

**ZB# 00-29**

**Days Inn  
(c/o Choe)**

**4-1-68**

Sum.

June 26, 2000

Ap. has paperwork

Notice to Paper on 7/12/00.

Public Hearing:

Aug. 14, 2000.

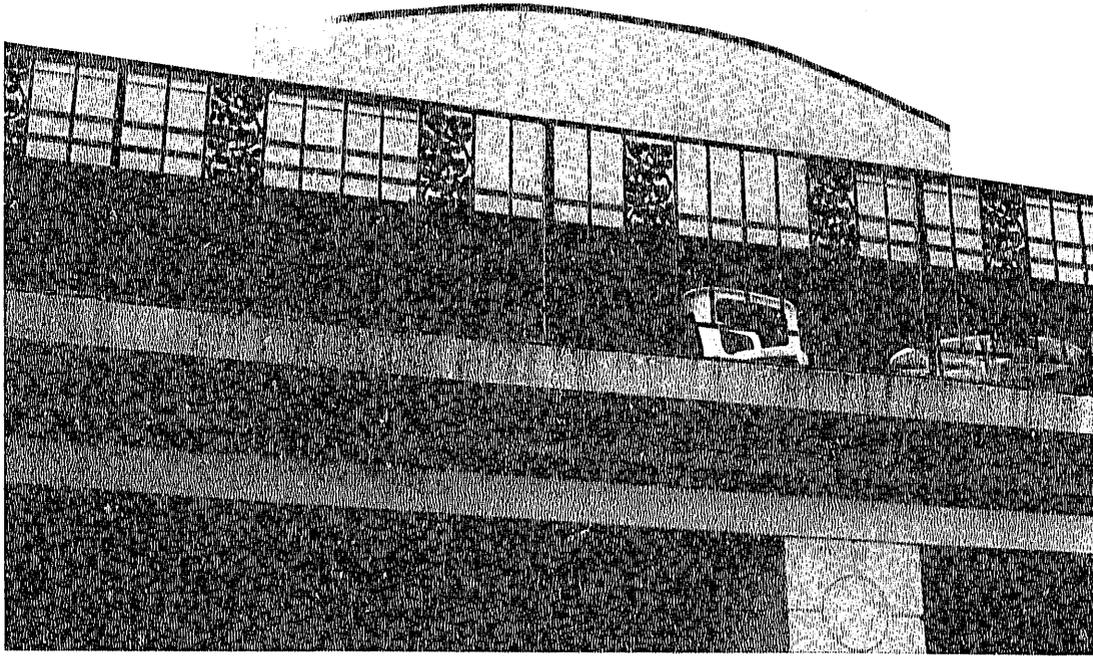
Sign Variance

# 407.50

Refund.

# 00-29 - Day Jun (Choe)

Sign Area 4-1-68.



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Days Inn - Choe.

FILE# 00-29.

RESIDENTIAL: \$50.00  
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA \_\_\_\_\_

USE \_\_\_\_\_

APPLICATION FOR VARIANCE FEE ..... \$ 150.00

*Paid 2/14/00  
ck. # 1309*

ESCROW DEPOSIT FOR CONSULTANT FEES ..... \$ 500.00

*ck. # 1310  
2/14/00.*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE	<u>10/26/00 - 2</u>	\$ <u>9.00</u>
2ND PRELIMINARY- PER PAGE	<u>8/14/00 - 3</u>	\$ <u>13.50</u>
3RD PRELIMINARY- PER PAGE		\$ _____
PUBLIC HEARING - PER PAGE		\$ _____
PUBLIC HEARING (CONT'D) PER PAGE		\$ _____
TOTAL		\$ <u>22.50</u>

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING:	<u>10/26/00</u>	\$ <u>35.00</u>
2ND PRELIM.	<u>8/14/00</u>	\$ <u>35.00</u>
3RD PRELIM.		\$ _____
PUBLIC HEARING		\$ _____
PUBLIC HEARING (CONT'D)		\$ _____
TOTAL		\$ <u>70.00</u>

MISC. CHARGES:

_____	\$ _____
TOTAL	\$ <u>90.50</u>

LESS ESCROW DEPOSIT ..... \$ 500.00  
 (ADDL. CHARGES DUE) ..... \$ \_\_\_\_\_  
 REFUND DUE TO APPLICANT . \$ 407.50.



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

**H.R. & C. OF NY (DAYS INN)**

MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCE

#00-29.  
-----X

**WHEREAS, H. R. & C. OF N.Y. (DAYS INN)**, with offices at 915 Union Avenue, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 9 ¾ in. sign height variance for a proposed facade sign at the above address in a C zone; and

**WHEREAS**, a public hearing was held on the 14th day of August, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, Applicant appeared by Paul V. Cuomo, P. E. with Howard Choe, Vice President of the corporation; and

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

**WHEREAS**, no one spoke in opposition to this 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 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.

(b) The Applicant seeks to erect a façade sign which is larger than that allowed by the Code.

(c) The proposed sign will not project higher than the roof of the structure.

(d) The property is located approximately 300 ft. from the nearest commercial

highway and is on a elevation raised from that of the highway.

- (e) The Applicant feels that he needs a larger sign than is allowed in order to identify the premises and attract business from that highway.

**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 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 which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted for the reasons listed above.
4. The requested variance 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 is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance 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.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 9 ¾ inch sign height variance for a proposed façade sign at the above location, 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 Applicant.

Dated: November 13, 2000.

  
Chairman

Date ..... 7/13/00 ..... 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth  
168 N. Drury Lane ..... DR.  
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
2/14/00	Zoning Board Mtg, Misc - 2	75.00	
	Losio - 2                      Ferguson - 3		
	Marulanda - 5		
	Dunkin Donuts - 3		
	Lehman - 3		
	Schlesinger - 3		
	Panella - 3		
	Pearson - 3		
	Cutro - 1		
	Young - 3		
	Days Inn - 3                      13.50.		
	Czepiel - 2	175.50	
	Lahey - 3                      39	<u>250.50</u>	

H.R. & C. OF NY (DAYS INN)

Mr. Paul Cuomo and Mr. Victor Choe appeared before the Board for this proposal.

MR. TORLEY: Request for 9 foot 3/4 inch sign height for proposed wall sign at 915 Union Avenue in a C zone. Once again, is there anyone in the audience besides the applicant that wishes to speak on this? Let the record show there is no one.

MR. CUOMO: My name is Paul Cuomo. I represent Days Inn tonight. Mr. Choe is applying for a sign variance, and the sign variance consists of the following. When they went to the building inspector, they were turned down because they want to have a sign that's 4 foot 3 3/4, and the code is three foot six. Do I got that right, Mike, three foot six? And which puts them 9 3/4 over. This sign looks like so. I think you've probably seen that. You all got one of those. It's going to say "Days Inn". And where it's situated, I have a photograph where it will be situated. I'll pass it around. It will be up on the top here. It will fit inside this area here.

MR. TORLEY: It won't project above the roof line?

MR. CUOMO: It's not going to project above the roof line.

MR. BABCOCK: No.

MR. TORLEY: It's going to be inside?

MR. CUOMO: It's going to be inside that little frame there.

MR. KANE: Illuminated?

MR. CHOE: Right.

MR. KRIEGER: It is an interior, steady illumination, right?

MR. CHOE: Right.

MR. KRIEGER: It's not flashing, not neon?

MR. CHOE: No.

MR. CUOMO: This is a better picture. Why don't you take a look at that.

MR. CHOE: Gives us an idea where it's going to be located.

MR. KRIEGER: This is proposed to face Route --

MR. CHOE: Union Avenue. It's about 300 feet away.

MR. KRIEGER: I was going to say this is set back a considerable distance from Union Avenue.

MR. CUOMO: This will be up on top of the motel.

MR. KRIEGER: So that's at least 300 feet from the road.

MR. CUOMO: Yeah.

MR. KANE: And this is the smallest possible height you can make this sign?

MR. CHOE: Right. They do have some standard sign for Days Inn.

MR. CUOMO: Yeah, this is the standard sign for Days Inn, so that's why they had to buy what the standard was.

MR. TORLEY: Mike, the only issue here, then, is the height of the sign, then, we have no other problems for the code for number or area?

MR. BABCOCK: Yeah, I think so, Mr. Chairman. The area of the sign also. Also the wall sign, right, Paul?

MR. CUOMO: Yeah. Well, it's a wall but it's--

MR. TORLEY: Says 9 3/4 inch height for proposed wall sign. That's the only --

MS. BARNHART: That's the only thing I see on here.

MR. BABCOCK: Well, the sign here says that it's 4 foot 3 3/4 inches high. They're allowed to be three foot six high because you're some 300 feet off the road. So it's a different of 1 foot 2 1/4 inches.

MR. CUOMO: No, that's a mistake. It's 9 3/4.

MR. KANE: Not foot, it's inches.

MR. CUOMO: It's 9 3/4 inches.

MR. TORLEY: As far as the sign area or placement there are no other problems.

MR. BABCOCK: No, that's it.

MR. KRIEGER: This is a commercial establishment that's located behind another. Between this establishment and the road there's another commercial establishment there?

MR. CHOE: Yeah, the dinner there.

MR. KRIEGER: And there's one next to you too?

MR. CHOE: Steak & Stein.

MR. KRIEGER: With its own signs.

MR. CHOE: Right.

MR. BABCOCK: It's 9 3/4 inches.

MR. McDONALD: Inches.

MR. CUOMO: More than three foot six.

MR. McDONALD: Mr. Chairman, accept a motion?

MR. TORLEY: Yes.

MR. McDONALD: I make a motion we grant the variance, 9 foot 3/4 inches variance for this sign.

MR. KANE: Second.

ROLL CALL

MR. McDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

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

*Prelim.*

*June 26, 2000*  
*# 00-29.*

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: May 31, 2000

APPLICANT: Days Inn  
c/o Mr. Choe  
915 Union Avenue  
New Windsor, New York 12553

*Amended 7/14/00.*  
*564-7550.*

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed wall sign

LOCATED AT: 915 Union Avenue

ZONE: C Sec/ Blk/ Lot: 4-1-68

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS: *48-18 H 1 (b) - Facade signs*

1. Proposed wall sign will exceed maximum ~~3~~ 6' height.

*Proposed sign 4' 3 3/4"*

*Richard Hisi*  
BUILDING INSPECTOR

PERMITTED 3-6"

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: C      USE: 48-18-H-1-B-2

SIGN:

FREESTANDING:

HEIGHT:                      4'-3 3/4"

~~9'-3"~~ 9'-3 3/4"

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

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

\_\_\_\_/\_\_\_\_/\_\_\_\_  
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 Lisi & Louis Krychear

New Windsor Town Hall

555 Union Avenue

New Windsor, New York 12553

(914) 563-4618

(914) 563-4693 FAX

Bldg Insp Examined \_\_\_\_\_

Fire Insp Examined \_\_\_\_\_

Approved \_\_\_\_\_

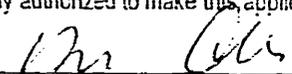
Disapproved \_\_\_\_\_

Permit No. \_\_\_\_\_

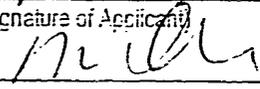
INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- 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.
- 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.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- 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.
- 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)

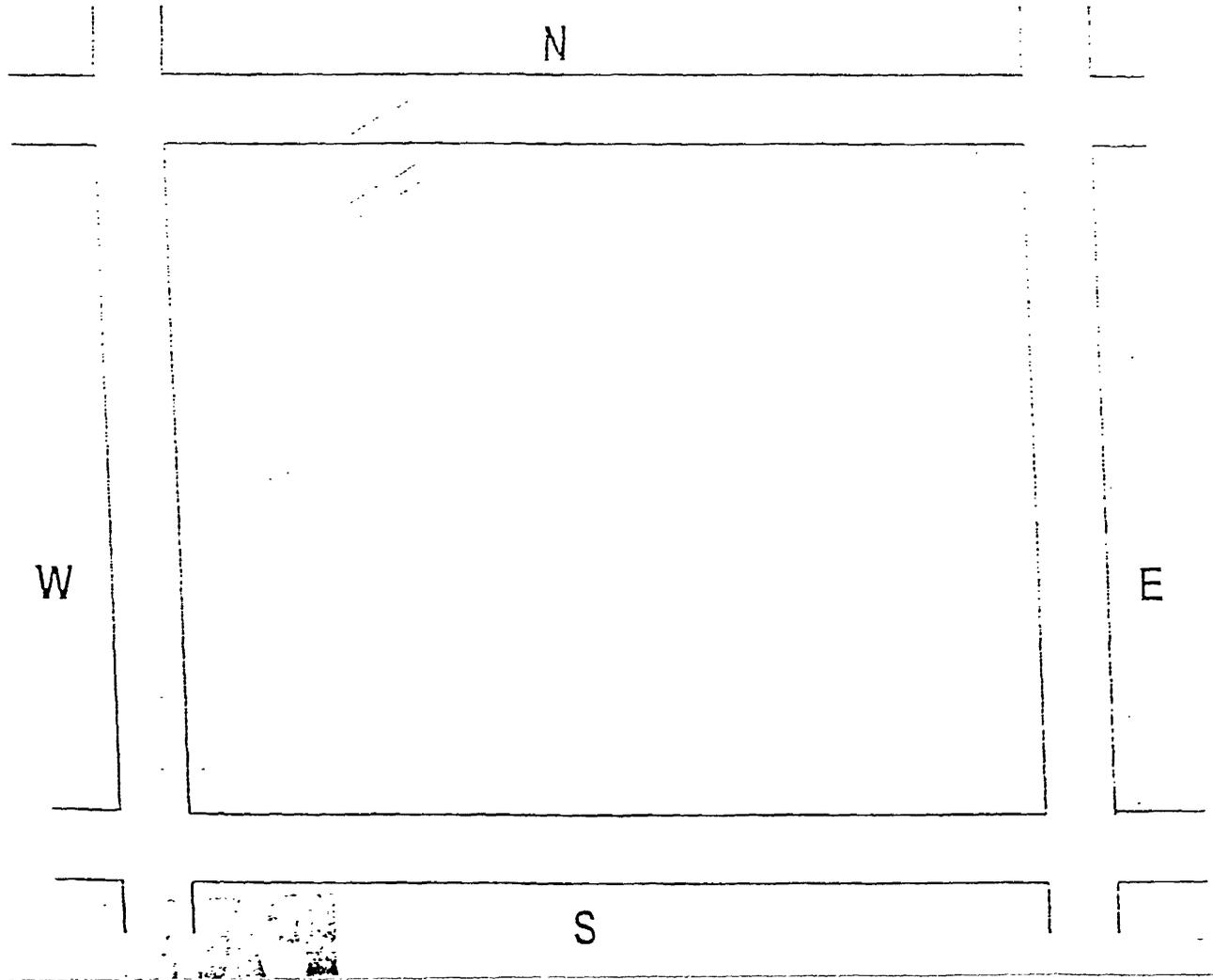
\_\_\_\_\_  
(Address of Applicant)

  
(Owner's Signature)

\_\_\_\_\_  
(Owner's Address)

PLOT PLAN

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



RECEIVED

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

MAY 30 2000

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 reinspected 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 underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. 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 perc 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.

FOR OFFICE USE ONLY:  
Building Permit #: 481-2000

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

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

Owner of Premises H.R. & C. NY INC. DBA DAYS INN

Address 915 UNION AVE Phone 914 564 7550

Mailing Address "

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor SIGN HERE

Address 6A-60 TERSEY CRT Phone 914 257 6366

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

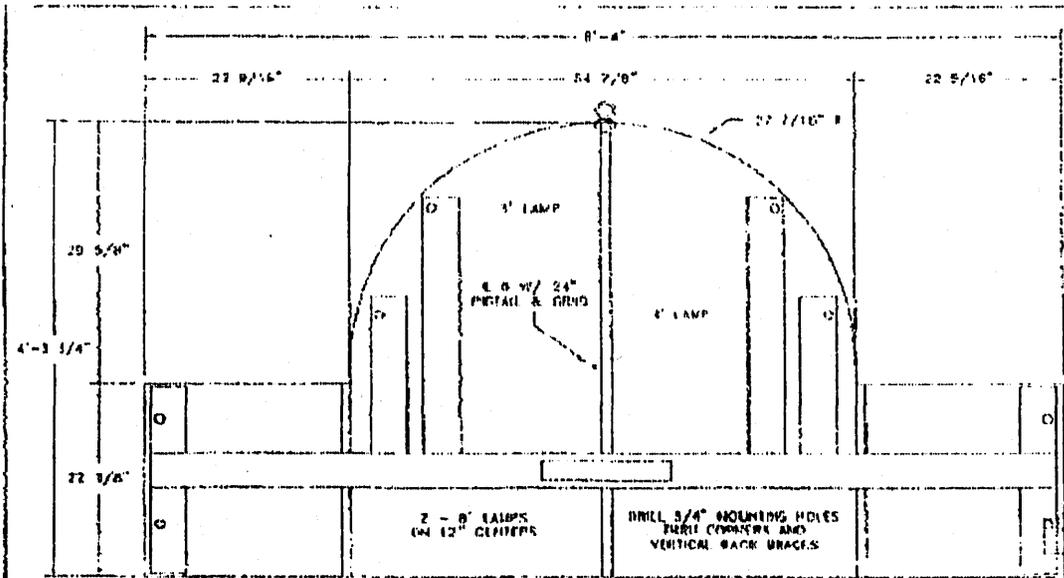
If applicant is a corporation, signature of duly authorized officer. Theresa Chae

Name and title of corporate officer:

1. On what street is property located? On the W side of UNION  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_
3. Tax Map Description: Section 33400 Block 4-1-6A Lot \_\_\_\_\_
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_
5. Nature of work (check if applicable) New Blog  Addition  Alteration  Repair  Removal  Demolition  Other
6. Is this a corner lot? NO (see attached blue prints)
7. Dimensions of entire new construction. Front 8' 4" Rear \_\_\_\_\_ Depth 8' 2" Height 11' 3" No. of stories \_\_\_\_\_
8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Number of bedrooms 2 Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air ELECTRIC Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_  
MOTEL
10. Estimated cost 2000 Fee \_\_\_\_\_

**PAID** 50.00

JOB #138573 - FRAME  
#138574 - FACE



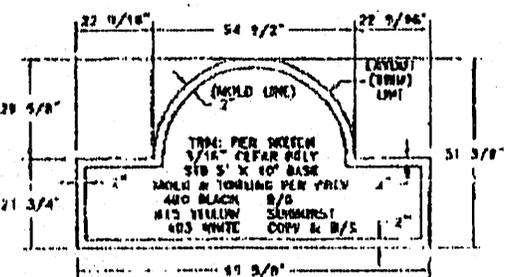
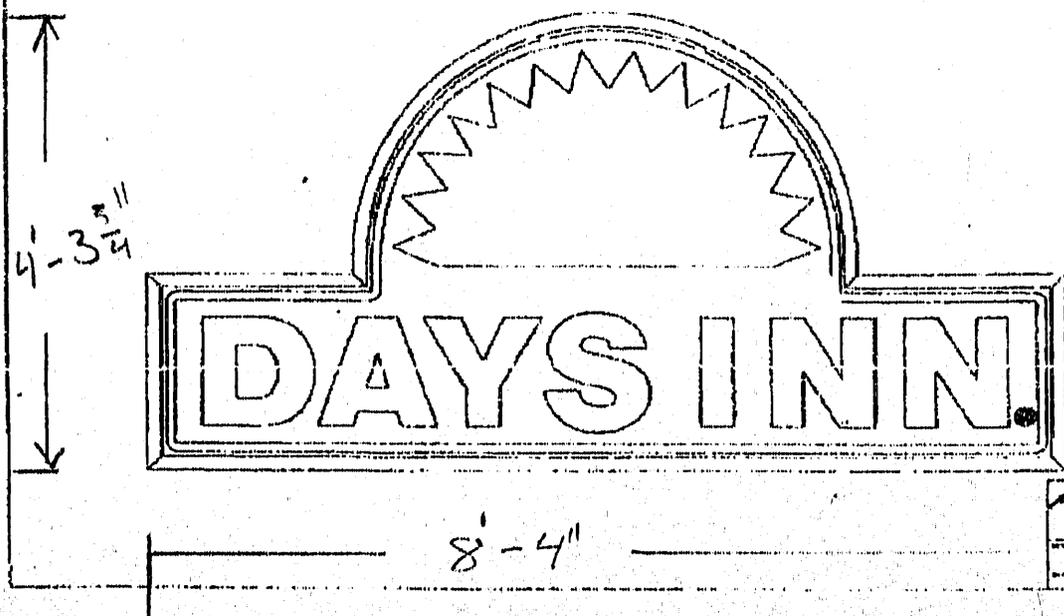
- 1 - 4'-3 3/4" x 8'-4" 5/8"
- 8" PERSONA
- 1 1/2" FLAT RETAINER
- .040 ALUM BACK
- 1 - 1/2" EYEBOLT: FLUSH MOUNT
- ELEC OUT - THRU BACK, NEAR CENTER
- EXT SWITCH - THRU END, NEAR BOTTOM
- UL SPECS
- INCLUDE LAMPS; INSTALL FACE
- PAINT DAR - 9000 BLACK

CRAFT

EXT SWITCH

Q	1	100" H2
S	2	22 1/8" W2
S	2	22 9/16" W1
Q	2	90 9/16" x 2 3/4"
Q	1	90 1/4" H202
Q	2	2 1/2" H202
Q	2	30 1/2" H202
Q	2	28 1/2" H202
Q	4	8"
Q	2	31"
Q	2	22 3/4"
Q	2	41 1/2"
Q	7	5 5/16" - 2 X 3/16 (CORNER/ED CRS)
Q	5	7 3/8" - 4 X 1/8 (CROSS)
Q	1	43" - 1 X 1/8 (VERT)
Q	2	18 5/8" - 1 X 1/8 (VERT)

SCALE: 1/32" = 1'-0"

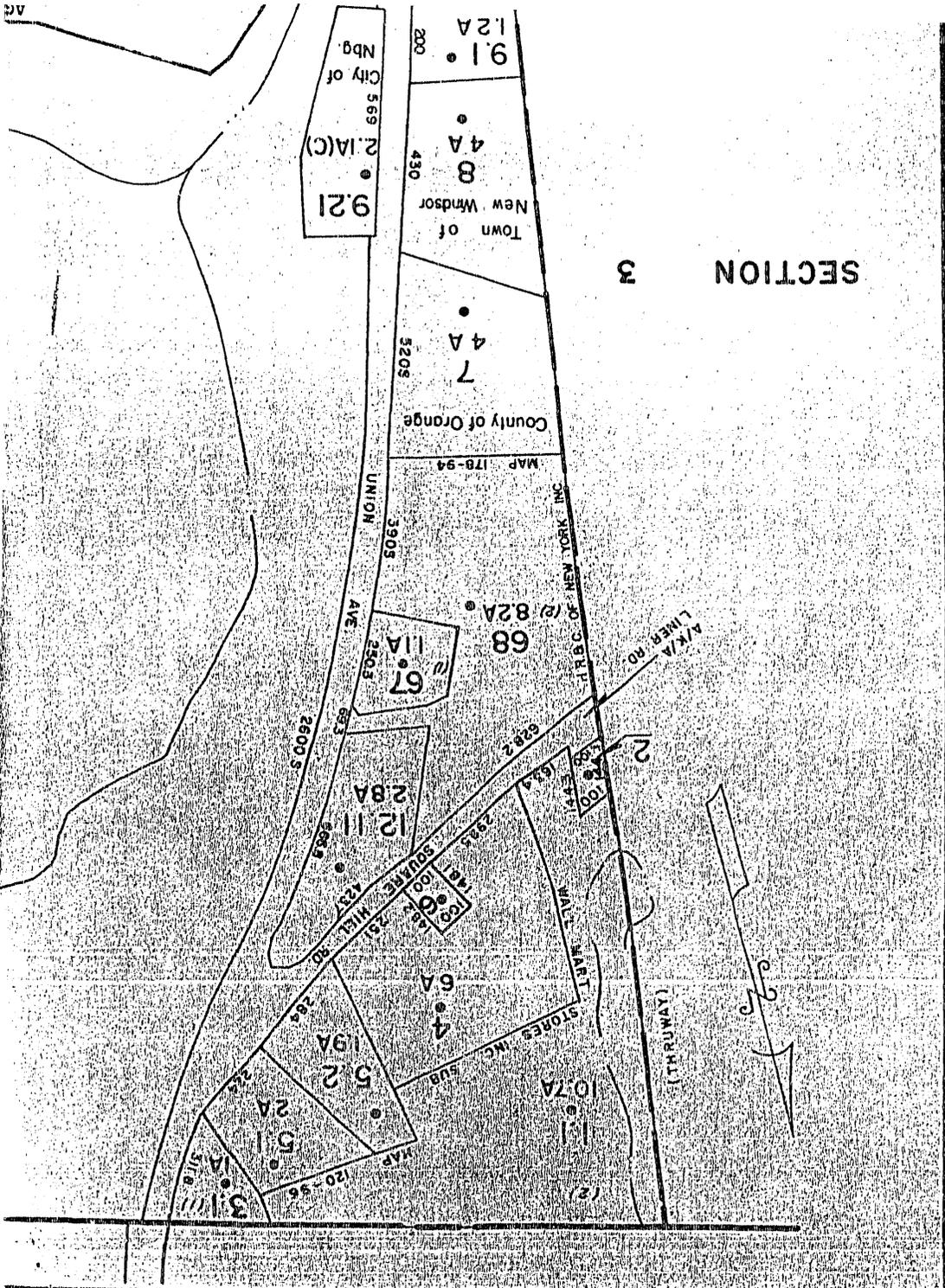


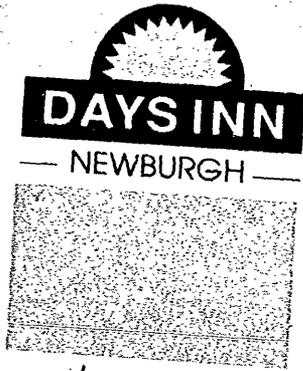
DATE	03/29/00	BY	W. J. COOPER	CHKD BY	W. J. COOPER
SCALE	1/32" = 1'-0"	PROJECT	DAYS INN	NO.	138573
REV		BY		DATE	
1					



SECTION

3



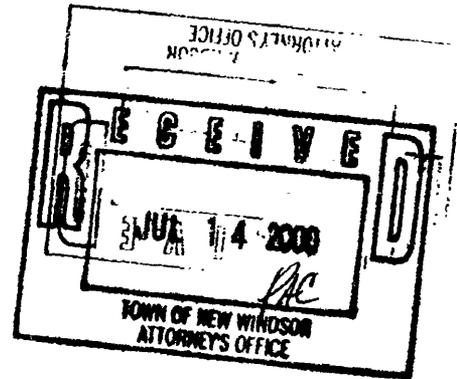


July 12, 2000

To New Windsor  
555 Union Ave.  
New Windsor, N.Y. 12553

Attn: Patricia A. Corsetti  
Dear Ms. Corsetti:

Enclosed find check # 1309 in the amount  
of \$ 150<sup>00</sup> and check # 1310 in the amount  
of \$ 500<sup>00</sup> due for sign variance applications.



Days Inn  
By Rita Mastroiocco  
Bookkeeper

Date ..... 7/18/00 ..... 19.....

**TOWN OF NEW WINDSOR**  
 TOWN HALL, 555 UNION AVENUE  
 NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth ..... DR.  
 168 N. Drury Lane  
 New Windsor, NY 12550

DATE		CLAIMED	ALLOWED
6/30/00	Zoning Board Mtg		75.00
	Misc - 2		
	Bred/Guardian - 3		
	Lpsio - 1		
	Young - 3		
	Choet/Days Inn - 2 \$9.00		
	Czepiel - 3		
	Kelly - 4		
	Lahay - 2		
	Bila - 15		
	Don Marcano - 6		207.00
	Reynolds - 6 = 46		
			282.00

CHOE/DAYS INN

MR. NUGENT: Request for 1 ft. 2 1/4 in. height variance for proposed wall sign at Days Inn, 915 Union Avenue in a C zone.

Mr. Choe appeared before the board for this proposal.

MR. CHOE: Mr. Paul Cuomo's supposed to be here today so I will have to explain it to you. Okay, this is the sign that we talked about, this one, it's 200, it's away from the main road. And we left this so that we would like 9 inch more than what you allow, so I that is why, that is why we're here to explain.

MR. NUGENT: Being the distance that it is from Union Avenue you really need that little bit larger sign?

MR. CHOE: Right.

MR. NUGENT: You can't see otherwise?

MR. CHOE: That's right. We you just finish the outside work, here's a picture.

MR. TORLEY: Entertain a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move that we grant Mr. Choe and Days Inn a public hearing request one foot 2 1/4 inch height variance for a wall sign.

MR. MCDONALD: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MS. CORSETTI: Mr. Choe, I gave all of your paperwork to Mr. Cuomo, he's got all the paperwork that he needs.

June 26, 2000

9

MR. KRIEGER: Take this with you. Those are the criteria on which the zoning board must decide at the public hearing.

MR. CHOE: Thank you very much.

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(914) 583-4811

**RECEIPT**  
**#543-2000**

07/14/2000

Newburgh, Days Inn Of

Received \$ 150.00 for Zoning Board Fees, on 07/14/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

ZBA # 00-29

ck # 1309

Dorothy H. Hansen  
Town Clerk

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 00-29

Date: 6/29/00.

I. ✓ Applicant Information:

- (a) H.R.C. of N.Y., Inc. d/b/a Days Inn X  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney) SWF
- (d) Cuomo Engineering, 2005 D Street, New Windsor, N.Y. 12553  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Interpretation

III. ✓ Property Information:

- (a) C 915 Union Avenue 4-1-68  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? \_\_\_\_\_
- (e) Has property been subdivided previously? \_\_\_\_\_
- (f) Has property been subject of variance previously? Yes  
If so, when? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? \_\_\_\_\_
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A.

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow: \_\_\_\_\_  
(Describe proposal) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes      No     .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: N/A.

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-19, Table of Use/Bulk Regs., Col.     .

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>                    </u>	<u>                    </u>	<u>                    </u>
Min. Lot Width <u>                    </u>	<u>                    </u>	<u>                    </u>
Reqd. Front Yd. <u>                    </u>	<u>                    </u>	<u>                    </u>
Reqd. Side Yd. <u>                    </u>	<u>                    </u>	<u>                    </u>
Reqd. Rear Yd. <u>                    </u>	<u>                    </u>	<u>                    </u>
Reqd. Street Frontage* <u>                    </u>	<u>                    </u>	<u>                    </u>
Max. Bldg. Hgt. <u>                    </u>	<u>                    </u>	<u>                    </u>
Min. Floor Area* <u>                    </u>	<u>                    </u>	<u>                    </u>
Dev. Coverage* <u>                    </u> %	<u>                    </u> %	<u>                    </u> %
Floor Area Ratio** <u>                    </u>	<u>                    </u>	<u>                    </u>
Parking Area <u>                    </u>	<u>                    </u>	<u>                    </u>

\* Residential Districts only  
 \*\* No-residential districts only

(b) 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. Describe why you believe the ZBA should grant your application for an area variance:

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

(You may attach additional paperwork if more space is needed)

✓ VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section 48-18, Supp. Sign Regs.

	Requirements	Proposed or Available	Variance Request
Sign 1	<u>3' 6"</u>	<u>4' 3 3/4"</u>	<u>9' 3/4" (Height)</u>
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____

✓(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

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

✓(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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

VII. Interpretation. N/A.

(a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

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

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or



(b) Variance: Granted (\_\_\_) Denied (\_\_\_)

(c) Restrictions or conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

ATTN: Patricia Corsetti

PROXY AFFIDAVIT

SUBMISSION OF APPLICATION FOR VARIANCE # 00-29

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE )

I am Howard Choe, deposes and says:  
I am the OWNER of a certain parcel of land within the TOWN OF NEW  
WINDSOR designated as tax map SECTION 4 BLOCK 1  
LOT 68. I HEREBY AUTHORIZE Paul V. Cuomo, PE  
of Cuomo Engineering (company name) to make an  
application before the ZONING BOARD OF APPEALS as described in  
the within application.

Dated: 7/14/00

[Signature]  
(Signature of Owner)

Sworn to before me this

12 day of July, 2000

Rita Mastroiocco

NOTARY PUBLIC MASTROIOTTO  
Notary Public, State of New York  
Qualified in Orange County  
No. 4663619  
Commission Expires Oct. 31, 2000

(ZBA DISK#1-060895.PXY)

PUBLIC NOTICE OF HEARING  
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. 29.

Request of H.R. & C. of N.Y., Inc - Days Inn

for a VARIANCE of the Zoning Local Law to Permit:

Proposed wall sign of more than the allowable sign height;

being a VARIANCE of Section 48-18 - Supp. Sign Regulations

for property situated as follows:

915 Union Avenue, New Windsor, N.Y.

known and designated as tax map Section 4, Blk. 1 Lot 68.

PUBLIC HEARING will take place on the 14 day of August, 2000 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.

Chairman

ATTN: Patricia Corsetti

PROXY AFFIDAVIT

SUBMISSION OF APPLICATION FOR VARIANCE # 00-29.

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE )

Howard Choe, deposes and says:  
I am the OWNER of a certain parcel of land within the TOWN OF NEW WINDSOR designated as tax map SECTION 4 BLOCK 1  
LOT 66. I HEREBY AUTHORIZE Paul V. Cuomo, PE  
of Cuomo Engineering (company name) to make an application before the ZONING BOARD OF APPEALS as described in the within application.

Dated: 7/14/00.

[Signature]  
(Signature of Owner)

Sworn to before me this

12 day of July, 2000.

Rita Mastrovocco

NOTARY PUBLIC MASTROVOCO  
Notary Public, State of New York  
Qualified in Orange County  
No. 4663619  
Commission Expires Oct. 31, 2000

(ZBA DISK#1-060895.PXY)



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (914) 563-4631  
Fax: (914) 563-4693

## Assessors Office

11

June 30, 2000

HR & C New York  
915 Union Ave  
New Windsor, NY 12553

Re: 4-1-68

Dear Mr. Cuomo,

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,

Leslie Cook  
Sole Assessor

LC/bw  
Attachment

CC: Pat Corsetti, ZBA

The Town of New Windsor  
555 Union Ave  
New Windsor, NY 12553

Frank Koning  
52 Liner Road  
New Windsor, NY 12553

Edward Hill Enterprises Inc  
PO Box 1012  
Port Ewen, NY 12466

R & R Partnership  
C/o Herbert H Redl  
80 Washington Street  
Suite 100  
Poughkeepsie, NY 12601

L & M Properties LLC  
682 Dutchess Turnpike  
Poughkeepsie, NY 12601

Natalie & David Nunnally  
30 Liner Rd  
New Windsor, NY 12553

The County of Orange  
124 Main Street  
Goshen, NY 10924

Banta Realty  
842 Main Street  
Poughkeepsie, NY 12603

City of Newburgh  
Newburgh Water Supply  
C/o City Comptroller  
Newburgh, NY 12550

J. Daskalis Family Limited Partnership  
1430 Route 300  
Newburgh, NY 12550

Wal - Mart Stores Inc. # 2104  
Property Tax Dep. # 8013  
1301 Southeast 10<sup>th</sup> Street  
Bentonville, AR 72716-8013