

ZB# 03-45

Schlesinger's Deli

3-1-23.2

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 10-27-03

J-45 SCHLESINGER'S DELI (3-1-
23.2) (SIGN) RT. 207

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: June 4,2003

**APPLICANT: Schlesinger's Delicatessen
P.O. Box 928
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/4/03

FOR : Delicatessen

LOCATED AT: 504 Little Britain Road

ZONE: NC Sec/Blk/ Lot: 3-1-23.2

DESCRIPTION OF EXISTING SITE: Schlesinger's Delicatessen

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 3'X22' wall sign exceeds maximum permitted size of 2'6" X10'.**

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: NC USE: 48-18-H-1B-1 Bulk Tables

PERMITTED 2'6"x10'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST

REQUEST:

SIGN:

FREESTANDING:

HEIGHT: 2'6"

3'

6"

WIDTH: 10'

22'

12'

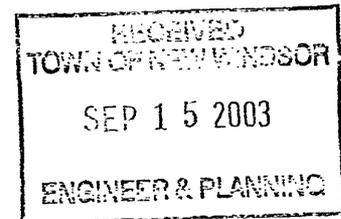
WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

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

10-27-03
APPROVED



03-45

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
8. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAY 28 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2003-576

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

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

Owner of Premises Schlesinger's Deli Depot LLC *Neil Schlesinger*
Address 904 Little Brittain Rd *New Windsor* Phone # 567 9600
Mailing Address Scenic Fax # _____
Name of Architect N/A
Address _____ Phone _____
Name of Contractor N/A

Address _____ Phone _____

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

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the N side of AT 207
(N, S, E or W)
and 2000 feet from the intersection of AT 300

2. Zone or use district in which premises are situated _____ is property a flood zone? Y _____ N _____

3. Tax Map Description: Section _____ Block _____ Lot _____

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy Vacant b. Intended use and occupancy Deli

5. Nature of work (check if applicable) New Bldg. Addition Alteration Repair Removal Demolition Other 3x22'
Building sign

6. Is this a corner lot? No

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

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 7500 - Fee \$ 50 -

PAID
CH# 122

ZONING BOARD

____/____/____
date

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

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

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

INSTRUCTIONS

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

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

(Signature of Applicant)

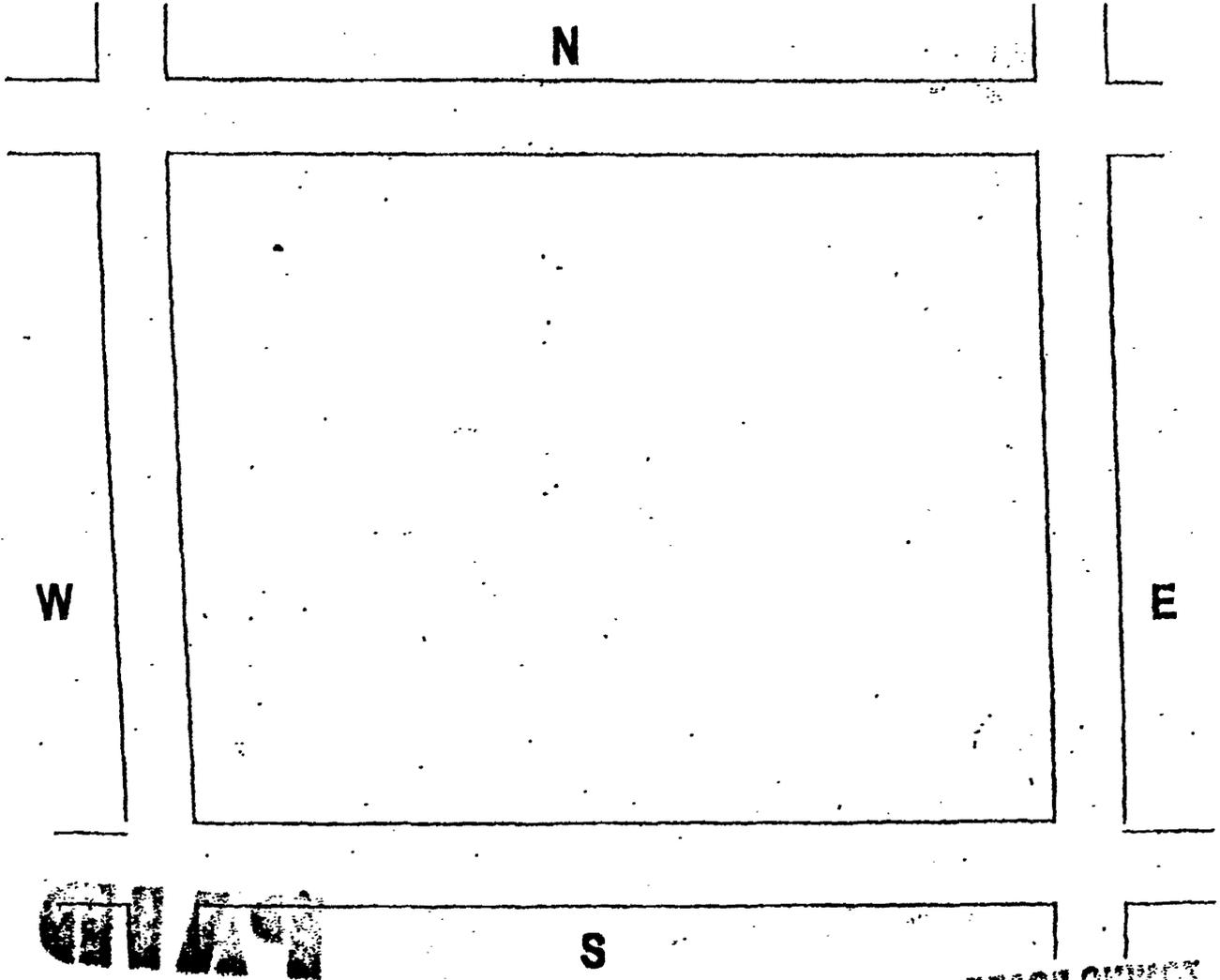
(Address of Applicant)

(Owner's Signature)

(Owner's Address)

NOTE:

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



PLAN

S

ORIGIN SOURCE

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS



1763

TOWN OF NEW WINDSOR

MICHAEL BABCOCK
Building Inspector

Frank Lisi Louis Krychear
Assistant Building Inspectors

555 UNION AVE.
NEW WINDSOR, NY 12553
845-563-4618 • Fax 563-4695

05/20/2003

Prepared by:

Burgess Sign & Digital Art

Salesperson: Ed Burgess

117 North Fostertown Drive

Newburgh, NY 12550

Prepared for:

Schlesinger's

Neil

E-Mail: bigdecals@hvc.rr.com

Phone: 845-561-7980

Fax: 845-561-7980

Phone: 914-582-1184

Fax:



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without a signed release from Burgess Sign & Digital Art

2 1/2 x 10



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

January 8, 2003

James R. Petro, Jr.
P.O. Box 928
Vails Gate, NY 12584

SUBJECT: REQUEST FOR VARIANCE #03-45

Dear Mr. Petro:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector
Neil Schlesinger – Owner of Schlesinger's Deli Depot

-----X
In the Matter of the Application of
SCHLESINGER'S DELI DEPOT

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #03-45
-----X

WHEREAS, James R. Petro, Jr. , owner(s) of 904 Little Britain Road , New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 6" Height and 12' Width for wall sign in an NC Zone; and

WHEREAS, a public hearing was held on October 27, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

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

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

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

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

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

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of commercial properties on a busy state highway.
 - (b) The applicant seeks to replace the free-standing revolving sign, and replace the four signs on the building with one sign.
 - (c) The name of the owner is longer than normal, necessitating a larger sign than is allowed.

- (d) The building is located approximately 65 feet from the roadway and the applicant seeks sufficient signage to identify it to the passing motorists.
- (e) The proposed sign would be contained entirely within the roofline.
- (f) The free-standing sign is internally illuminated with a steady illumination. It does not flash nor is any neon used.
- (g) The signs proposed by the applicant are similar in size and appearance to other signs in the neighborhood.

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

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

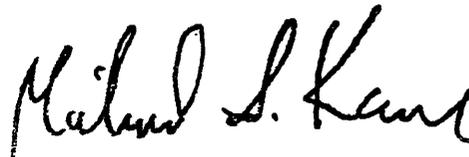
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 6" Height and 12' Width for wall sign in a C Zone; as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: October 27, 2003



Chairman

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

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: NOVEMBER 14, 2003
SUBJECT: ESCROW REFUND (03-45)

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 398.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-45

NAME & ADDRESS:

**SCHLESINGER'S DELI DEPOT
904 LITTLE BRITAIN ROAD
NEW WINDSOR, NY 12553**

THANK YOU,

MYRA

L.R. 11-14-2003



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



FILE #03-45 TYPE: AREA

APPLICANT:
SCHLESINGER'S DELI

TELEPHONE: 914-582-1184

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>0270</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 0268

* * * * * * * * * * * * *

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$4.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>4</u> PAGES	\$ <u>18.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	_____ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>13.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	_____ PAGES	\$ _____	\$ _____
	TOTAL:	\$ <u><u>31.50</u></u>	\$ <u><u>70.00</u></u>

* * * * * * * * * * * * *

ESCROW POSTED:	\$ 500.00
LESS: DISBURSEMENTS:	\$ <u>101.50</u>
AMOUNT DUE:	\$ _____
REFUND DUE:	\$ <u><u>398.50</u></u>

L.R. 11-14-03

SCHLESINGER'S DELI DEPOT (#03-45)

Mr. James Petro appeared before the board for this proposal.

MR. KANE: Request for 6" height and 12' width for wall sign (Use 48-18-H-1B-1) at 904 Little Britain Raod in an NC zone.

MR. PETRO: Mr. Schlesinger couldn't make it so I'll represent the property. I'm the owner, James Petro.

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

MR. PETRO: Basically, we removed three, four signs off the building. When I bought it, it was renovated, Mr. Schlesinger now wants to add his own sign back. His name is rather long, as you know, so therefore, he can't get it in the allowed space. So he's looking for a variance, I believe 6 inches by 12 feet for a variance to advertise his business in that location and that basically is it.

MR. KRIEGER: He's going to have one sign on the front and one freestanding sign?

MR. PETRO: Freestanding sign's already existing, again, we put three signs, revolving sign and there was enough that we had room for one, that sign that twirls around which was the existing sign.

MR. KRIEGER: One and there were three?

MR. PETRO: On the building there was four signs, we're looking to put one back.

MR. KANE: How far off the road is the building?

MR. PETRO: About 65 feet.

MR. KANE: And you feel you need the increase in the signage for visibility from the road?

MR. PETRO: Correct.

MR. KRIEGER: This proposed sign would be contained entirely within the roof line?

MR. PETRO: That's correct.

MR. KANE: No flashing illumination?

MR. PETRO: There is illumination.

MR. KANE: But no flashing?

MR. PETRO: No.

MR. KRIEGER: It's a steady illumination?

MR. PETRO: Correct.

MR. KANE: You feel the size of the sign on there is similar to other signs in the neighborhood?

MR. PETRO: Oh, sure, I guess his name's a little longer than some other names.

MR. KANE: At this point, I'll ask if there's anybody in the audience for this particular hearing? There's no one so I'll open and close the public portion and ask for the mailings.

MS. MASON: On the 30th day of September, 19 addressed envelopes were mailed containing notice of public hearing and I had no response.

MR. KANE: Gentlemen, any further questions?

MR. MINUTA: One question. Is this considered one sign?

MR. BABCOCK: Yes.

MR. MINUTA: Thank you.

MR. MCDONALD: If his name was shorter, we wouldn't be here?

MR. PETRO: I told him to change his name to Cox.

MR. KRIEGER: Should of used your name.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we approve the
Schlesinger's Depot sign variance for property located
at 904 Little Britain Road.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: October 27, 2003

PROJECT: Schlesinger's Deli Depot ZBA # 03-45
P.B.# _____

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____
REIS _____ CARRIED: Y _____ N _____
MINUTA _____
KANE _____

[Handwritten signature]

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) RS S) Mc VOTE: A 5 N _____
RIVERA A
MC DONALD A CARRIED: Y _____ N _____
REIS A
MINUTA A
KANE A

[Handwritten star symbol]

Large empty rectangular box with horizontal lines, likely for additional notes or signatures.

SCHLESINGER'S DELI DEPOT (#03-45)

Mr. Neil Schlesinger appeared before the board for this proposal.

MR. KANE: Request for 6 ft. height and 12 foot width for wall sign at 904 Little Britain Road in an NC zone. Tell us what you want to do, sir.

MR. SCHLESINGER: We want to install a sign on the building which obviously will not conform to what the standards are, we need to go six inches higher and 12 feet wider. At the present time, there's no sign on the building whatsoever. By the way, the location is the old Big Saver on Route 207, if everybody's familiar with it, freestanding building 1,800 square feet, we did some renovation to it, put new siding on it and the at time there were three signs on the building. The total square footage of the three signs that were existing on the building surpassed what I'm asking for, so whatever value that may have and it's important to me to put the whole name of the business on the sign, Schlesinger's Steakhouse, I'm sorry, Schlesinger's Deli Depot, I'm confused because it's a carryover from the restaurant. So that's why we need the extra space, long name.

MR. KRIEGER: So you'd be having one sign instead of three?

MR. SCHLESINGER: One sign.

MR. RIVERA: Flashing sign?

MR. SCHLESINGER: No.

MR. KANE: Internally illuminated?

MR. SCHLESINGER: Internally illuminated, yes.

MR. KRIEGER: Steady illumination, right?

MR. SCHLESINGER: Yes.

MR. REIS: Neil, this photo--

MR. SCHLESINGER: That's a computer generated sign what it would pretty much look like.

MR. KANE: How far off the road is the building approximately?

MR. JAMES PETRO: About 75 feet from the road.

MR. BABCOCK: The parking space is 20 foot.

MR. KANE: So you think that's a substantial enough sign for that amount of space off the road?

MR. SCHLESINGER: Yeah, that will work great.

MR. REIS: What's the requirement, the maximum requirement?

MR. KANE: Two--

MR. BABCOCK: Two foot six high and ten foot long, that's today's standard and what we did with Mr. Schlesinger, those signs were existing there, they had somewhat, they said something on them, some were missing letters or whatever and rather than get into an issue of whether the signs were there legal or not legal, we asked Mr. Schlesinger if he would just take them all down and come in for a variance for his one sign that he wanted to put up, this way, it cleans it up.

MR. KANE: Because were there three separate businesses there?

MR. BABCOCK: No.

MR. KANE: Were the other signs grandfathered in?

MR. BABCOCK: We decided not to go, even go back there and figure that out.

MR. SCHLESINGER: There's signs all around the building.

MR. KRIEGER: The answer to your question is maybe.

MR. BABCOCK: That's correct.

MR. KANE: Signs, similar in height and size to other businesses in the neighborhood?

MR. SCHLESINGER: Absolutely.

MR. KRIEGER: And it's a commercial neighborhood?

MR. SCHLESINGER: Right.

MR. MINUTA: And we're within, aside from the height and width, we're within the required area?

MR. BABCOCK: Yes, there's no required area on the signs anymore, it's just a height and width, that's it, you can't mix up the height or width and make a square footage out of it, it's 2 1/2 by 10.

MR. KANE: Any other questions, gentlemen?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I make a motion that we set up Neil Schlesinger for his requested variance at 904 Little Britain Road for a public hearing.

September 22, 2003

16

MR. RIVERA: Second it.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. RIVERA	AYE
MR. KANE	AYE

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 03-45

Request of NEIL SCHLESINGER (SCHLESINGER'S DELI DEPOT)

for a VARIANCE of the Zoning Local Law to Permit:

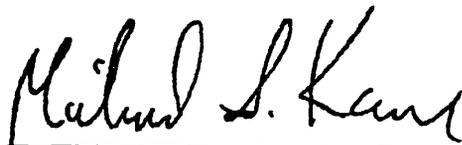
Request for 6" Height and 12' Width for wall sign .

being a VARIANCE of Section 48-18-H-1B-1 Bulk Tables

for property located at: 904 LITTLE BRITAIN ROAD - NEW WINDSOR, NY

known and designated as tax map Section 3 Block 1 Lot 23.2

PUBLIC HEARING will take place on OCTOBER 27, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessor's Office

September 25, 2003

Neil Schlesinger
904 Little Britain Road
New Windsor, NY 12553

Re: 3-1-23.2 ZBA#03-45

Dear Mr. Schlesinger:

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

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley (baw)

J. Todd Wiley, IAO
Sole Assessor

JTW/ baw
Attachments

CC: Myra Mason, ZBA

3-1-20
Verizon New York Inc.
C/o Bell Atlantic
Property Tax Dept. Room 3137
1095 Avenue of Americas
New York, NY 10036

3-1-22.1
Lawrence & Karen Byrd
15 Silver Stream Road
New Windsor, NY 12553

3-1-22.2
Chester Palozzo Jr.
21 Silver Stream Road
New Windsor, NY 12553

3-1-22.3
George Damiano & Roger Setya
P.O. Box 38
Parsippany, NJ 07054

3-1-23.1
Petrolli Enterprises, Inc.
P.O. Box 928
Vails Gate, NY 12584

3-1-24
Charles & Carol Craft
128 Eustis Ave
Newport, RI 02840

3-1-25
James & Penny Stubbs
56 Monro Street
Walden, NY 12586

3-1-26.1; 3-1-26.2
Westage Management LLC
2 Jefferson Plaza, Suite 100
Poughkeepsie, NY 12601

3-1-27.21
James Petro Jr.
P.O. Box 928
Vails Gate, NY 12584

3-1-27.22
Newburgh Society for the Prevention of
Cruelty to Animals
940 Little Britain Road
New Windsor, NY 12553

3-1-63
NYS DOT c/o Carlton Boorn
Account.Bureau, Bldg 5, Dept.of Transport.
State Campus Room 401
Albany, NY 12232-0745

32-2-29.2
James Petro & Brian Barbera
P.O.Box 928
Vails Gate, NY 12584

32-2-30
Rose Sears
586 Riley Road
New Windsor, NY 12553

32-2-31.11; 32-2-31.12
Ronsar Real Estate,LLC
911 Little Britain Road
New Windsor, NY 12553

32-2-31.2
Perla Joyce Andin
358 Town View Drive
Wappingers Falls, NY 12590

32-2-31.3
Gerald & Dawn Kelly Long
572 Riley Road
New Windsor, NY 12553

32-2-86
North Plank Development Co. LLC
5020 Route 9 W
Newburgh, NY 12550

34-2-13
Nelson & Louise Santiago
22 Browns Drive
New Windsor, NY 12553

34-2-14
Frank & Connie Jannotti
20 Browns Drive
New Windsor, NY 12553

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 09-23-03 PROJECT NUMBER: ZBA# 03-45 P.B. # _____

APPLICANT NAME: SCHLESINGER'S DELI DEPOT

PERSON TO NOTIFY TO PICK UP LIST:

NEIL SCHLESINGER
904 LITTLE BRITAIN ROAD
NEW WINDSOR, NY 12553

TELEPHONE: 567-3777

TAX MAP NUMBER: SEC. 3 BLOCK 1 LOT 23.2
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 904 LITTLE BRITAIN ROAD
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____



NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 0271

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

September 29, 2003

Schlesinger's Deli Depot
904 RT. 207
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-45

Dear Mr. Schlesinger:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

904 Rt. 207
New Windsor, NY

is scheduled for the October 27th, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 09-15-2003

FOR: ESCROW #03-45

FROM: SCHLESINGER'S DELI DEPOT, LLC

904 LITTLE BRITAIN ROAD (RT. 207)

NEW WINDSOR, NY 12553

CHECK NUMBER: 0268

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

9/17/07

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

**RECEIPT
#890-2003**

09/17/2003

Schlesingers Dell Depot, L.I.c.

**Received \$ 150.00 for Zoning Board Fees, on 09/17/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

September 16, 2003

Schlesinger's Deli Depot
904 Rt. 207
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-45

Dear Mr. Schlesinger:

This letter is to inform you that you have been placed on the September 22, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Deli Depot
904 Rt. 207
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

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

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

Section , Table of Regs., Col. .

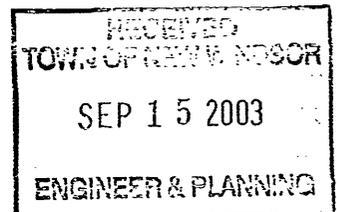
	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. ^{Sign} Lot Width	10'	22 -	12'
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. ^{Sign} Lot Hgt.	2'6"	3'	6"
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

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

03-45



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) 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; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

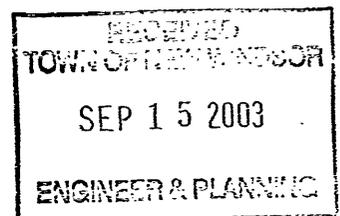
After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The total sq. footage of signs that were existing on the building were approximately twice the sq. footage of the sign being requested. The pre-existing sign would be removed. "Schlesinger's" is an integral part of the name of Mr. Beckman; the requested sign is Schlesinger's Deli Depot LLC

PLEASE NOTE:

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

03-45



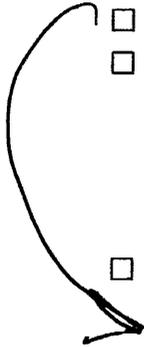
*

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks. (each payable to the TOWN OF NEW WINDSOR)
 - One in the amount of \$ ~~300.00 or 500.00~~ (escrow)
 - One in the amount of \$ ~~50.00 or 150.00~~ (application fee)
 - One in the amount of \$ 25.00 (Public Hearing List Deposit)
- Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.) *Have this @.*



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

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:
15th day of Sept. 2003.

James Perro

 Owner's Signature (Notarized)
 JAMES Perro

 Owner's Name (Please Print)

A

Jennifer Mead

 Signature and Stamp of Notary

JENNIFER MEAD
 Notary Public, State Of New York
 No. 01ME6050024 Applicant's Signature (If not Owner)
 Qualified In Orange County
 Commission Expires 10/30/ 2006

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

RECEIVED
 TOWN OF NEW WINDSOR
 SEP 15 2003
 ENGINEER & PLANNING

03-45

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

Jim

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

James Petko, Jr, deposes and says that he resides
(OWNER)

at _____ in the County of ORANGE
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 3 Block 1 Lot 23.2)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

Neil Schlesinger
(Applicant Name & Address, if different from owner)

420 Station Rd. Rock Tavern NY 12575
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: Sept. 15th, 2003

**
[Signature]
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this: 15th day of Sept. 2003

[Signature]
Applicant's Signature (If different than owner)

Representative's Signature

[Signature]
JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified in Orange County
Commission Expires 10/30/2006
Signature and Stamp of Notary
(Gallegos)

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

** PLEASE NOTE:

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

RECEIVED
TOWN OF NEW WINDSOR
SEP 15 2003
ENGINEER & PLANNING

03-45