

PB# 85-45

Brewster House

4-3-11

85-45

Brewster House 1762 Site Plan

approved 11/27/85
 filed 1/3/88 with Town Clerk
 PT

General Receipt 6769

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

Aug 7 19 85

Received of Brewster House - 1762 \$ 25⁰⁰/₁₀₀

Twenty Five and 00/100 DOLLARS

For Site Plan 85-45 - application fee

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check # 25-00</u>		
<u>check # 225</u>		

By Pauline N. Townsend
Town Clerk

General Receipt 6933

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

October 1, 19 85

Received of Steven J. Holland (The Brewster House) 100.00

One Hundred and 00/100 DOLLARS

For Site Plan (85-45)

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check # 1106</u>		<u>100.00</u>

By Pauline N. Townsend
Town Clerk
 Title

Williamson Law Book Co., Rochester, N. Y. 14609

- ✓ Eng.
- ✓ Water
- ✓ Sanitary
- Fire Bureau

Application fee paid

Memo FROM:

555 UNION AVENUE

TOWN OF NEW WINDSOR

NEW WINDSOR, NEW YORK 12550

TO:

PLANNING BOARD

DATE:

August 21, 1985

SUBJECT:

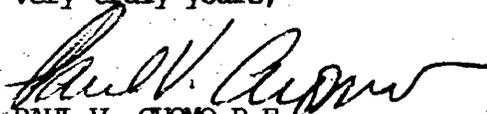
Sotland Site Plan The Brewster House

— FOLD HERE —

The parking lot should be blacktopped with concrete curbs.

On site and off site drainage of parking lot should be provided

Very truly yours,



PAUL V. CUOMO P.E.
Planning Board Engineer

PVC/sh

by _____

STEVEN SOTLAND
MICHAEL SOTLAND

17 HEARTHSTONE WAY
NEW WINDSOR, NY 12550

1105

9-30-85 19

50-699999
219

PAY TO THE
ORDER OF

Town of New Windsor

\$ 25.00

DOLLARS

Twenty five and 00/100



Key Bank of Southeastern New York N.A.
Route 17M & Carpenter Road, Chester, N.Y. 10918

Steven B. Sotlach

MEMO

⑆021906934⑆ 02 48707 16⑈ 1105

*Rec'd 10/1/85
P. J. [unclear]*

Review

Sotland Site Plan -Brewster House 1762
Temple Hill Road
represented by David Levinson, Esq.

Atty. Levinson: This property is known as the Deacon Brewster House. There was a Use Variance granted. Basis of this- renovate property. The Historical Society was in favor of this. We have DOT approval. The Sotlands would like to have a restaurant there. The garage on the property would be a kitchen for off premise catering. The basic structure would be the restaurant. The parking area would be shale. The Historical Society was pleased. Tom Donovan was there at the ZBA meeting.

Vice-Chairman Spignardo: You say there is a stone wall along the front..

Mr. Sotland: From curb cuts.

Vice-Chairman Spignardo: There is other vegetation there indicated.

Atty. Levinson: They are hedges.
We are the contract vendee with Mr. Sloan.

Mr. Schiefer: What will it be called?

Atty. Levinson: Brewster House, Inc.

Vice-Chairman Spignardo: We will review this.

Atty. Levinson: We would request final approval at the next meeting.
We have 90 days. The time is up September 4th.

Vice - Chairman Spignardo: We will review this.

* * *

Correspondence

Vice Chairman Spignardo: I have a memo from Paul V. Cuomo with reference to Devitt's Agway. There is a drainage problem between Jack DeVitt's Agway and the Lands of Occupations. Mr. Cuomo inspected this on Monday, August 12, 1985 as per instructions of Planning Board Vice-Chairman Spignardo. Mr. Cuomo presented a plan to the Board draw up by the Architect for Occupations, Inc. This plan showed drainage measures consisting of gravelled ditch with porous pipe leading to dry well and over flow dry well.

A letter from Mr Birenstock stating that no one would be available to attend the September 11, 1985 meeting but would be available the second meeting in September or first meeting of October was received and filed. Secretary to write a letter stating a representative should be at the September 25th meeting. Hearing no objections, so ordered.

Chairman Reynolds stated he had a memo from Paul V. Cuomo P.E. also. Mr. Cuomo stated that he had the following comments:

1. Line and arrows should be shown in park lot where drainage breaks in opposite directions.
2. Water line should be shown.
3. Sewer line should be shown.
4. End sections should be shown on drainage lines.
5. Existing drainage toward Route 32 should be noted.

The board will review this at a time convenient for them. After the meeting we will decide on a date and time.

* * *

Review: Pennings Property Subdivision
Toleman Road
represented by Elias Grevas

Chairman Reynolds: This is zoned R1. There are 4.85 acres. In 1976 it was subdivided by Pennings. It is located on the west side of Toleman Road. The section, block and lot are 52-1-15.224.

Mr. Grevas: The proposal is to take one (1) lot from the previous 1976 subdivision and make another lot. Sufficient road frontage on Toleman Road.

Chairman Reynolds: We will review this on our tour.

* * *

Review
Grove Homes Inc. Section I Subdivision
West side of Mecca Drive - Beaver Dam
represented by Gerald Zimmerman

Mr. Zimmerman: This is the same as I previously showed the twenty five acres. We have four (4) lots. Zone is R4 58-1-17-24 We would like to have two (2) sections. We would like to proceed with four (4) lots while we proceed on plans for Section 2. Section 2 - major subdivision.

* * *

Review: Brewster House Site Plan (Sotland)
Temple Hill Road
represented by David Levinson, Esquire

Atty. Levinson: We have been to the ZBA and obtained variances. This is the Brewster House on Temple Hill Road. The former Sloan House. Route 300 is a public road. Temple Hill Road.

Mr. McCarville: No exterior refrigeration?

Mr. Sotland: No.

Mr. McCarville: Where are the dumpsters?

Mr. Sotland: Behind the single family dwelling.
We were thinking of putting up a stone wall. If no stone wall we would have curb cut.

Chairman Reynolds read a memo from Paul V. Cuomo, P.E. stating the parking lot should be black topped with concrete curbs. On site and off site drainage of parking lot should be provided.

A letter from Orange County Planning stating they approved the site but a better drainage plan should be provided.
A lighting diagram should be shown.

The Fire Bureau approved the plan.
The Sanitary Superintendent (Masten) approved the site.

Mr. Van Leeuwen: Do you have sewer hook up?

Mr. Sotland: Yes.

Atty. Levinson: In regard to blacktopped driveway over tar and chip.

Mr. McCarville: I think it should be blacktopped and marked.

Mr. Van Leeuwen: We will have a problem. Every business that comes in, we ask them to black top.

Atty. Levinson: Shale was proposed because the Historical Society wanted this.

Mr. Sotland: I want one (1) year settlement if I have to go with black topped parking lot.

The question was asked Mr. Sotland if there would be catering vehicles on the property.

Mr. Sotland: No, it will be brought in that day. We only use rental vehicles.

Atty. Levinson: We must close shortly. Could we be on the October agenda because of the Jewish Holiday instead of September 25th?

Chairman Reynolds: Yes, October 9th.

Note- Atty. Levinson asked if his clients could be changed back to the September 25th agenda.
September 25th agenda - Sotland - Brewster House.

Fees paid 9/30/85

*

*

*

#7 on the Agenda: Brewster House (Sotland) Site Plan
located on Route 300 (Temple Hill Road)
represented by Tad Seaman, Atty.

Atty Seaman: I am here representing Mr. Levinson this evening.
First - An outstanding permit. Permit #885-0627, issued
9/3//85

Second- Lighting- added to plan

Note- lights - dusk to dawn

I believe this was approve by the Town Engineer.

Third - Curbing- Timber curb specifications - four (4)
inch rise above the driveway.

Fourth - Drainage- Water not discharged onto Ganin Tire.

Note on plan - 1% discharge to back of restaurant - southerly
direction.

Fifth - Dumpster location noted on plan. Solid wood fence
around it. That is what I could determine.

Mr. Van Leeuwen: We inspected the site. It needs fill.
We would like it blacktopped within one (1) year.
Six inch (6 inch) shale. It will give it a chance to settle.
Some areas need four (4) or five (5) feet of fill.

Mr. Sotland: You wouldn't consider oil and chip would you?

Chairman Reynolds: No, we didn't.

Mr. Sotland: We are trying to keep in a historical nature.
If oil and chip wouldn't work, then we could blacktop it.

Chairman Reynolds: It drains N-S.

Mr. Cuomo: Oil and chip would drain better than shale.
Roll out oil and chip before the winter.

Mr. McCarville: I think it should be blacktopped and marked.
If we don't we are open for criticism. If it were another
restaurant we would insist on blacktopped parking lot.

Mr. Van Leeuwen: Let him put fill and shale on. Have Paul
figure the cost for a bond. Have him go to his Insurance
Company. Then give him one (1) year to blacktop.

Mr. Scheible: I would like to see tailings.

Chairman Reynolds: Have you considered the public walking into
the restaurant from the parking lot?
Tippy, what is your opinion?

Mr. Jones: It should be blacktopped.

Mr. Scheible: It should be blacktopped.

Mr. Van Leeuwen: It should be blacktopped.

Chairman Reynolds: Dan?

Mr. McCarville: Blacktopped within 18 month from today & Performance Bond.

Mr. Scheible: Blacktopped within 18 month from today & Performance Bond.

Mr. Spignardo: Blacktopped within 18 month from today & Performance Bond.

Chairman Reynolds: Blacktopped within 18 month from today & Performance Bond

Mr. McCarville: You got a variance from the ZBA for this?

Will you have a caretaker?

Are you creating a residence?

How many people will live there? Two?

Two voting residents.

Mr. Sotland: The Zoning Board of Appeals was aware of the caretaker and his wife having residence at this site.

Motion by Carl Schiefer seconded by Henry Van Leeuwen that the Planning Board accept the site plan with provision that a Performance Bond be posted to cover the cost of the blacktopped parking lot and driveway within 18 months and a flag pole be installed.

Roll call: Jones: yes

Scheible: yes

Van Leeuwen: yes

Schiefer: yes

McCarville: yes

Spignardo: yes

Reyns: yes

Motion carried 7-0

Mr. Cuomo to figure cost of the Performance Bond.

*

*

*

#8 on the Agenda:

Allen Cherry Subdivision
located on west side of extension to
Meriline Avenue
represented by Elias Grevas, LS

Mr. Jones: The neighbors are complaining about the trucs with the gravel cutting through.

Mr. Grevas: Lot number 4 no longer has road frontage so they can no longer go through there.

Mr. McCarville: Is he building?

Mr. Grevas: One lot is going to be sold right a way.

Motion by Henry Van Leeuwen seconded by Carl Schiefer that the Planning Board of the Town of New Windsor approve the Cherry Four Lot Subdivision and collect all fees.

Roll call: All ayes, no nays (7-0) Motion carried.

Mr. McNary: There is no way to get through. There is a right-a-way.

Mrs. Seele: They have come on my lawn.

Chairman Reynolds: Mrs. Steele, you will be on the next agenda.

Mrs. Steele: Thank you.

* * *

Review

Deacon Brewster House (Sotland) Site Plan
Temple Hill Road
Michael Sotland

Chairman Reynolds: There were some minor changes. They have a new plan. Board looked at the plans. DOT gave them a new work permit.

Motion by Henry Van Leeuwen seconded by Lawrence Jones that the Planning Board of the Town of New Windsor approve the site plan of the Deacon Brewster House (Sotland) Site Plan. Roll call: All ayes, no nays (7-0) Motion carried.

* * *

Review

RFV Realty Subdivision
located on Lincolndale Road
represented by Elias Grevas L.S.

Mr. Grevas: Eight point two (8.2) was cut out for Finnegan/Santacrose. I also prepared a three (3) lot subdivision as a back-up.

Mr. Jones: You have a flag lot.

Mr. Grevas: No, because it meets frontage off Beattie Road.

Mr. Van Leeuwen: The house would be three (3) story colonials. Priced at \$190,000.

Mr. Grevas: I can put a note on the map that access will be from Beattie Road.

Discussion.

Mr. Scheible: This lot came in before and we said they could not entrance off Lincolndale Road.

Chairman Reynolds: We will take a look at this.

* * *

Atty Rones: Mr. Buck asked if we can give findings on his subdivision. He would like a list of reasons why the Board voted no on his subdivision. You can approve or object. Discussion.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

85-30

Date: _____

I. ✓ Applicant Information:

New York 12550

- (a) Michael and Steven Sotland, 17 Hearthstone Way, New Windsor, /
(Name, address and phone of Applicant) (~~Owner~~)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) David L. Levinson, Esq., P.O. Box 244, Central Valley, 10917, New York
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. ✓ Application type:

- (2) Use Variance Sign Variance
- (1) Area Variance Special Permit

III. ✓ Property Information:

- (a) PI Temple Hill Road 4-3-11 .9 ACRES
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? -C-
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 1907/1934
- (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- on information and belief
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. (2) Use Variances

- (a) Use Variance requested from New Windsor Zoning Local Law, Section PI, Table of 48-9 Regs., Col. A, to allow:

(Describe proposal)

To use existing home for restaurant and existing garage for food preparation for off premises catering

(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.
Old home located in PI zone; not suitable for residence due to commercial nature of surroundings; restaurant use will enable owner to preserve historic structure; existing garage to be used as kitchen for off premises catering

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk. Regs., Col. ?

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>15/40</u>	<u>0/40</u>	<u>0/40</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio**		

* 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.
Existing structure serving as garage. Applicant intends to use for off premises catering, structure on property line to be restored and used; no practical use except destruction.

VI. Sign Variance:

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

	Requirements	Proposed or Available	Variance Request
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 of _____ Regs., Col. _____.
- (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.)

Quality of zone will be preserved use of premises
will bring dignity to property

IX. Attachments required:

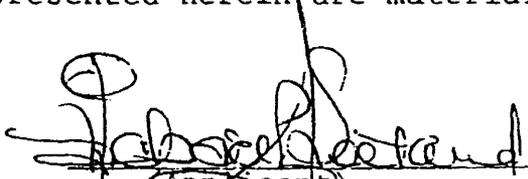
- Copy of letter of referral from Bldg./Zoning Inspector.
- Copy of tax map showing adjacent properties.
- Copy of contract of sale, lease or franchise agreement.
- Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- N/A Copy(ies) of sign(s) with dimensions.
- Check in the amount of \$ 56.00 payable to TOWN OF NEW WINDSOR.
- Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 7/18/85

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 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.



(Applicant)

Sworn to before me this
18th day of July, 1985



DAVID L. LEVINSON

Notary Public, State of New York
Residing in Orange County
My Commission Expires March 30, 1987

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
Special Permit is _____
- (c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

Legal Notice

Sentinel 7/25/85

**PUBLIC HEARING
NEW WINDSOR
AMENDMENTS TO
SECTION 37**

**REGULATIONS —
INDUSTRIAL**
PLEASE NOTICE that
the TOWN OF
NEW WINDSOR will hold a pub-
lic hearing on the 7th day of
August, 1985 at 7:30 p.m. in the
Town Hall, 555 Union Avenue,
New Windsor, New York, for
the purposes of amending the
Zoning Local Law of the Town of
New Windsor, and more particu-
larly:

Section 48-3. Purposes
Section 48-18. Supplementary
Sign Regulations
Section 48-19. Site Develop-
ment Plan Review
The proposed amendments in-
clude regulation of installation of
solar systems and provisions for
providing for access to sunlight,
further restrict and define the
installation and maintenance of
signs throughout the Town, and
set forth the elements to be in-
cluded in site plan review.

The proposed amendments
may be reviewed at the Office of
the Town Clerk during regular
working hours, Monday through
Friday, from 8:30 a.m. to 4:30
p.m.

BY ORDER OF THE
TOWN BOARD
NEW WINDSOR

**PAULINE G. TOWNSEND
TOWN CLERK**

**TOWN OF NEW WINDSOR
NOTICE OF PUBLIC HEARING
AMENDMENTS TO
ZONING LOCAL LAW**
NOTICE IS HEREBY GIVEN

that the Town Board of the
TOWN OF NEW WINDSOR will
hold a public hearing on the 7th
day of August, 1985 at 7:30 p.m.
in the Town Hall, 555 Union Ave-
nue, New Windsor, New York, for
the purposes of amending the
Zoning Local Law of the Town of
New Windsor, and more particu-
larly:

Section 48-3. Purposes
Section 48-18. Supplementary
Sign Regulations
Section 48-19. Site Develop-
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BY ORDER OF THE
TOWN BOARD

**TOWN OF NEW WINDSOR
PAULINE G. TOWNSEND,
TOWN CLERK**

**TOWN OF NEW WINDSOR
NOTICE OF PUBLIC HEARING
AMENDMENTS TO
ZONING LOCAL LAW**
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day of August, 1985 at 7:30 p.m.
in the Town Hall, 555 Union Ave-
nue, New Windsor, New York, for
the purposes of amending the
Zoning Local Law of the Town of
New Windsor, and more particu-
larly:

**TO CHANGE THE ZONING
FROM R-4 TO OLI OF TAX
PARCEL KNOWN AND DES-
IGNATED AS SECTION 4 -
BLOCK 2 - LOT 14.1, CON-
TAINING 10.95 ACRES OF
LAND, BEING THE SITE OF
THE FORMER EPIPHANY
COLLEGE BUILDING AND
GYMNASIUM**

The proposed amendments
may be reviewed at the Office of
the Town Clerk during regular
working hours, Monday through
Friday, from 8:30 a.m. to 4:30
p.m.

BY ORDER OF THE TOWN
BY ORDER OF
THE TOWN BOARD
TOWN OF NEW WINDSOR
PAULINE G. TOWNSEND,
TOWN CLERK

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 Ordinance on the follow-
ing proposition:

Appeal NO. 32
Request of MICHAEL AND
DEBBIE RYDLEWSKI for a
VARIANCE of the regulations
of the Zoning Ordinance to
permit construction of residen-
tial dwelling with insufficient
lot area and front yards; being
a VARIANCE of Section 48-12-
Table of Bulk Regs.-Cols. 4&6
for property situated as follows:
Corner of Shore Drive and
Walnut Avenue, (Beaver Dam
Lake), New Windsor, N.Y.
12550 known and designated as
Section 62-Block 2-Lot. 19.

SAID HEARING will take place
on the 12th day of August, 1985,
at the New Windsor Town Hall,
555 Union Avenue, New Windsor,
N.Y. beginning at 7:30 o'clock
p.m.

DANIEL P. KONKOL
Chairman
By: Patricia Delio,
Secretary



The spaniel fa-
mily contains more
than any other
comes from them.



Irises take the
color of the iris, the Greek
for the rainbow.



It is said
a spider crawls
you are in it



N.Y. 12550 (914) 564-6860

JACK & MARY'S
Jack Gardner, Prop.

BOLENS' & GILSON
LAWN AND GARDEN EQUIPMENT

al Stoves We service all makes of
Boilers. Lawn & Garden Equipment

10 **JAMES SHERWOOD**
VICE PRESIDENT

WOOD TILE, INC
CLOSED ON WEDNESDAY

DEERS 1102 Union Avenue,
ENT Newburgh, NY 12550

PUBLIC NOTICE OF HEARING
BEFORE
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 Ordinance on the follow-
ing proposition:
Appeal No. 30
Request of MICHAEL SOT-
LAND/STEVEN SOTLAND &
WARREN SLOAN for a
VARIANCE of the regulations
of the Zoning Ordinance to per-
mit operation of restaurant use
in P1 zone and area variance to
permit use of existing garage
for kitchen purposes being a
VARIANCE of Section 48-9-
Table of Use Regulations - Col.
A Section 48-12-Table of Bulk
Regs.-Col. 7 for property situa-
ted as follows:
Temple Hill Road, New Wind-
sor, N.Y., known and design-
ated as tax lot Section 4-Block
30 Lot 11.

SAID HEARING will take place
on the 12th day of August, 1985,
at the New Windsor Town Hall,
555 Union Avenue, New Windsor,
N.Y. beginning at 7:30 o'clock
p.m.

DANIEL P. KONKOL
Chairman
By: Patricia Delio.

New Windsor Coach
Diner-Restaurant
Chops • Steaks • Seafood
351 Route 32
New Windsor, N.Y. 12550
(914) 582-6050

You:
Mylonas:
(Open 24)

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VINNIE THE D
SPECIALIZING IN 50's & 60's RECORDS
MUSIC FOR ALL OCCASIONS
MUSIC FROM THE 40's TO THE 80's

(914) 496-4215

There was one spectator present at the hearing. He spoke against the granting of the area variance and requested that the lot be cleaned up.

Public hearing was recorded on Tape #146 on file in Secretary's office.

After the close of the public hearing, motion was made by John Pagano, seconded by Vincent Bivona, to grant a lot area variance of 8,650 sq. ft. to applicant in accordance with the site plan submitted and dated 7/1/84. ROLL CALL: 3-4. Application Denied.

* * * *

PUBLIC HEARING in the matter of the application of WARREN SLOAN/STEVEN AND MICHAEL SOTLAND for use variances for (1) restaurant in PI zone, and (2) garage to be converted to kitchen for off-premises catering. These uses are conducive in NC zone only. Location of property: Temple Hill Road. Present: David Levinson, Esq., attorney representing Applicant Sotland.

Applicant's attorney presented:

- (1) Applications;
- (2) Affidavit of publication which public hearing notice was published in The Sentinel;
- (3) List from Assessor's office containing 10 names and addresses of property owners;
- (4) 9 return receipts;
- (5) Site plan dated 7/5/85;
- (6) Letter of Consent by Owner, Sloan;
- (7) Photographs of property in question.

Mr. Levinson informed the Board that the structure as is will remain the same and that everything will be done to maintain and preserve the significance of the site historically. The site in question is not on the National Landmark Registry and no tax abatement will be requested by applicant. Mr. Levinson also added that DOT approval has been received from Don Greene.

There was one spectator present, Mr. Thomas Donovan of the Historic Commission of New Windsor. He has ~~no objection to~~ this application in behalf of the Commission.

Public hearing was recorded on Tape #146 on file in Secretary's office.

After the close of the public hearing, motion was made by Jack Babcock, seconded by Joseph Skopin, to grant the use variances requested by applicant in accordance with plans submitted and dated 7/5/85. ROLL CALL: 7-0.

* * * *

PUBLIC HEARING in the matter of the application of MICHAEL AND DEBBIE RYDLEWSKI and their request for area variances for construction of

residential dwelling. Location: Shore Drive/Walnut Avenue, (corner lot) Beaver Dam Lake.

Applicants presented the following:

- (1) Applications;
- (2) Affidavit of publication in The Sentinel;
- (3) List from Town Assessor's office containing 58 names and addresses of adjacent property owners;
- (4) 51 return receipts;
- (5) Plans for construction.
- (6) Photographs of the lot in question.

There were 2 spectators present for the hearing. One spoke against and the other spoke in favor of the application.

Public hearing was recorded on tape #147 on file in Secretary's office.

After the close of the public hearing, motion was made by Vincent Bivona, seconded by James Nugent, to grant (1) 20 ft. frontyard, (2) 13 ft. sideyard, (3) 25 ft. rear yard, and (4) 3,935 sq. ft. lot area variances as applied for in accordance with plans submitted and dated 6/14/85. ROLL CALL: 6-1. Application approved.

Note: With respect to all public hearings held this evening, formal decisions will be drafted at a later date and voted upon by the Board.

* * * *

Correspondence received: Hearing no objection, the Zoning Board of Appeals receive and file letter of resignation dated 7/11/85 from Andrew S. Krieger, Esq., former attorney for ZBA.

* * * *

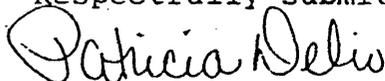
Motion to accept amended formal decision as written in the matter of the Application of EUGENE HECHT by Richard Fenwick, seconded by Vincent Bivona. ROLL CALL: 7-0.

Motion to accept formal decision as written in the matter of the Application of FRANCES WONTZ by Jack Babcock, seconded by John Pagano. ROLL CALL: 7-0.

The above decisions are attached hereto and made a part of these minutes.

Since there was no further business to conduct before the Board, motion followed by John Pagano, seconded by Joseph Skopin, to adjourn. Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,



PATRICIA DELIO, Secretary



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

SOTLAND RESTAURANT

1763

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 11 SEPTEMBER 19 85.

The site plan or map was approved by the Bureau of Fire Prevention.

The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

Lined area for providing reasons for disapproval.

SIGNED: Richard H. Talley
CHAIRMAN



Louis Helmreich
County Executive

Planning Board
received 8/29/85
ph.

Department of Planning
& Development

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

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner
Paul Costanzo, Director of Community Development

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

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

D P & D Reference No. NOT 14-85M
County I.D. No. 41311

Applicant M. & S. SOTLAND

Proposed Action: SITE PLAN - RESTAURANT

State, County, Inter-Municipal Basis for 239 Review FRONTAGE ON N.Y.S. ROUTE 300 (TEMPLE HILL RD.)

County Effects: _____

Related Reviews and Permits N.Y.S. DEPT. OF TRANSPORTATION

County Action: Approved Disapproved

Approved subject to the following modifications: _____

Aug. 22, 1985
Date

Peter Garrison
Commissioner



Louis Holmbeck
County Executive

Planning Bd -
received 8/29/85
ch

**Department of Planning
& Development**

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

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner
Paul Costanzo, Director of Community Development

August 23, 1985

Mr. Henry Reynolds, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, N.Y. 12550

Re: Site Plan, M & S Scotland
N.Y.S. Route 300
Our File No. NWT 14-85M

Dear Mr. Reynolds:

The site plan referenced above was reviewed and approved by this Agency in accordance with Section 239, paragraphs l and m of the General Municipal Law.

Although County approval has been granted, a better drainage plan should be submitted to the Board for your review. The referenced plan shows sheet flow draining toward the Northwesterly corner of the parking lot with no outlet. Such things as spot elevations, flow arrows and culverts etc. should be depicted. In addition, a lighting diagram should be shown.

If there are any questions, please don't hesitate to call.

Sincerely,

Fred H. Budde
Planner

FHB:oor

85-45

Date Received Aug 7, 1985
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid 16.25^{09/100}

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project BREWSTER HOUSE - 1762
2. Name of applicant MICHAEL P. & STEVEN B. SOTLAND Phone (914) 561-0746
Address 17 HEARNSSTONE WAY NEW WINDSOR N.Y. 12560
(Street No. & Name) (Post Office) (State) (Zip Code)
3. Owner of record MICHAEL P. & STEVEN B. SOTLAND Phone (914) 561-0746
Address 17 HEARNSSTONE WAY NEW WINDSOR N.Y. 12560
(Street No. & Name) (Post Office) (State) (Zip Code)
4. Name of person preparing plan WILLIAM JESSUP Phone (914) 469-7610
Address CRAIGVILLE RD CHESTER N.Y.
(Street No. & Name) (Post Office) (State) (Zip Code)
5. Attorney DAVID LEVINSON Phone 565-6844
P.O. # 244
Address RT #32 - CENTRAL VALLEY, N.Y. 10917
(Street No. & Name) (Post Office) (State) (Zip Code)
6. Location: On the WEST side of TEMPLE HILL RD
(Street)
500 feet SOUTH (direction)
of UNION AVE & TEMPLE HILL RD intersection
(Street)
7. Acreage of parcel ~~0.946~~ .946
8. Zoning district PI
9. Tax map designation: Section 4 Block 3 Lot(s) 11
10. This application is for the use and construction of RESTAURANT AND
CATERING KITCHEN
11. Has the Zoning Board of Appeals granted any variance or special permit concerning this property? YES If so, list case No. and Name #85-30
12. List all contiguous holdings in the same ownership NONE
Section _____ Block _____ Lot(s) _____

FOR OFFICE USE ONLY:

Schedule _____ Column _____ Number _____

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

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

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

Steven B. Steward

Sworn before me this

7th day of August, 1989

[Signature]
Applicant's signature

Shirley B. Hasselsteufel

Title

~~Notary Public~~
~~SHIRLEY B. HASSELSTUEFEL~~
Notary Public, State of New York
No. 4764798
Qualified in Orange County
Commission Expires March 30, 1986

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE }
STATE OF NEW YORK } SS.:

_____ being duly sworn, deposes and says that he resides
_____ in the
(Owner's Address)
county of _____ and State of _____

and that he is (the owner in fee) of(_____ (Official Title) _____ of the _____
Corporation which is the owner in fee) of the premises described in the foregoing application
and that he has authorized _____ to make the fore-
going application for special use approval as described herein.

Sworn before me this.

_____ day of _____, 1989

(Owner's Signature)

Notary Public

Planning Board
received
11/14/85
sh.

November 12, 1985

Mr. Steven Sotland
17 Hearthstone Way
New Windsor, New York 12530

RE: Access Drive - Route 300 (SH 9457)
Sotland Restaurant
Town of New Windsor, Orange County

Dear Mr. Sotland:

As requested in your letter dated October 31, 1985, we have re-evaluated our position as it pertains to access for the above referenced development, to be located on the west side of Route 300.

Due to all considerations, we will acquiesce to your desires and allow two full movement access drives to service your new restaurant, contingent upon these drives being designed in accordance with Department standards. We have shown the correct design on the attached sketch in red:

- 1). A 10± foot paved shoulder;
- 2). perpendicular alignment of the access' centerline with the Route 300 edge of pavement;
- 3). 24± access width;
- 4). maintenance of the 5± foot property line offset;
- 5). access radii as shown; and
- 6). internal and external concrete curb extensions as shown.

Upon completion of the revised plans, please submit three (3) copies to the Department's local Residency office to initiate the Highway Work Permit process.

Very truly yours,

M. J. MIGNOGNA
REGIONAL TRAFFIC ENGINEER

By:

R. A. Sechrist
R. A. Sechrist
Civil Engineer - Traffic

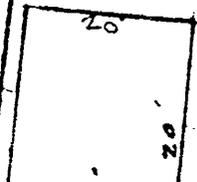
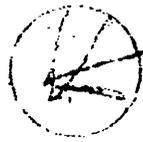
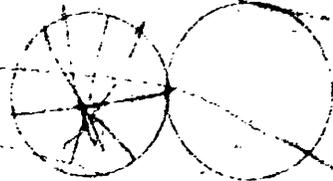
MJM/RAS/tjh
cc: Town of New Windsor Planning Board

STONE WALL

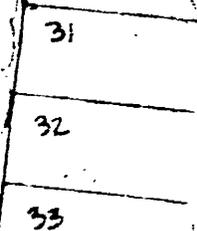
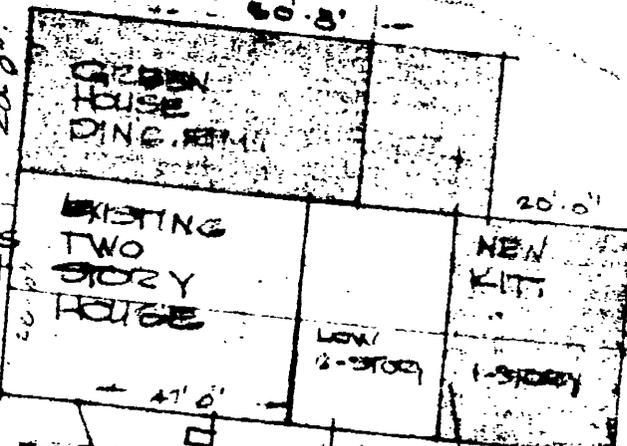
340 EL

TREES

170.0
57'-57" 20" W



NEW CONCRETE



BACK WALK

REMOVE TREE



EXISTING HEDGE (CUT LOW)

350 EL

N.Y.S. ROUTE
TEMPLE HILL

SEE CROSS SECTION

BACK TOP

W.S.

TO VAILS COTE

Use Existing Drive

OR 1/8"

*Planning Board
Received
11/12/85
ph*

INTER-OFFICE MEMORANDUM

TO: PLANNING BOARD MEMBERS
FROM: PAUL V. CUOMO, P.E.
ENGINEER
SUBJECT: SOTLAND RESTAURANT SITE PLAN
BOND ESTIMATE
DATE: NOVEMBER 12, 1985

The following is a bond estimate for the site plan improvements for the Sotland Restaurant site plan:

- 1. Parking Lot
- 2. 1" Black Top
- 3. 2" Binder
- 4. 6" Shale Base Course
- 5. 98' x 140' Parking Lot
- 6. 30' x 80' Driveway
- 7. Two DOT Driveway Cuts - \$30,000
- 8. 150' L.F. Timber Curbs- \$ 3,000
- 9. 4 Alum. Light Pole - \$ 6,000
with lights

\$39,000

Paul V. Cuomo (N.H.)
Paul V. Cuomo, P.E.
Engineer

PVC/nh

*Planning Board
Received
Oct. 16, 1985 sh*

October 15, 1985

Michael & Steven Sotland
RD #2 Temple Hill Road
New Windsor, NY 12550

RE: HWP #885-0627
Access Drive - Route 300 (SH 9457)
Sotland Restaurant
Town of New Windsor, Orange County

Gentlemen:

As you are aware, the Department recently issued Highway Work Permit #885-0627, authorizing you to construct two access drives to the above referenced development. Upon review of our records, we have discovered that this Permit was erroneously issued. Therefore, by copy of this letter, we are voiding Highway Work Permit #885-0627.

The driveway designs, as proposed in your site plan, are not acceptable. We have therefore returned your checks and site plans to the Department's local Residency Office. That office will advise you of the required revisions to your plans in order that they will comply with our requirements. Upon completion of said plans, your Permit applications will be processed and a new Permit issued.

We regret any inconveniences created by this error, and we assure you we will expedite any further handling by this office.

Very truly yours,

M. J. Mignogna
Regional Traffic Engineer

By:



R. A. Sechrist
Civil Engineer - Traffic

MJM/RAS/amt

cc: Town of New Windsor Planning Board

*Planning Board
Processed
Oct. 16, 1985 p.h.*

October 15, 1985

Michael & Steven Sotland
RD #2 - Temple Hill Road
New Windsor, NY 12550

RE: HWP #885-0627
Access Drive - Route 300 (SH 9457)
Sotland Restaurant
Town of New Windsor, Orange County

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M. J. Mignogna
Regional Traffic Engineer

By: *R. A. Sechrist*

R. A. Sechrist
Civil Engineer - Traffic

MJM/RAS/amt

cc: Town of New Windsor Planning Board