

PB# 83-19

**Lakeview Mobile Home Park
(Never Materialized)**

69-4-6.2

- Lakeview Mobile Home Park 83-19 -
Lester Clark

General Receipt

5205

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

May 25 19 83

Received of Lakeview Mobile Home Park \$ 25⁰⁰
Twenty five and 00/100 DOLLARS

For application fee - 83-19

DISTRIBUTION

FUND	CODE	AMOUNT
25.00	Check	

By Pauline J. Townes
Town Clerk

General Receipt

5585

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

Jan 17 19 84

Received of Lakeview Mobile Home \$ 25⁰⁰
Twenty five and 00/100 DOLLARS

For Public Hearing 83-19

DISTRIBUTION

FUND	CODE	AMOUNT
Check 25.00		
# 5935		
Bloom & Bloom Esqs		

By Pauline J. Townes
Town Clerk

Title

~~Non materialized~~

Mr. [unclear] - No trailers

will be on the site 9/17/86
filed with Town Clerk 10/1/86 et.

Received 4/12/84
sh.

Memo FROM:

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

TO: OFFICE OF THE SUPERVISOR

NEW WINDSOR PLANNING BOARD

DATE: APRIL 12, 1984

SUBJECT:

--FOLD HERE--

AT A RECENT MEETING BETWEEN THE NEW WINDSOR TOWN BOARD AND THE
VAILS GATE HOMEOWNERS ASSOCIATION, QUESTIONS WERE RAISED ABOUT
THE TRAILER PARK PROPOSED FOR ROUTE 94 IN THE AREA OF THE
TARKETT FACTORY.
PLEASE RESPOND TO THE TOWN BOARD ON THE STATUS OF THIS PROJECT.

md


by John A. Petro
Supervisor

Memo FROM:

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

TO: Office of the Planning Board

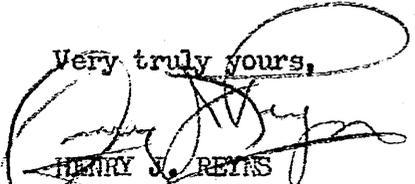
Supervisor Petro
and
Town Board Members

DATE: April 18, 1984

SUBJECT: Lakeview Mobile Home Park

---FOLD HERE---

In answer to what is the status of Lakeview Mobile Home Park, the Town Attorney is investigating the two (2) mile limit plus the owners have not asked us to be placed on the Agenda.

Very truly yours,

HENRY J. REINS
Chairman

HJR/sh

by _____

Memo FROM:

555 UNION AVENUE

TOWN OF NEW WINDSOR

NEW WINDSOR, NEW YORK 12550

TO:

PLANNING BOARD

ATTN: HENRY REYNS

DATE: April 19, 1984

SUBJECT:

---FOLD HERE---

Please -require before final approval of the Plum Point Development that the road identified as "A Drive" has a metes and bounds description.

This road would be the access to the property accepted by the Town from Plum Point on the Hudson for Park purposes.

*Shirley
I talked w/ John re: this.
JR*

by

John A. Peters

Memo FROM: Patrick T. Kennedy, L.S.
TOWN OF NEW WINDSOR
555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

*revised
12/14/83
pk.*

TO:

Mr. H. VanLeeuwen, Chairman
Planning Board

DATE: December 14, 1983

SUBJECT: Public Hearing-Lakeview Mobile Park

—FOLD HERE—

I have no problem with this plan and see no further
items needed for approval.

PTK/mfb

Patrick T. Kennedy, L.S.
Bldg./Zoning Inspector

by 

Memo FROM: Patrick T. Kennedy, L.S. - Building / Zoning Inspector
TOWN OF NEW WINDSOR
555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

TO:

(Richard Fenwick - Chairman
Town of New Windsor
Zoning Board of Appeals)

DATE: September 12, 1983

SUBJECT: Lakeview Mobile Home Park

---FOLD HERE---

It is the opinion of this office that the proposed site for the Lakeview Mobile Home Park is unsuitable for residential purposes and should not be granted a variance to operate there.

This office has received complaints from area residents about noise at night, odors, vibrations and falling dust from Tackett Industries. These complaints come from residents on the west side of the Thruway and on Rte 32. I would think living right next door could be unbearable.

I feel it would be extremely poor planning to allow a new residential area to exist in a hopefully growing commercial area.

cc. / Planning board

by

Patrick T. Kennedy

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

(This is a two-sided form)

Date Received 5/12/83
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project Lake View Mobile Home Park
2. Name of applicant LBL Associates Phone 914-561-6920
Address c/o Bloom & Bloom, P. C., Route 94, New Windsor, New York 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
3. Owner of record same as applicant Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip Code)
4. Name of person preparing plan McGoey, Hauser & Grevas phone 914-562-8640
Address 45 Quassaick Avenue, New Windsor, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
5. Attorney Daniel Bloom Phone 914-561-6920
Address P. O. Box 4323, New Windsor, New York 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
6. Location: On the South side of Route 94
(Street)
1250± feet west
(direction)
of Route 32 (Vails Gate)
(Street)
7. Acreage of parcel 11.8
8. Zoning district C (Design Shopping)
9. Tax map designation: Section 69 Block 4 Lot(s) 6
10. This application is for the use and construction of a mobile home park of
20 units
11. Has the Zoning Board of Appeals granted any variance or special permit concerning this property? yes If so, list case No. and Name _____
12. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

FOR OFFICE USE ONLY:

Schedule _____ Column _____ Number _____

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

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

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

Sworn before me this

11th day of May, 19883 David J. Bloem
Applicant's Signature

Harriet Klein
Notary Public
HARRIET KLEIN
Notary Public, State of New York
Residing in Orange County
Commission Expires Mar. 30, 1984
Attorney
Title

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

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

_____ being duly sworn, deposes and says that he resides
_____ in the
(Owner's Address)
county of _____ and State of _____
and that he is (the owner in fee) of(_____ of the _____
(Official Title)
Corporation which is the owner in fee) of the premises described in the foregoing application
and that he has authorized _____ to make the fore-
going application for special use approval as described herein.

Sworn before me this.

_____ day of _____, 198_____
(Owner's Signature)

Notary Public

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, FEBRUARY 29, 1984 7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN HENRY J. REYNS, ERNEST SPIGNARDO,
LAWRENCE JONES, HENRY VAN LEEUWEN,
PHILIP INFANTE, HENRY F. SCHEIBLE

BOARD MEMBERS ABSENT: CARL SCHIEFER

OTHERS PRESENT: ANDREW S. KRIEGER, PLANNING BOARD ATTORNEY
PAUL V. CUOMO P.E., PLANNING BOARD ENGINEER
PATRICK T. KENNEDY L.S., BUILDING & ZONING INSPECTOR
SHIRLEY B. HASSDENTEUFEL, SECRETARY

TAPE 298

Chairman Reynolds called the meeting to order promptly at 7:30 P.M.
and presided over same.

The secretary called the roll.

Motion followed by Ernest Spignardo seconded by Henry Scheible to
accept the minutes of the February 8, 1984 meeting as written.
All ayes 5-0. Motion carried.

#1 on the Agenda:

Lakeview Mobile Home Park

Route 94

represented by Daniel Bloom, Esquire and Elias Grevas L.S.

Atty. Bloom: Since our last meeting I reviewed the old file. We loose
track. September 12, 1983 granted Variance and Special Permit. Specific reason
changed the original plan from means of two ingress and egress.

Mr. Kennedy: You went back because you had to go. If you don't make
use in one year (1) you must go back. Nothing had been done.

Atty. Bloom: New Site plan reviewed. It had expired. However, I disagree
with Mr. Kennedy, if we hadn't changed site plan we would not have to go back.

Mr. Kennedy: If you make no attempt to develop you have lost.

Mr. Spignardo: When you decided to sell property you went from two
to 1 ingress and egress.

Atty. Bloom: I agree with Mr. Spignardo and Mr. Kennedy, it was a combination
of two. I didn't mean to imply that it was this Board. Our selling
did so. We now have one entrance. We presented the new means of ingress and
egress.

Mr. DePree was notified. His Company was notified.
a Variance by the ZBA.

There was a Public Hearing held on January 11, 1984 and according to my notes there were three (3) conditions. Notations.
Conditions - 1. Footings below frost line and be in conformity with New York State Regulations and Manufacturing Code.
2. Planting and screening, privacy and reduce noise.
3. Agreement on mylar = specific notation possibility noise generated from Tarkett, and Academy Terminals.
We agreed to that.

What I am suggesting Sir, based upon the fact that we came here with Variance from ZBA and Special Permit to have a park. I believe that this Board's appropriate inquiry deals with site plans presented and the question of one means of ingress or egress or the substance of it or question of noise is one that technically legally is not really before the Planning Board but only the question of the property, the appropriateness of the plans as submitted. Basically here is my suggestion in that regard.

Chairman Reynolds: There are two issues. 1. Two mile distance between Mobile Home Parks which everyone overlooked and 2nd - The noise factor. Questioning the future. We are going to let complaints. (the Town Hall) There are going to be noise complaints. It is up to us now to look into this two (2) mile distance between parks. Those are the issues. How you are going to arrange the park is no problem. Everyone is in agreement that the Gentlemen always does a good job. These problems are what concerns us and we are trying to get those straightened out.

Mr. Spignardo: I agree with what you are saying. I have been against this from the beginning. I never did believe the location was a proper one. It is a poor plan to begin with.

Mr. Infante: I agree with you Ernie. But if the owner meets the criteria with zoning and everything we can't deny his right. This new two (2) mile area which I don't put too much stock in for it has progressed to far without bringing it up.

Chairman Reynolds: We are not denying anyone their rights. We are being protective. With the two (2) mile limit we are violating our own Code. Other plans come in and we have discussions on them. We solve issues so everyone is happy.

Mr. Spignardo: If we don't stand by two (2) mile before you know it there will be ones popping up all over.

Atty. Krieger: In that regard, each application stands on its own. What you decide to this particular applicant and the two (2) mile limit doesn't have any legally or other wise doesn't have any presidential value. It doesn't entitle anyone else necessarily to come in and do what they want. So to that extent may not have any effect. As a matter of fact the Board doesn't have the jurisdiction to amend the Town Law to say we do away with that provision in all cases.

Mr. Spignardo: The rule is on the books and we should abide by it.

Atty. Krieger: I have done some thinking about this. There are two

There are two ways to look at two (2) mile situation. The only "something" has to be done i.e. sending back to Zoning. Other side of the coin - other way he went to ZBA and ZBA gave a Variance. Therefore it is within their jurisdiction and purview and therefore the Planning Board is not going to look beyond that and second guess them. It is just an opinion of the Attorney General. It is not a Court Ruling. There has been an opinion of the Attorney General, where a Planning Board finds that a particular requirement basically is unsubstantiated and the violation of it is not threatening to the health, safety and welfare of Community they can waive that requirement. Once again, that is an opinion. I think real dispute comes whether or not you are going to require compliance addition to comply two mile limitation or are you going to say 'since he had a Variance from Zoning Board of Appeals.' He had a Public Hearing. Two separate ways to look at it.

Chairman Reynolds: When ZBA gives variance, do they give variance for that property in that particular location.

Atty. Krieger: Correct.

Chairman Reynolds: They don't take in consideration the two miles necessarily. They take in consideration the property as it is, where it is sitting.

Atty. Krieger: The question they are asked to decide is Will this Use be permitted on this property?

Mr. Spignardo: Did they ever address that issue?

Atty. Krieger: No, but on the other hand that issue was never referred to. This is what makes it such a difficult question. Obviously if it had been referred to them, then you would have your answer and there wouldn't be any controversy. There wouldn't be any reason to raise a dispute. What does the Variance mean - from what was specifically mentioned or are we going to say "They were referred to them for a Variance for this particular Use." I have looked and I have not found anything like this. There is no recorded answer. It has never gotten as far as being litigated so there isn't any particular decision or any particular status I can refer to. There doesn't seem to be any recorded answer.

Chairman Reynolds: Any comments?

Mr. Jones: We had a Public Hearing. You mentioned protecting citizens. The only one that showed up was the manager of Tarkett. The two (2) mile limit never was brought up until the last meeting. No one ever brought it up. Never aware of it.

Mr. Spignardo: It is on the books. It is the Law.

Mr. Jones: They went to ZBA.

Mr. Spignardo: We didn't send them.

Atty. Krieger: If you go out and get one ticket. You decide to fight. Cop gets mad. He could get three other violations. Is it too late to decide what he is going to ticket? It is just an analogy.

Mr. Spignardo: Poor analogy at that/

Atty. Krieger: I offer the analogy, whether you want to accept or not is up to you.

Chairman Reynolds: Any questions?

Mr. Scheible: Everyone has day in court. In last year I have gone down and investigated. What I see to local industrial sites. Poor planning because of close proximity. I noticed Tarkett is adding on and that will add to the noise problem.

(Mr. Van Leeuwen arrived)

Chairman Reynolds: Mr. Van Leeuwen, do you have any comments?
(explanation by Chairman Reynolds)

Atty. Krieger: In looking over the Mobile Home Law in specific provision (read Mobile Home Law 27 A-62.
continued.

Atty. Krieger stated - You must note your reasons for disapproval or any conditions that you are going to attach on two copies of the preliminary layout (not mylar) and return one to developer. Because this is obviously a controversy, in order for the Board to preserve its position and not run out of time on this I would suggest before you leave this item today you ought to do that with respect to the maps and if you are going to disapprove for specific conditions on a final approval that they ought to be memorialized in order to protect the Board.

Atty. Bloom: It is 48 days since the Public Hearing I believe it is automatically approved.

Atty. Krieger: Well, even if it is 48 days, our Code say approval of preliminary layout does not constitute approvals of final plot, rather shall be deemed an expression of proposal submitted as a guide to preparation of final plot. (Code Book - 61-07). I haven't seen map (not recently). Does any one have the map that was submitted at Public Hearing? Okay, this map is marked Site Layout Plan. Since it has to be pursued on Subdivision Regulations, it doesn't jibe. I think the best that could be said at this time is that the plan if has anything - it has preliminary approval. There is still criterion for final approval that have to be met and the Board has option since you now discover it is a subdivision regulation, although it hasn't been done very often, I remind the Board they have the power to hold Public Hearing on final as well as preliminary.

Chairman Reynolds: I would like to get the feeling of the Board.

Discussion.

Atty. Krieger: There are five (5) items in Code (6107)

1. Obtain Board of Health approval
2. Submit to the Board the original drawing on tracing cloth.
3. Pay required fees.
4. Submit offers of cession of public roads or lands to Town.
5. Complete improvements as shown on plan or post Performance Bond.

Code specifies five (5) items.

Mr. Scheible: Vote Preliminary approval.

Mr. Spignardo: It has dragged on long enough.
The people here know the situation. Decision should be made.

Mr. Van Leeuwen: Have a Public Hearing.

Mr. Jones: One person will be there.

Mr. Van Leeuwen: Do they have County Board of Health approval?

Mr. Grevas: We can't file until we get preliminary approval.

Chairman Reynolds: I don't think we want the final with condition of County Health.

Mr. Kennedy: Could they be made to check the noise pollution?

Atty. Krieger: You can request it. It is up to them whether they will exceed to the request or go fight it. In the event that they go fight it, I can't say whether or not you are safe on safe ground and you will be upheld.

Mr. Spignardo: Did they have an Impact Study?

Mr. Van Leeuwen: It seems to me that I remember something to that effect.

Mr. Spignardo: It should be in the file.

Mrs. Hassdenteufel: It is in the earlier file.

Mr. Jones: How many people signed for their registered letters?

Chairman Reynolds: The secretary will count them. Thirty-two.

Mr. Jones: They were not interested.

Mr. Scheible: We are trying to prevent what happened by you with blacktopping plant.

Motion by Henry Van Leeuwen seconded by Henry Scheible that the Planning Board of the Town of New Windsor grant preliminary approval to Lakeview Mobile Home Park located on Route 94 and shall meet the following requirements:

1. County Board of Health Department approval.
2. Submission of proposed final (2 cloth copies) mylar.
3. Pay required fees.
4. Complete improvements as shown on plans or filing Performance Bond.
5. Require Public Hearing.

Roll call: Jones - yes

Infante - yes

Van Leeuwen - yes

Scheible - yes

Spignardo - no

Reyns - yes

Motion carried - 5 ayes - 1 nay (5-1)

Mr. Lindau: Is Public Hearing just on these points?

Chairman Reys: No, a regular Public Hearing.

Atty. Krieger: You can't very well cut someone off in the audience.

Atty. Bloom: Improvements would be plantings etc. That can't be done at this time because of weather. If we do get approval, we will have to get a permit. We will be the first new park. May I suggest if we don't comply by the time, you pull the permit.

Atty. Krieger: You can list it but that doesn't mean you expect them to comply before the time of final hearing. As far as improvements are concerned people always have had and can continue to post Bond or do it in the future, if they are going to do it. You don't list specific improvements.

Chairman Reys: Preliminary Approval with conditions.

* * * * *

#2 on the Agenda

Liberty Marketing Site Plan
Location - Route 94
represented by Elias Grevas, L.S.

Mr. Grevas: As we discussed at last meeting we are located on Route 94 and the improvements are - Construction of six (6) car blacktopped area and sign on Route 94. Sign is outlined. Mr. Bernhard will be selling used cars. Zone is C and Permitted Use. It is next to West Point Tours.

Motion by Henry Van Leeuwen seconded by _____ that the Planning Board of the Town of New Windsor.....

Motion died for lack of a second.

Mr. Kennedy: I have no objections.

Mr. Grevas: Mr. Kennedy asked me to come before the Board.

Chairman Reys: Do you have any questions, Mr. Van Leeuwen?

Motion by Henry Van Leeuwen seconded by Henry Scheible that the Planning Board of the Town of New Windsor approve the Liberty Marketing Site Plan located on Route 94 and collect all fees.

Motion carried 6 ayes - 0 nays (6-0) Site Plan Approved. \$75.00 balance of site plan fee due.
Secretary to hold maps until fee paid.

\$75.00 fee paid - 3/2/84sh.

* * * * *

NEW WINDSOR PLANNING BOARD PUBLIC HEARING
TOWN HALL
WEDNESDAY, JANUARY 11, 1984 8:00 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN HENRY REYNS, LAWRENCE JONES,
ERNEST SPIGNARDO, HENRY VAN LEEUWEN,
PHILIP INFANTE, CARL SCHIEFER AND
HENRY SCHEIBLE.

OTHERS PRESENT: ANDREW S. KRIEGER, PLANNING BOARD ATTY.
PAUL V. CUOMO, P.E. PLANNING BOARD ENGINEER
PATRICK KENNEDY, L.S. BLDG. & ZONING INSPECTOR
SHIRLEY B. HASSDENTEUFEL, RECORDING SECRETARY

TAPE295

Chairman Reyms called the Public Hearing of Lakeview Mobile Home Park to order promptly at 8:00 P.M. and presided over same. Chairman Reyms asked the secretary to read the notice published in "The Sentinel" the official New Windsor newspaper. Hearing no objections, so ordered. Also, verifying the return receipts from letters sent to property owners. The list of addresses supplied by the Assessor of the Town of New Windsor. Chairman Reyms and secretary did so.

Atty. Bloom The site plan was prepared by McGoey, Hauser and Grevas. We have everything that was needed. We have the Variance that was needed from the Zoning Board of Appeals. We will have schrubbery planted. Residents will be protected. We have an agreement with Mr. Van der Essen to replace the trees. There will be a 20,000 gallon storage tank underground. The purchaser, Mr. Lester Clark says he will require only fire protection and water from the Town. He will have the snow plowing done. Sod will be used instead of seed. Low sodium lighting will be installed.

Mr. Schiefer: Underground storage of water, is it adequate?

Mr. Grevas: It is slightly below. It has to go through the County Health Department. An eight (8 inch) inch main across Route 94. A two (2 inch) on our side. We will store water on site for fire supply.

Chairman Reyms: The trucks would hook up next to tank.

Mr. Grevas: We will screen the property.

Chairman Reyms: The screening doesn't show on maps.

Mr. Scheible: What kind of screening? Natural?

Mr. Grevas: No, planting.

Atty. Bloom: There will be only new units on the site. Priced from \$24,500 to \$40,000. No corrugated steel. Mr. Clark intends to make it the most beautiful park in the area. He comes with ten (10) years experience.

Chairman Reynolds: Suppose he changed his mind and put in a cheaper unit? I am sure he wouldn't, but it isn't on the mylar for a protection.

Mr. Grevas: We had to be careful that the note didn't conflict with the State Law.

Mr. Van Leeuwen: We are not an Architectural Review Board.

Chairman Reynolds: It was just a question.

Are there any questions?

Mr. Robert DePree, Plant Manager for Tarkett Inc.: We are adjacent to the Park. The property was zoned Industrial and now it is Residential. We have 350 employees. We have three (3) shifts. As in any Industrial operations there is noise. We would not want to be faced with problems such as complaints on noise.

Mr. Kennedy: I did try to impress on the Zoning Board of Appeals of this. I did not approve of this. An industrial operation - there is noise and there will be noise. We had had a problem with someone on the other side of the Thruway about noise. I had received complaints. I was against this project. I told the ZBA this.

Mr. DePree: We don't want to face what we faced two years ago.

Mr. Kennedy: Mr. Bloom, didn't Mr. Clark bring this up?

Atty. Bloom: My client is willing to put on map that he will have his people sign a statement of the different places that have noises.

Atty. Krieger: I would suggest a note be added to mylar as part of the motion.

Mr. DePree: Could we have a copy of this?

Mr. Cuomo: Mobile homes are getting larger and larger. Pat is revising the Mobile Home Ordinance now. I will be doing the footings. The pads are not sufficient with the support system. The paragraph would be taken out of the New York State Law. Support system.
Mr. Cuomo read from the NYS Law.

January 11, 1984

Mr. Kennedy: Our Code says - below frost. Concrete footings.

Atty Bloom: Whatever we are to conform with. Dan Parrish is aware of this. He spoke to me about this.

Mr. Parrish: I am going to a meeting in Syracuse.

Chairman Reynolds: Are there any further questions? If not I declare this Public Hearing closed.

Hearing closed 8:35 P.M.

Respectfully submitted,

Shirley B. Hassdenteufel

SHIRLEY B. HASSDENTEUFEL
Recording Secretary

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X
In the Matter of the Application of

LBL ASSOCIATES,

#83-30.

DECISION GRANTING
USE VARIANCE AND
SPECIAL PERMIT.

-----X
WHEREAS, LBL ASSOCIATES % Roy Lindau of 123 Old Post Road North, Croton-on-Hudson, N. Y. 10520, have made application for a use variance and special permit for construction and maintenance of a mobile home park consisting of 20 units in an area presently zoned C (Design-Shopping) and known by the tax map designation of Section 69, Block 4, Lot 6 and located on Route 94 in said Town of New Windsor; and

WHEREAS, a public hearing was held on the 12th day of September, 1983 at the Town Hall, 555 Union Avenue, New Windsor, N.Y.; and

WHEREAS, the applicant was represented by Daniel J. Bloom, Esq., Box 4323, New Windsor, N. Y.; and

WHEREAS, the application was opposed by the Building Inspector of the Town of New Windsor, who submitted a written statement of his objections and appeared at said hearing, and was opposed by the Planning Board of the Town of New Windsor, which also submitted written objections; and

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

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

2. A high percentage of the parcel of land in question cannot be altered or built upon due to the restrictions of the Freshwater Wetlands

Wetlands Act of the State of New York.

(3) A written report of the results of the tests of the soil on the property was submitted to the Board. That report establishes that because of the consistency of the soil on the property, it would be impossible to erect any structure on the property which would require a foundation and the property will not support any kind of a substantial structure.

4. The evidence shows that the property is located almost 700 ft. from the nearest road (Route 94) and will be served by a single access road. The evidence further shows that the site is lower than the level of the roadway and is not visible from Route 94.

5. The surrounding property is utilized for a shopping center, a commercial garage, a manufacturing plant and restaurants.

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

1. Because of the soil conditions, the presence of the freshwater wetlands, and the limited access to a highway, the land will not yield a reasonable return as it is presently zoned.

2. The hardship of the applicant's property is due to the unique circumstances of freshwater wetlands, soil conditions, and not to the general conditions found in the neighborhood.

3. Although the proposed use of the property may not be the most desirable use possible, the proposed use will not alter the essential character of the neighborhood in that it will not adversely effect in any way the adjoining properties.

NOW, THEREFORE, BE IT

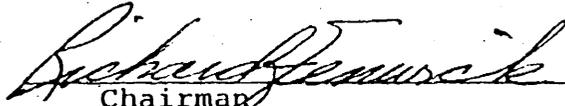
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor hereby grants a use variance to the applicant to use the

subject property for the construction and maintenance of a mobile home park provided that same shall be constructed substantially in accordance with the plans submitted to the Zoning Board of Appeals; that the applicant obtain site plan approval from the New Windsor Planning Board pursuant to the terms of the New Windsor Mobile Homes Local Law; and that the applicant constructs and maintains the mobile home park in accordance with the provisions of the Town of New Windsor Mobile Homes Local Law.

BE IT FURTHER,

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

Dated: October 24, 1983.


Chairman

INTER-OFFICE CORRESPONDENCE

TO: TOWN BUILDING/ZONING OFFICER KENNEDY
TOWN SUPERVISOR PETRO
COUNCILWOMAN DONACHIE
COUNCILMAN HEFT
COUNCILMAN MARSDEN
COUNCILMAN ROSSINI
ZONING BOARD OF APPEALS
PLANNING BOARD

FROM: ATTORNEY FOR THE TOWN SEAMAN

SUBJECT: LAKEVIEW MOBILE HOME PARK
Section 69 - Block 4 - Lot 6.2

DATE: March 18, 1985

I have been advised that the Zoning Board of Appeals has granted a use variance on October 23, 1978 to allow for the construction and operation of a mobile home park off Route 94 in Vails Gate. I assume that the applicants will soon be coming before the Town Planning Board for site plan approval.

Notwithstanding that the variance and site plan approval are granted, I respectfully call your attention to the Mobile Home Law of the Town of New Windsor, LL #2 of 1971 and, more particularly, Section 27A 13 thereof, which states in part that "no trailer park, after the effective date of this local law, shall be erected within a two mile radius of an existing trailer park."

Until evidence is submitted to you that the applicant has complied with Section 27A 13 of the Mobile Home Law of the Town of New Windsor, no building permit should be issued by your office for construction of any facilities concerning this project.

J. Tad Seaman

JTS:pd
cc: Daniel J. Bloom, Esq.
LBL ASSOCIATES

INTER-OFFICE CORRESPONDENCE

*Planning Board
received
JTS 7/10/84
ph*

TO: TOWN BUILDING/ZONING OFFICER KENNEDY
FROM: ATTORNEY FOR THE TOWN SEAMAN
SUBJECT: LBL ASSOCIATES
DATE: July 10, 1984

Pursuant to Town Code, Section 27A7 (permit required for trailer court), an applicant for a trailer park must obtain a permit from the ZBA and/or Planning Board and the Building Inspector. The Town Board has expressed concern about approving this mobile home park because, (1) it apparently violates Section 27A13 which provides that no mobile home park shall be constructed within 2 miles of another mobile home park; (2) the second objection is due to the poor soil conditions on the subject property (see formal decision of ZBA dated 10/24/83 attached hereto).

In light of the recent complaints and litigation concerning foundations supporting mobile homes, it appears that this site is not appropriate for a mobile home park.

Since the section of the code referenced to above indicates your approval is necessary, I would recommend that you consult with the Town Board prior to issuing a permit for construction of this mobile home park.

J. Tad Seaman

JTS:pd

Attachment: Formal Decision of ZBA - 10/24/83

cc: Town Board
Zoning Board of Appeals
Planning Board

April 27, 1981

Mr. William E. Steidle
Senior Environmental Analyst
Region 3
New York State Department of
Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561

Re: Lake View Mobile Home Park
NYS Route 94 - Vails Gate
(Formerly known as Safeky Mobile Home Park)

Dear Mr. Steidle:

I am replying to your letter of March 23, 1981 concerning the Lake View Mobile Home Park.

The Planning Board of the Town of New Windsor has prepared a negative declaration concerning the environmental impact of the mobile home park. A copy of the pertinent resolution is enclosed. The resolution is dated April 18, 1981.

The resolution should on its face answer questions numbered "1" and "2" contained in your letter.

I am also enclosing a copy of a decision of the New Windsor Zoning Board of Appeals in this matter. That decision should be responsive to your question number "3".

Very truly yours,

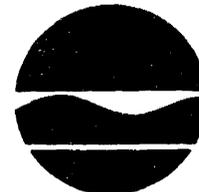
DUGGAN, CROTTY & DUNN

Philip A. Crotty, Jr.
Attorney to the New Windsor
Planning Board

PAC/jl
encls

cc: Daniel J. Bloom, Esq.

MAR 25 1981



Robert F. Flacke
Commissioner

New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, New York 12561

March 23, 1981

Mr. Philip A. Crotty, Jr.
Duggan and Crotty
Attorneys-At-Law
RD#2, Temple Hill Road
New Windsor, NY 12550

Re: Lake View Mobile Home Park
NYS Route 94 - Vails Gate
(Formerly known as Safeky Mobile Home Park)

Dear Mr. Crotty:

This office recently received a freshwater wetlands permit application which is associated with the above proposed project. Although this application has been deemed incomplete due to a number of deficiencies, we would appreciate your guidance as to the Town's actions under the State Environmental Quality Review Act (SEQR).

Based upon past correspondence and discussions it was my understanding that the Town was considering preparing a "positive declaration" thereby requiring the preparation of a draft environmental impact statement (DEIS). Our records do not, however, indicate the receipt of a positive declaration or DEIS. In order to clarify the status of the project under SEQR we appreciate your comments regarding: (1) whether the proposal is a Type I or Unlisted Action under local law, (2) whether the Town has or will require the preparation of a DEIS, (3) the status of the re-zoning and other necessary local approvals. If a "negative declaration" has been prepared it would be helpful if you could forward it to this office. This type of information will aid us in our review and subsequent decisions or determinations.

If you would like to discuss this matter, please do not hesitate to call me at 914/255-5453. Thank you.

Sincerely,

William E. Steidle
Sr. Environmental Analyst
Region 3

WES/mem

TO: Mr. T. Seaman, Attorney for the Town
FROM: Paul V. Cuomo, P. E., Town Engineer
SUBJECT: Water Permit for Mr. Wayman
DATE: March 30, 1981

A Mr. Wayman owns a pre-existing trailer park and is presently in flagrant violation of various General Town Ordinances, namely 27A-11, side line ordinances and encroachment ordinances.

He requested to hook up to Town water and I denied him a permit on the grounds that he refused me a contemporary layout of his trailer park, (a bare minimum in order to at least partly satisfy ordinance 27A-11).

When asked why he has added trailers without coming to the Planning Board, Mr. Wayman said that he does not have to come to the Planning Board.

He thereupon checked with his attorney with the following results. (see attached note below from my secretary)

Please advise.


Paul V. Cuomo, P. E.
Town Engineer

PVC/mfb

attachment

cc: Mr. John Petro, Supervisor
Town Board Members
Mr. Joseph Craig, Water Superintendent
Mr. Howard Collett, Building Inspector
Mr. Ernest Spignardo, Planning Board Chairman
Mr. Philip Crotty, Planning Board Attorney

Memo FROM: Paul V. Cuomo, P. E.
TOWN OF NEW WINDSOR
555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

TO:

Mr. Ernest Spignardo,
Chairman
Planning Board

DATE: January 14, 1981

SUBJECT: Final Report on Lake View Mobile Home Park

—FOLD HERE—

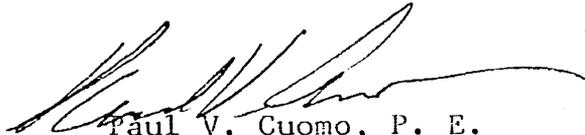
Reference is made to May 28, 1980, Report to Planning Board.

I have reviewed final plans for Lake View Mobile Home Park with the following comments:

Access layout has been changed and access is now considerably improved.

Drainage has been changed and is now below grade on Safeky Mini Warehouse site. Drainage has been directed through project with minimum of impact.

I therefore recommend approval by Planning Board as far as access and drainage.



Paul V. Cuomo, P. E.
by _____ Town Engineer

PVC/mfb

file

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL

WEDNESDAY, DECEMBER 10, 1980
7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN ERNEST SPIGNARDO, LAWRENCE JONES,
JOSEPH CIMORELLI, PHILIP INFANTE, C. JAMES
MCCABE, AND CARL SCHIEFER.

BOARD MEMBERS ABSENT: HENRY VAN LEEUWEN

OTHERS PRESENT: PHILIP CROTTY, JR., PLANNING BOARD ATTORNEY
PAUL V. CUOMO, TOWN ENGINEER
SHIRLEY B. HASSDENTEUFEL, RECORDING SECRETARY

Chairman Spignardo called the meeting to order promptly at 7:30 P.M.
and presided over same.

tape 215

#1 on the agenda

Safeky Mini Warehouse (Lakeview Mobile Home Park)
Located on Route 94- Vails Gate
represented by Atty. Dan Bloom, Elias Grevas
and Mr. Lindeau.

Atty. Bloom: I have letters here for the Board from
neighbors in the area and the DOT.
Pursuant to request -DEC - it is our obligation to get Planning
Board approval before going to them.
Mr. Lindeau hopes to get approval this evening from this Board.
Elias Grevas is here tonight as the Engineer. Mr. Lindeau is
willing to do anything.

Mr. Grevas: This plan represents change from what you have seen.
One way entrance next to Van's Carpet. There are 17 units. Two (2)
car parking for each site, parking for visitors in another area.
Five thousand (5,000) square feet min. Some will be seventy-five
hundred(7,500) square feet.
The whole site is 11.3 acres.
Playground area can be any size.
We have required setbacks.

Chairman Spignardo:What is set back for trailers?

Mr. Grevas: Twenty feet (20ft.)
Should be 62 ft. depth, 12 ft. wide - single width trailer.
There is room in site.
Street lighting is shown.
One way signs at entrance and exit.
We felt with seventeen (17) units there was no need for an
internal walkways.

Chairman Spignardo: You will need room for dumpsters.
What is the problem with the State on drainage on Route 94?

Mr. Cuomo: I haven't heard of anything.

Mr. Infante: The overall drainage? Is that stream in Cornwall?

Mr. Grevas: The water runs into a pond.

Mr. Infante: What then? Into the Moodna?

Mr. Grevas: Yes.

Mr. Infante: No flooding?

Mr. Grevas: None.

Discussion

Chairman Spignardo: Could you designate DEC flags on map?

Mr. Grevas: Yes.

Chairman Spignardo: Where is the Cornwall Town line on the map?

Mr. Grevas: I'm not sure.

Mr. Cuomo: Use the Assessor's map.

Atty. Bloom: We have to have this property zoned into two (2) parcels.

Atty. Crotty: We have two (2) separate uses but not two (2) separate lots.

Are you asking for subdivision plus site approval?

Atty. Bloom explained that they wanted to go the way the Board requested.

Atty. Crotty: We called our Planners today and they are going to send a reading.

Mr. Lindeau: We would like plan approval subject to parcel discription. Once we know what the law is. Subject to Department of Transportation for entrance into. Because the plan was changed so many times. We now have a plan with and in and out driveway. We have designed this according to Fire Department regulations.

Mr. Jones: I was down to inspect this site today. I thought I would see an ugly piece of property. I think it is a beautiful piece of property. There is woods. That is a beautiful site. Before we pass judgement - go down and see this. I have seen trailer courts in this Town - they should burn up. I understand there will be control of this one.

Mr. Lindeau: Yes.

Chairman Spignardo: My opinion hasn't changed. I don't feel that this is the right location. You are surrounded by a bus garage and a factory.

Mr. Jones: What is this man going to do with this land?

Discussion.

Mr. Infante: I was down there also.

Chairman Spignardo: Top of map changed.- property line in Cornwall. Where is it? There are too many subject to's. A letter from Town of Cornwall Planning Board dated July 8, 1980 stated they were aware of Safeky Warehouse mobile home. Also the play ground.

Atty. Crotty: Conceptual approval - board likes layout of plan. More than conceptual is approval.

Mr. Lindeau: DEC wants approval before they inspect.

Chairman Spingardo: The Engineer has not been down to inspect.

Mr. Cuomo: The drainage I helped to design.

Atty. Bloom: This unique.
Mr. Lindeau has to run a good show.

Atty. Crotty: We have spoken in regard to a two lot sub-division. Is the other property in Cornwall? Does it have access to Cornwall? Do you have use for the property?

Chairman Spignardo: Can this road service the Cornwall property?

Atty. Bloom: Approval is an annual thing.

Mr. McCabe: Are there mosquitoes in the heat of the season in the swampland. The people will have to stay inside.

Mr. Lindeau: I worked there and I wasn't bothered by them.

Atty. Crotty: The State Enviromental Impact Statement is new; he explained to the Board. You can determine whether or not to require an impact statement or not.

Mr. Lindeau: Mr. Steidle came down from New Paltz representing DEC. He was concerned about the noise we would make.

Chairman Spignardo: I am concerned about the human beings living there.

Mr. Jones: I was there this afternocrn. I think this man is bending over backwards to make everything right.

Chairman Spignardo: DEC flags there is that wetland?

Mr. Grevas: Yes.

Mr. Infante: We have them on one of the maps.
It was on the first initial plan I believe.

Chairman Spignardo: The town line is going to have to be shown.
How will you satisfy Cornwall?

Mr. Grevas: I don't know as I said where the line is. I think
the assessors flipped a coin. No one was quite sure.

Mr. Cuomo: Use the Tax Map. It has been established. For every
purpose we use the tax map.

Atty. Crotty: Use the tax map and make a note of it.

Mr. Gevas: I will use it from the tax map but I don't agree
with that.

Chairman Spignardo: Any other questions on this?

Atty. Crotty: Mr. Lindeneau came to see me yesterday to talk to
me about the different uses. About multiple uses on a single piece
of property. There could only be one use for a parcel of land.

Mr. Lindeneau: We are the same owners of the total park. We need
a approval to parcel this into two parcels so it will conform
to your zoning. Parcel A would be Mini warehouse site and Parcel
B would be mobil home site with 11. acres. We then have a residue of
land that would be in Town of Cornwall.

Atty. Crotty: We have not subdivided into two lots?

Atty. Bloom: We have not a formal subdivision.
Because of mortgage purposes we need discription for the first parcel.

Chairman Spignardo: It can be made one of the conditions.

Mr. Lindeneau: What ever is necessary we are willing to do.

Chairman Spignardo: Mr Cuomo have you inspected this the way it
is now. When did you inspect this site?

Mr. Cuomo: The major change is the entrance and egress.

Chairman Spignardo: It has to be inspected.

Mr. Jones: I went down and looked at this. I expected to see piles
of dirt. This area is woods. I walked this whole thing. I really
think this is a nice place.

Mr. Infante: I was down and looked over the site. We were concerned
about the extra exit. Now I see he has a lot of width. He
has a large black topped area.

Chairman Spignardo: That part will have to be approved by the
DOT.

Atty. Crotty: Cornwall wrote to us and said they would like to be kept abreast.

Chairman Spignardo: The parking and recreation area lie in the bounds of Cornwall. Is this true? This is what we have to find out.

Mr. Lindeneau: We took it out. It shows on the plan. It is out.

Chairman Spignardo: How can you tell when you don't know where the line is.

Mr. Lindeau: The site has already been approved as a site.

Atty. Bloom: If I may. I have taken notes on what I interpreted to be six conditions we have to meet. I would like to be sure they are correct. May I read them to you.

1. Lots on west side from 60 to 62 ft.
2. Interior walkway through center section
3. Define play area
4. Locate DEC flags on map
5. Use the New Windsor Tax Map to locate Town line and obtain subdivision approval
6. (a) Subject to Fire Code Bureau approval
(b) Subject to DOT approval
(c) Subject to Impact Statement filed with DEC

If that is correct I count about 7. I was wondering if the Board would entertain an application to approve the plan with these conditions so my client can attempt to meet these conditions.

Chairman Spignardo: The most important thing is the subdivision. We don't have Engineer's report.

Mr. Infante: I feel this is unique for he has to go to so many agencies. He has to run a good show.

Atty. Crotty: Conceptual approval- Board likes layout of plan. More than conceptual is approval.

Mr. Lindeneau: DEC wants approval before they inspect.

Chairman Spingardo: The Engineer has not been down to inspect.

Mr. Cuomo: I helped desing the drainage.

Atty. Bloom: Approval is on a yearly thing. He has to renew permit.

Mr. Lindeneau: I drove around with Paul.

Mr. Jones: He undertook the project to put a mobile home in. The rules are strict.

Atty. Crotty: Is there access in Cornwall to the property?

Mr. Lindeneau: Yes. We are marking the subdivision 450 ft. from an iron stake. That point is where we believe is the Town line. There is no other use continplated. This is the last land I own in New Windsor.

Chairman Spignardo: Any other questions?

Mr. Lindeneau: I can't describe the Town of Cornwall. I can describe the part that I am going to use as a Mobile Home Park. That is the purpose of this meeting so that we have a description that is going to be the description that you would eventually approve as a parcel separation and subdivision map. Without this approval we can't go forward and do something that is meaningful. You have a lot of look at us. We have done everything that we have said we would do.

Parcel A Mini warehouse.

Parcel B Trailer park (rest of land that I own in the Town of New Windsor.

Parcel C remainder of the land in the Town of Cornwall.

All my taxes on the mobile home will be in New Windsor.

Chairman Spignardo: What do you think about approving this with these subject to's?

Atty. Crotty: It is legal.

I would like to comment on Environmental Impact Statements. I want to make sure we all understand. This is so new. There are certain actions that must have a statement and there are certain that ones that don't require a statement. You don't have to determine that there be an Environmental Statement. This is your decision.

Chairman Spignardo: It would be up to us to adopt a resolution that we want a Environmental Impact Study.

Mr. Schiefer: That is one of their conditions.

Atty. Bloom: Yes..

(went over conditions) 6 Subdivision approval then approval
(A) Fire Code Bureau, (b) DOT approval, (c) DEC Impact Study.
7. Town Engineer's report.

Mr. Infante: In our condition the DEC will receive a Environmental Impact Study.

Chairman Spignardo: I would recommend that we have resolution that we require a Environmental Impact Study.

Mr. Infante: On what conditions; rodents, mosquitoes.

Chairman Spignardo: Has everyone read the study?

Atty. Crotty read the information. It is up to you.

Atty. Bloom: May I be heard. I would just like to indicate. I appreciate the difficulty of the decision that the Board is faced with. Mobile Home Parks have a distasteful connotation to this Town as probably they do in most Towns.

Mr. Lindeneau: I met Mr. Steidle and he was worried about the noise that we might make that might be objectionable. He was concerned about our storm drainage or water runoff would effect other people.

When we built the Mini Warehouse site he was not concerned and we did not have to file an Environmental Statement. It is not consistent. If you read the code we don't come under that.

Chairman Spignardo: Gentlemen.

Mr. Jones: May I say something. The man is willing to stand on his head. I think the man is being persecuted.

Mr. Schiefer: Are we or are we not requesting an Environmental Impact Statement.

Chairman Spignardo: If you want to pass this I will entertain a motion that we do so.

Mr. Schiefer: Point. Pass what?

Chairman Spignardo: That we require an Environmental Impact Statement. Do you think they should or do you want to forget it and let them proceed?

Mr. Cimorelli: I don't think they should.

Mr. Infante: My vote would be no.

Mr. McCabe: I think we should have a study.

Mr. Schiefer: I think we should have that providing that it is included on a favored list (not clear)

Chairman Spignardo: We have a deadlock. Can't make a decision.

Mr. Schiefer: Why don't you propose it with the Impact Statement.

Mr. Jones: They are willing to go before the State. Ernie wants the Board to make a resolution. If their not interested, that is their problem. Who is going to enforce it?

Chairman Spignardo: The Building Inspector.

Mr. Schiefer: I think we should have it. I'm not changing.

Mr. Lindeneau: We will agree to file an Environmental Impact Study.

Mr. Schiefer: That is what I was hoping for. Then I am in agreement.

Mr. Lindeneau: We would hope we didn't have to.

Mr. Schiefer: Under those conditions I vote yes.

Mr. Jones: Who would be making that Impact Statement?

Mr. Lindeneau: I have made it out allready. I tried to file it but he wouldn't take it until plan was approved.

Mr. Jones: Do we need a resolution for that?

Mr. Schiefer: It is one of the conditions.

Mr. Jones: Then we don't need a resolution.

Chairman Spignardo: I will entertain a motion subject to the conditions that were previously stated.

Motion by Mr. Infante seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the Lakeview Mobile Home Site subject to these conditions:

1. Enlarge lots on west side from 60 to 62 ft. to conform with required lot size.
2. Interior walkway through center section.
3. Define play area
4. Locate marker flags on map that were placed there by DEC to designate wetlands.
5. Use New Windsor Tax Map to locate Boundary
6. Obtain subdivision approval plus
 - (a) Fire Code Bureau approval
 - (b) DOT Approval
 - (c) DEC Impact Study (file)
7. Engineer Cuomo's report of May 28, 1980 on Mobile Home located behind Safety Mini Warehouse and his final report on the Mobile Home known as Lakeview Mobile Home Park.

Roll call: Jones: yes
Infante: yes
McCabe: no
Schiefer: yes
Cimorelli: yes
Spignardo: no

4 ayes, 2 nays Motion carried.

#2 on the agenda:

Casey Mans Site
located on Route 32
represented by Mr. Meley

Chairman Spignardo read the report of the Town Engineer dated 12/10/80 (Attachment #1)

Mr. Jones: He can't build without Planning Board approval. If he wants to use the walls he will have to come before this board.

Mr. Meley: He needs a variance.

Mr. Cimorelli: That is a retaining wall and he wanted to put a building there.

Chairman Spignardo: Shall we recommend to give a variance or leave the way it is?

Motion by Mr. Jones seconded by Mr. Infante that the Planning Board of the Town of New Windsor recommend to the ZBA that the site plan of Casey Mans showing a wall remain as a retaining wall.

Roll call: Jones: yes
Infante: yes
McCabe: yes
Schiefer: abstain
Cimorelli: yes
Spignardo: yes

4 ayes, 2 abstain Motion passed

Minutes

Motion by Mr. McCabe seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the minutes of November 26, 1980 as read.

Roll call: Jones:yes
Infante:yes
McCabe:yes
Schiefer:yes
Cimorelli:yes
Spignardo:yes

Motion carried- 6 ayes, no nays.

Chairman Spignardo: If there is no further business to come before the Board this evening, I will entertain a motion to adjourn.

Motion by Mr. Infante seconded by Mr. Schiefer that the Planning Board of the Town of New Windsor adjourn the meeting of December 10, 1980.

Roll call: Jones:yes
Infante:yes
McCabe:yes
Schiefer:yes
Cimorelli:yes
Spignardo:yes

Motion carried 6 ayes, no nays, Meeting adjourned 9:40 P.M.

Respectfully submitted,

Shirley B. Hassdenteufel

SHIRLEY B. HASSDENTEUFEL
Recording Secretary

Next meeting January 14, 1981.

Memo

FROM: P. V. Cuomo, P. E.
TOWN OF NEW WINDSOR
555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

*Received by
Planning Board*

TO:

Mr. Spignardo, Chairman
Planning Board

DATE: December 10, 1980

SUBJECT: Mans Brothers Route 32

—FOLD HERE—

I have inspected the site of Mans Brothers, and found that there will be no drainage to neighbors.

The retaining wall, however should have blacktop on grade but holed to prevent water from getting between retaining wall.

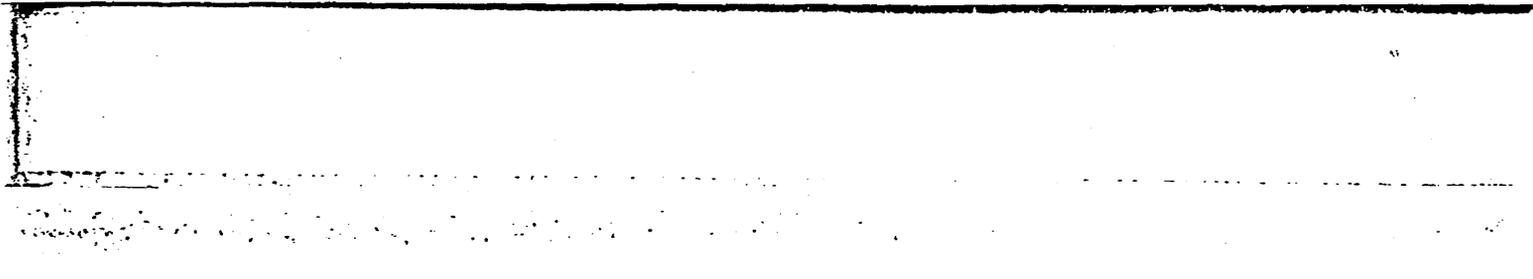
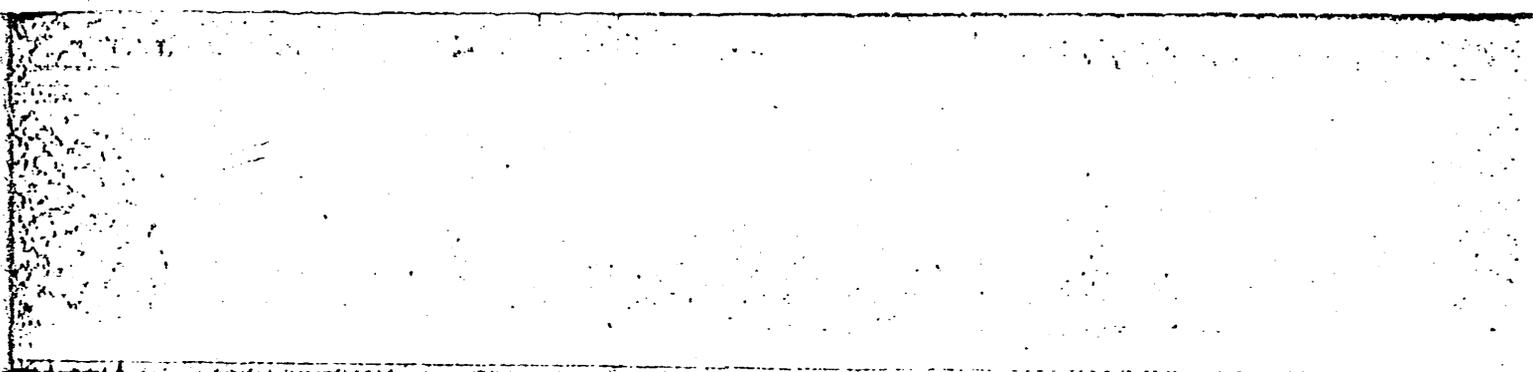
Grades of both ends of retaining wall should be stabilized also with blacktop in order to prevent sluffing of banks.



Paul V. Cuomo, P. E.
Town Engineer

PVC/mfb

by _____





1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

August 1, 1984

MC GOEY & HAUSER
45 Quassaick Avenue
New Windsor, N.Y. 12550

Attn: William J. Hauser, P. E.

RE: PROPOSED VAILSHIRE MOBILE HOME PARK

Dear Mr. Hauser:

Kindly be advised that the Bureau of Fire Prevention of the Town of New Windsor held a special meeting on July 31, 1984 and accepted your site plan for a 20,000 gallon tank for the Vailshire Mobile Home Park.

Very truly yours,

A handwritten signature in cursive script that reads "Richard Hotaling".

RICHARD HOTALING, Chairman
NEW WINDSOR BUREAU OF
FIRE PREVENTION

/pd

cc: Town Planning Board
Town Zoning/Building Inspector Kennedy

**PUBLIC NOTICE OF HEARING
BEFORE THE PLANNING
BOARD OF THE TOWN OF
NEW WINDSOR**

Pursuant to Town of New Windsor Subdivision Regulations, Section 4. and Section 48-19C (5) of the Zoning Ordinance held at the Office of the Planning Board, Town Hall, 555 Union Avenue, Town of New Windsor, on Wednesday, the 11th day of January, 1984, at 8:00 o'clock in the evening, to consider the application of LBL Associates for "site plan approval" and a "Special Permit" for the construction of a mobile home park consisting of 20 units. The premises involved are designated on the Tax Map of the Town of New Windsor as follows: Tax Map Section 69, Lot 4, Block 6, 640 feet ± south of N.Y.S. Route 94; bounded on the north by Route 94; bounded on the south by the Cornwall/New Windsor Town Line; on the west by Vanderessen and Tarkett Corporation; and on the east by Central Hudson Gas & Electric Corp. and Academy Terminal Corp.

By order of the Planning Board of the Town of New Windsor, Orange County, State of New York.

DATED: New Windsor, New York
December 27, 1983

HENRY VAN LEEUWEN
Chairman

State of New York

County of Orange, SS:

Everett W. Smith being duly sworn

disposes and says that he is

Publisher of the E.W. Smith

Publishing Company, Inc., publisher

of The Sentinel, a weekly newspaper

published and of general circulation

in the Town of New Windsor, and that

the notice of which the annexed is

a true copy was published .O.N.C.E....

in said newspaper, commencing on

the *29th* day of *December*, A.D. 1983,

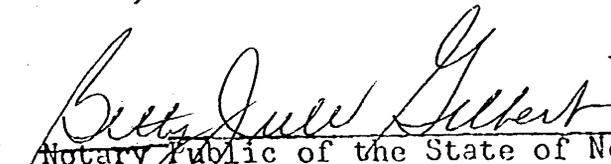
and ending on the *29th* day of *December*

A.D., 1983



Subscribed and sworn to before me

this day of 19....



Notary Public of the State of New York
County of Orange

my Commission Expires March 30, 1984

BETTY JULE GILBERT
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN DUTCHESS COUNTY
COMMISSION EXPIRES MARCH 30, 1984



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

*Planning Bd
received
9/27/83
sh*

September 27, 1983

BLOOM & BLOOM
P. O. Box 4323
New Windsor, N. Y. 12550

Attn: Daniel J. Bloom, Esq.

RE: APPLICATION FOR SPECIAL PERMIT
LBL ASSOCIATES - #83-30

Dear Dan:

This is to confirm that the above-entitled application for special permit before the Zoning Board of Appeals was granted at a public hearing held on September 12, 1983 and continued on September 26, 1983. You will recall that our attorney, Mr. Krieger, informed the Board at the public hearing that the use variance portion of your application was not required.

A formal decision will be drafted and acted upon at an upcoming meeting of the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Town Planning Board
Town Building/Zoning Inspector Kennedy

INTER - OFFICE CORRESPONDENCE

FROM: NEW WINDSOR PLANNING BOARD
TO: NEW WINDSOR ZONING BOARD OF APPEALS
RE: LESTER CLARK TRAILER PARK RT. 94
DATE: SEPTEMBER 9, 1983

The following observation on the Lester Clark Trailer Park Use Variance reflects the opinion of the majority of the Planning Board.

- A. First and foremost we feel that the proposed site is totally unsuited for residential use. Although this is a proposed trailer park, it must be given the same concerns and considerations as any other proposed single family residential development. It is the opinion of this Board that because the site is bounded by commercial and industrial uses as well as a swamp, that environment would not be conducive to the health and safety of residents living in the proposed development.
- B. To approve a residential development on that site would certainly be a radical departure from the existing use in the immediate area and therefore would indeed change the character of the neighborhood.
- C. The physical condition of this site is described for other commercial or industrial uses. It is the opinion of this Board, that more effort be made on the part of the owners, to develop the site to the use for which it has been zoned. We do not feel that you would be depriving the applicant the reasonable use of his property in as much as any Use Variance granted to any applicant is the minimum variance that would accomplish this purpose. Therefore to grant this particular variance would be an extreme departure from reasonable use.

The integrating of multiple uses in such a limited area can not be considered proper planning and certainly not in keeping

with the spirit of the Zoning Ordinance.

After careful consideration of the above comments, we are of the opinion the Use Variance for this property should be denied.


HENRY VAN LEEUWEN
Chairman

HVL/sh

PUBLIC NOTICE OF HEARING
BEFORE THE PLANNING BOARD
OF THE TOWN OF NEW WINDSOR

Pursuant to Town of New Windsor Subdivision Regulations, Section 4. and Section 48-19C (5) of the Zoning Ordinance held at the Office of the Planning Board, Town Hall, 555 Union Avenue, Town of New Windsor, on Wednesday, the 11th day of January, 1984, at 8:00 o'clock in the evening, to consider the application of LBL Associates for "site plan approval" and a "Special Permit" for the construction of a mobile home park consisting of 20 units. The premises involved are designated on the Tax Map of the Town of New Windsor as follows: Tax Map Section 69, Lot 4, Block 6, 640 feet + south of N.Y.S. Route 94; bounded on the north by Route 94; bounded on the south by the Cornwall/New Windsor Town Line; on the west by Vanderessen and Tarkett Corporation; and on the east by Central Hudson Gas & Electric Corp. and Academy Terminal Corp.

By order of the Planning Board of the Town of New Windsor, Orange County, State of New York.

DATED: New Windsor, New York
December 27, 1983

HENRY VAN LEEUWEN
Chairman

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)

: SS.:

COUNTY OF ORANGE)

Carol A. Lynn being sworn, says: I am not a party to the action, am over 18 years of age, and reside at Newburgh, New York. On December 28, ¹⁹⁸³ / , I served a true copy of the annexed Public Notice of Hearing in the following manner: By mailing the same in a sealed envelope, with postage prepaid thereon by Certified Mail, Return Receipt Requested, in a post-office depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) as indicated below:

(See List Attached)

Carol A. Lynn
Carol A. Lynn

Sworn to before me this
28th day of December , 1983.

Betty Jule Gilbert

BETTY JULE GILBERT
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN DUTCHESS COUNTY
COMMISSION EXPIRES MARCH 30, 1984

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

Slepoy Herbert & X
Gardner Fred
104 South Central Ave
Valley Stream NY 11580

Walsky Harold X
Duarte Graciano B
554 Chestnut Ridge Rd
Woodcliff Lake NJ 07675

National Temple Hill Assn Inc X
PO Box 315
Vails Gate NY 12584

Ettinger Howard W & Sarah P X
Box 64
Vails Gate NY 12584

VGR Associates X
c/o Howard V Rosenblum
Suite 2C
300 Martine Ave
White Plains NY 10601

Van Der Essen Ian X
315 Shore Dr RD4
New Windsor NY 12550

Bruyn Charles D & Frances E X
PO Box 303
Vails Gate NY 12584

Cornwall Coal & Supply Co Inc X
Box D Station Rd
Cornwall NY 12518

Orange County Industrial X
Development Agency
County Government Center
255-275 Main Street
Goshen NY 10924

Consolidated Rail Corp X
Property Tax Dept
PO Box 8499
Philadelphia Pa 19101

Di Micelli Anthony & Vincenza X
PO Box 283
Vails Gate NY 12584

Di Miceli Josephine X
PO Box 283
Vails Gate NY 12584

Knox Village Inc X
2375 Hudson Terrace
Fort Lee NJ 07024

This Variance should also
include Town of Cornwall

Orange County Planning Dept. X
124 Main Street
Goshen, New York 10924

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

Storage Equities Inc X
& PS Partners Ltd
990 South Fair Oak Ave
Pasadena Calif 91105

Central Hudson Gas & X
Electric
284 South Ave
Poughkeepsie NY 12602

Scheible Frederick X
PO Box 384
Vails Gate NY 12584

Academy Terminal Corp X
90 Main St
Highland Falls NY 10928

Bernhardt Robert G & Collen J X
PO Box 407
Vails Gate NY 12584

Boneri Jean C X
Box 526
Vails Gate NY 12584

Simonson Richard & Heler X
Box 485
Vails Gate NY 12584

Brewer Ella X
Box 527
Vails Gate NY 12584

County of Orange X
255-275 Main St
Goshen NY 10922

Ernst Jerome & Pearl X
PO Box 212
Monroe NY 10950

Brewer Walter X
PO Box 293
Vails Gate NY 12584

Mc Millen Mary X
c/o Mrs. James Deyo
PO Box 293
Vails Gate NY 12584

Brewer Russell A Jr X
Route 94 Box 103
Vails Gate NY 12584

Brewer Helen & Ida Mae & Michael X
PO Box 293
Vails Gate NY 12584

Deyo Beatrice & James X
Scherf Hannah M
PO Box 293
Vails Gate NY 12584

Pushman Albert & William X
PO Box 158
Vails Gate NY 12584

Pushman Albert & Josephine X
PO Box 158
Vails Gate NY 12584

Pushman William J & Marion X
Rte 32
Vails Gate NY 12584

Carione John & Louise X
333-335 Bloomingrove Tpke
New Windsor NY 12550

Dahlin Raymond G & Jean M X
Box 508
Vails Gate NY 12584

NEW WINDSOR ZONING BOARD OF APPEALS
Regular Session
August 8, 1983

MEMBERS PRESENT: Richard Fenwick, Chairman
Dan Konkol, Vice Chairman
James Nugent
Jack Babcock

MEMBERS ABSENT: Vincent Bivona
John Pagano
Joseph Skopin

OTHERS PRESENT: Andrew S. Krieger, Esq.
Attorney for the Board
Patricia Delio, Secretary

The August 8, 1983 session of the Zoning Board of Appeals was called to order by Chairman Richard Fenwick. Secretary called the roll.

Motion followed by Jack Babcock, seconded by Dan Konkol, to accept the minutes of the 7/11/83 meeting as written. Roll call, Motion carried 4-0.

* * * * *

PRELIMINARY MEETING:

LBL ASSOCIATES - Daniel J. Bloom, Esq., attorney representing applicant, appeared before the Board with revised plans for the trailer park previously approved by ZBA on 1/22/79. The variance had expired approximately one year later under the old plans. Mr. Bloom explained that Mr. Lester Clark, who purchased the parcel of property in April of 1983, proceeded to present his revised plans before the Planning Board. At that time they were referred to the Building Inspector, who, in turn, referred applicant to Zoning Board of Appeals for either a new variance or an interpretation of the old decision. Mr. Bloom also explained that the NYS DEC ordered that the construction be enjoined pending a wetland impact statement being prepared.

Taking all of the above incidents into consideration, motion was made by Jack Babcock, seconded by James Nugent to schedule a public hearing upon the return of the completed paperwork on the new proposal. Roll call: 4-0. Motion carried.

* * * * *

PRELIMINARY MEETING:

STRUGGER, STUART - Mr. David Lewis, who contracted to build a one-family frame dwelling on Valley Drive (Beaver Dam Lake) for the owner, Mr. Strugger, was informed by the Building Inspector that he requires a 1.1 ft. side yard variance in order to complete the project. Mr. Lewis explained that when laying

August 8, 1983

out the plans for the lot, there was one iron pipe sticking out of the ground. This pipe was used as the survey lot line. After the construction was almost completed, Mr. Lewis came upon a second iron which was buried at the time of original survey. As a result of this, the house is 1.1 ft. off line and a variance would be required to correct this situation.

Motion followed by Dan Konkol, seconded by Richard Fenwick, to schedule a public hearing on the return of the completed paperwork. Motion carried 4-0.

* * * * *

PRELIMINARY MEETING:

VINCENT MINUTA - Applicant appeared before the ZBA with a request for 120 sq. ft. sign variance to be located at lounge on Route 207 in a PI (Planned Industrial) zone. The proposed sign would be 5 x 12 ft. double-faced at height of 16 ft., with indirect lighting. Location of sign: Off state right-of-way.

Motion followed by Jack Babcock, seconded by James Nugent, to schedule public hearing upon return of the completed paperwork. Motion carried 4-0.

* * * * *

PRELIMINARY MEETING:

V. S. H. REALTY - David Levinson, Esq. of Levinson, Reineke and Orenstein, appeared before the ZBA with a request for applicant, V.S.H. REALTY, to permit CUMBERLAND FARMS to locate at former Texaco gas station - Temple Hill Road and Union Avenue intersection in a PI (Planned Industrial) zone. Mr. Levinson stated that V.S.H. Realty intend to purchase property from owner Fred Colin. It was stated by Mr. Levinson that he believed a use variance and rear yard variance would be required. Plans were presented for the Board's perusal. Also, Mr. Levinson added that canopies would be erected over the gasoline pumps.

Attorney Krieger at this point of the meeting informed Mr. Levinson that a previous variance was granted for use as a mini-market and fast food store to applicants named GRISMER. (Date of the granting of the variance was 5/13/82). However, the variance was never utilized by the GRISMER'S.

Attorney Krieger suggested that Attorney Levinson contact Building Inspector Pat Kennedy and request his opinion concerning the requirements after inspecting the formal decision of GRISMER.

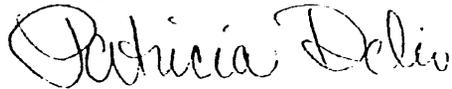
* * * * *

August 8, 1983

The last order of business was a discussion concerning submission of the 1984 Zoning Board of Appeals budget.

After discussion, motion was made by James Nugent, seconded by Jack Babcock to adjourn. Motion carried 4-0. Meeting adjourned.

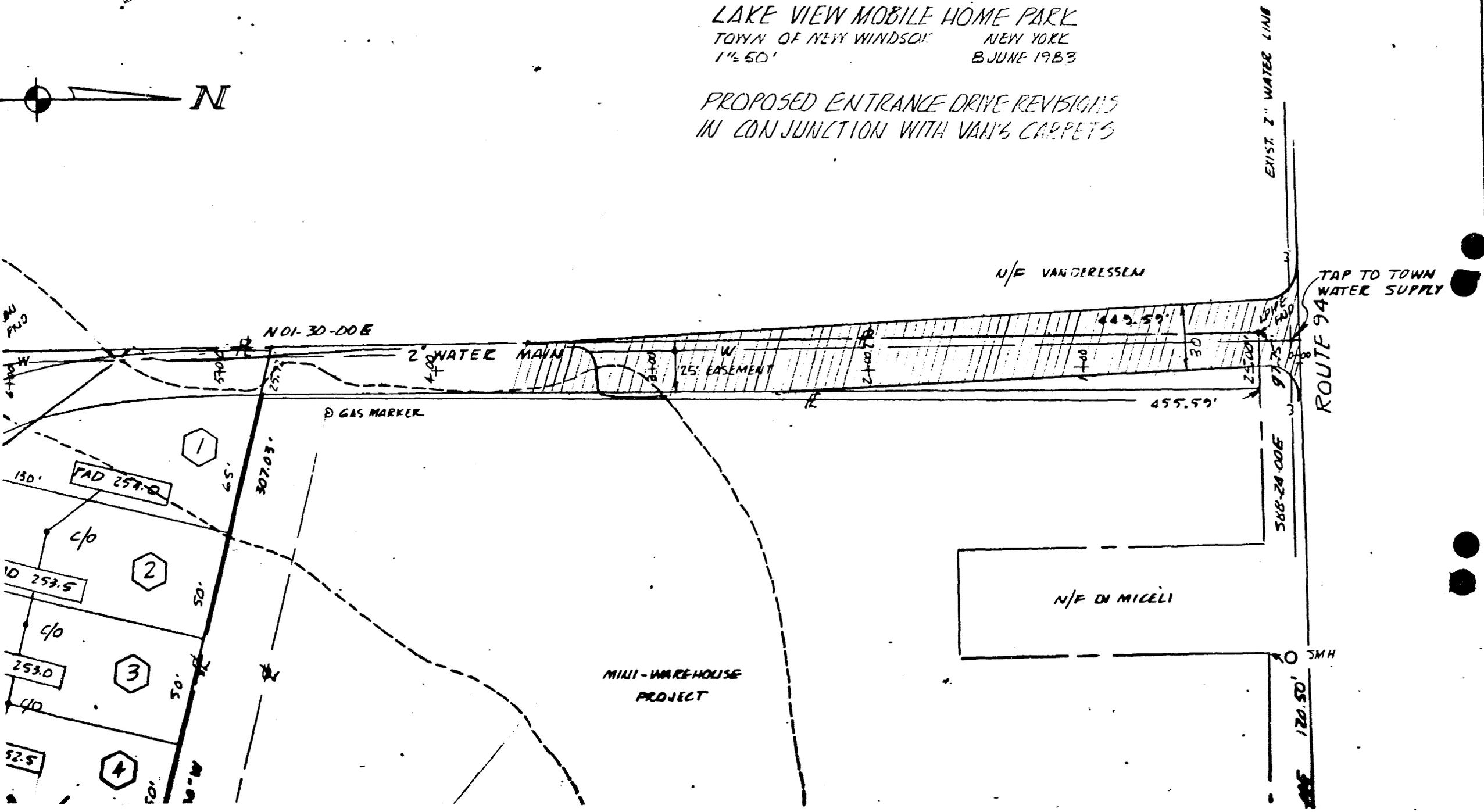
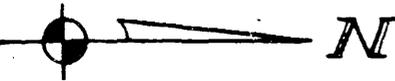
Respectfully submitted

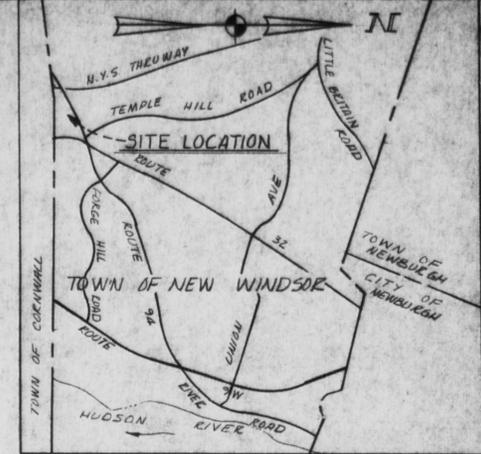
A handwritten signature in cursive script that reads "Patricia Delio". The signature is written in dark ink and is positioned above the typed name.

PATRICIA DELIO, Secretary

LAKE VIEW MOBILE HOME PARK
TOWN OF NEW WINDSOR NEW YORK
1"=50' B JUNE 1983

PROPOSED ENTRANCE DRIVE REVISIONS
IN CONJUNCTION WITH VAN'S CARPETS





LOCATION PLAN
SCALE: 1" = 2000'

NOTES

Property Data

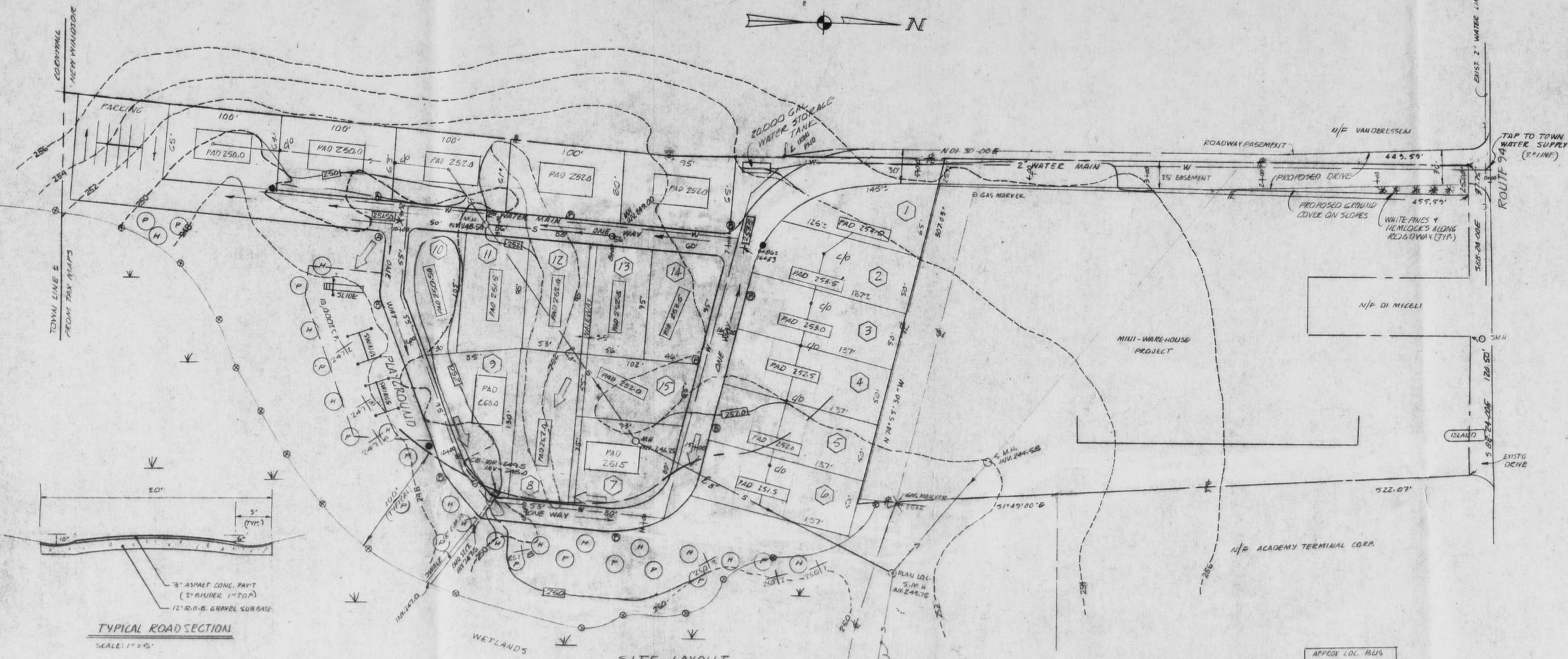
- Property Zone: C (Design Shopping)
- Being a portion of lands shown on the New Windsor Tax Maps as Section 69, Block 4, Lot 6.
- Area of proposed mobile home park site: 11.6 acres.

Design Data

- All mobile home lots meet or exceed the Town of New Windsor requirement of 5,000 s.f.
- Mobile home stands will consist of full size concrete slabs, 4" thick, with tie downs in the positions recommended by the mobile home manufacturer.
- Water supply: Town of New Windsor.
- Sanitary Sewage Collection System: Town of New Windsor (Sewer District No. 14).
- All signs shown to be in accordance with the requirements of the New York State Traffic Commission.
- Street lighting to be maintained at 0.6 footcandles, in accordance with the Town of New Windsor Mobile Home Park Ordinance.
- Site improvements shall conform to the requirements of the applicable regulations of the Town of New Windsor.
- Entrance and exit details subject to the requirements of the New York State Department of Transportation.
- Number of Units: 20

General Notes

- Boundary data shown is from maps prepared by Vincent Doce, L.S.
- Topographic information is from field survey; Elevation datum equals Sewer District No. 14; Contour intervals: two foot (2').



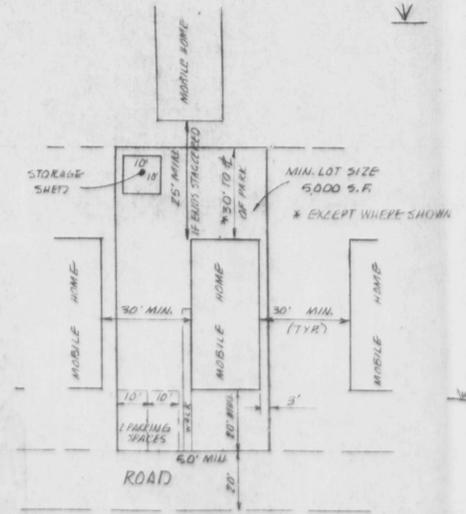
SITE LAYOUT
SCALE: 1" = 90'

APPROX. LOC. BUS. GARAGE BLDG.

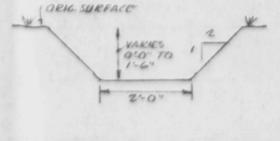
LEGEND

- SANITARY SEWER — S —
- WATER LINE — W —
- STORM DRAINAGE FLOW —>
- ONE-WAY TRAFFIC SIGN —>
- NO PARKING SIGN —>
- STREET LIGHTS —●—
- SINGLE WIDTH UNIT — [] —
- DOUBLE WIDTH UNIT — [] —
- LOT NUMBER — ⑦ —
- SEWER LATERAL WITH CLEANOUT — L —
- WETLAND LIMITS (AS DETERMINED BY DEC.) — [] —
- EXISTING CONTOURS — [] —
- PROPOSED CONTOURS — [] —
- EXIST'G SPOT ELEVATION — [] —
- PROPOSED SPOT ELEV. — [] —
- PROPOSED TREES (H = HURLOCK, P = WHITE PINE) — [] —

ENVIRONMENTAL NOTE:
SITE IMPROVEMENTS WITHIN THE FRESH WATER WETLAND, OR ADJACENT 100 FEET ARE SUBJECT TO N.Y. STATE DEPT. OF ENVIRONMENTAL CONSERVATION JURISDICTION UNDER ARTICLE 24 OF THE ENVIRONMENTAL CONSERVATION LAW.



TYPICAL LOT LAYOUT
SCALE: 1" = 30'



SWALE DETAIL
SCALE: NONE

Unauthorized alteration or addition to this plan is a violation of Section 7209(2) of the New York State Education Law.
Prepared pursuant to Section 7208n of the New York State Education Law.

PROPERTY MAP SCALE: 1" = 200'

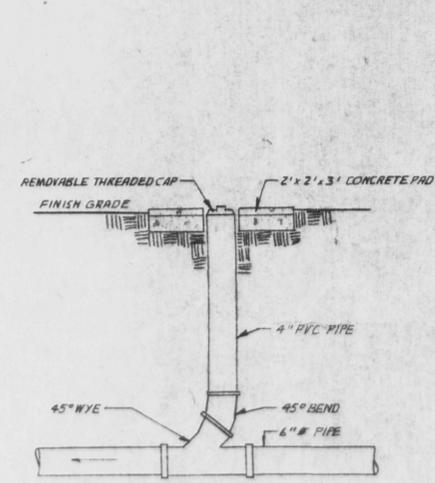
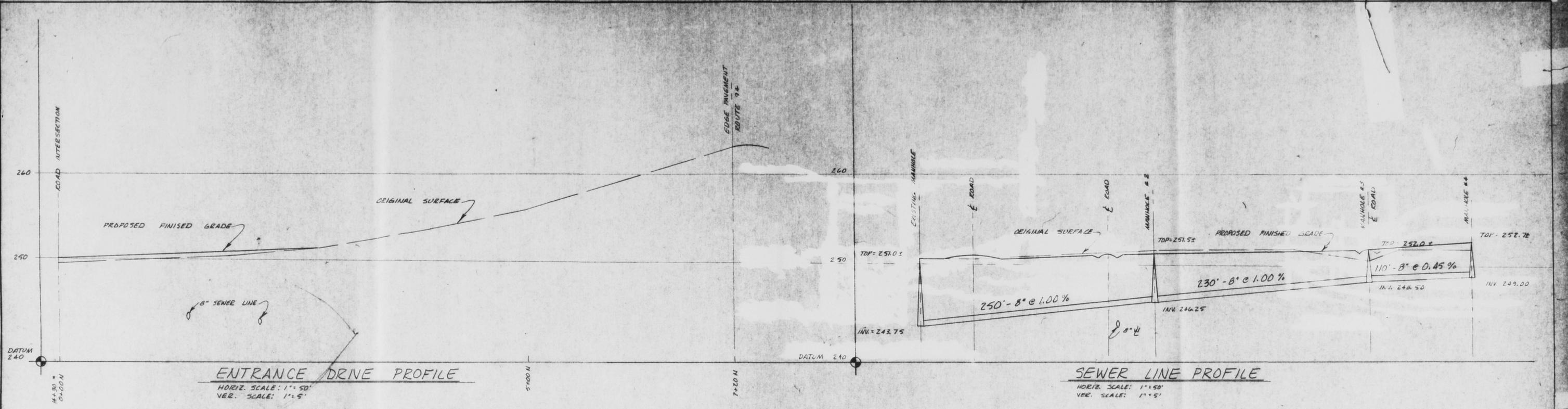
Revision	Date	Description
7	11 OCT 03	REVISED LAYOUT
8	1 JUL 08	REV. ENTRANCE DRING
9	11 MAY 08	REV. SITE LAYOUT'S FOR LOT LAYOUT'S BOUNDARY

MCGOEY, HAUSER & GREVAS
CONSULTING ENGINEERS
194 Route 9W
Newburgh, New York

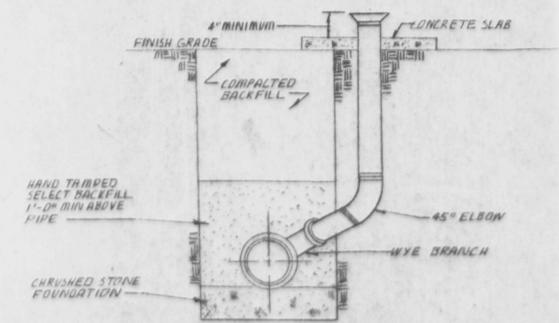
VAILSHIRE VILLAGE MOBILE HOME PARK
TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK

SITE LAYOUT PLAN

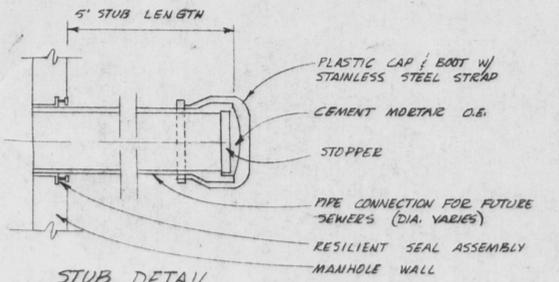
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Checked: [Signature]
Scale: As Shown
Date: 10 Dec 1980
Job No: 0367-80



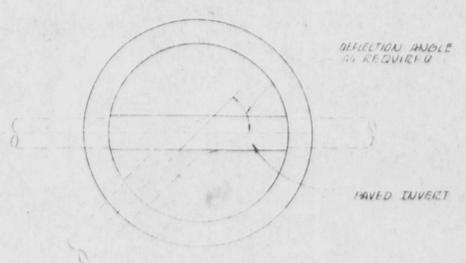
CLEAN OUT DETAIL
NOT TO SCALE



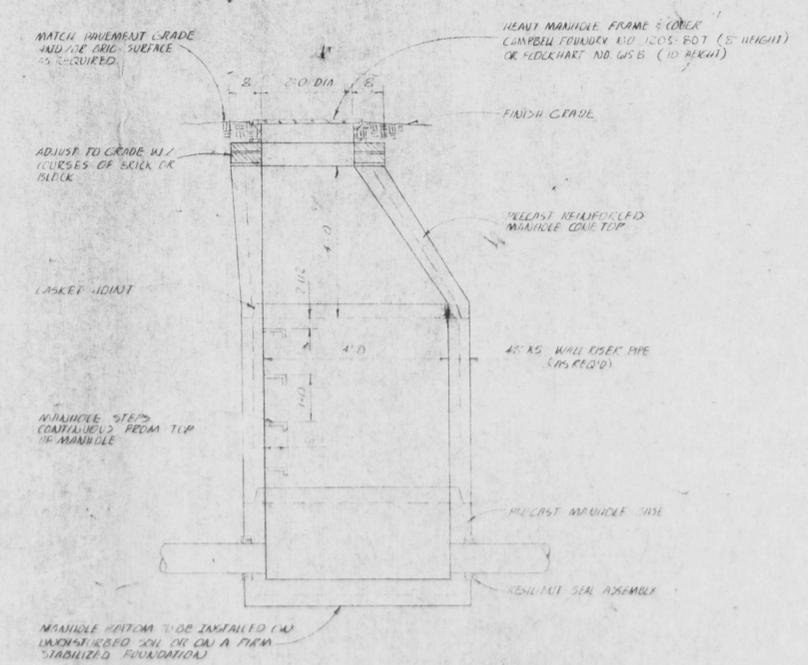
TYPICAL BUILDING CONNECTION
NOT TO SCALE



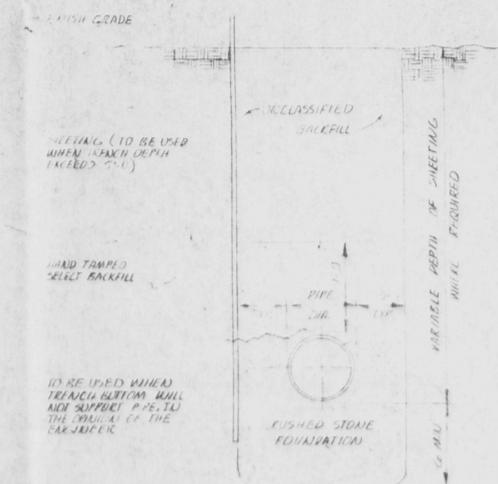
STUB DETAIL
NOT TO SCALE



MANHOLE INVERT PLAN
NOT TO SCALE



SANITARY MANHOLE - 4'-0" DIA.
NOT TO SCALE

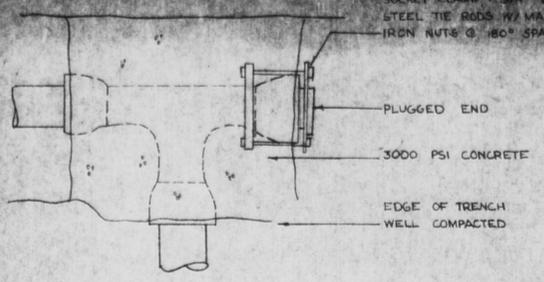


EXCAVATION DETAIL
NOT TO SCALE

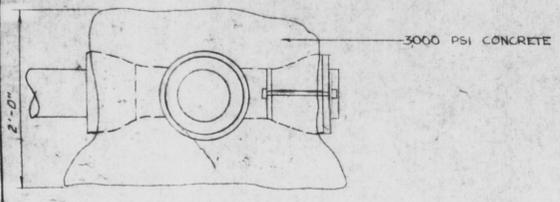
McGOEY, HAUSER & GREVAS CONSULTING ENGINEERS 194 Route 9W Newburgh, New York			VAILSHIRE VILLAGE MOBILE HOME PARK TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK		
Revision 1 Date 10 OCT 1982 Description REVISED PER D.C.D.H. REVIEW ADDED PROFILES	Drawn Checked Scale AS SHOWN Date 10 Dec 1980 Job No 0387-80	SANITARY SEWER IMPROVEMENT DETAILS	Sheet 2 of 3		



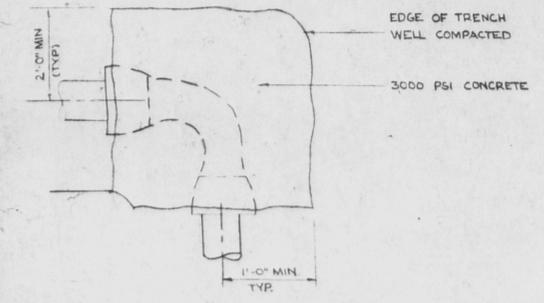
SOCKET CLAMP 2" DIA. GALV.
STEEL TIE RODS W/ MALLEABLE
IRON NUTS @ 180° SPACING



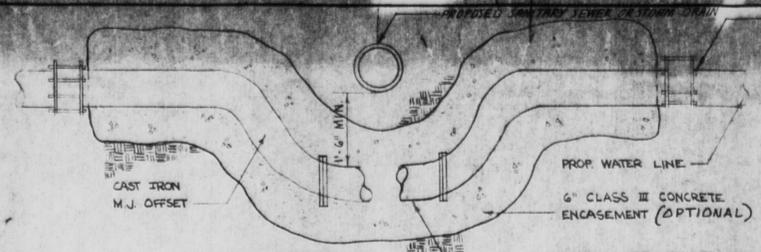
PLAN VIEW
NOT TO SCALE



ELEVATION
TEES + CROSSES
NOT TO SCALE

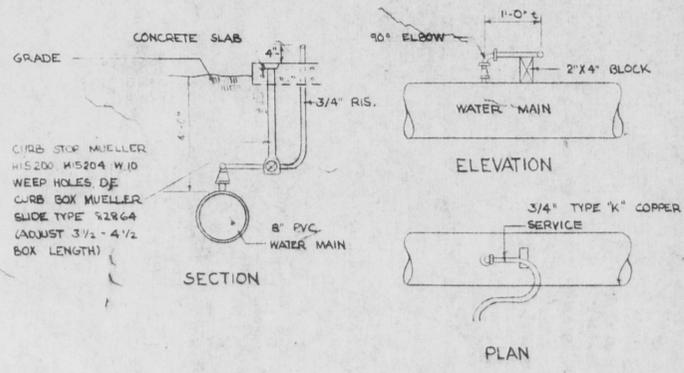


PLAN VIEW
TYPICAL THRUST BLOCK DETAILS
NOT TO SCALE

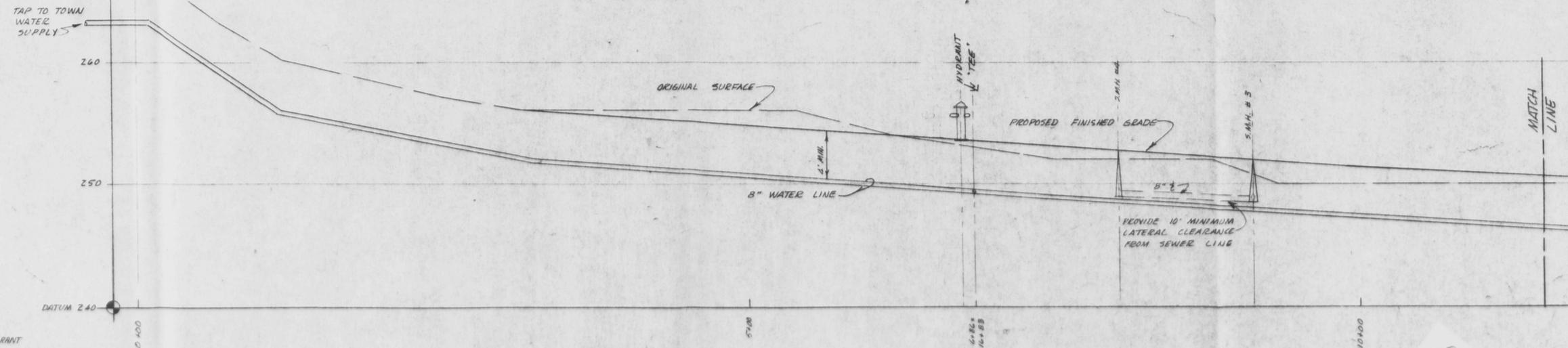
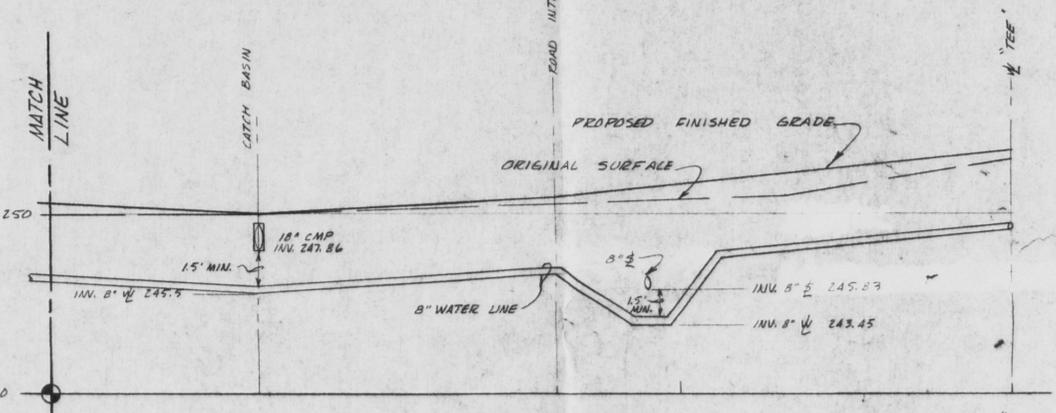


WATER LINE OFFSET
NOT TO SCALE

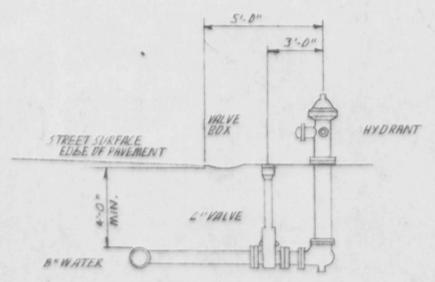
NOTE: WATERLINE OFFSET TO BE USED ONLY WHERE A SEWER LINE OR STORM DRAIN INTERFERENCE IS UNAVOIDABLE.
FULL UNCLIP LENGTH OF PIPE WITH THE PIPE CENTER BEING LOCATED DIRECTLY BELOW THE SANITARY SEWER OR STORM DRAIN.



TYPICAL WATER SERVICE DETAILS
NOT TO SCALE



WATER LINE PROFILE
HORIZ. SCALE: 1" = 50'
VER. SCALE: 1" = 5'



HYDRANT DETAIL
NOT TO SCALE

NOTES:
1) ALL WATERLINES TO BE SEPARATED A MINIMUM OF 10' LATERALLY FROM SANITARY SEWERS AND STORM DRAINS.



MCGOEY, HAUSER & GREVAS
CONSULTING ENGINEERS
194 Route 9W Newburgh, New York

VAILSHIRE VILLAGE MOBILE HOME PARK
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

Revision	Date	Description
1	6 OCT 1980	REVISED PER O.C.D.N. REVIEW ADDED PROFILES

Drawn: *[Signature]*
Checked: *[Signature]*
Scale: AS SHOWN
Date: 10 Dec 1980
Proj. No: 0 567 80

WATER SYSTEM IMPROVEMENT DETAILS

Sheet 3 of 3