

**PB# 92-34**

**Anthony's Pier 9  
(Amended SP)**

**37-4-25, 26, 27**

*Approved 1-8-93*

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/02/92

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 92-34  
NAME: ANTHONY'S PIER NINE  
APPLICANT: BONURA, MARY

DATE	DESCRIPTION	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
09/01/92	BALANCE FROM #92-26	PAID		588.00	
	Give Larry Both Sheets 92-26 + 92-34 for Refund				
	TOTAL:		0.00	588.00	-588.00

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

**GENERAL RECEIPT** 12860

Sept 2 19 92

Received of MFPJJRT \$ 150.<sup>00</sup>

One Hundred fifty and 00 DOLLARS

For P.B. #92-34 Application Fee

DISTRIBUTION:

FUND	CODE	#	AMOUNT
CR 1991		150.	00

By Pauline M. Townsend  
Town Clerk  
Title

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

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

**GENERAL RECEIPT** 13073

Jan 5 19 93

Received of MFPJJRT (Anthony's Pier 9) \$ 150.<sup>00</sup>

One Hundred fifty DOLLARS

For P.B. #92-34 S.P. Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 605856		150. <sup>00</sup>

By Pauline M. Townsend  
Town Clerk  
Title

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

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

GENERAL RECEIPT

12860

Sept 2 19 92

Received of MFPJJRT \$ 150.<sup>00</sup>

One Hundred fifty and 00 DOLLARS

For P.B. #92-34 Application Fee

DISTRIBUTION:

FUND	CODE	#	AMOUNT
<u>CR 1991</u>		<u>150.<sup>00</sup></u>	

By Pauline M. Townsend

Town Clerk

Title

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

GENERAL RECEIPT

13073

Jan 5 19 93

Received of MFPJJRT (Anthony Per 9) \$ 150.<sup>00</sup>

One Hundred fifty and 00 DOLLARS

For P.B. #92-34 S.P. Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR 605856</u>		<u>150.<sup>00</sup></u>

By Pauline M. Townsend

Town Clerk

Title

Eng.  
\$109.50

VENDOR NO.

7450

**MFPJJRT**

D-B-A ANTHONY'S PIER 9  
87 RTE. 9 W SOUTH • NEW WINDSOR 12553

CHECK NO.

5856

VENDOR NAME

TOWN OF NEW WINDSOR

DATE

12/24/92

PAGE

1

DATE	INVOICE NO.	VOUCHER	GROSS	DISCOUNT	NET
	PIER 9	1259379	150.00		150.00 150.00

DETACH VOUCHER BEFORE DEPOSITING

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/25/93

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 92-34  
NAME: ANTHONY'S PIER NINE  
APPLICANT: BONURA, MARY

---DATE---	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
09/01/92	BALANCE FROM #92-26	PAID		588.00	
09/09/92	P.B. ATTY.	CHG	35.00		
12/09/92	P.B. ATTY FEE	CHG	35.00		
12/20/92	P.B. ENGINEER FEE	CHG	109.50		
12/09/92	P.B. MINUTES	CHG	18.00		
		TOTAL:	197.50	588.00	-390.50

Gave to Larcy 1/25/93 @

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/25/93

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 92-26  
NAME: ANTHONY'S PIER 9  
APPLICANT: BONURA, MARY

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
06/26/92	SITE PLAN MINIMUM	PAID		750.00	
07/08/92	P.B. ATTY FEES	CHG	35.00		
07/08/92	P.B. MINUTES	CHG	18.00		
09/01/92	P.B. ENGINEER FEE	CHG	109.00		
/ /		PAID		0.00	
09/01/92	TRANSFER TO #92-34	CHG	588.00		
		TOTAL:	----- 750.00	----- 750.00	----- 0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/25/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 92-34  
NAME: ANTHONY'S PIER NINE  
APPLICANT: BONURA, MARY

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	09/02/92	MUNICIPAL HIGHWAY	09/18/92	APPROVED
ORIG	09/02/92	MUNICIPAL WATER	09/03/92	APPROVED
ORIG	09/02/92	MUNICIPAL SEWER	/ /	
ORIG	09/02/92	MUNICIPAL SANITARY	/ /	
ORIG	09/02/92	MUNICIPAL FIRE	09/08/92	APPROVED
ORIG	09/02/92	PLANNING BOARD ENGINEER	/ /	
ORIG	09/02/92	O.C. PLANNING DEPT.	09/10/92	LOCAL DETERM.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/25/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

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

FOR PROJECT NUMBER: 92-34

NAME: ANTHONY'S PIER NINE

APPLICANT: BONURA, MARY

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
01/09/93	PLANS STAMPED	APPROVED
12/09/92	P.B. APPEARANCE	LA:ND/WAIVE P.H.
12/09/92	P.B. APPEARANCE CON'T . APPR SUB. TO VARIANCE	APPROVED SUB TO PUT ON PLANS: NO SITE ESTIMATE NECES.
11/23/92	Z.B.A. APPEARANCE	APPROVED VARIANCE
09/09/92	P.B. APPEARANCE	SENT TO Z.B.A.
09/01/92	WORK SHOP APPEARANCE	SUBMIT

RESULTS OF P.B. MEETING

DATE: December 9, 1992

PROJECT NAME: Anthony's Pier 9

PROJECT NUMBER 92-34

LEAD AGENCY: 12-9-92

NEGATIVE DEC: 12-9-92

PUBLIC HEARING: Waived 12-9-92

DISCUSSION:

Put variance on map  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SEND TO ORANGE CO. PLANNING: \_\_\_\_\_

DISAPPROVED AND REFERRED TO Z.B.A.: YES \_\_\_\_\_ NO \_\_\_\_\_

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_

APPROVED \_\_\_\_\_ APPROVED CONDITIONALLY

NEED NEW PLANS: YES  NO \_\_\_\_\_

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: \_\_\_\_\_

See Above

No Site estimate  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ANTHONY'S PIER 9 SITE PLAN (92-34) ROUTE 9W

Marshall Rosenblum appeared before the board representing this proposal.

MR. ROSENBLUM: We received acceptance from the ZBA for the plan we're here tonight for the site plan approval for the large canopy.

MR. PETRO: Mike are we doing approvals on something that does not have a formal decision?

MR. BABCOCK: Yes, Mr. Chairman, when that comes through, we put it in the file. We'll get all the paperwork straightened out by the time we get the plans.

MR. PETRO: Just going to be a cross over?

MR. BABCOCK: Yes.

MR. ROSENBLUM: So we're here tonight for the site plan approval of the enlarged canopy which will cover the 3 lane drive in the front.

MR. VAN LEEUWEN: I don't have any problem with it.

MR. ROSENBLUM: The driveway is existing right now through here, that is full three lanes even with that old canopy in place. We want to eliminate these columns and the little canopy and have one that will hold at least 4 cars, 4 limos and stack up so people can still drive through. The detention time is far less, the cars don't back up onto 9W. What happens everybody wants to use the canopy so they were all backed up. It was one lane but people were stacked up. Now we have three lanes and the canopy, the columns are offset so the doors don't hit it and people can get out.

MR. VAN LEEUWEN: The only thing that bothers me is the high walls in the front but there's nothing you can do about that.

MR. LANDER: You mean the retaining walls out front?

MR. ROSENBLUM: That is the fountain, actually, that is there now.

MR. VAN LEEUWEN: He told us blocked <PWHROBGDZ> the driveway off. It's filled in already. He's got some big rocks buried. I have no problem. I make a motion we approve.

MR. LANDER: Second it.

MR. PETRO: Are the variances received on the map? Did you put them anywhere?

MR. ROSENBLUM: There's been no changes to the map we had not modified.

MR. EDSALL: The variances and the date should be referenced.

MR. VAN LEEUWEN: It's an amendment.

MR. PETRO: All the variances they received should be at least put on the map so we can make that subject to if we get that far.

MR. DUBALDI: I make a motion we take lead agency.

MR. LANDER: Second it.

MR. VAN LEEUWEN: We have a motion on the floor already.

MR. PETRO: Motion has been made and seconded that New Windsor Planning Board take lead agency under Anthony's Pier 9 site plan Amendment. Any further discussion from the board members?

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN: I make a motion to waive the public hearing.

MR. SCHIEFER: I'll second that.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for Anthony's Pier 9 site plan Amendment. Any further discussion from the board members?

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Does anyone have any questions about negative dec or--

MR. VAN LEEUWEN: I make a motion for negative dec.

MR. LANDER: I'll second it.

MR. PETRO: New Windsor Planning Board to declare negative dec on Anthony's Pier 9 site plan Amendment.

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. SCHIEFER: I make motion that we approve the site plan amendment for Anthony's Pier 9.

MR. VAN LEEUWEN: Subject to the, subject to the condition that the approval from the ZBA be added to the map, I think that is the only one that we had.

MR. LANDER: I'll second it.

MR. PETRO: Motion has made in as much as this amendment does not involve non-building site improvements, a site plan improvement estimate is not necessary. Motion has been made before the New Windsor Planning Board to approve Anthony's Pier 9 site plan Amendment subject to putting the findings X of the Zoning Board of Appeals of New Windsor on to the map which has been approved. Any further discussion from the board members?

ROLL CALL

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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

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

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

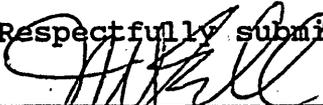
PROJECT NAME: ANTHONY'S PIER 9 SITE PLAN AMENDMENT  
(CANOPY IMPROVEMENTS)  
PROJECT LOCATION: NYS ROUTE 9W  
PROJECT NUMBER: 92-34  
DATE: 9 DECEMBER 1992  
DESCRIPTION: THIS SITE PLAN AMENDMENT INVOLVES PROPOSED  
IMPROVEMENTS TO THE FRONT ENTRANCE CANOPY. THE  
APPLICATION WAS PREVIOUSLY REVIEWED AT THE  
9 SEPTEMBER 1992 MEETING, AT WHICH TIME IT WAS  
FORWARDED TO THE ZONING BOARD OF APPEALS FOR  
NECESSARY VARIANCE(S).

1. This application, to my understanding, involves the construction of a larger canopy to suit the improved entrance configuration for the site. Necessitated by the enlarged canopy were variances.

If the Applicant has obtained the necessary variances from the Zoning Board of Appeals, it is my opinion that the proposed site plan amendment would be an improvement, providing for more efficient vehicle ingress to the facility. As such, I am aware of no technical concerns with the proposed canopy.

2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
3. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan Amendment, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
5. Inasmuch as this amendment does not involve non-building site improvements, a site plan improvement estimate is not necessary.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:PIER9-2.mk

BONURA, MARY - FRONT YARD FOR EXTENSION OF CANOPY PLUS  
FENCE AND FOUNTAIN

Mr. Joseph Bonura appeared before the board for this proposal.

MR. FENWICK: I don't believe we need anything else. We just wanted to clarify about the fence.

MR. LUCIA: We did an amended Notice of Public Hearing because as you may recall at the last meeting we added a section. I just want to check the agenda tonight, I'm not sure that is how this was worded.

MR. FENWICK: This was also postponed or adjourned due to the fact that we needed County approval and now we don't anymore. He just fell outside of the gun.

MR. LUCIA: Although it's not reflected on the agenda, applicant is seeking a variance from Section 48-14 C (1) (c) [1]. In addition to the section cited in the agenda, he also needs a variance from Section 48-21 (g) (1) since apparently the pool extends into the front yard. Is that part of this application, the fountain considered a pool apparently for the Town's purposes fountain extends into the front yard and a five foot fence is required but you're also prevented from having a fence in the front yard so there's an interplay, two sections there. The one requiring fence around the fountain and the one that says you can't have a fence in the front yard that would be 4821 (g) (2) requires that five foot fence. I'm not quite certain what the Section 48-14 (e) (1) (d) is. Do you have an amended Notice of Denial on it?

MR. FENWICK: Mike is not here, I think the proper section should be 48-21 (a) (1) (e) which refers to the 4821 (g) (2) mentioned previously.

MRS. BARNHART: These were the numbers, the sections that were put on the Notice of Denial and I just changed them cause they didn't reflect anything.

MR. LUCIA: I think that may have just been a typo but let's assume those are the correct sections since Mike

isn't here, we already I think have meat and potatoes of the application previously there's no new changes from the last time.

MRS. BARNHART: Here's the amended Notice of Denial, it wasn't right so I changed it.

MR. LUCIA: I assume we can administratively change the Notice of Denial to the correct section and probably it should be done before we vote but I think it's a patent error.

MR. FENWICK: Do you have, can you correct that?

MR. LUCIA: Only building inspector can correct it but I think the error is patent, I think he's certainly aware he was present at the preliminary and I think he's aware of the substance of the application. I think it's just a matter of correcting the sections he cites.

MR. FENWICK: Again, I believe mostly everybody here is familiar with this except for possibly Jim. Again we had to adjourn the public hearing due to notification of the County. Is there anyone here from the public that would like to speak on this matter? If not, I'll now close the public hearing and open it back up to the members of the board.

MR. KONKOL: I make a motion that we grant the variance.

MR. TORLEY: Second it.

MR. FENWICK: Do we have everything squared away except for the possible--

MR. LUCIA: Before the formal decision is written, Mike will have to amend the Notice of Denial. The error appears to be a patent error which he can correct, there's no change in the in the application. Mike understood the application from preliminaries.

MR. FENWICK: Are you familiar with what we're talking about?

November 23, 1992

6

MR. NUGENT: I was here for the preliminary.

MR. FENWICK: The only thing that changed they have a fence up by the fountain now, we took care of that. Can we have a motion?

ROLL CALL

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

MR. LUCIA: There will be a formal decision depending on when minutes are available that may be another meeting or two.

MR. BONURA: I can't go to the Planning Board until before the decision?

MR. LUCIA: No, this certainly has been granted just not evidenced by a formal decision, before that is written we'll get Mike to amend your Notice of Denial so all the paperwork is in order.

October 5, 1992

2

MARY BONURA - PRELIMINARY MEETING

MR. FENWICK: We will go on to the second Preliminary meeting Mary Bonura referred by Planning Board. Request for 20 foot front yard variance setback for canopy located Route 9W at Anthony's Pier 9 in an NC zone. Present Marshall Rosenblum.

MR. ROSENBLUM: Greetings. Let's put this here. One of the things, let me describe what the intent is here. The intent is to create a large open canopy to relieve a condition that was requested by during a large party the cars would back up literally onto 9W at the entrance. What we're doing here is to create a canopy that goes over the driveway, overlapping the line of the foundation to which the concrete is in there now to create ideally three lines of traffic instead of one under the canopy and one in front if it's not being blocked so the cars aren't blocked up. That should greatly reduce the time necessary for relief of passengers into the building. Also, this canopy, roughly 40 foot by 40 foot should be capable of handling I'll say at least four cars at the same time. Hopefully the outside lane will be a drive through lane. This is large enough and high enough that it also meets the request of a fire department for clearance for their fire vehicles. So, it becomes a wide open drive. It's a safety consideration more than anything else. It's just one of those things that we need as the facility grew. I said 20 feet relief, perhaps I should ask for 18 feet relief. Now that the concrete is in for the foundations and at the suggestion of the Planning Board actually where the, Mark Edsall, I believe, three lanes could adequately be spaced in there. I wanted to leave some additional clearance for the structure so that if a car door opens it doesn't hit the column. That's the essence of it. It's for safety, fire vehicle access. We do have, as you know, fully operational entrance and exit down here at the curb farther to the south.

MR. FENWICK: This is the extension of the existing canopy.

October 5, 1992

3

MR. ROSENBLUM: The existing canopy would be removed. You can see a dotted in here. New canopy would literally just be a large canopy to overlap the entire drive and create three lanes of traffic.

MR. TANNER: What's the construction?

MR. ROSENBLUM: All noncombustible.

MR. TANNER: Concrete, awning type?

MR. ROSENBLUM: I can provide elevation. Intent of the outside of course would be a steel structure. The general construction would probably be concrete or concrete masonry. It's in a stucco finish right now. The fountain in front is all going to be natural stone, not imitation.

MR. FENWICK: Mike, the height is okay?

MR. BABCOCK: Height is fine.

MR. LUCIA: Under 35 feet.

MR. BABCOCK: Yes, it was.

MR. ROSENBLUM: What it is is there is no height restriction within the NC zone other than 35 feet. It's not a calculation. However, in as much as we are requesting relief from the front yard setback obviously the board can entertain any conditions to that relief that you see fit. Our criterion, of course, is to maintain clear access for the largest fire vehicle necessary. It gives the fire department another clear access. It wouldn't come up here and attach, there is a connection over here. They would probably bring this hydrant over here and come up for emergency here. The building is fully sprinklered now. There is another hydrant down here. Or attach to the siamese connection here.

MR. LUCIA: Back to the height issue, the maximum height of the peak of that canopy is 35 feet or less?

October 5, 1992

4

MR. ROSENBLUM: No, by NC zone, yes. This is about 26 feet. So this is maybe 27 feet in an artistic relationship.

MR. BABCOCK: We asked the question, it's going to be under 35 feet.

MR. ROSENBLUM: Under 35 feet. Significantly under 35 feet.

MR. LUCIA: That's fine. Also, you said I think you need an eighteen foot variance, so you now sit back 22 feet from the property line, is that what you are saying?

MR. BABCOCK: He wants to be eighteen feet. What I understood he needs a 22 foot variance.

MR. LUCIA: 22 foot variance, okay.

MR. TANNER: This plan I have seems to indicate sixteen feet on it here.

MR. TORLEY: Yours says sixteen.

MR. FENWICK: Ours says sixteen.

MR. ROSENBLUM: I think these things changed, okay. This one is one that I brought in today and I put a dimension on. Sixteen feet actually would be to the front edge of the canopy, eighteen feet is to the center line of the column which would be about a 3 foot diameter column. I wanted to avoid a car door hitting it.

MR. FENWICK: We are still talking about sixteen feet would be the farthest out point?

MR. ROSENBLUM: Fine.

MR. FENWICK: Farthest out point.

MR. ROSENBLUM: Fine.

MR. TORLEY: 24 feet.

MR. FENWICK: Sixteen foot is the farthest out

October 5, 1992

5

point of the structure itself, total structure?

MR. ROSENBLUM: I can't imagine needing to go passed that at all.

MR. LUCIA: The only reason for the board trying to nail it down, obviously if you come in and it turns out that you needed 27 feet, you're in trouble. If there is any doubt at all as to how much you need this is the time to resolve it.

MR. ROSENBLUM: Why don't I ask for, I am not going to need it.

MR. TANNER: This is sixteen feet. 24 feet?

MR. FENWICK: We are looking for a 40 foot frontage.

MR. ROSENBLUM: 40 foot was the frontage. Say twelve feet. Never going to go closer than twelve feet. I want to keep that area open for that carriage.

MR. LUCIA: 28 foot variance and you would be twelve feet to the property line closest point.

MR. ROSENBLUM: Also as part of this and I mention it, the pylon sign will be removed, the existing old pylon sign. The canopy would overlap it.

MR. TANNER: What are they going to use for a sign?

MR. ROSENBLUM: There is an existing sign. There is sign out there now.

MR. TORLEY: Getting rid of the sign.

MR. FENWICK: Do you know how far your property line is from the road itself?

MR. ROSENBLUM: This is to scale.

MR. FENWICK: What is your scale?

MR. ROSENBLUM: I think there is about another

October 5, 1992

6

eight feet or so to that road. This is correct, as far as this curb cut, this was accepted.

MR. FENWICK: This is what I was concerned about in here.

MR. ROSENBLUM: That's a rather, 10 to twelve feet.

MR. FENWICK: This is basically your curb here, right? Something is out of scale here, that's what I am just trying to -- This is your curb here. This is the property line here. This is the scale you're probably looking at.

MR. ROSENBLUM: Here is the edge of --

MR. TORLEY: It really look likes --

MR. ROSENBLUM: I think it gets wider down there.

MR. TORLEY: It would be clearly impossible --

MR. ROSENBLUM: We have the curb. This is the line.

MR. TORLEY: I don't see how anybody on the road could be, can accidentally bump into this canopy without taking a real good run on it. It's much too steep.

MR. ROSENBLUM: It would also be buffered by the garden retainer.

MR. TORLEY: There is clearly no safety problem by this.

MR. ROSENBLUM: It's way up in the air. It's not even --

MR. FENWICK: One edge is 30 feet. It's got to be closer than 30 feet.

MR. ROSENBLUM: The elevation should give you a relationship between the roadbed and that's at a two to one slope come going up to the structure.

October 5, 1992

7

MR. TORLEY: Now looking at a, the request for 20 foot front yard variance.

MR. ROSENBLUM: No, 28 foot.

MR. LUCIA: That would mean you would be left with about twelve foot from the edge. The closest point of construction would not be closer than twelve feet?

3

MR. ROSENBLUM: I would not want to get that close. That would be defeating the idea of an open terrace out there.

MR. TORLEY: Still leaving more than almost 40 feet from the road edge up the hill.

MR. FENWICK: Let me understand what this is. In other words, you are putting this here so people could unload in case of inclement weather.

MR. ROSENBLUM: Even in nice weather they wait in line to get out underneath the canopy.

MR. FENWICK: You're going to be putting please use all lanes --

MR. ROSENBLUM: This is now setup by previous Planning Board action, this is a one-way in only. This is also an entrance and egress. We would draw three lines and try to keep traffic moving. Usually they have someone out there directing the traffic for a large party..

MR. FENWICK: Any other questions from members of the board? The only thing I would like to ask you to do, Mr. Rosenblum, is that we actually, the next time that we have this drawing since it will become part of the record if in fact we grant or deny this is that we actually have measurements here. In other words, instead of sixteen feet we now have twelve feet. So in other words, we have something accurate. We are standing here with this piece that will become part of the file.

MR. ROSENBLUM: Absolutely.

October 5, 1992

8

MR. FENWICK: Photographs, whatever. If there is no questions of the members of the board?

MR. NUGENT: I move we set him up for public hearing.

MR. TANNER: Second it.

MR. FENWICK: We will have a roll call.

ROLL CALL:

MR. TORLEY	Aye
MR. NUGENT	Aye
MR. TANNER	Aye
MR. FENWICK	Aye

MR. FENWICK: At this time I'm going to turn it over to our attorney so he can explain to you all the requirements that he will be asking for.

MR. BABCOCK: Could I have the denial, Mr. Chairman, and I will revise that --

MR. FENWICK: I don't have it. Maybe in the file? This is the only copy I have.

MR. BABCOCK: That's okay, I will do it tomorrow. Just so I can revise it so that the file is right.

MR. ROSENBLUM: I will get the --

MR. LUCIA: We will also need a County referral on this, that's not --

MR. ROSENBLUM: That has been sent in by the Planning Board. I understand you need a separate one.

MR. LUCIA: We need a separate one. Each individual town action needs a separate referral. Pat will take care of that. I'm just noting it for the record. Also, since this is an area variance application the Zoning Board making its determination to take into consideration the benefit to the applicant if the variance is

October 5, 1992

9

granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. There is four factors you have to speak to in addressing that issue. First is whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting of the area variance. Two, whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance. Three, whether the requested area variance is substantial. Four, whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Five, whether the alleged difficulty was self-created. Since this is essentially safety and apparently -- D.O.T. request, I would phrase much of your presentation in that vein.

MR. ROSENBLUM: That discussion with Mr. Rogers --

MR. FENWICK: Payments of the fees. When you come back -- You have received the application already for public hearing?

MR. LUCIA: Mary Bonura is the owner of record?

MR. ROSENBLUM: Yes.

MR. LUCIA: We are set on that then. When you come back bring some photographs of the site.

MR. ROSENBLUM: I have photographs.

MR. LUCIA: Obtain a copy of Mrs. Bonura's deed and title policy, I would like to see that also.

MR. FENWICK: The fees?

MR. LUCIA: The fees are paid.

-0-

-0-

-0-

ZONING BOARD OF APPEALS  
Regular Session  
October 5, 1992

AGENDA:

7:30 P.M. - ROLL CALL

APPROVED

Motion to adopt minutes of 8/24/92 and ~~09/14/92~~ minutes as written if available.

PRELIMINARY MEETING:

TUP  
P/H

1. AQUINO, JACK/MELICK, GREG - Request for sign area and height variances for three (3) wall signs (VIDEO RANGER): (1) Sign #1 - 55 s.f. area with 6 in. height; (2) 10 s.f. area with 6 in. height; (3) 10 s.f. sign area with 6 in. height, at location Route 32 in C zone. (65-2-24). REVISED 10-5-92 SEE DISAPPROVAL

ET UP  
P/H

2. BONURA, MARY - Referred by Planning Board. Request for 20 ft. front yard variance for setback for canopy located on Rt. 9W at Anthony's Pier 9 in an NC zone. Present: Marshall Rosenblum. (37-9-25, 26 & 27). REVISED 10-5-92 SEE DISAPPROVAL

PUBLIC HEARING:

APPROVED

3. MOBIL OIL CORP. - Request for (1) 162.4 s.f. sign area variance for 5 freestanding signs, (2) 36.4 s.f. for 7 wall signs, (3) 13 ft. setback from lot line for Sign #1, (4) 14.2 ft. setback from lot line for Sign #2 and (5) not more than one freestanding sign permitted. Location: 5 Corners in Vails Gate. (69-4-26.2). Present: Chris Richter.

ABLE FOR  
AD

4. CARROLS CORP. - Request for 152 s.f. sign area variance for Burger King located on Rt. 32 in C zone. Present: Sharon Rud. (65-2-12).

NEXT  
AGENDA

ABLE FOR  
P.D. AND  
AT AGENDA  
0-26-92

5. WINDSOR ENTERPRISES, INC. - Request for 60 s.f. sign area variance for freestanding sign (Salon/Deli/Pizza) located at corner of Caesar's Lane and Rt. 9W in an NC zone. Present James R. Petro, Jr. (37-1-34).

ABLE FOR  
P.D. AND  
AT AGENDA  
0-26-92

6. WINDSOR ENTERPRISES, INC. - Request for 94 s.f. sign area variance for freestanding sign (Auto X Press) located at intersection of Caesar's Lane and Rt. 9W in an NC zone. Present: James R. Petro, Jr. (37-1-35.32).

FORMAL DECISIONS:

~~(1) NEWCOMB~~  
~~(2) DANIAS~~

NEXT AGENDA

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

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

#1 10-5-92  
ZBA SETUP  
FOR P/M

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 92-34

DATE: 9-17-92

APPLICANT: Mary Bonura  
87 Route 9W  
New Windsor, N.Y.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 9-2-92

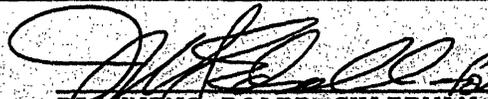
FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT 87 Route 9W (West Side) Sec. 37, BLK. 9, Lot 25, 26, 27

ZONE NC/R4

DESCRIPTION OF EXISTING SITE: SEC: 37 BLOCK: 9 LOT: 25, 26, 27

IS DISAPPROVED ON THE FOLLOWING GROUNDS: Insufficient front  
yard setback in a NC zone

  
PLANNING BOARD CHAIRMAN

\*\*\*\*\*

REQUIREMENTS

PROPOSED OR AVAILABLE

VARIANCE REQUEST

REVISED  
10-5-92

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>NC</u> USE <u>AA</u>		
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD	<u>40' ft.</u>	<del>24 ft</del> <u>28 FT</u>
REQ'D SIDE YD.		<del>20 ft.</del>
REQ'D TOTAL SIDE YD.		
REQ'D REAR YD.		
REQ'D FRONTAGE		
MAX. BLDG. HT.		
FLOOR AREA RATIO		
MIN. LIVABLE AREA		
DEV. COVERAGE		
O/S PARKING SPACES		

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

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

ANTHONY'S PIER 9 SITE PLAN (92-34) Rt. 9W

Marshall Rosenblum came before the board representing this proposal.

MR. LANDER: I make a motion to approve the Anthony's Pier 9 amendment.

MR. DUBALDI: I'll second it.

MR. BABCOCK: Canopy amendment.

MR. PETRO: Motion has been made and seconded to approve Anthony's Pier 9 Site Plan Amendment, canopy improvements. Is there any other discussion by the board members or any questions?

MR. DUBALDI: I don't see any problem with it.

MR. VAN LEEUWEN: I think it's a good idea because there's a problem coming in from, on 9W, it's a safety factor really.

MR. PETRO: Before you vote yes, you do know that this has to go to the Zoning Board?

MR. EDSALL: Yes, I know the Zoning Board reads the minutes because they are interested in seriously what the board has to say.

MR. PETRO: We're going to make a positive recommendation.

MR. EDSALL: Mr. Bonura and Mr. Rosenblum advised me in the workshop one of the primary reasons for requesting the configuration change and they've talked to Bob Rogers and Mike at the meeting is that there's a current problem with backup of traffic onto 9W, the DOT has contacted them and asked that they try to find a way to relieve that situation. As well the fire department cares to have access underneath the canopy for certain equipment. Bottom line is it appears that the only way they can do it is to open up the whole area underneath, hence the increase in size. It may

create a little more room underneath it so it's really a safety issue and that is why they feel strongly and I support that.

MR. LANDER: That is why we're trying to move this right along.

MR. EDSALL: And exactly why I wanted to get it in the minutes, while there's cars backing up.

MR. VAN LEEUWEN: When is he going to fill the second entrance in?

MR. ROSENBLUM: It's already filled.

MR. VAN LEEUWEN: Must have been done the last week and a half.

MR. PETRO: Working on it every day. Motion has been made and seconded to approve the Pier 9 Site Plan Amendment canopy improvements. Is there any other discussion?

ROLL CALL

MR. DUBALDI	NO
MR. LANDER	NO
MR. PETRO	NO
MR. VAN LEEUWEN	NO

MR. PETRO: You're being sent to the Zoning Board, obviously to try and receive the variances that are going to be required for the Planning Board to take further action.

MR. ROSENBLUM: In as much as this would seem to be a very limited relieve, front yard only, not height or any other consideration, could the board consider a conditional approval, unless the Zoning Board of Appeals had any--

MR. VAN LEEUWEN: I'd like to do that but that is almost illegal to do. That wouldn't, you know, before the Zoning Board has acted on it, if we could do that--

MR. ROSENBLUM: If it involved grading but all conditions remain the same, other than the clearance for the fire equipment.

MR. BABCOCK: What we can do is get you back on an agenda while the paperwork is being done at the Zoning Board so there won't be any time.

MR. PETRO: We won't waste time at least we'll get you back here and get you approved.

MR. VAN LEEUWEN: As far as I'm concerned, I have no problem with it.

MR. BABCOCK: It's a matter of appearing back in front of this board but it wouldn't be any time holdup.

MR. ROSENBLUM: Fine.

MR. PETRO: He did make one interesting point. I don't want to cloud the issue but we're talking about front yard setback but there maybe a height--

MR. EDSALL: I made that reference only because I don't know how the Zoning Board is going to treat the calculation for building height for the total building based on the nearest lot line to any portion of the building. The question then is, is the total building height based on the canopy?

MR. ROSENBLUM: It's not a multiplication, it's a uniform height.

MR. EDSALL: Is there any portion that exceeds 35 or all going to be less?

MR. ROSENBLUM: No.

MR. BABCOCK: Actually canopy is higher than the building.

MR. EDSALL: No portion that is going to be a problem?

MR. ROSENBLUM: No.

September 9, 1992

37

MR. EDSALL: It's a percent, they only need the one from--

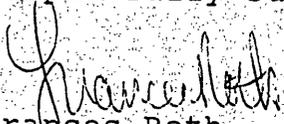
MR. BABCOCK: If the applicant decides to build it hire higher than the allowable limit, he's going to be back in here for another referral to the ZBA.

MR. PETRO: Okay, you're going to the Zoning Board with the positive recommendation from the New Windsor Planning Board.

MR. ROSENBLUM: Thank you very much.

Being that there was no further business to come before the board, a motion was made to adjourn the meeting by Mr. Dubaldi, seconded by Mr. Lander and approved by the board.

Respectfully Submitted By:

  
Frances Roth  
Stenographer 9/17/92

RESULTS OF P.B. MEETING

DATE: September 9, 1992

PROJECT NAME: Anthony's Pier 9

PROJECT NUMBER 92-34

LEAD AGENCY: \_\_\_\_\_

NEGATIVE DEC: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

DISCUSSION:

Put on next agenda after Z.B.A. Action

SEND TO ORANGE CO. PLANNING: \_\_\_\_\_

DISAPPROVED AND REFERRED TO Z.B.A.: YES  9/9/92 NO

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_

APPROVED \_\_\_\_\_ APPROVED CONDITIONALLY \_\_\_\_\_

NEED NEW PLANS: YES \_\_\_\_\_ NO \_\_\_\_\_

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: \_\_\_\_\_

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



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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

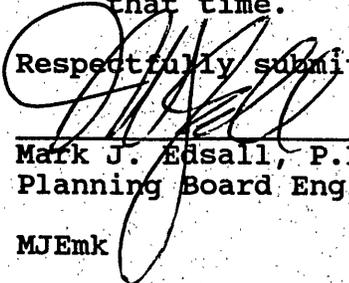
- Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: PIER 9 SITE PLAN AMENDMENT (CANOPY IMPROVEMENTS)  
PROJECT LOCATION: NYS ROUTE 9W  
PROJECT NUMBER: 92-34  
DATE: 9 SEPTEMBER 1992  
DESCRIPTION: THIS SITE PLAN AMENDMENT INVOLVES PROPOSED IMPROVEMENTS TO THE FRONT ENTRANCE CANOPY. THE APPLICATION WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The application seeks to make improvements to the entrance canopy such that its size will be increased to approximately 40' width and 38' depth. The plan indicates that this increase in size decreases the front yard setback to 20', which will require a variance since a front yard depth of 40' is required for this use in the NC Zone (an additional variance for height may be necessary).
2. After the Board reviews the planning aspects of this proposed amendment with the Applicant, it appears appropriate that a referral be made to the Zoning Board of Appeals for the necessary variance(s). At such time that the Applicant returns from the ZBA with any necessary variances, further review can be made by the Planning Board and procedural steps (as necessary) taken at that time.

Respectfully submitted,

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

MJEmk

A:PIER9.mk

Date 9/17/92, 19.....

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

TO Frances Both 389 Macos Hill Rd DR.  
New Windsor Ny 12553

DATE		CLAIMED	ALLOWED
9/9/92	Planning Board Meeting	75 00	
	Misc 1	✓ 4 50	
8-30	✓ Stewart's - 9	✓ 40 50	
8-31	✓ C&H - 7	✓ 31 50	
1-22	✓ Blooming Grove Operating - 8	✓ 36 00	
2-23	✓ Babcock - 8	✓ 36 00	
4-34	✓ <del>Anthony's - 4</del>	✓ 18 00	
		<hr/>	
		✓ 241 50	

# MARSHALL ROSENBLUM, A.I.A. 92-34

MARSHALL ROSENBLUM, A.I.A. ARCHITECT  
P.O. BOX 2966 NEWBURGH, NEW YORK 12550  
TELEPHONE 914-562-0270  
FAX 914-562-1652

Licensed: NY NJ CT IL RI NCARB

September 1, 1992

Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, NY 12553

**SUBJECT: ANTHONY'S PIER 9, AMENDED SITE PLAN**

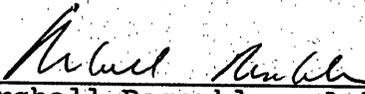
**TRANSMITTED:**

**NO. DATA**

- 14 SITE PLAN, 1 September 92; Revision #7.
- 14 Preliminary elevation drawings; reduced scale
- 1 original application
- 1 checklist
- 1 short form SEQRA
- 1 proxy form
- 1 application fee; \$150

Escrow fee to be applied from existing account balance.

Please do not hesitate to contact this office if you need additional information.

  
Marshall Rosenblum, A.I.A.

92-34

SEP - 1 1992

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

The maps and plans for the Site Approval Anthony's Ave 9  
Subdivision \_\_\_\_\_ as submitted by

Rosenblum \_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been  
reviewed by me and is approved

disapproved

If disapproved, please list reason \_\_\_\_\_

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

Fred Trapp  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

9/18/92  
DATE



MARY MCPHILLIPS  
County Executive

**Department of Planning  
& Development**

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

PETER GARRISON *Commissioner*  
VINCENT HAMMOND *Deputy Commissioner*

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

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

Referred by Town of New Windsor

D P & D Reference No. NWT 27 92 M

Applicant Mary Bonura

County I.D. No. 37 / 1 / 25  
26  
27

Proposed Action: Site Plan - Improvements to canopy on building

State, County, Inter-Municipal Basis for 239 Review Within 500' of US Hwy. 9W

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

Related Reviews and Permits \_\_\_\_\_

County Action: Local Determination XX Disapproved \_\_\_\_\_ Approved \_\_\_\_\_

Approved subject to the following modifications and/or conditions: \_\_\_\_\_

9/10/92

Date

*Peter Garrison*  
D.P. Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING  
APPLICATION FOR MANDATORY COUNTY REVIEW  
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 92-34

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date \_\_\_\_\_

City, Town or Village Board  Planning Board  Zoning Board

2. Owner: Name Bonura, Mary

Address 87 Route 9W - New Windsor, NY

3. Applicant\*: Name \_\_\_\_\_

Address \_\_\_\_\_

\* If Applicant is owner, leave blank

4. Location of Site: Rt 9W (West Side)  
(street or highway, plus nearest intersection)

Tax Map Identification: Section 37 Block 1 Lot 25, 26, 27

Present Zoning District NC/R-4 Size of Parcel 6.579

5. Type of Review:

Special Permit: \_\_\_\_\_

Variance: Use \_\_\_\_\_

Area \_\_\_\_\_

Zone Change: From \_\_\_\_\_ To \_\_\_\_\_

Zoning Amendment: To Section \_\_\_\_\_

Subdivision: Number of Lots/Units \_\_\_\_\_

Site Plan: Use Improvements to Canopy on Building

9/2/92  
Date

Mary Mary Bonura for the P.B.  
Signature and Title

INTER OFFICE CORRESPONDENCE

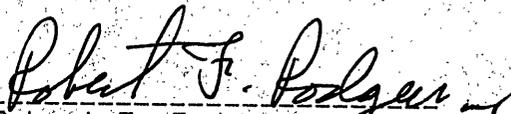
TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 8 September 1992  
SUBJECT: Anthony's Pier 9

PLANNING BOARD REFERENCE NUMBER: PB-92-34  
DATED: 1 September 1992  
FIRE PREVENTION REFERENCE NUMBER: FPS-92-052

A review of the above referenced subject site plan was conducted on 8 September 1992.

This site plan is acceptable.

PLANS DATED: 1 September 1992; Revision 7.

  
Robert F. Rodgers; OZA  
Fire Inspector

RRF:mr  
Att.

8-3-92

92-34

SEP - 1 1992

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

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Rosenblum A.I.A. \_\_\_\_\_ for the building or subdivision of

Anthony Plc 9 \_\_\_\_\_ has been

reviewed by me and is approved

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

Notify water dept. if locations of water  
services are needed

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

*John D. [Signature]*  
\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

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

- Main Office  
 45 Ouassaick Ave. (Route 9V)  
 New Windsor, New York 125  
 (914) 562-8640
- Branch Office  
 400 Broad Street  
 Milford, Pennsylvania 18337  
 (717) 296-2765

**PLANNING BOARD WORK SESSION  
 RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 92-34

WORK SESSION DATE: 1 Sept '92

APPLICANT RESUBMISSION DATE  
 REQUIRED: Yes full app

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Per 9 5/10 am.

PROJECT STATUS: NEW  OLD

REPRESENTATIVE PRESENT: Joe B - Marshall

- MUNIC REPS PRESENT:
- BLDG INSP.
  - FIRE INSP.
  - ENGINEER
  - PLANNER
  - P/B CHMN.
  - OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

2BA Wt ok  
Front yd setback.  
"Canopy improvements"  
Myra send to OC DP  
rec stripe w/ 3 lanes w/arrows  
Set up for 9/9 agenda

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

(This is a two-sided form)

92 - 34  
SEP - 1 1992

Date Received \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid \_\_\_\_\_

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

1. Name of Project Anthony's Place 9
2. Name of Applicant Mary Bowura Phone 565-4210  
Address 87 ROUTE 9W New Windsor NY 12553  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Mary Bowura Phone 565-4210  
Address 87 ROUTE 9W New Windsor NY 12553  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan M. ROSENBLUM Phone 562-0270  
Address POB 2966 NEWBURGH NY 12550  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney — Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Josiah Bowura Phone 565-4210  
(Name)
7. Location: On the WEST side of ROUTE 9W  
\_\_\_\_\_ feet \_\_\_\_\_  
(Street) (Direction)  
of \_\_\_\_\_  
(Street)
8. Acreage of Parcel 6.579 9. Zoning District NC / R4
10. Tax Map Designation: Section 37 Block 7 Lot 25, 26, 27
11. This application is for CANOPY IMPROVEMENT

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

If so, list Case No. and Name \_\_\_\_\_

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

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

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

OWNER'S ENDORSEMENT  
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

MARY BONURA being duly sworn, deposes and says that he resides at 87 ROUTE 9W NEW WINDSOR NY 12570 in the County of ORANGE and State of NY and that he is (the owner in fee) of \_\_\_\_\_

(Official Title)

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

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

Sworn before me this

Mary E. Bonura  
(Owner's Signature)

1st day of Sept. 1972

\_\_\_\_\_  
(Applicant's Signature)

Ruth J. Eaton  
Notary Public

Bonura  
(Title)

RUTH J. EATON  
Notary Public, State of New York  
Qualified in Orange County  
No. 4672512  
Commission Expires October 31, 1972

## PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

MARY BONURA, deposes and says that he  
 resides at 87 ROUTE 9W, NEW WINDSOR  
 (Owner's Address)  
 in the County of ORANGE  
 and State of NEW YORK  
 and that he is the owner in fee of PIER 9

which is the premises described in the foregoing application and  
 that he has authorized JOSENA BONURA & MONSIEUR ROSENBLUM  
 to make the foregoing application as described therein.

Date: 9/1/92

Mary E. Bonura  
 (Owner's Signature)

Josena Bonura  
 (Witness' Signature)

**TOWN OF NEW WINDSOR PLANNING BOARD**  
**SITE PLAN CHECKLIST**

92- 34

**ITEM**

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

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

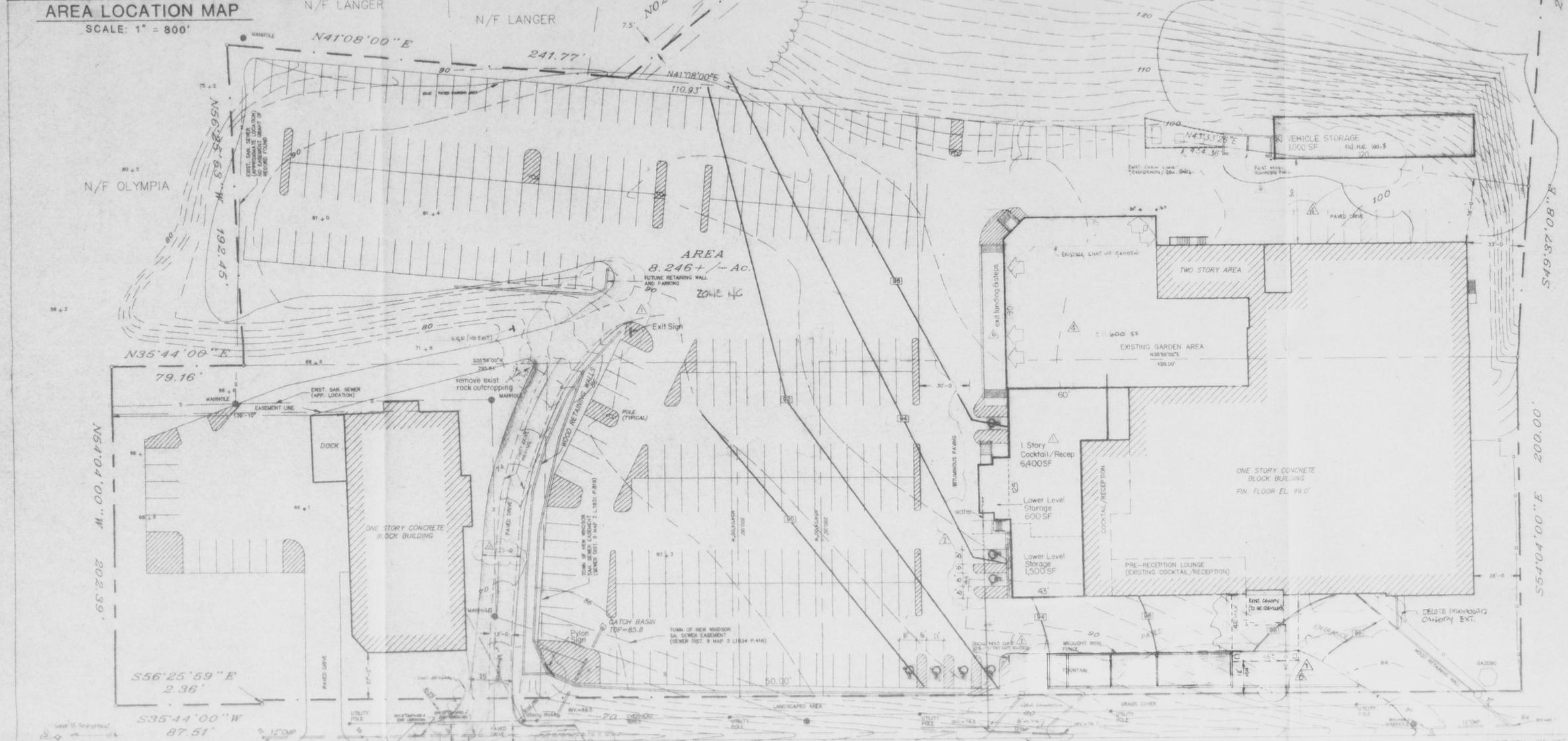
**PREPARER'S ACKNOWLEDGEMENT:**  
 The site plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: *Richard Ruppel*  
 Licensed Professional

Date: 1807.92



AREA LOCATION MAP  
SCALE: 1" = 800'



NEW YORK STATE HIGHWAY ROUTE 9W  
(SOUTH BOUND LANES)

SITE PLAN  
SCALE 1"=30'

- GENERAL NOTES
1. BEING A PROPOSED DEVELOPMENT OF THE LANDS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 37, BLOCK 1, LOTS 25, 26, 27
  2. PROPERTY OWNER/DEVELOPER - MARY E. SCHURA
  3. PROPERTY AREA - 6.876 ACRES (297,362.32 SQ. FT.)
  4. LOCAL ZONE BY AREA - ZTA-40.3 SQ. FT. (287,362.3 - 19,760)
  5. PROPERTY ZONE - NC
  6. EXISTING USE - A) CATERING RESTAURANT B) BAR/BOULEVARD SERVICE
  7. THIS SITE PLAN INFORMATION HEREBY IS FROM FIELD SURVEY BY ELIAS S. SHEVET, L.L. DATED 28 OCT 1993
  8. ALL PROPOSED ROAD SIGNS SHALL BE IN ACCORDANCE WITH THE N.Y.S. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
  9. PARKING REQUIRED - 180 SPACES
  10. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  11. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  12. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  13. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  14. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  15. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  16. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  17. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  18. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  19. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  20. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  21. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  22. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  23. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  24. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  25. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  26. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  27. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  28. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  29. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  30. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  31. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  32. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  33. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  34. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  35. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  36. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  37. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  38. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  39. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  40. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  41. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  42. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  43. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  44. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  45. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  46. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  47. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  48. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  49. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  50. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  51. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  52. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  53. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  54. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  55. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  56. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  57. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  58. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  59. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  60. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  61. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  62. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  63. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  64. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  65. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  66. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  67. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  68. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  69. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  70. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  71. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  72. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  73. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  74. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  75. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  76. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  77. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  78. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  79. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  80. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  81. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  82. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  83. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  84. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  85. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  86. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  87. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  88. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  89. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  90. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  91. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  92. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  93. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  94. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  95. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  96. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  97. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  98. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  99. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS
  100. 180 SPACES @ 10' X 20' @ 10' SIDEWAYS

LEGEND

EXISTING BUILDING
EXISTING UTILITY POLE
EXISTING AREA LIGHTING
EXISTING CATCH BASIN
EXISTING SIGNAL BOX
EXISTING TRAFFIC FLOW
EXISTING ONE WAY SIGN (ONE-WAY)
EXISTING ONE WAY SIGN (TWO-WAY)

SITE PLAN APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON **JAN - 8 1993**  
BY *Ronald Lander*  
RONALD LANDER  
SECRETARY

VARIANCE DATA  
Variance granted 23 November 1992 for relief from Section 48-14C for front yard setback, as shown on Plan dated 10 Oct 92, Revision #9.

REQUIRED	ZONE	USE GROUP	MINIMUM LOT AREA (IN SQ. FT.)	MINIMUM LOT WIDTH (IN FT.)	REQUIRED FRONT YARD DEPTH (IN FT.)	REQUIRED SIDE YARD DEPTH (IN FT.)	REQUIRED REAR YARD DEPTH (IN FT.)	FLOOR AREA RATIO	MAXIMUM BUILDING HEIGHT (IN FT.)
REQUIRED	NC	AR	10,000	150	40	15/36	40		35
PROVIDED			287,362.3 +/-	787	40	28,460 +/-	48 +/-		30
PROVIDED					27.3	450/140	207 +/-		17
REQUIRED	R-4	C	25,000	125	35	15/30	40		30

ROSENBLUM A.I.A.  
MARSHALL ROSENBLUM, AIA ARCHITECT  
6 FULLERTON AVENUE NEW YORK NEW YORK

ANTHONY'S PIER 9  
ROUTE 9W  
NEW WINDSOR NEW YORK

SP