.

Name of Contractor BRYANT HARRIS
Address RD#2 RILEY RD NEW WINDSOR Phone No. 564.6089

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

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

(Name and title of corporate officer)

- 1. Location of land on which proposed work will be done RILEY RD. NEW WINDSOR
- 2. Zone or use district in which premises are situated A/R RA
- 3. Does proposed construction violate any zoning law, ordinance or regulation?

- 4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 - a. Existing use and occupancy family house
 - b. Intended use and occupancy Small Business

5. Nature of work (check which applicable): New Building Addition X Alteration
Repair Removal Demolition Other

6. If dwelling, number of dwelling units Number of dwelling units on each floor
Number of bedrooms Baths Toilets 1
Heating plant: Gas Oil Electric /Hot Air X Hot Water

If garage, number of cars ..

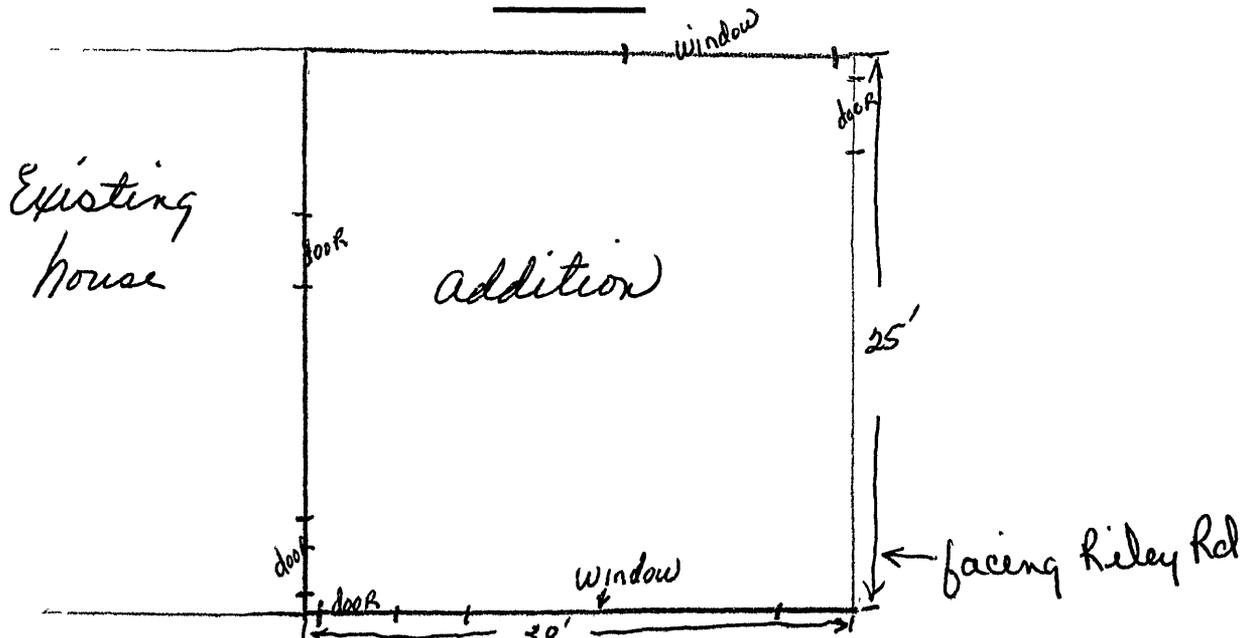
7. If business, commercial or mixed occupancy, specify nature and extent of each type of use
FLORAL & GIFT

8. Estimated cost 12,000.00 Fee (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

9. Size of lot: Front 101.80 . Rear 100.28 Depth 141.50 Front Yard
 Rear Yard 15,000 Sq feet Side Yard Is this a corner lot? YES
10. Dimensions of existing structures, if any: Front 60' Rear 60'
 Depth 25' Height 32' approx Number of Stories 2
11. Dimensions of same structure with alterations or additions: Front 60' Rear 60'
 Depth 25' Height 32' approx Number of Stories 2
12. Dimensions of entire new construction: Front 20' Rear 20' Depth 25'
 Height 10' Number of Stories 1
13. Name of Compensation Insurance Carrier None
 Number of Policy _____ Date of Expiration _____
14. Will electrical work be inspected by, and a Certificate of Approval obtained from, the New York Board of Fire Underwriters or other agency or organization?
 If so, specify Central Hudson _____
15. IMPORTANT. Do not pour footings until the location of building on lot, and soil has been inspected.
16. Before a Certificate of Occupancy can be issued, a certified survey must be filed. (May be waived.)
17. Walls not to be lathed until Department inspection is made.
18. Defer backfilling until waterproofing of foundation is approved by Department.

PLOT PLAN



TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. Date APRIL 16, 1973

To RONALD YATES
RD 2 RILEY ROAD
NEW WINDSOR

PLEASE TAKE NOTICE that your application dated APRIL 14, 1973
for permit to CONSTRUCT AN ADDITION TO YOUR DWELLING
at the premises located at RILEY ROAD

is returned herewith and disapproved on the following grounds:

FLORAL & GIFT SHOP IS NOT A PERMITTED USE IN A
(R.A.) RESIDENTIAL DISTRICT.

Howard R. Covert
Building Inspector

A VARIANCE MAY BE GRANTED BY THE ZONING BOARD OF APPEALS. SHOULD YOU DESIRE TO SEEK A VARIANCE PLEASE COMPLETE ENCLOSED FORM OF ITEMS CHECKED AND RETURN TO THIS OFFICE

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