ZB# 70-1

RGM Enterprises, Inc.

(no SBL)

To be filed.
Town Clerk's
office.

70-1
RGM Enterprises, Inc.
(Musarella) Variance
3-17-70
4:30 P.M.

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 1

Request of RGM Enterprizes Inc. for a variance of the regulations of the zoning ordinance, to permit construction of an addition to an existing restaurant, being a variance of Article III, Section 48-13, for property owned by him situated as follows: on the westerly side of Route 9W, 1500' feet north of the intersection of Route 9W & Ceasars Lane in the Town of New Windsor.

SAID HEARING will take place on the 16th of March, 1970, at the New Town Hall, 555 Union Ave., New Windsor, N.Y. beginning at 8 o'clock p.m.

LOUISE A. BUDNEY
Chairman

Mar. 5.

State of New York
County of Orange, ss:

Hugh V. Nocton , **being duly sworn deposes and says that he is** Principal Clerk **of Newburgh-Beacon News Co., Inc., Publisher of The Evening News. a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published** One Time **in said newspaper, commencing on the** 5th **day of** March **A.D., 19**70 **, and ending on the** 5th **day of** March **A.D., 1970**

Subscribed and sworn to before me this 5th **day of** March **19**70

Hugh V. Nocton

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 19 7

re: P.B.

ORANGE COUNTY PLANNING BOARD
COUNTY BUILDING, GOSHEN, NEW YORK

PETER GARRISON
PLANNING DIRECTOR

EDWIN J. GARLING
ASSISTANT PLANNING DIRECTOR

ROYAL BRUCE HARDE
ASSISTANT PLANNER

914) 294-5151

February 19, 1970

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board
of Appeals
Veronica Avenue
New Windsor, New York 12550

re: Variance - Extension of a non-conforming use
for a restaurant on Route 9W and Caesar's Lane

Dear Mrs. Budney:

We hereby acknowledge receipt of the above and have made our review under the provisions of Sections 239 l and m of the General Municipal Law. We grant County approval subject to some improvements in the arrangement and layout of the parking area.

1. The 18' aisle which runs along the southwest portion of the property should be widened to facilitate movement in both directions.

2. If we assume that the aisles and parking spaces are to be separated by concrete islands, vehicles traveling in a northeast direction will not be able to turn around or travel to another aisle due to the concrete. This should be clarified so as to enable vehicles to move freely and with ease.

3. Landscaping should be introduced as well as a buffer surrounding the entire parking area.

Very truly yours,

Peter Garrison

Peter Garrison
Commissioner of Planning

PG:ph

cc: Mr. George J. Shaw, Jr.

KENNETH A. MacVEAN, CHAIRMAN · STEPHEN W. HAYES, VICE CHAIRMAN · CLIFTON G. BROWN, SECRETARY · EDWIN J. DIETZ
ALBERT DURLAND · JAMES M. PATT · RAYMOND S. PRESTON · RALPH S. RUNNALS
ALFRED H. PETERSON, SUPERINTENDENT OF HIGHWAYS

Adopted 12/20/65

APPLICATION FOR VARIANCE
APPLICATION NO. 70-1
DATE: February 14, 1970

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

I (we) R.G.M Enterprizes Inc of North Ave
(Street & number)

Marlboro New York 12542 HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

A. LOCATION OF THE PROPERTY Route 9-W ; G.I.
(Street & Number) (Use district on Zoning Map)

B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: Article III Section 48-13 Paragraph A

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

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Although the area is zoned G.I., most of the use is commercial ranging from bowling alleys & restaurants, to funeral parlors.

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buillings in the same zone because: Most of the businesses in the area are used for public assembly (bowling alley, funeral parlor, weight control center). This is the use proposed for the new addition.

3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: The original building, which determined the type of use for this property, was constructed before the Zoning Ordinance was adopted. The applicant merely purchased this non-conforming use and wishes to expand the operation.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because The proposed commercial use would be in character with the existing uses in this area, and would be an upgrading of its legal G.I. use.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: The area of the property, as well as the construction of the building and parking areas would be equal or better than the legal requirements for other properties in the zone.

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

The existing restaurant is to remain, and a new 10,000 square foot addition will be constructed on the north end of the restaurant. This addition will be used for catering to weddings, banquets, etc. and possibly be used for live entertainment.

7. Application to be accompanied by a check, payable to the Town of New Windsor in the amount of ~~[illegible]~~ 25.00 Application to be returned to: Secretary of the Zoning Board of Appeals.

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

9. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated: 2/16/70

Raymond L. Muscarella
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE) SS

Sworn to this 16 day of Feb 1970

Joseph Torraca
Notary Public
Commission Exp. 3/30/71

Marlboro N.Y.
Address

236-7761
Telephone No.

DO NOT WRITE IN THIS SPACE

Application No. 70-1
Date of Hearing 3/16/70
Date of Decision 3/16/70

Date Received 2/14/70
Notice Published 3/5/70

DECISION Variance granted.

Veronica Ave.
New Windsor, N. Y. 12550
March 18, 1970

Mr. George Shaw, Jr.
177 Liberty Street
Newburgh, N. Y. 12550

Re: RGM Enterprizes, Inc.
Application for Variance

Dear Mr. Shaw:

Please be informed that at a public hearing held on Monday, March 16, 1970, it was the decision of the Zoning Board of Appeals to grant the above variance subject to the following conditions:

1. That a 4 ft. cyclone fence be erected along the rear property line, and

2. Further subject to site plan approval by the Planning Board.

Yours very truly,

Louise A. Budney,
Chairman

LAB:pd

cc: Howard Collett, Bldg./Zoning Insp.

1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

February 23, 1970

George J. Shaw, Jr.
177 liberty Street
Newburgh, New York 12550

Dear Sir:

According to my records, the attached list of property owners are within the five hundred (500) feet of the area you inquired about.

The charge for this service is $15.00. Please remit same to me, making the check payable in my name.

Respectfully,

Ellsworth E. Weyant /pt

ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW/pt
Enc.

1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

George J. Shaw, Jr. Sheet 1

Cornwall-New Windsor Realty Corp.
Route 9W, RD #4
New Windsor, New York 12550

Dori Associates, Inc.
P. O. Box 17
New Windsor, New York 12550

Petro, Richard P.
Stori Road, MD #29
Newburgh, New York 12550 (3 parcels)

Torch, Francois L. & Marie M.
345 W. 55th Street
New York, New York

Muscarella, Raymond G.
North Road
Marlboro, New York

DiCarlo, Joseph & Virginia M.
MD #23, 64 Melrose Ave.
Newburgh, New York 12550

Olympia, Peter M. Jr.
16 Russell Road
Newburgh, New York

Plona, Albert S. & Margaret P.
305 Hudson Street
Cornwall-on-Hudson, N. Y.

Forestiere, Jasper A.
River Road, RD #1
Newburgh, New York (2 parcels)

Lease, John J. Jr. & Richard F.
4 DeForrest Ave.
Newburgh, New York

1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

George J. Shaw, Jr. Sheet 2

Acquaro, Louis
Rt. 9", RD #4
Newburgh, New York

Affron, Maybelle, Lizbeth & Maybelle ludlam
Cedarcliff Road
Monroe, New York

Marasco, Albert A. & Evelyne Ann
MD #33, Box 308 Blooming Grove Tpk.
New Windsor, New York 12550

Ambrose, James and Annette
41 Bloomimg Grove Tpk.
New Windsor, New York 12550

Brangaccio, John & Victoria
2 Hideway Lane
Newburgh, New York

Laviano, Lillian A.
61 Blooming Grove Tpk.
New Windsor, New York 12550

Bruno, Frank Sr. & Lillian
61 Blooming Grove Tpk.
New Windsor, New York (2 parcels)

Slater, Florence May
Box 332, Lee Ave. MD #33
Newburgh, New York 12550

Dufresne, Jeanne
Hannigan, John & Carolyn
11 Nee Avenue
New Windsor, New York 12550

Antonucci, John C. & Anna M.
15 Nee Ave.
New Windsor, New York 12550

Caccistore, Joseph & Ethel
Pinckney, Frank L. & Joyce W.
19 Nee Avenue
New Windsor, New York 12550

8 p.m. Public Hearing - Mar. 16, 1970
Application for Variance RGM Enterprizes (Inc.)
(Raymond G. Muscarella)

Spectators	Address
Mrs Fred Slater	23 Tree Ave N.W.
Mr. Fred Slater	23 Tree Ave N.W.
Mr. Rick Hannigan	11 Tree Ave N. Windsor
Mr. Bruno	Tree Avenue

TOWN OF NEW WINDSOR

ORANGE COUNTY, N. Y.

OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ..... Date March 10, 1970

To R. G. M. Enterprises
North Road
Marlboro N.Y.

PLEASE TAKE NOTICE that your application dated Feb. 13, 1970

for permit to .....

at the premises located at .....

.....

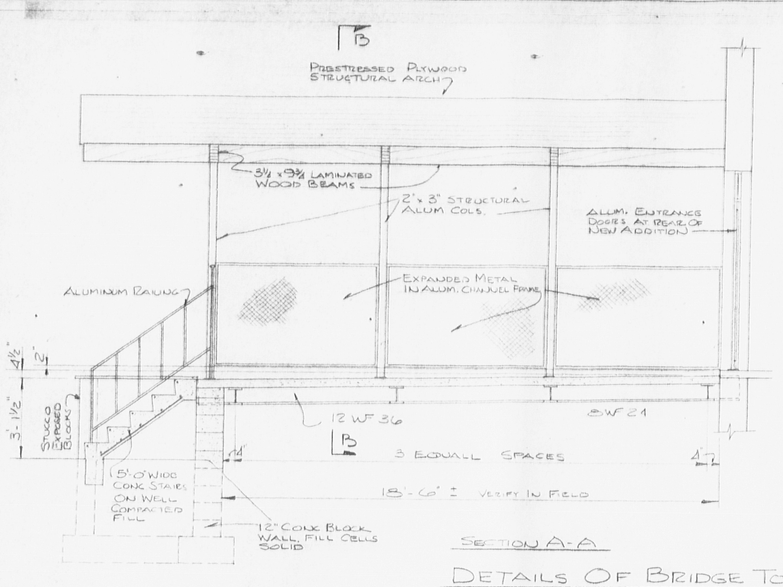
is returned herewith and disapproved on the following grounds:

Proposed use requires a variance

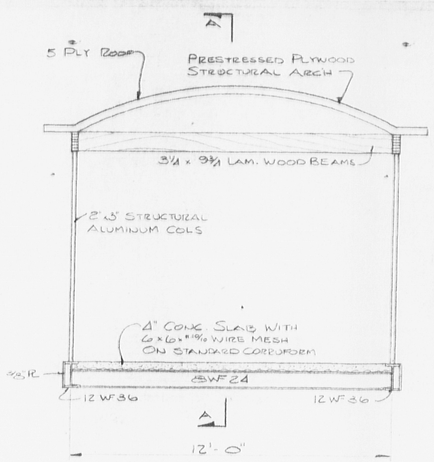
.....

.....

Howard N. Colett
Building Inspector

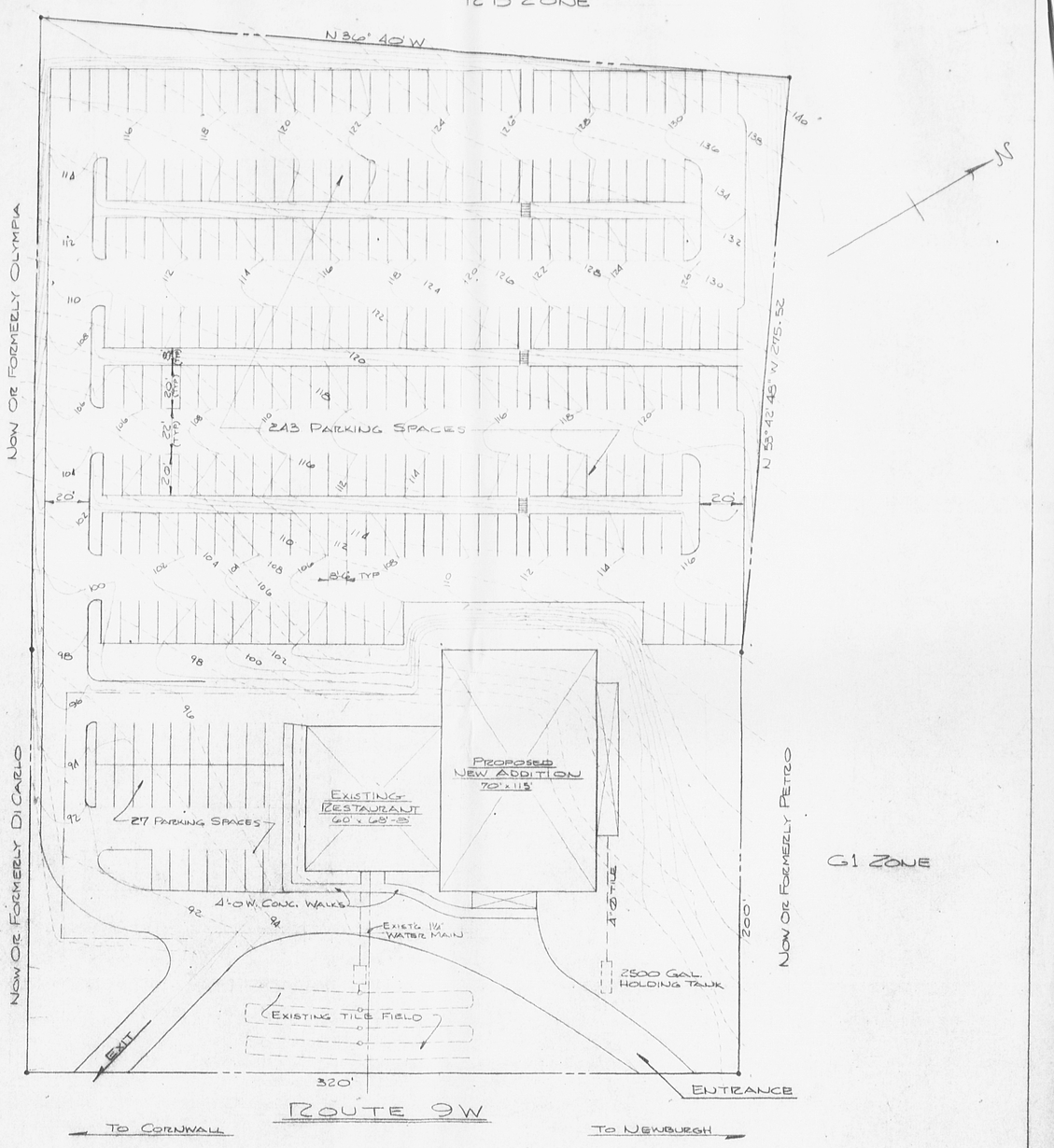


SECTION A-A

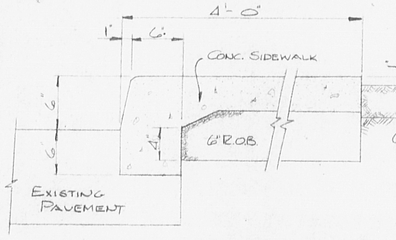


SECTION B-B

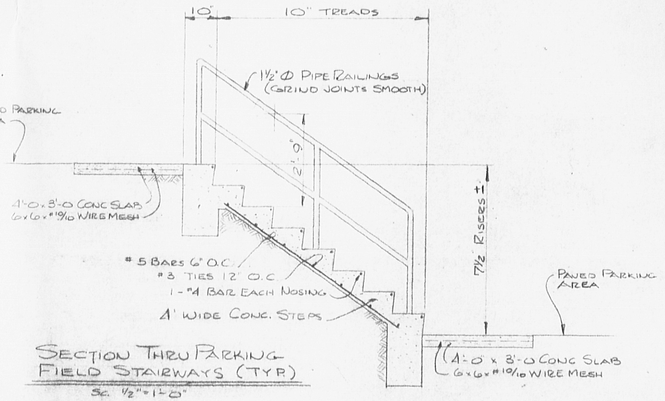
DETAILS OF BRIDGE TO PARKING LEVEL



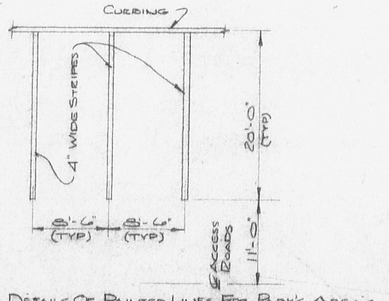
SITE PLAN
SC. 1" = 30'



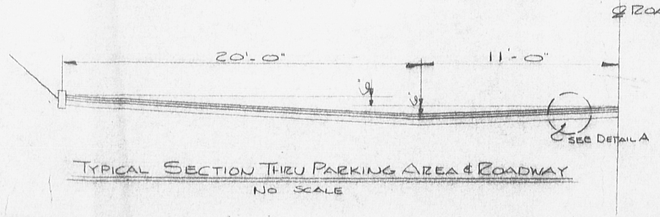
SECTION THRU 4'-0" SIDEWALK
NO SCALE



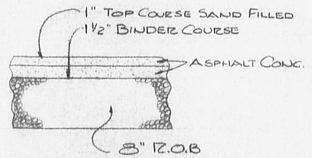
SECTION THRU PARKING FIELD STAIRWAYS (TYP.)
SC. ½"=1'-0"



TYPICAL DETAILS OF PAINTED LINES FOR PARK'G AREAS
NO SCALE

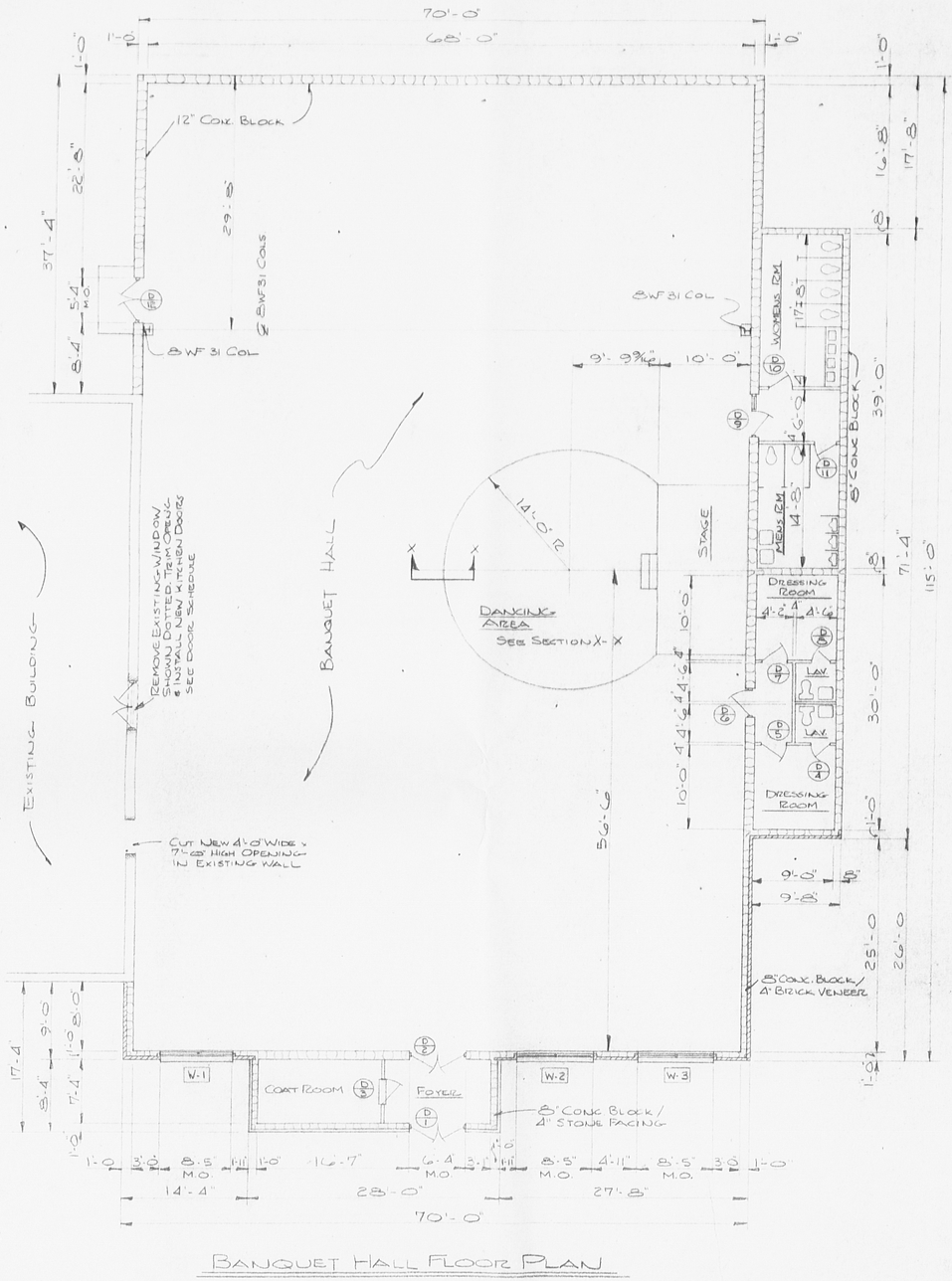


TYPICAL SECTION THRU PARKING AREA & ROADWAY
NO SCALE

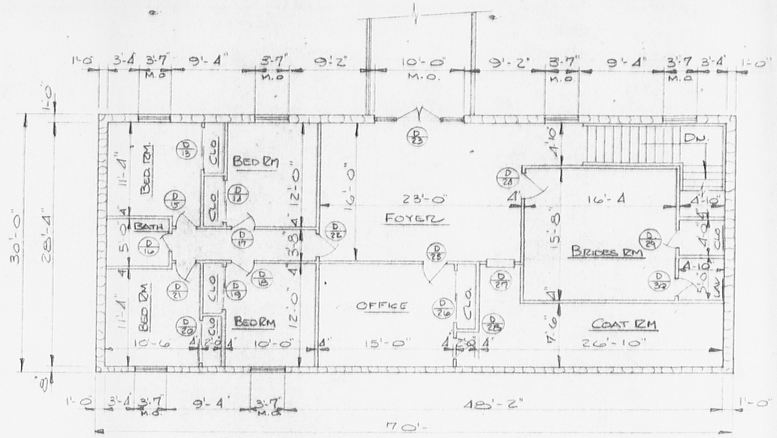


DETAIL A
NO SCALE

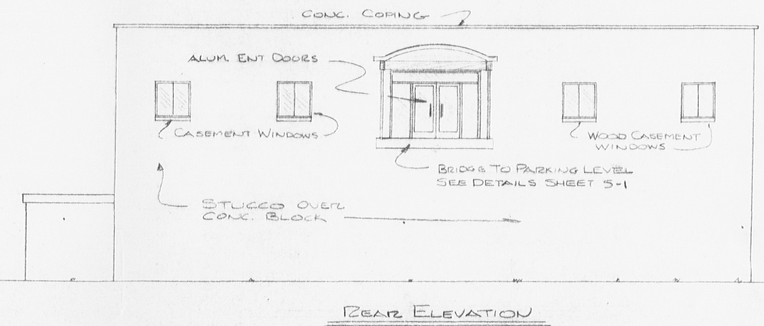
	SITE PLAN	FILE NO 7005
	NEW BANQUET ROOM FOR THE RIVIERA ROUTE 9W NEW WINDSOR, N.Y. R&M ENTERPRISES, OWNERS	DATE FEB 28 1970 DRAWN BY JD CHECKED BY
	GEORGE J. SHAW JR. CONSULTING ENGINEERS 1777 LIBERTY ST. NEWBURGH, N.Y.	SCALE AS SHOWN DRAWING NO 1



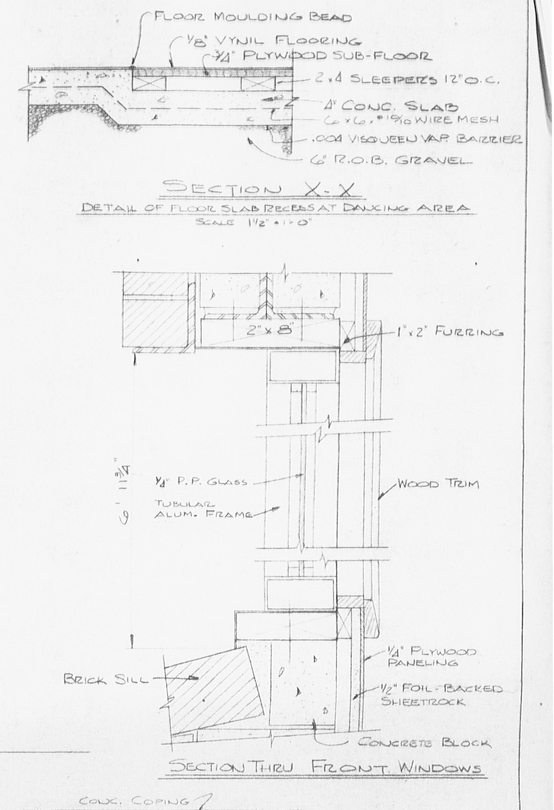
Banquet Hall Floor Plan



2nd Floor Plan



Rear Elevation

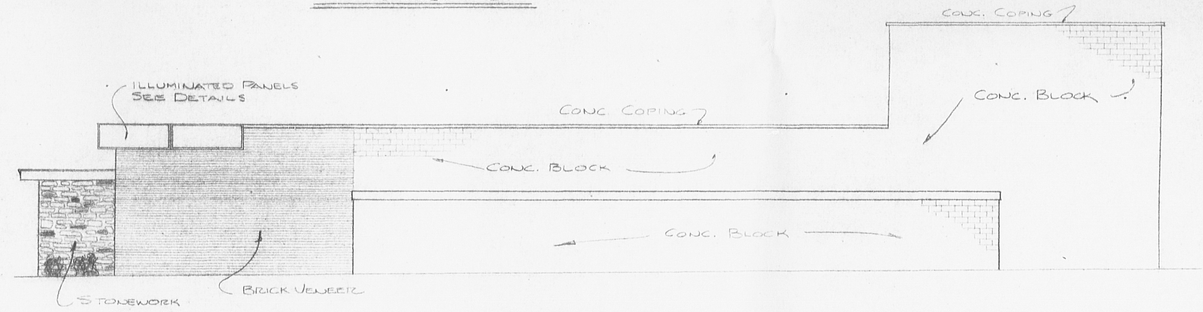


Section X-X

Detail of Floor Slab Recess at Dancing Area

Scale 1 1/2" = 1'-0"

Section Thru Front Windows



Side Elevation

Front Elevation

Plans & Elevations

New Banquet Room

For

The Riviera

Route 9W New Windsor, N.Y.

R.G.M. Enterprises, Owner

George J. Shaw Jr.

Consulting Engineer

1717 Liberty St. Newburgh, N.Y.

File No. 7005

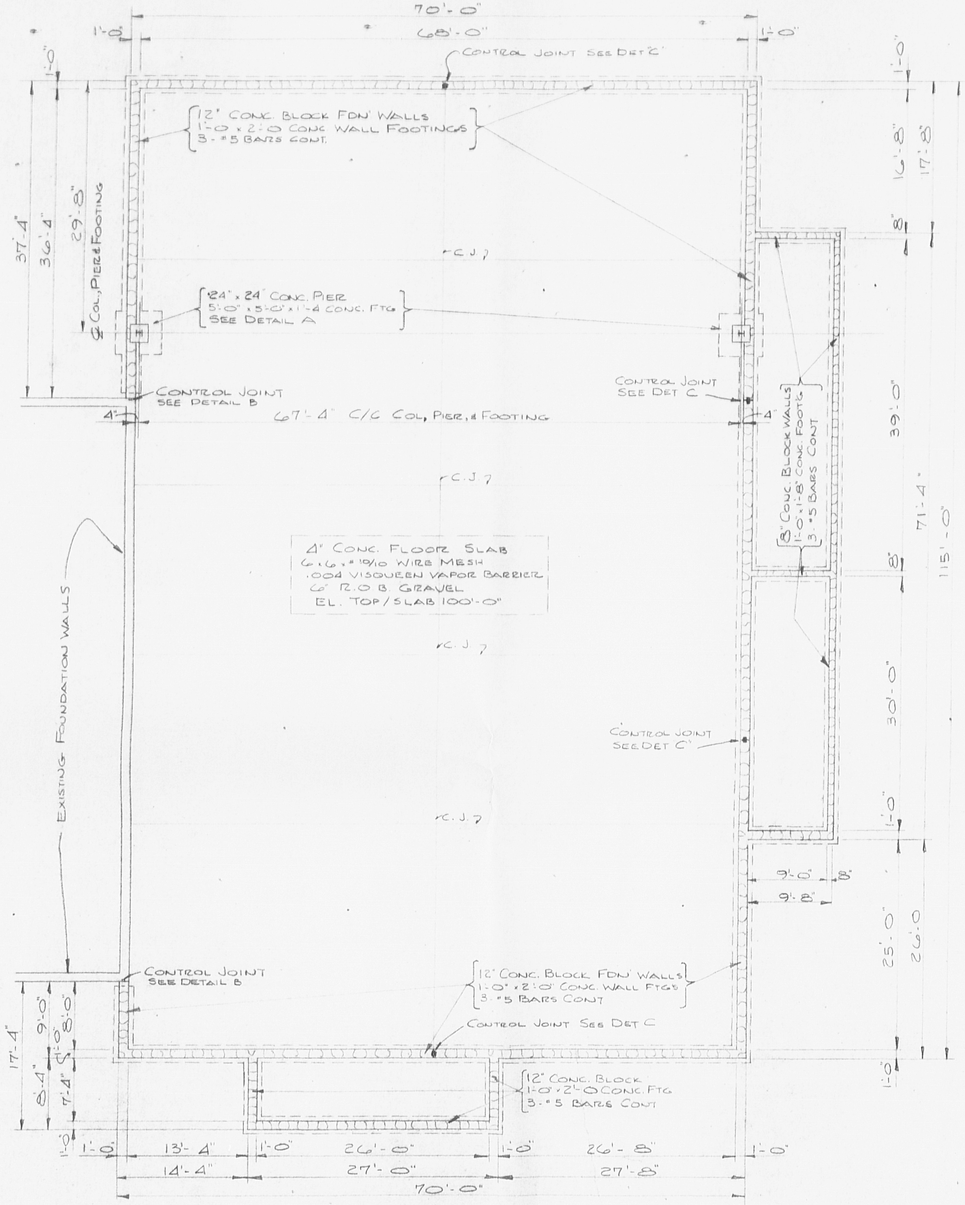
Date Feb 23, 1970

Drawn By

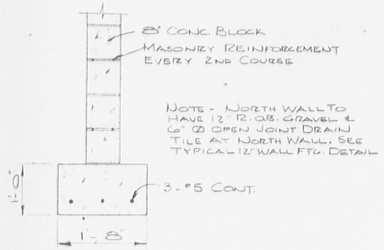
Checked By

Scale 1/8" = 1'-0" & as noted

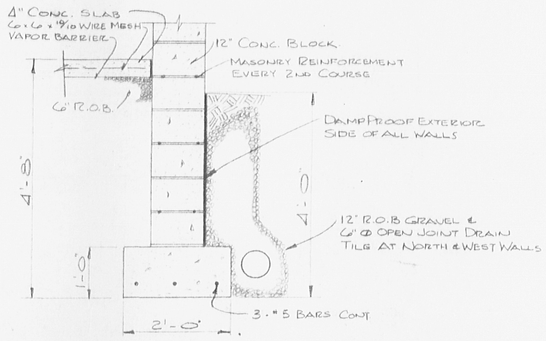
Drawing No. 2



FOUNDATION PLAN
SC. 1/8" = 1'-0"

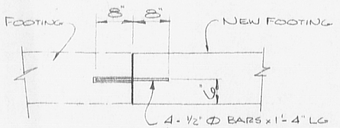


TYPICAL 8" WALL FOOTING
SC. 3/4" = 1'-0"

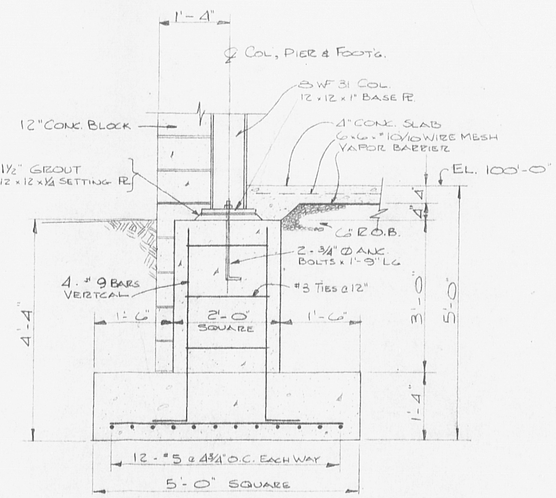


TYPICAL 12" WALL FOOTING
SC. 3/4" = 1'-0"

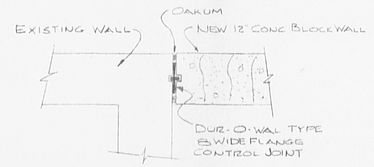
NOTES -
1. ALL CONC. TO HAVE 3000 PSI COMPRESSIVE STRENGTH IN 28 DAYS
2. REINFORCEING STEEL SHALL BE INTERMEDIATE GRADE DEFORMED BARS IN ACCORDANCE WITH LATEST A.S.T.M. SPECIFICATIONS
3. MIN. CONC. COVERAGE - FOOTINGS - 3" BOTTOM & SIDES, PIERS - 2" FOR VERT. BARS - 1½" FOR TIES
4. ALL FOOTINGS MUST REST ON NATURAL UNDISTURBED EARTH A MIN. OF 4'-0" BELOW FIN. GRADE
5. NO CONC. SHALL BE POURED UNTIL THE GROUND HAS BEEN INSPECTED & APPROVED BY THE ENGINEER.



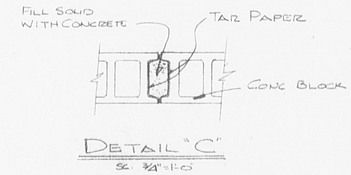
FOOTING CONNECTION AT EXISTING WALLS
SC. 3/4" = 1'-0"



DETAIL "A"
SC. 3/4" = 1'-0"



DETAIL "B"
SC. 3/4" = 1'-0"



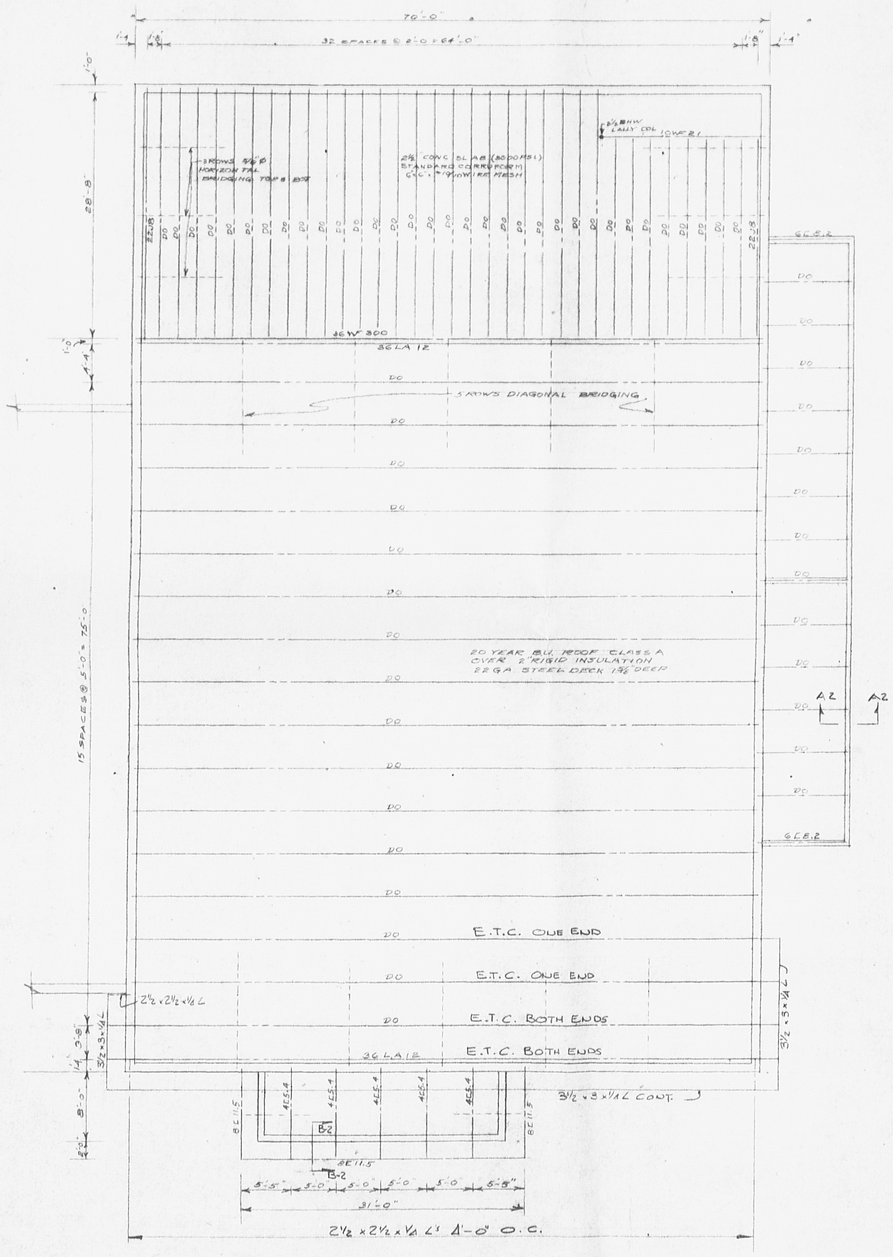
DETAIL "C"
SC. 3/4" = 1'-0"

FOUNDATION PLAN & DETAILS

NEW BANQUET ROOM
FOR
THE RIVIERA
ROUTE 9W NEW WINDSOR, N.Y.
R&M ENTERPRISES, OWNERS

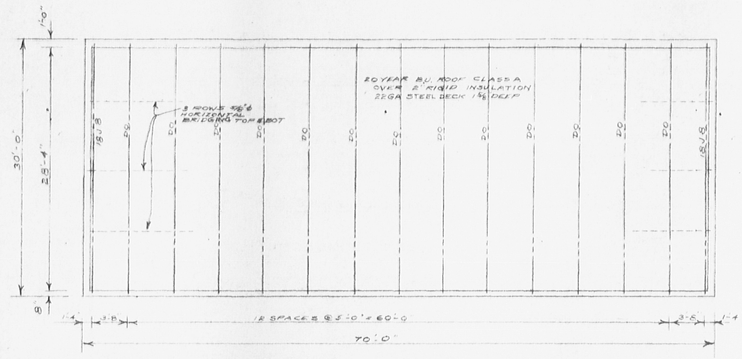
GEORGE J. SHAW JR.
CONSULTING ENGINEER
177 LIBERTY ST. NEWBURGH, N.Y.

FILE NO.
DATE
DRAWN BY
CHECKED BY
SCALE AS SHOWN
DWG. NO. 3



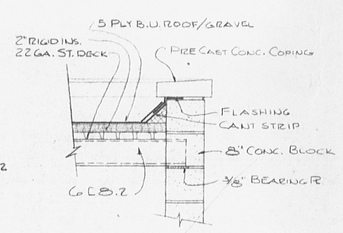
ROOF PLAN

SC. ⅛"=1'-0"



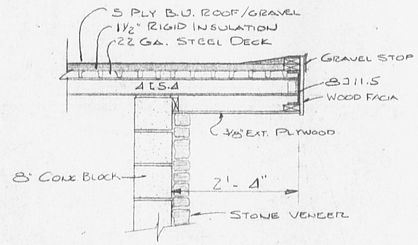
2ND FLOOR ROOF PLAN

SCALE ⅛"=1'-0"



SECTION A·2 - A·2

SC. ¾"=1'-0"

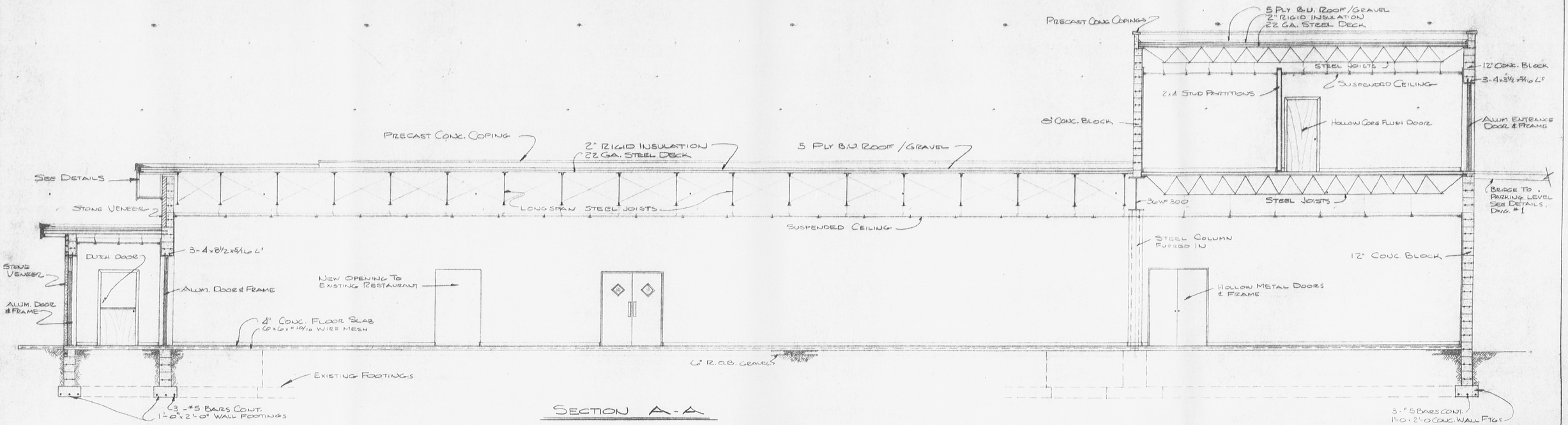


SECTION B·2 - B·2

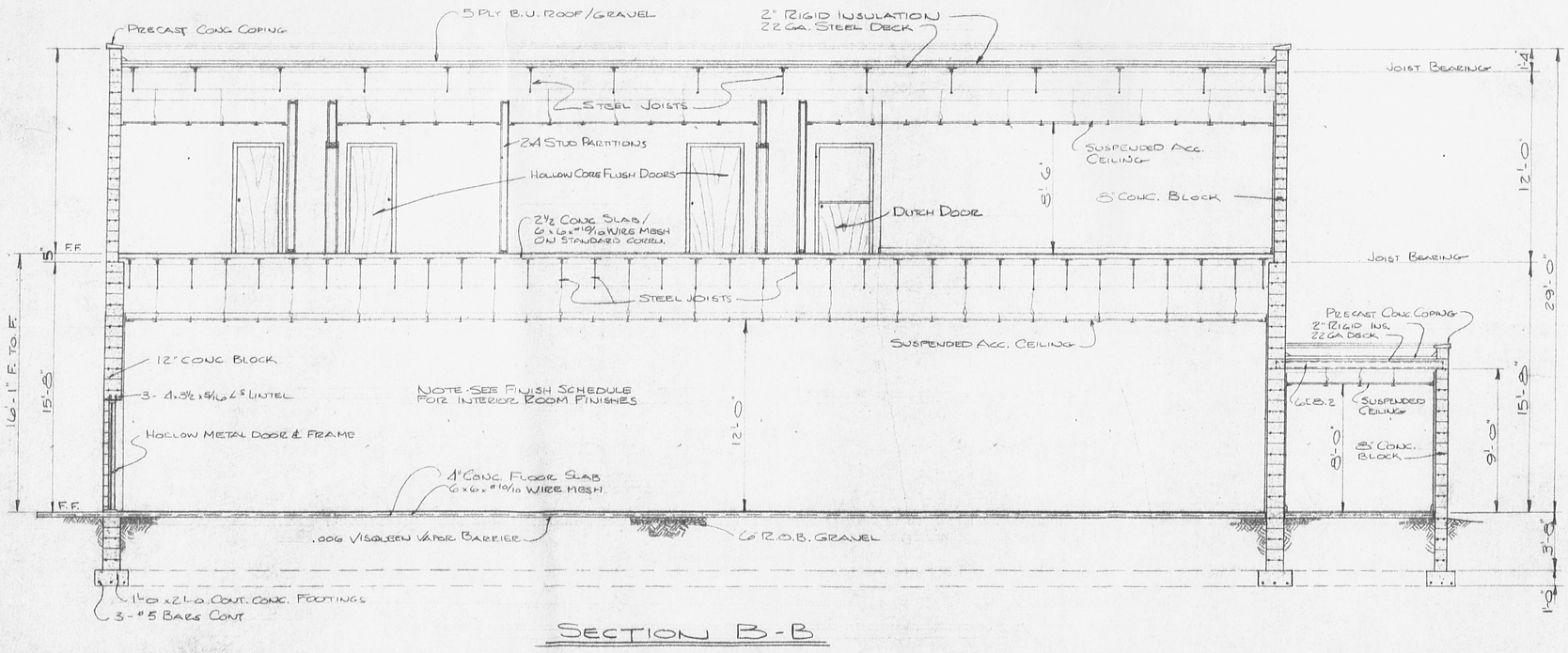
SC. ¾"=1'-0"

PRELIMINARY DRAWING

	STEEL FRAMING PLANS	FILE NO. 7005
	NEW BANQUET ROOM FOR "THE RIVIERA"	DATE
	ROUTE 9W NEW WINDSOR, N.Y.	DRAWN BY
	R.G.M. ENTERPRISES, OWNER	CHECKED BY
	GEORGE J. SHAW JR. CONSULTING ENGINEER 177 LIBERTY ST. NEWBURGH, N.Y.	SCALE
		SHEET NO. 4

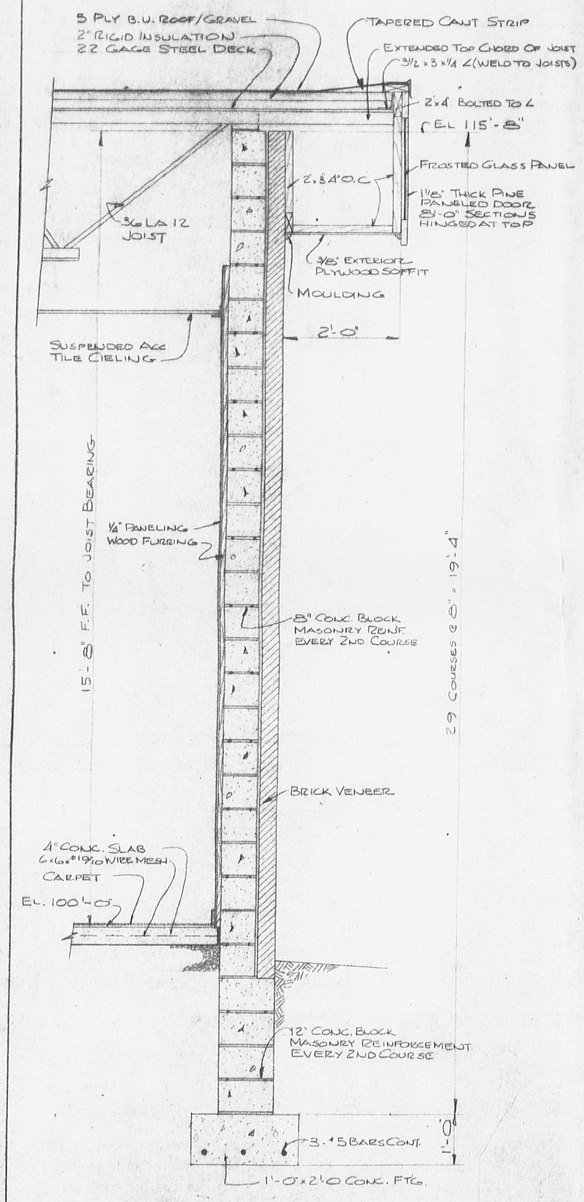


SECTION A-A

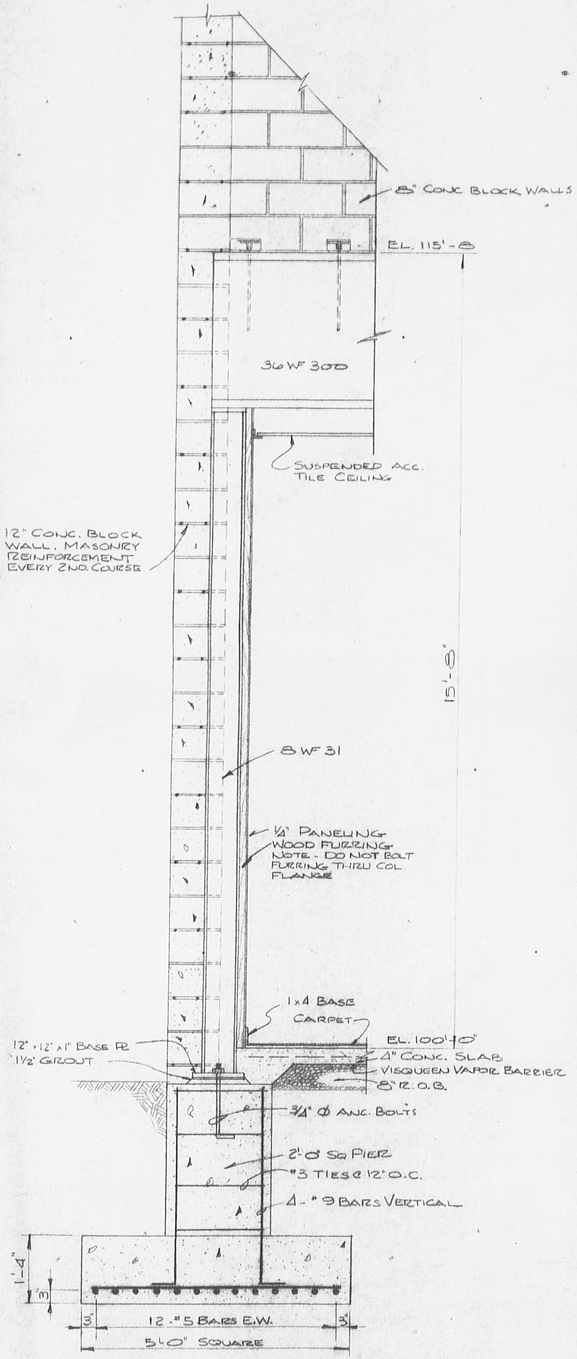


SECTION B-B

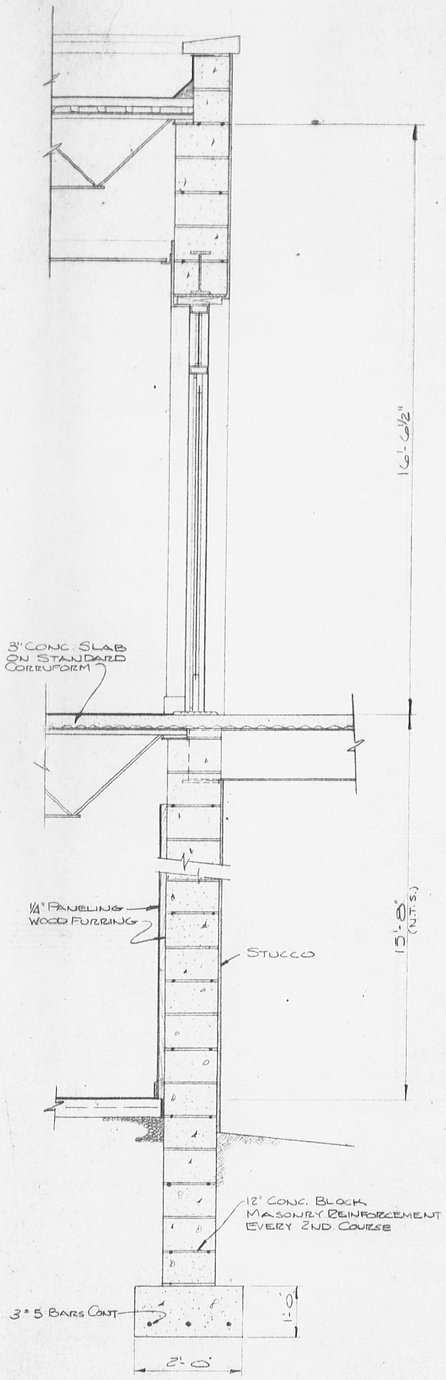
	CROSS SECTIONS	FILE NO 7005
	NEW BANQUET ROOM FOR THE RIVIERA ROUTE 9W NEW WINDSOR, N.Y. R.G.M. ENTERPRISES OWNERS	DATE DRAWN BY EBS CHECKED BY SCALE AS SHOWN
	GEORGE J. SHAW JR. CONSULTING ENGINEER 177 LIBERTY ST NEWBURGH, N.Y.	DWG. NO 5



SECTION B-1



SECTION B-2



	WALL SECTIONS	FILE NO. 7005
	NEW BANQUET ROOM FOR THE RIVIERA ROUTE 9W NEW WINDSOR, N.Y. R & M ENTERPRISES OWNER	DATE
		DRAWN BY FJN
		CHECKED BY
		SCALE ¼" = 1'-0"
	GEORGE J. SHAW JR. CONSULTING ENGINEER 177 LIBERTY ST. NEWBURGH, N.Y.	DWG. NO. 6