

PB# 75-34

VSH Realty, Inc.

US ~~77~~ Site Plan 75-34

1

Approved 10/22/75
Sett. plan fee paid 10/22/75
Emp. fee paid 10/24/75
Filed with T.C. 10/24/75
Office 10/24/75



Oxford Pendaflex

STOCK No. 753½

MADE IN U.S.A.



Oxford Pendaflex

STOCK No. 753 1/3

MADE IN U.S.A.

GENERAL RECEIPT

2596

Town of New Windsor, N. Y.

Received of U. S. H. Realty, Inc. Oct. 24, 1975
One Hundred ⁰⁰/₁₀₀ \$100.00
For Site Plan Dollars

DISTRIBUTION:

FUND	CODE	AMOUNT

BY Pauline Townsend
Deputy Town Clerk
TITLE

RIDER, WEINER & LOEB, P.C.
ATTORNEYS AND COUNSELLORS AT LAW
POST OFFICE BOX 1268
LITTLE BRITAIN ROAD (ROUTE 207)
NEWBURGH, NEW YORK 12550

50-235
213

11959



PAY *fifty and 00/100* DOLLARS

CHECK NO.	TO THE ORDER OF	DATE	FILE NO.	CHECK AMOUNT
11959	<i>Town of New Windsor</i>	<i>10/23/75</i>	<i>13757</i>	<i>60 -</i>

TRUSTEE ACCOUNT

THE COUNTY TRUST COMPANY
NEWBURGH, NEW YORK

Robert M. Warner
AUTH. SIG.

⑆0213⑆0235⑆ ⑈54⑈201125⑈

Rec'd 10/24/75 from Planning Bd

*Yonkers Green
Town Comptroller*

Date _____

Application No. 75-34

TOWN OF NEW WINDSOR PLANNING BOARD

APPLICATION FOR SITE APPROVAL

Name V.S.H. Realty Inc.

Address 777 Dedham Street, Canton, Mass. 02121

1. Owner of the property Atlantic Richfield Company

2. Location of the property Southwest corner Route 94 and Caesar's Lane

3. Zone area R-4

4. Nature of business convenience food store and self-service gasoline sales

5. Lot size: Front 200 Rear 274 Depth 200

6. Building setbacks: Front yard 85 Rear yard 80
Side yards 41/150

7. Dimensions of new building existing building to be remodelled
Addition

If addition, state front, side, rear of existing structure:

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Zoning Ordinance be obtained, with particular attention to Article X to avoid rejection of the plans.

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expense for advertising of Public Hearing or meetings will be paid. Also, any legal or engineering fees for review of this project. Fees are due and payable upon submission of preliminary plans. All checks are to be made payable to the Town of New Windsor. Seven (7) copies of the plans are required.

approved

10/22/75

fees paid

100 site plan

60. for (3) sites of

Adopted 10/5/70 VSH.

Signature of applicant

[Handwritten Signature]
Atty's for V.S.H. Realty Inc

Memo FROM:

OFFICE OF THE TOWN ENGINEER

TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550

PHONE 545-8802

TO:

Joseph Loscalzo, Chairman
Planning Board

DATE: October 8, 1975

SUBJECT: Review of Site Plans

— FOLD HERE —

Review of Site Plans as requested.

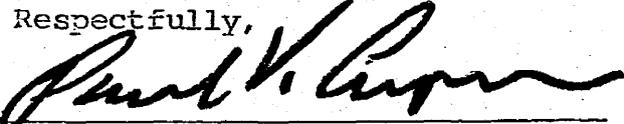
The following recommendations are given for each site plan:
Quassaick Ave. Rte. 94 Caesars Lane Continuous concrete
precast curb.

BloomingGrove Tpk. Rt. 94 and Union Ave.
20 foot additional curb Rte. 94. Concrete curb
instead of Asphalt berm.
Precast concrete in parking lots #9, 10, 11.
Screening N. W. side with 6 foot stockade fence.

Rte. 207 and Square Hill Rd.
Continuous concrete around both planters.

Respectfully,

by


Paul V. Cuomo, P. E.
Town Engineer

PVC/mfb

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
SEPTEMBER 24, 1975 Wednesday 7:30 p.m.

BOARD MEMBERS PRESENT: CHAIRMAN JOSEPH LOSCALZO, HENRY VAN
LEEUVEN, LAWRENCE JONES, ERNEST SPIGNARDO,
ALBERT ARGENIO AND JOSEPH CIMORELLI.

BOARD MEMBERS ABSENT: THOMAS DOWD

OTHERS PRESENT: PAUL CUOMO, TOWN ENGINEER
PHILLIP CROTTY JR., TOWN ATTORNEY
HOWARD COLLETT, BUILDING AND ZONING INSPECTOR
SHIRLEY B. HASSDENTEUFEL, RECORDING SECRETARY

tape 80 and 81.

Chairman Loscalzo called the meeting to order promptly at
7:30 p.m.

#1 on the Agenda:

AGL Welding #75-32
Located on Union Avenue
Represented by:

This is to be cancelled until the October 8, 1975 meeting.

#2 on the Agenda:

VSH #75-32
Route 207 and Square Hill Road
Represented by Stephen Reneke, Esquire
and Mr. Weseley Thomas

Attorney Reneke: We wish to convert the Gas Station to
a Stop and Shop. This is in N.C. Zoning. We didnot need
a Use Variance. Pays would be closed. Exterior refinished.
We are not going to move the building.

Mr. Jones: It doesn't show the existing paving line.
The highway line doesn't show on the plans.

Attorney Reneke: explained the plans to the Board.

Mr. Thomas: We will take out the existing tanks and replace
them with new ones.

VSH continued.

Motion by Mr. Van Leeuwen seconded by Mr. Argenio that the Planning Board of the Town of New Windsor give the plans of VSH #75-32 to the Town Engineer and Fire Inspector for review and a review from the State Department of Transportation. Vote: all ayes, Motion carried.

#3 on the Agenda:

VSH #75-33 Site Plan
Located on Union Avenue and Route 94
Represented by Stephen Reneke, Esquire
and Mr. Weseley Thomas

Chairman Loscalzo: What do you plan to do with this building?

Attorney Reneke: This one is slightly different. The building will be demolished first. It is impossible to leave the building where it is.

Chairman Loscalzo: Do you have your variance?

Attorney Reneke: Yes.

Mr. Jones: Are you going to remove the stockade fence that exists between the station and the trailers behind it?

Chairman Loscalzo: You had better look at that.

Mr. Thomas: We agreed to have a barrier. We can put up a new one.

Motion by Mr. Jones seconded by Mr. Van Leeuwen: that the Planning Board of the Town of New Windsor give the Plans of VSN #75-33 to the Town Engineer and Town Fire Inspector for their review and a review from the State and County be received. Vote- All ayes, Motion carried.

4 on the Agenda:

VSH #75-34 Site Plan
Located on Route 94 and Caesar's Lane
Represented by Stephen Reneke, Esquire
and Mr. Weseley Thomas

Attorney Reneke: This property is located on the corner of Route 94 and Caesars Lane. We wish to convert it to a Stop and Shop. This is in a residential district. We did not need any variances except to put a canopy on Route 94. I have detailed maps for the interior also if you are interested in that.

We are here for site plan approval.
I also have the elevation.

Mr. Spignardo: You aren't going to change the structure?

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

555 Union Avenue
New Windsor, N. Y.
August 18, 1975

Joseph Loscalzo, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, N. Y. 12550

RE: APPLICATIONS FOR A VARIANCE - Nos. 75-21 (a), (b) and (c)
V.S.H. REALTY CORP.

Dear Mr. Loscalzo:

Kindly be advised that three public hearings will take place on the 25th day of August, 1975 at 8:00 p.m., 8:15 p.m. and 8:30 p.m. as follows:

- V.S.H. Realty Corp. - Route 94 & Union Avenue
- " - Route 94 and Caesar's Lane
- " - Square Hill Rd. & Rt. 207

I have enclosed herewith copies of the above applications together with the public hearing notices pertaining to each for your information.

Yours truly,

Patricia Delio

PATRICIA DELIO, Secretary
Legal Notices

/pd

Encs.

cc: Howard Collett, Bldg. Inspector

**Legal Notice
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. 75-21 (a)
Request of V.S.H. Realty Inc. for a Variance of the regulations of the Zoning Ordinance, to permit relocation of a structure on its property being a Variance of New Windsor Zoning Local Law, Section 3.2, Table of Use Regulations, Column B, for property owned by him situated as follows: corner of Union Avenue and Route 94, Town of New Windsor, N.Y.

SAID HEARING will take place on the 25th day of August, 1975, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 8:00 o'clock P.M.

THEODORE JARGSTORF
Chairman
By Patricia Delio
Secretary
Aug. 16

**Legal Notice
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 48-33 A of the Zoning Ordinance on the following proposition:
Appeal No. 75-21 (c)
Request of V.S.H. Realty Inc. for a Variance of the regulations of the Zoning Ordinance, to permit relocation of a structure on its property being a Variance of New Windsor Zoning Local Law, Section 4.2, Column of Bulk Regs. Part 2, for property owned by him situated as follows: corner of Route 287 and Square Hill Road, Town of New Windsor, N.Y.

SAID HEARING will take place on the 25th day of August, 1975, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 8:30 o'clock P.M.

THEODORE JARGSTORF
Chairman
By Patricia Delio
Secretary
Aug. 16

**Legal Notice
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 48-33 A of the Zoning Ordinance on the following proposition:
Appeal No. 75-21 (b)
Request of V.S.H. Realty Inc. for a Variance of the regulations of the Zoning Ordinance, to permit relocation of a structure on its property being a Variance of New Windsor Zoning Local Law, Section 3.2, Table of Use Regulations, Column A, for property owned by him situated as follows: corner of Route 94 and Caesar's Lane, Town of New Windsor, N.Y.

SAID HEARING will take place on the 25th day of August, 1975, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 8:15 o'clock P.M.

THEODORE JARGSTORF
Chairman
By Patricia Delio
Secretary
Aug. 16

RIDER, WEINER & LOEB, P.C.
ATTORNEYS AND COUNSELLORS AT LAW

M. J. RIDER (1906-1968)
ELLIOTT M. WEINER
JAMES R. LOEB
DAVID L. RIDER
DAVID L. LEVINSON
STEPHEN L. REINEKE

POST OFFICE BOX 1268
LITTLE BRITAIN ROAD (ROUTE 207)
NEWBURGH, NEW YORK 12550
(914) 562-8700

September 12, 1975

Ms. Shirley Hassdenteufel
33 Knox Drive
New Windsor, New York

Re: V.S.H. Realty Inc. - Our File: 13,757

Dear Shirley:

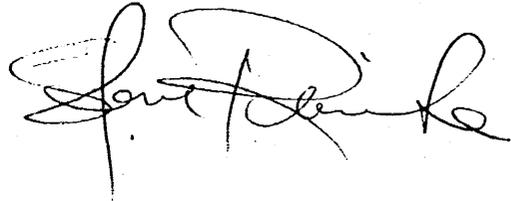
Enclosed are the applications of V.S.H. Realty for site plan approval.

I understand that we are scheduled for the September 24th meeting and as soon as the maps are prepared, we will be forwarding them to you. They have been ordered and I expect to receive them shortly, however, I wanted you to receive the applications themselves so there would be no questions as to our scheduled appearance.

Should you have any questions on the above or require any additional information other than the maps, please feel free to contact me.

Very truly yours,

RIDER, WEINER & LOEB, P.C.

By: 

SR/cm
Encs.

cc: Mr. Wesley Thomas

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

In the Matter of the Application of

V.S.H. REALTY, INC.

No. 75-21 (a)

DECISION GRANTING AN
AREA VARIANCE AND
A SPECIAL PERMIT FOR
GASOLINE

WHEREAS V.S.H. REALTY, INC. of 777 Dedham Street, Canton, Massachusetts, 02021, filed an application No. 75-21 (a) for an area variance for its property located at the corner of Union Avenue and Route 94 in the Town of New Windsor; and

WHEREAS the same applicant corporation has requested a special permit to permit a gasoline sale island with gasoline pumps for retail sale of gasoline under New Windsor/Local Law, Section 3.2, Table of Use Regulations, Column B; and

WHEREAS a public hearing on this application for a variance and special permit was held by the Zoning Board of Appeals on the 25th day of August, 1975 at the Town Hall of the Town of New Windsor after due notice by publication and due notice to residents and businesses within 500 feet of the subject premises; and

WHEREAS at said hearing the petitioning corporation was represented by counsel, Stephen Reineke, Esq., and no opposition having appeared to the application; and

WHEREAS the Zoning Board of Appeals makes the following findings of fact in this application:

1. The minimum lot area variance sought is 6,296 feet; the minimum lot width sought is 25 feet; the required front yard variance sought is 37 feet; the required sideyard variance is 10/0 feet; the required rear yard variance is 10 feet; and the floor area ratio variance required is 19.5%.

2. The size of the lot is 8,704 square feet and there is already an existing building on the premises which will be removed if the application is granted.

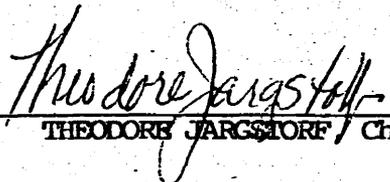
WHEREAS the Zoning Board of Appeals makes the following findings of law in this matter:

1. The variance sought is not substantial in relation to the legally required areas and bulk standards as set forth in the Zoning Local Law.
2. The affect of the variance if allowed would have no substantial affect on the governmental facilities available;
3. There will be no substantial change in the character of the neighborhood nor substantial detriment to the adjoining properties;
4. There is no feasible way for the applicant to proceed with the construction of a convenience food store other than through a variance;
5. There are no other factors or interest bearing on this matter.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor hereby grants the area variances as requested herein-above; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the attorney for the applicant, the Town Planning Board, and the Town Clerk.

Dated: September 8, 1975.



THEODORE JARGSTORFF / Chairman

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

In the Matter of the Application of

V.S.H. REALTY, INC.

No. 75-21 (b)

DECISION GRANTING
AREA VARIANCE AND
USE VARIANCE

WHEREAS the V.S.H. REALTY, INC. of 777 Dedham Street, Canton, Massachusetts, 02021, has applied to the Zoning Board of Appeals for an area and use variance to permit the erection of a canopy over a gas station island and the conversion of a gasoline station to a store for the retail sale of food to be located at the corner of Route 94 and Caesars Lane in the Town of New Windsor.

WHEREAS the applicant corporation has a pre-existing non-conforming use for the sale of gasoline at the above location; and

WHEREAS a public hearing on this application for an area and use variance was held by the Zoning Board of Appeals on the 25th day of August, 1975 at the Town Hall of the Town of New Windsor after due notice by publication and due notice to residents and businesses within 500 feet of the subject premises; and

WHEREAS at said hearing the petitioning corporation was represented by counsel, Stephen Reineke, Esq.; and

WHEREAS the Zoning Board of Appeals makes the following findings of fact in this application:

1. The required front yard variance sought is 35 feet for the construction of the canopy over the gas station island.
2. The retail sale of grocery items and other items is not permitted in an R-4 Zone.

WHEREAS the Zoning Board of Appeals makes the following findings of

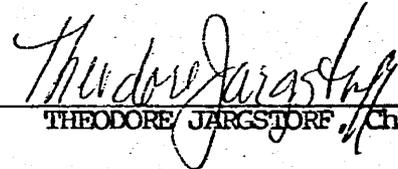
law in this matter:

1. The variance sought is not substantial in relation to the legally required areas and bulk standards as set forth in the Zoning Local Law.
2. The use sought to be authorized by the variance will not alter the essential character of the locality as a previous non-conforming use for the retail sale of gasoline was in existence less than one year ago and the proposed change of use will be for the retail sale of grocery items.
3. There will be no substantial change in the character of the neighborhood nor a substantial de-riment to the adjoining properties.
4. Affect of the variance would have no affect on the governmental facilities available;
5. There is no feasible method for the applicant to erect the canopy other than through a variance.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area and use variance as hereinabove requested; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the attorney for the applicant, the Town Planning Board, and the Town Clerk.

Dated: September 8, 1975.



THEODORE JARGSTORF, Chairman

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

In the Matter of the Application of

V.S.H. REALTY, INC.

DECISION GRANTING
AN AREA VARIANCE

No. 75-21 (c)

WHEREAS the V.S.H. REALTY, INC. of 777 Dedham Street, Canton, Massachusetts, 02021, has applied to the Zoning Board of Appeals for an area variance to permit the erection of a canopy over a gas station island at premises located at the corner of Route 207 and Square Hill Road in the Town of New Windsor; and

WHEREAS the applicant seeks a 35 foot required front yard variance; and

WHEREAS a public hearing was held on the 25th day of August, 1975, at which time no opposition appeared to the application; and the applicant was represented by counsel, Stephen Reineke, Esq.; and

WHEREAS notice of the public hearing was duly sent to residences and businesses as prescribed by law; and

WHEREAS the Zoning Board of Appeals makes the following findings of fact in this matter:

1. The proposed canopy would be in good taste and would not be offensive to the area.
2. The proposed canopy will facilitate the sale of self service gasoline which is in the interest of the gas-consuming public for it is less expensive than served gasoline.

WHEREAS the Zoning Board of Appeals makes the following determinations of law in this matter:

1. The variance sought is not substantial in relation to the

legally required set back;

2. Affect of the variance would have no affect on the governmental facilities available;

3. There will be no substantial change in the character of the neighborhood nor a substantial detriment to the adjoining properties;

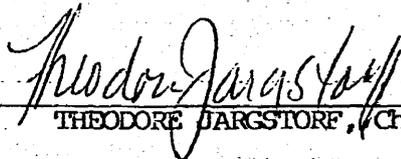
4. There is no feasible method for the applicant to erect the canopy other than through a variance;

5. There are no other factors of interest bearing on this matter.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grants an area variance as hereinabove requested; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the attorney for the applicant, the Town Planning Board, and the Town Clerk.

Dated: September 8, 1975.



THEODORE JARGSTORF, Chairman

Received
Oct. 10, 1975
Planning Office

112 Dickson Street
Newburgh, NY 12550
914-562-4020

Attachment
#1

October 8, 1975

Stephen L. Reinske
Rider, Weiner & Loeb
P.O. Box 1268
Newburgh, NY 12550

RE: V.S.H. REALTY INC., YOUR FILE #13757
ROUTE 94
TOWN OF NEW WEDDOR, ORANGE COUNTY

Dear Sir:

In reference to the site plan submitted with your letter of September 29, 1975, may I offer the following comments:

1. In answer to your question regarding the line shown as the "highway taking line", the property is described to the centerline of Route 94, and apparently the highway taking line is supposed to represent the State's property line. Our records do not reveal any land taking in that area. However, our highway plans indicate an old stone wall 33± feet from the centerline of Route 94. The Regional office research indicates that this section of Route 94 is part of the Old Blooming Grove Turnpike as described in the Turnpike Incorporation from the laws of 1801. The width has been established as four rods wide. (66.0')
2. The entrance layout is the same as submitted in February, 1964 and is acceptable. However, the pre-cast curb is not acceptable, and cast-in-place curb will have to be constructed.
3. A full 10 foot width shoulder along the frontage will be constructed with an 1 inch top and 2 inch binder coarse of asphalt concrete. This will necessitate the removal of the existing 3 foot concrete gutter.

con't

Rt. 94/10/01

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

#71-21 (a)
(Number)

(Date)

I. Applicant information:

- (a) V.S.H. Realty Inc.
(Name, address and phone of Applicant)
- (b) Same as applicant
(Name, address and phone of purchaser or lessee)
Rider, Weiner & Loeb, P.C., Little Britain Road,
- (c) P.O. Box 1268, Newburgh, N.Y. 562-8700
(Name, address and phone of attorney)
- (d) None
(Name, address and phone of broker)

II. Application type:

- Use variance
- Area variance
- Sign variance
- Special permit

III. Property information:

- (a) NC corner Union Avenue
(Zone) (Address) and Route 94 8704 sq. feet
(M B L) (Lot size)
- (b) What other zones lie within 500 ft.? R 4
- (c) Is a pending sale or lease subject to ZBA approval of this application? yes
- (d) When was property purchased by present owner? under contract
- (e) Has property been subdivided previously? no When? _____
- (f) Has property been subject of variance or special permit previously? no When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? no. If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. underground gas tanks
- _____
- _____

(a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to _____ allow

IV. Use variance:

IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

(Describe proposed use)

- (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.
- _____

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area 15,000	8,704	6,296
Min. Lot Width 125	100	25

Reqd. Front Yard	<u>40</u>	<u>3'</u> ^{at corner}	<u>37</u>
Reqd. Side Yards	<u>15 / 30</u>	<u>5 / 26.8</u>	<u>10 / 0</u>
Reqd. Rear Yard	<u>15</u>	<u>5</u>	<u>10</u>
Reqd. Street Frontage*	<u> </u>	<u> </u>	<u> </u>
Max. Bldg. Hgt.	<u>23</u>	<u> </u>	<u>0</u>
Min. Floor Area*	<u> </u>	<u> </u>	<u> </u>
Development Coverage*	<u> </u> %	<u> </u> %	<u> </u> %
Floor Area Ratio**	<u>0.5%</u>	<u>20%</u>	<u>19.5%</u>

* Residential districts only
** Non-residential districts only

#71-21 (a)
(Number)

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

Rt. 94/1000

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Property in question is of limited size and variances requested will allow applicant to place a structure on the property and restore its use as a commercial property.

Without variance the property is unuseable.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____

Total _____ sq.ft. _____ sq.ft. _____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize 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. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section 3.2, Table of Use Reg. Column B.
- (b) Describe in detail the use and structures proposed for the special permit.

Gasoline sale island with pumps for retail sale of
gasoline.



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 upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicant proposes to make structure blend in with zone
by use of quality building materials and plans presented



IX. Attachments required:

- Copy of letter of referral from Building and Zoning Inspector.
- Copy of contract of sale, lease or franchise agreement.
- Copy of tax map showing adjacent properties
- Copy(ies) 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.
- Copy(ies) of sign(s) with dimensions.
- Check in amount of \$ 50* payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
- All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- Other

*Enclosed is one check for \$150 for applications

#71-21 (a)

71-21 (b)

71-21 (c)

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

(c) Special Permit is _____

(d) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

#75-21 (b)
(Number)

(Date)

I. Applicant information:

- (a) V.S.H. Realty Inc.
(Name, address and phone of Applicant)
- (b) Same as applicant
(Name, address and phone of purchaser or lessee)
- (c) Rider, Weiner & Loeb, P.C., Little Britain Road,
P.O. Box 1268, Newburgh, N.Y. 562-8700
(Name, address and phone of attorney)
- (d) none
(Name, address and phone of broker)

II. Application type:

- Use variance
 Area variance
 Sign variance
 Special permit

III. Property information:

(a) R-4 corner Route 94 & Ceasars Lane 54,954 sq. feet
(Zone) (Address) (M B L) (Lot size)

(b) What other zones lie within 500 ft.? NC

(c) Is a pending sale ~~or lease~~ subject to ZBA approval of this application? yes

(d) When was property purchased by present owner? under contract

(e) Has property been subdivided previously? no When? _____

(f) Has property been subject of variance or special permit previously? no When? _____

(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? no. If so, when _____

(h) Is there any outside storage at the property now or is any proposed? Describe in detail. underground gasoline storage tanks

IV. Use variance: NC

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 3.2, Table of Use Regs Column A, to allow

(Describe proposed use)

Applicant proposed to convert gasoline station to store
for retail sales and sales of gasoline - Gasoline sale
on premises is a pre-existing non-conforming use.

- (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.

Economic condition of gas industry is such that property
cannot be profitably used for gas sales only. Without
this variance property will be lost to commercial use.

V.

Area variance:

(a) Area variance requested from New Windsor Zoning Local Law,
Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>43,560</u>	<u>54,954</u>	<u>0</u>
Min. Lot Width <u>125</u>	<u>200</u>	<u>0</u>
Reqd. Front Yard <u>45</u>	<u>at canopy 10</u>	<u>35'</u>
Reqd. Side Yards <u>20 / 40</u>	<u>41 / 150</u>	<u>0 / 0</u>
Reqd. Rear Yard <u>50</u>	<u>80</u>	<u>0</u>
Reqd. Street Frontage* <u>70</u>	<u>200</u>	<u>0</u>
Max. Bldg. Hgt. <u>2 1/2 stories</u>	<u>1 story</u>	<u>0</u>
Min. Floor Area* <u>not applicable</u>		
Development Coverage* <u>25 %</u>	<u>5 %</u>	<u>0 %</u>
Floor Area Ratio** <u>N/A</u>		

* Residential districts only

** Non-residential districts only

(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Applicant seeks variance to construct canopy over gas sale area. As this will be self-service sales, applicant would lose sales due to inclement weather if variance is denied.



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____

Total _____ sq.ft. _____ sq.ft. _____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize 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. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

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 upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicant proposes to make structure blend in with zone
by use of quality building materials and plans presented
to Board at hearing.



IX. Attachments required:

- Copy of letter of referral from Building and Zoning Inspector.
 - Copy of contract of sale, lease or franchise agreement.
 - Copy of tax map showing adjacent properties
 - Copy(ies) 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.
 - Copy(ies) of sign(s) with dimensions.
 - Check in amount of \$ 50* payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

Other

*Enclosed is one check for \$150 for applications

#71-21 (a)

71-21 (b)

71-21 (c)

(Official Use Only)

X. AFFIDAVIT.

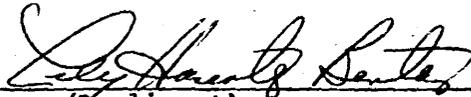
Date August 14, 1975

STATE OF ~~NEW YORK~~
Massachusetts) SS.:
COUNTY OF ~~ORANGE~~
Norfolk

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 knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

V.S.H. REALTY, INC.

BY:


(Applicant)

Lily Haseotes Bentas, Secretary-
Treasurer

Sworn to before me this

14th day of August, 1975.


Notary Public

My Commission expires 10/16/75

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

(c) Special Permit is _____

(c) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

Rt. 207

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

#75-21 (c)
(Number)

(Date)

I. Applicant information:

- (a) V.S.H. Realty Inc.
(Name, address and phone of Applicant)
- (b) Same as applicant
(Name, address and phone of purchaser or lessee)
Rider, Weiner & Loeb, P.C., Little Britain Road,
(c) P.O. 1268, Newburgh, New York
(Name, address and phone of attorney)
- (d) none
(Name, address and phone of broker)

II. Application type:

- Use variance
 Area variance
 Sign variance
 Special permit

III. Property information:

- (a) NC corner Route 207 and NC
(Zone) Square Hill Road (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4
- (c) Is a pending sale or lease subject to ZBA approval of this application? yes
- (d) When was property purchased by present owner? under contract
- (e) Has property been subdivided previously? no When? _____
- (f) Has property been subject of variance or special permit previously? no When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? no. If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. underground gasoline storage tanks
-
-

(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Applicant seeks variance to construct canopy over gas sales area. As this will be self-service sales, applicant would lose sales due to inclement weather if variance is denied.



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____

Total _____ sq.ft. _____ sq.ft. _____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize 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?

(Official Use Only)

X. AFFIDAVIT.

Date August 14, 1975

Massachusetts
STATE OF ~~NEW YORK~~
Norfolk SS.:
COUNTY OF ~~CRAWFORD~~

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 knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

V.S.H. REALTY, INC.

BY: Lily Haseotes Bentas
(Applicant)

Lily Haseotes Bentas, Secretary-
Treasurer

Sworn to before me this

14th day of August, 1975.

Grace D. Pabio
Notary Public
My Commission Expires 10/16/75

XI. ZBA Action:

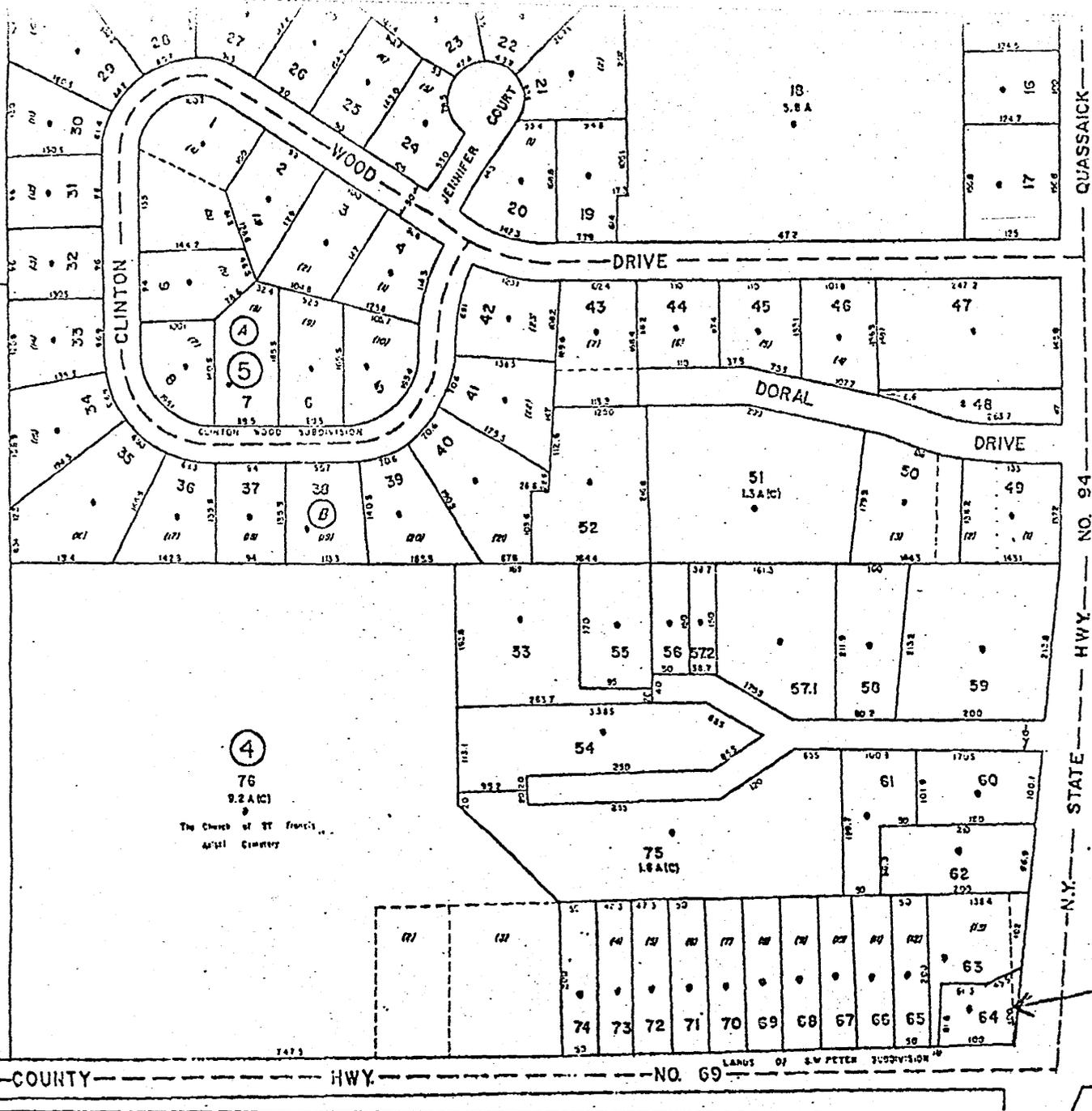
(a) Public Hearing date _____

(b) Variance is _____

(c) Special Permit is _____

(c) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.



SECTION 20

SITE

LEGEND

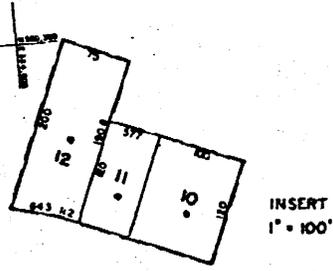
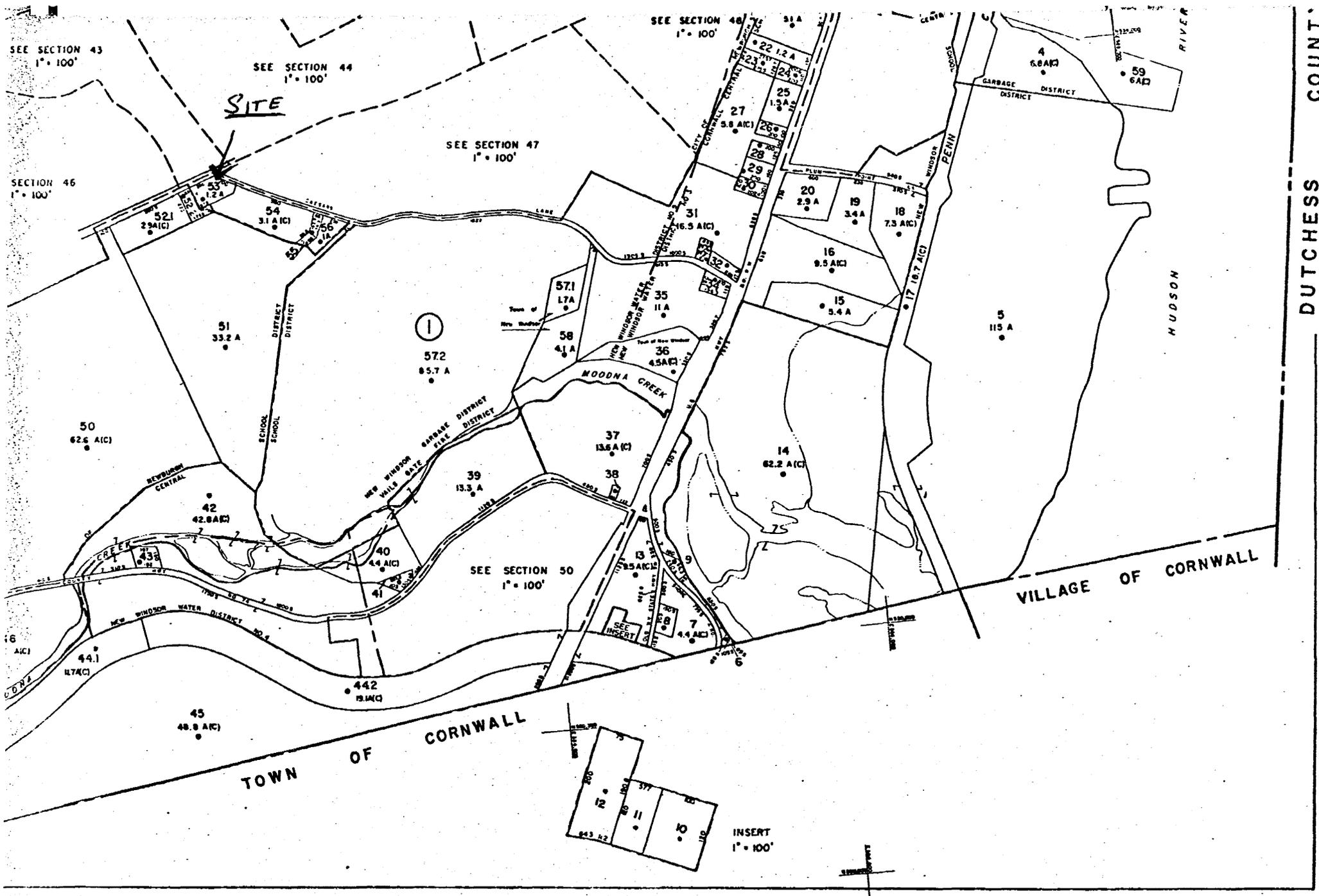
CONTRACT NO.	THE MAP BOOK NO.	FILED PLAN BOOK NO.
DATE	THE MAP PARCEL NO.	FILED PLAN LOT NO.
AREA	COUNTY	STATE
DIMENSIONS	COUNTY	TOWNSHIP

ORANGE COUNTY - NEW YORK

Scale: 1" = 100' (1" = 30.48m)
 Date of Map: 9-24-57
 Date of Revision: 3-15-78

TOWN OF NEW WINDSOR

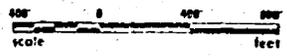
Section No. 19 864



LEGEND

FILED PLAN LOT & AREA	TAX MAP BLOCK NO. 37	FILED PLAN BLOCK NO. 121
SECTION LINE	TAX MAP PARCEL NO. 32	FILED PLAN LOT NO. 121
WATER LINE	AREAS (See 11-A, 12-A, 13-A, 14-A)	STATE HIGHWAYS
STRAIGHTS	DIMENSIONS (See 15-A, 16-A, 17-A)	COUNTY HIGHWAYS
		TOWN ROADS

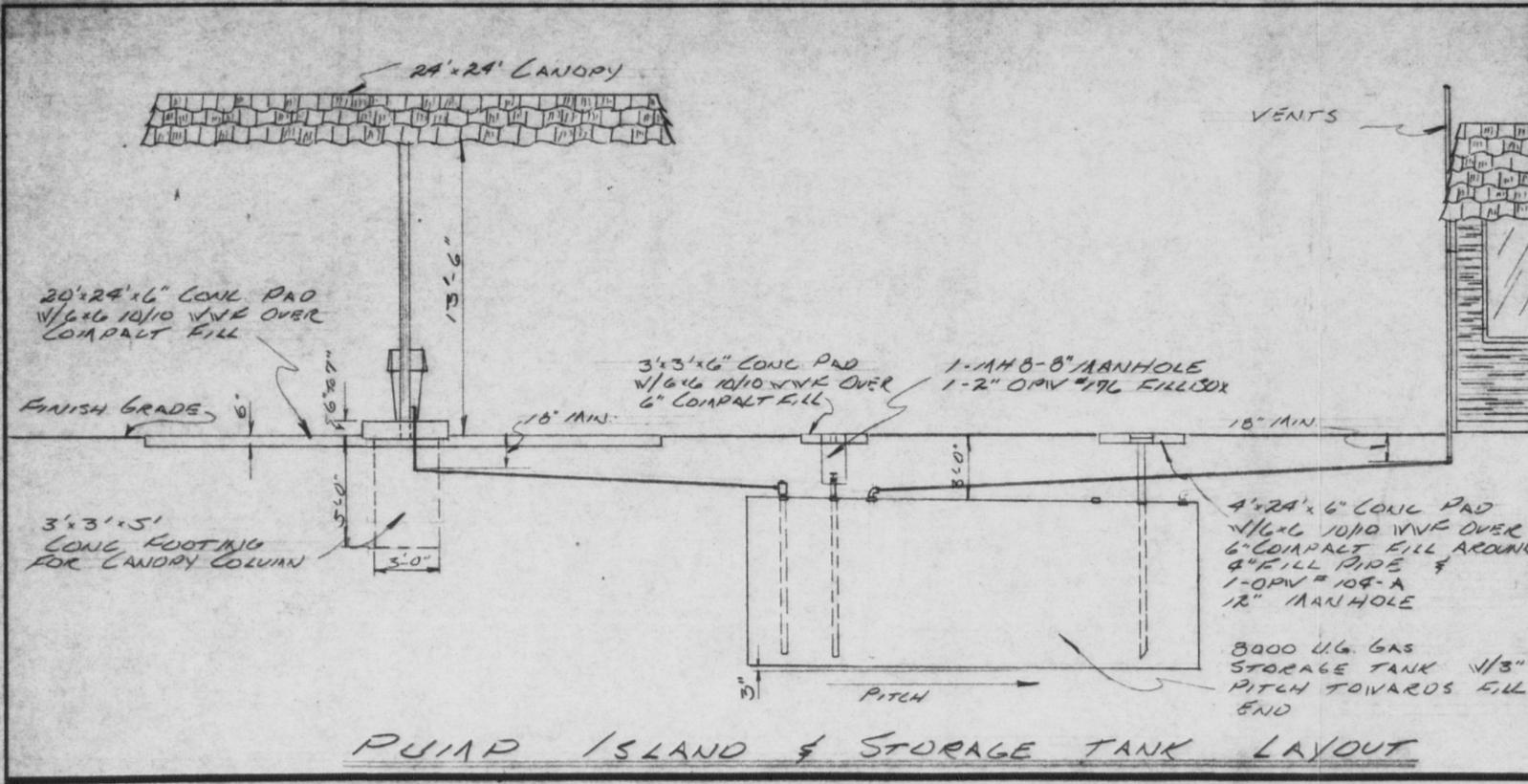
ORANGE COUNTY - NEW YORK



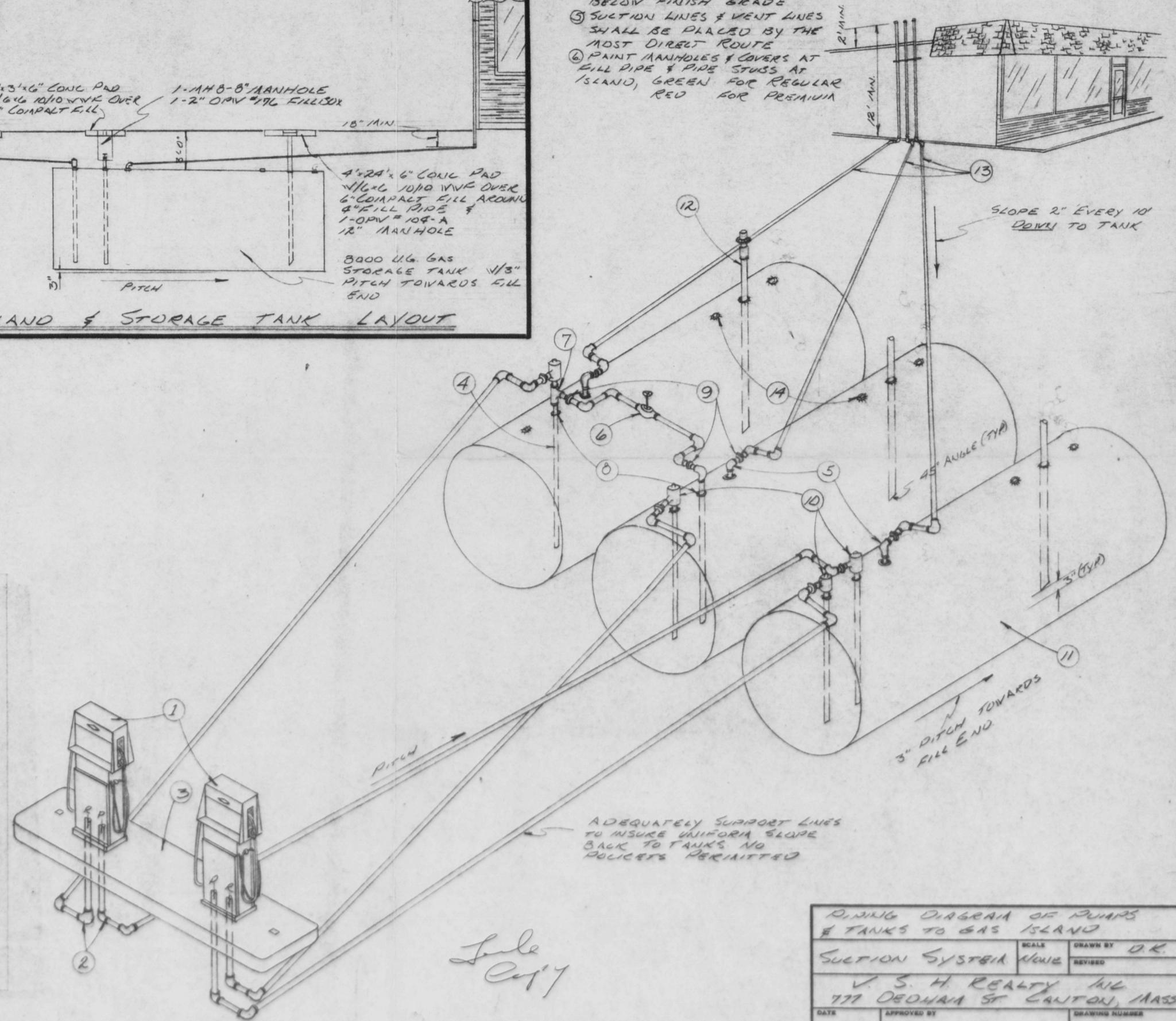
Date of Map: 9-26-67
Date of Revision: 3-20-74

TOWN OF NEW WINDSOR

Section No. 37 882



- PIPING NOTES:**
- DO NOT USE STREET ELBS DUE TO THEIR HIGH FLOW RESTRICTION
 - DO NOT USE CLOSE NIPPLES
 - FOR TYPICAL SWING JOINT, USE 12" LONG SHORT NIPPLES BETWEEN ELBS.
 - PIPING TO BE MINIMUM 18" BELOW FINISH GRADE
 - SUCTION LINES & VENT LINES SHALL BE PLACED BY THE MOST DIRECT ROUTE
 - PAINT MANHOLES & COVERS AT FILL PIPE & PIPE STUBS AT ISLAND, GREEN FOR REGULAR, RED FOR PREMIUM



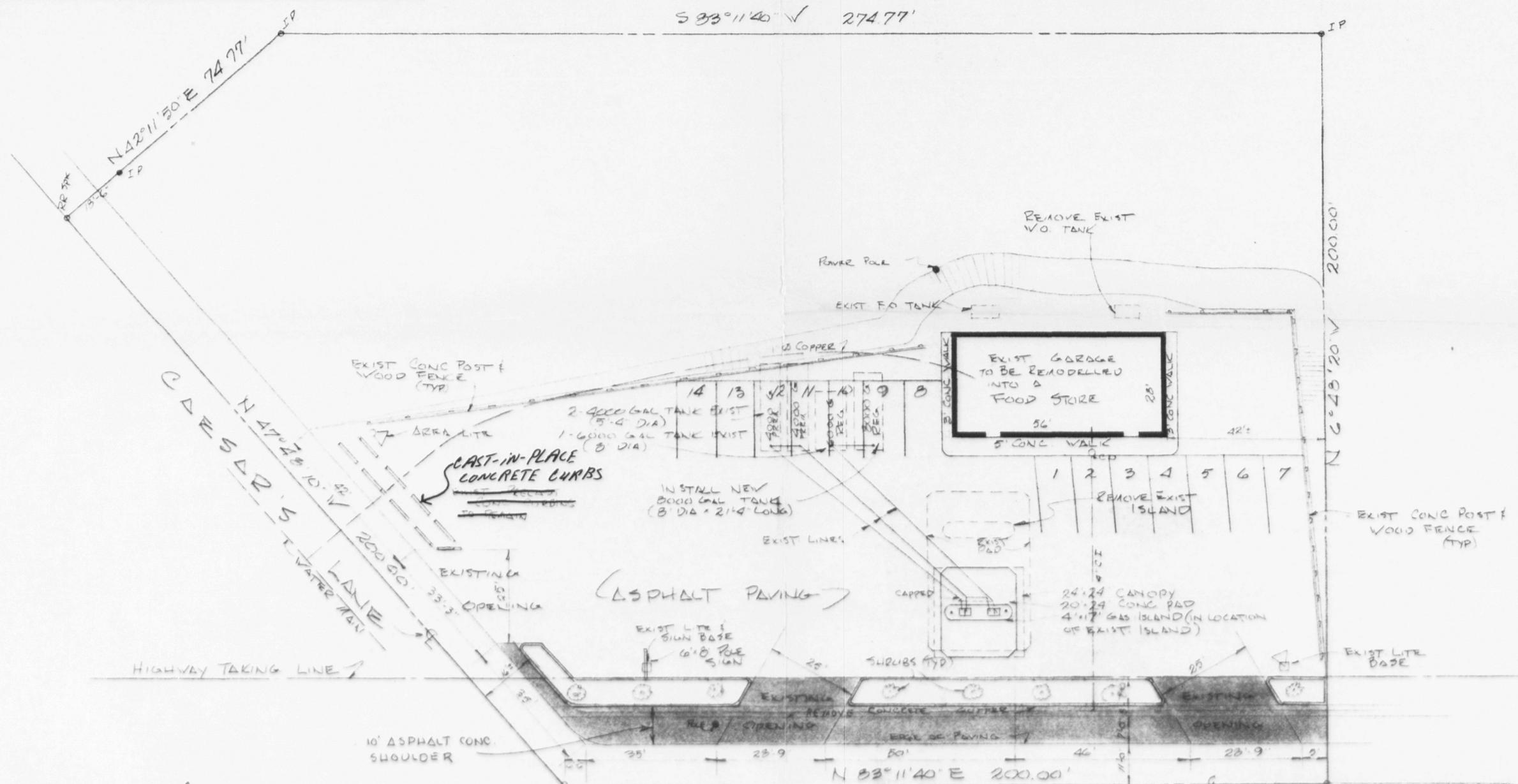
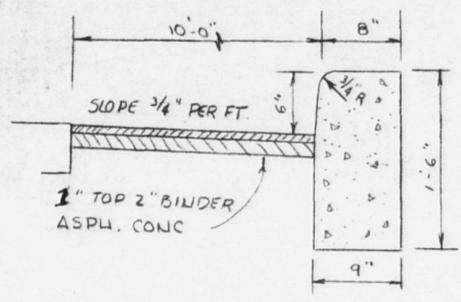
- LEGEND**
- DUAL TWO-PRODUCT PUMP (GILBARCO #262-1)
 - 1 - 2" x 1-1/2" 90° ELBOW (TYP.)
 - 4' WIDE x 17' LONG x 9 1/2" CONC. ISLAND W/12" RADIUS AT CORNERS
 - 2" PIPE, 3" FROM BOTTOM W/2" STRAINER (OPW 212G) (TYP.)
 - VENT LINES HAVE DOUBLE SWING (3-2" ELBOWS) & UNION (TYP.)
 - 2" SIPHON YOKE W/2" GATE VALVE (OPW #376) PITCHED 1" UP TO CHECK VALVE
 - 2" TEE
 - 4" x 2" BUSHING (TYP.)
 - 2" UNION (TYP.)
 - 2" ANGLE CHECK VALVE (OPW #14-2") (TYP.)
 - 8000 U.G. GAS STORAGE TANK 21'-4" x 8" DIA. W/3" PITCH TOWARD FILL END
 - 4" FILL PIPE (OPW #61T-4"), 3" FROM BOTTOM W/45° ANGLE CUT AT STUB (TYP.)
 - 2" VENT LINES W/2-2" 90° ELBOWS AT VENT LOCATION & 2" VENT CAPS (OPW #23)
 - 4" PLUGS FOR UNUSED TANK OPENINGS

PIPING DIAGRAM OF PUMPS & TANKS TO GAS ISLAND		
SUCTION SYSTEM	SCALE	DRAWN BY O.K.
	None	REVISED
V. S. H. REALTY INC 777 DEONIA ST CANTON, MASS		
DATE	APPROVED BY	DRAWING NUMBER
3-29-73		



ZONE R-4
(SUBURBAN RESIDENTIAL - GROUP X)

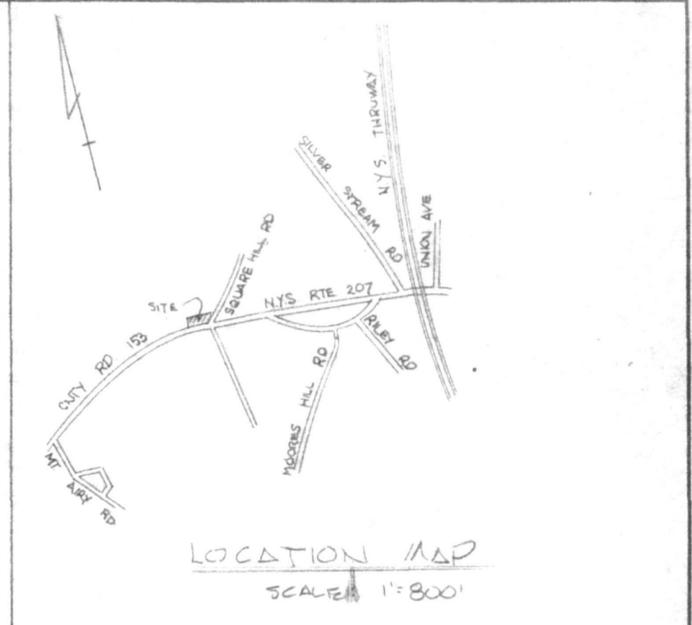
- 1 MIN. LOT SIZE 43,500 SQ. FT.
- 2 " " WIDTH 125.00' (LONG BLDG LINE)
- 3 " " FRONTAGE ALONG RD 70.00'
- 4 " FRONT YARD 45.00'
- 5 " REAR YARD 50.00'
- 6 " SIDE YARDS 20'/40'
- 7 " BUILDING AREA 1200 SQ. FT.
- 8 MAXIMUM BLDG HGT 2 1/2 STY (40.00')
- 9 " LOT DEVELOPMENT 25%



APPROVAL GRANTED
 TOWN OF NEW WINDSOR PLANNING BOARD
 Oct 22 1975
 BY *Albert J. Ryan Sr.*

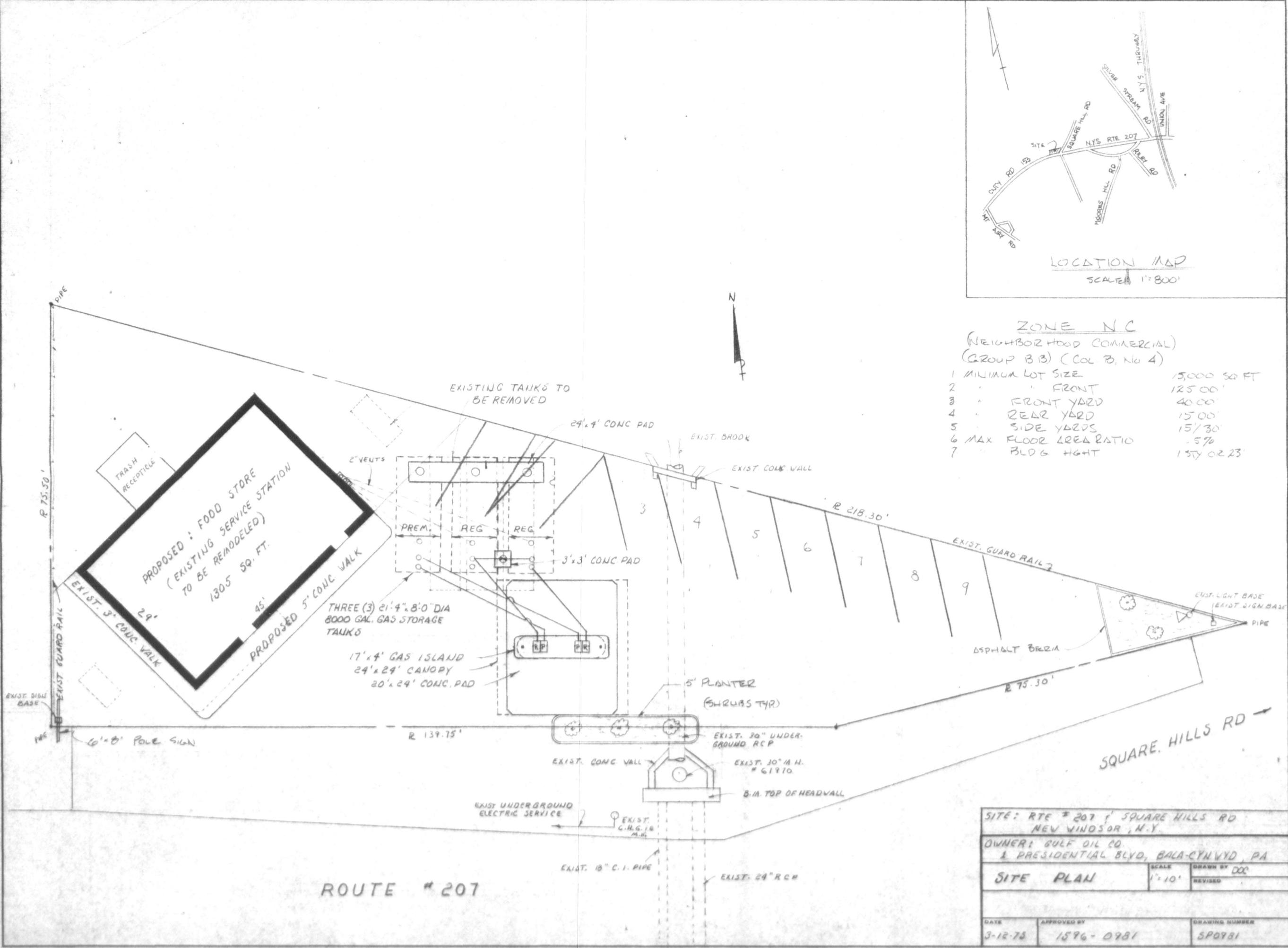
SITE: QUASSIC AVE (RTE 94) & CAESAR'S LANE NEW WINDSOR, N.Y.		
OWNER: ATLANTIC RICHFIELD CO 575 S FLOWER ST, LOS ANGELES, CALIF		
SITE PLAN	SCALE 1"=20'	DRAWN BY DE
		REVISED 10-20-75 DEX
DATE 3-17-75	APPROVED BY 1596-1003	DRAWING NUMBER SP1003

LOT AREA 54,954 sq ft



ZONE NC
(NEIGHBORHOOD COMMERCIAL)
(GROUP B3) (COL B, No 4)

1	MINIMUM LOT SIZE	15,000 SQ FT
2	FRONT	125'00"
3	FRONT YARD	40'00"
4	REAR YARD	15'00"
5	SIDE YARDS	15'30"
6	MAX FLOOR AREA RATIO	5%
7	BLDG HGT	15'02"23"



SITE: RTE # 207 & SQUARE HILLS RD NEW WINDSOR, N.Y.		
OWNER: GULF OIL CO. 1 PRESIDENTIAL BLVD, BALA-CYNVYD, PA		
SITE PLAN	SCALE 1"=10'	DRAWN BY DCC
DATE 3-12-75	APPROVED BY 1596-0981	REVISIONS
DATE	APPROVED BY	DRAWING NUMBER
3-12-75	1596-0981	SP0981