

**PB# 85-57**

**Minuta's Lounge**

**33-2-10 & 11**

MINUTA SITE PLAN

85-57

APPROVED 4/22/89

# General Receipt

6948

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

October 3, 1985

Received of Vincent Minuta \$ 25.00

Twenty-five and 00/100 DOLLARS

For Site Plan for Minuta's Garage

DISTRIBUTION

FUND	CODE	AMOUNT
Coal		25.00
	117	

By Pauline S. Townsend

# General Receipt

8914

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

May 12, 1987

Received of V+ of Minuta, Inc. \$ 48.50

Forty-eight and 50/100 DOLLARS

For Planning Board Engineering Fee

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1423		48.50

By Pauline S. Townsend

Town Clerk

Title

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

# General Receipt

8915

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

May 12, 1987

Received of V+ of Minuta, Inc. \$ 100.00

One hundred and 00/100 DOLLARS

For Site Plan Fee

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1422		\$100.00

By Pauline S. Townsend

Town Clerk

Title

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

Cash		25.00

By Pauline D. Townsend

**General Receipt** 8914

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

May 12, 19 87

Received of V+ of Merista, Inc. \$ 48.50

Forty-eight and 00/100 DOLLARS

For Planning Board Engineering Fee

DISTRIBUTION

FUND	CODE	AMOUNT
Cash # 1423		\$48.50

By Pauline D. Townsend  
Town Clerk  
Title

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

**General Receipt** 8915

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

May 12, 19 87

Received of V+ of Merista, Inc. \$ 100.00

One hundred and 00/100 DOLLARS

For Site Plan Fee

DISTRIBUTION

FUND	CODE	AMOUNT
Cash # 1422		\$100.00

By Pauline D. Townsend  
Town Clerk  
Title

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

**General Receipt** 9508

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

January 14, 19 87

Received of V+ of Merista, Inc. \$ 125.00

One Hundred Twenty Five and 00/100 DOLLARS

For Amended site Application & Application Fee

DISTRIBUTION

FUND	CODE	AMOUNT
Cash # 1705		125.00

By Pauline D. Townsend  
Town Clerk  
Title

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



1-13-88

Mr. Minuta came before the Board.

Mr. Minuta: The proposal was we were going to put an addition on this side here ok but it creates, it is too close to the line there so the thought was it would be a lot better and more accessible to moving it.

Mr. Scheible: Identical square footage?

Mr. Minuta: Yes, I think it is minus in fact.

Mr. Mc Carville: This replaces what you are calling the formal entranceway?

Mr. Minuta: Yes.

Mr. Mc Carville: I have no objection.

Mr. Schiefer: I make a motion to approve the amendment to the site plan of Minuta.

Mr. Mc Carville: I will second that.

MR. PAGANO	ABSTAIN
MR. JONES	NO
MR. VAN LEEUWEN	AYE
MR. MC CARVILLE	AYE
MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. SCHEIBLE	AYE

PUBLIC HEARING CONTINUANCE OF CATANZARO

Mr. Scheible: I'd like to go back to the public hearing we had earlier this evening and make a decision, I'd like to have a decision made tonight.

Mr. Grevas: One of the things during the discussion of the special permit that was of concern to the Board was the operation of the school and the parking requirements for the school. Mr. Southerton who operates the karate school is here and can explain how the operation works with classes and parking if you'd care to listen to him.

Mr. Southerton: I operate six operations one in the Mid Valley Mall in Newburgh, the new one in New Windsor and several others in Pennsylvania and Florida. We operate usually in the evening which is very convenient because the shopping centers who have very very little business, the one on the other end is not open in the evenings. So there is no parking, we are a drop-off service for the children and adult classes which includes the parents dropping off their children and picking them up and for my staff which amounts to instructor and assistant instructor. The evening adult classes two or three per evening one at 7 and 8:30 and they have generally 15 maybe maximum students in a class and one group would come and the next would leave. We have been in shopping centers for years and never had any parking problems or strip stores like this because we are having a turnover. There was a question raised on demonstrations and testings and such we normally don't do demonstrations at the studio we go out to schools and fairs that is where the demonstrations are usually held. We don't bring too many people into the school for that. Testings are usually held for this one and they would be held on a Sunday which there'd be no one else open and it would be testing we structure testing maybe 2:00 for the small children, 3:00 for the older children, 4:00 for adults. We don't have a mass gathering.

Mr. Van Leeuwen: Can we restrict the permit to no mass gatherings.

Mr. Southerton: Yes.

Mr. Mc Carville: Just a comment and I was almost going to interrupt you just on a technicality. We had a public hearing tonight Mrs. Cimorelli couldn't be here we indicated that we were not going to give her an extension but we are going to vote on it but yet we let a representative of the applicant come forth and give additional information and I think it is fair at this point to hold this over to the next meeting for a vote to give Mrs. Cimorelli equal time to bring in information. I appreciate your input but if you are going to do this you have to give each party their due. I was not in favor until this situation arose. I think it is only fair.

Mr. Roncs: On these occasions which have graduations or whatever you might call it how many people including the students and their parents or friends or what not and the instructors would be present?

Mr. Southerton: Maximum 15 people in a group you might have 15 cars usually.

Mr. Roncs: How many instructors?

Mr. Southerton: Two instructors. The testing is slated for New Windsor would be on Sunday here.

Mr. Scheible: From what I just counted you are talking about upwards of 45 to 50 people. Fifteen students each bringing their mother and father that is 45

plus a couple instructors.

Mr. Southerton: I think we are talking 15 cars though so it is not 45 people driving usually.

Mr. Scheible: What I am thinking about is the capacity, the size of the building.

Mr. Babcock: We are going to give him a C.O. on that, I am sure.

Mr. Scheible: Is it a maximum on the number of people.

Mr. Van Leeuwen: How big is the store?

Mr. Grevas: A thousand and some square feet.

Mr. Scheible: We will wait for another evening to give our decision on this special use permit. We did say to a woman were we had given here a little time to get recuperated and come in here, since we have given you a chance to come in and state your case I think it is just as fair for somebody on the other side to come in and state her case. You are operating there right now are you not?

Mr. Southerton: Yes.

Mr. Scheible: I don't think we are going to create a hardship for holding off. Thank you.

Minuta Lounge

TOWN OF NEW WINDSOR  
PLANNING BOARD FEES  
JANUARY 1, 1987

Checks payable to:  
TOWN OF NEW WINDSOR

Date to:  
TOWN CLERK

\$ 25.00 APPLICATION FEE

25.00

023, 1985

-----  
SITE PLAN

\$100.00 (\*) SITE PLAN FEE  
OR AMENDED SITE PLAN

100.00

100.00 - 5/12/87

Varies ENGINEERING FEE

48.50  
148.50

48.50 5/12/87

\* All uses (except multi-family dwellings, including apartment houses and condominiums). Apartment houses and condominiums: \$100.00 plus \$10.00 for each unit.

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SUBDIVISION

\$100.00 PRE-PRELIMINARY

\$100.00 PRELIMINARY

\$100.00 FINAL PLAT (MINOR SUB.)

\$100.00 + \$5.00 per unit (FINAL  
PLAT MAJOR SUBDIVISION).

\$150.00 FINAL PLAT SEC. FEE

Varies ENGINEERING FEE

Separate check, payable to:  
TOWN OF NEW WINDSOR

Date to:  
COMPTROLLER

\$250.00 per unit (\*\*) RECREATION FEE

\*\* The unit or lot which contains the premises in which the applicant resides shall be excluded from paying the recreation fee.

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LOT LINE CHANGE

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SPECIAL PERMIT

May 13, 1992

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EXTREMES RESTAURANT - ROUTE 207

Mr. John Weinbrenner came before the board representing this proposal.

MR. PETRO: This is a concrete pad, this is a fenced in area, there's going to be--

MR. VAN LEEUWEN: What does he want to do?

MR. PETRO: He wants to add these seven tables out on the patio.

MR. VAN LEEUWEN: Can I ask one question? Are you going to have a lot of music?

MR. WEINBRENNER; No, no music whatsoever.

MR. VAN LEEUWEN: The phone calls are horrendous.

MR. WEINBRENNER: We're taking care of that.

MR. PETRO: Only going to be run when the other disco is not run and it's only till dusk.

MR. WEINBERNNER: Looking for it for dining.

MR. PETRO: There's ample parking.

MR. VAN LEEUWEN: I've seen the concrete and the pad. Part of the pad was in before you took it over.

MR. WEINBRENNER: The pad was all in before we took it over.

MR. VAN LEEUWEN: I see you put a railing, I have no problem with it.

MR. PETRO: We calculated, there's ample parking, it's not going to be run in conjunction with the disco.

MR. VAN LEEUWEN: I make a motion to approve it.

MR. DUBALDI: I'll second it.

May 13, 1992

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MR. PETRO: We have a motion to approve and seconded. Any further discussion?

MR. LANDER: This is the first time I've had a chance to look at this. I'm not too, I've been in the establishment a couple of times but I've never been in the back outside.

MR. WEINBRENNER: The fence is still there.

MR. PETRO: We have a motion made to approve the amended site plan for I guess it's actually Minuta's place but we're going to call it Extremes Restaurant.

MR. VAN LEEUWEN: Minuta still owns it.

MR. WEINBRENNER: Yes.

MR. LANDER: We're going to have to have something here to, you're going to cease using this at dusk, used just for dining?

MR. WEINBRENNER: Right.

MR. LANDER: We're going to have to have something, we're not going to have music but I know there's going to be people outside after it gets dark and I don't know how you are going to keep them from not going out there.

MR. WEINBRENNER: We do it now, we just shut the doors.

MR. PETRO: There's a set of sliders. When I go, I happen to know that they're locked up, you can't go out there.

MR. VAN LEEUWEN: There's an old man in the back and he's horrendous, he's been on the phone for hours. You closed windows up and all that stuff?

MR. WEINBRENNER: And that helped tremendous. We haven't had a problem in six weeks now.

May 13, 1992

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MR. VAN LEEUWEN: The man has not called me in six or seven weeks, he called the police chief, he called the town, he called the supervisor, he called me. He didn't call you Jimmy, the old man. There's no sense in letting them be badgered too. I listen to him say yeah, yeah, yeah we'll do the best we can.

MR. PETRO: Do we need a motion to approve, this is only here under discussion.

MR. KRIEGER: You can do the same thing you did with Mobil and finalize it.

MR. PETRO: I think we should withdraw the motion and does any member have a problem if not we're going to say it's fine and let it go.

MR. LANDER: I think it will be all right. What we have to have is a note stating that it won't been used after dusk because we don't want to have any problems.

MR. VAN LEEUWEN: Let me say one thing to you with the problems that have been out there it's better off we take a vote and we say we allowed it because if we don't, he's going to have a problem, they're going to come back after him.

MR. PETRO: That old fella?

MR. VAN LEEUWEN: That old fella is looking to pick nails out of a coffin, believe me when I tell you. I made the motion.

MR. PETRO: Add to it we have to put a note on the plan and have one on record in our file that it will not be used after dusk, the outdoor seating.

MR. VAN LEEUWEN: And if he does use it after dusk, we close him up for seven days.

MR. WEINBRENNER: I agree with that. Nobody goes out there now.

MR. VAN LEEUWEN: I'm only kidding.

May 13, 1992

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MR. DUBALDI: I re-second my motion.

ROLL CALL

MR. DUBALDI	AYE
MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE

MR. LANDER: Do we have to waive the public hearing?

MR. VAN LEEUWEN: No, not for this case.

MR. PETRO: This is very minor.

MR. LANDER: As long as the law states that we don't have to have one, that's all.

MR. PETRO: I want to go on record as stating that the addition to the restaurant is a very minor addition in nature and I do not believe that a public hearing is necessary. It's already been set up for the seating, he just wants to implement it.

MR. EDSALL: To further cover the board, just for the record, you're talking now about structural changes not sight changes, all you're looking at is putting temporary if effect furniture in an area that already exists and improvements that already exist so this case obviously may be significantly different from people that may come in in the future who may wish to construct things. They are constructing nothing. It's important to note otherwise they'd need quite a different review.

ROLL CALL

MR. DUBALDI	AYE
MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE

Mr. Kennedy: We are going to give you 35 feet from the center line.

Mr. Jones: My biggest concern is the septic system.

Mr. Scheible: That is the major issue to be addressed here. I think the tree growth is the big attraction there I wouldn't want to see that disturbed.

Mr. Kennedy: Thank you.

#### MINUTA'S LOUNGE SITE PLAN (85-57)

Mr. Patrick Kennedy came before the Board representing this proposal.

Mr. Kennedy: Again, as we were here last time we went over all the information the plan is identical. This map shows the addition of the building extension to the west side of the existing structure we eliminated, we are doing the addition wrapping around the back of the existing structure now. We have shown the parking for the amount of square feet for the seating for this area. We were in last time there was concern with the DEC as to whether or not they were actually approving that. I have a letter from DEC.

Mr. Ronen: DEC approved what is contained in the letter of November 11th which indicates that there is going to be a barrier along the edge of the filled area with 7 to 10 foot maple trees along the edge of the distance of 7 to 10 feet apart.

Mr. Kennedy: What the DEC had asked for they asked us to mark off and put in an iron pipe along the edge of the wet lands which we did. There are iron pipes along the actual edge and wooden stakes along the 100 foot buffer zone and they asked him to regrade this which they did and it has been seeded. They are asking for along the edge of the wet lands is for some trees to be put up which they have given them 90 days to put the trees up.

Mr. Van Leeuwen: "That the Planning Board of the Town of New Windsor approve the site plan for Minuta's Lounge."

Mr. Jones: What do they call the buffer zone?

Mr. Kennedy: This is the edge which we have marked with iron pipes and this is the 100 foot buffer zone that goes through here and we have marked that with wooden stakes.

Mr. Schiefer: And there is parking in the buffer area?

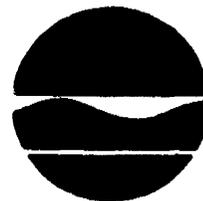
Mr. Kennedy: Yes that will be a shale drive.

Motion seconded by Mr. Mc Carville.

Roll Call:	Mr. Jones	Nay
	Mr. Reyns	Aye
	Mr. Lander	Aye
	Mr. Schiefer	Aye
	Mr. Van Leeuwen	Aye
	Mr. Scheible	Aye

**New York State Department of Environmental Conservation**

21 South Putt Corners Road  
New Paltz, NY 12561  
(914) 255-5453



**Henry G. Williams**  
Commissioner

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
P 076 060 984

April 6, 1987

Lascher and Lascher  
P. O. Box 2575  
Newburgh, NY 12550

ATT: David M. Kintzer, Esq.

RE: Vincent Minuta

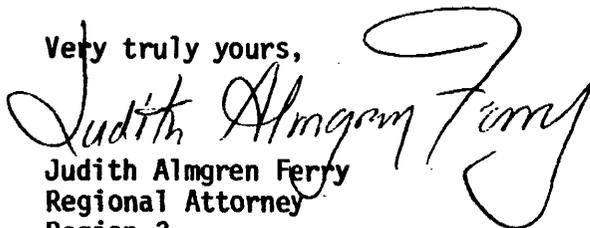
Dear Mr. Kintzer:

The survey and barrier proposal submitted by your letter of November 11, 1986, are acceptable.

Pursuant to the Order on Consent, all work required, including construction of the barrier, must be completed within 90 days of your receipt of this letter.

Thank you for your courtesy.

Very truly yours,

  
Judith Almgren Ferry  
Regional Attorney  
Region 3

JAF/cli

cc: J. Steeley

**LASCHER & LASCHER**

*Attorneys at Law*

1 HUDSON VALLEY PROFESSIONAL PLAZA, P.O. BOX 2575, NEWBURGH, NY 12550

SADIE L. LASCHER (1910-1977)  
GERALD B. LASCHER

(914) 561-2258 - 2271

DAVID M. KINTZER

November 11, 1986

New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, New York 12561-1696

Attention: Ms. Judith Ferry  
Regional Attorney  
Region 3

RE: Vincent Minuta  
Consent Order  
Case # 3-1272/8608

Dear Ms. Ferry:

I understand that Joseph Steeley met with Mr. Minuta at the "site" yesterday and ironed out whatever problems existed regarding the required grading. Mr. Minuta advises me he will now have a bulldozer on site as soon as possible.

I am enclosing a copy of Certified survey and plot plan of the "site" last updated by Patrick T. Kennedy L.S. on October 10, 1986. The survey shows the placement of iron posts marking the edge of the wetlands and the placement of wooden stakes marking the edge of the 100 foot buffer zone.

As to the required barrier to be erected along the edge of the filled area, Mr. Minuta proposed to plant 7 to 10 foot maple trees along the edge at a distance of 7 to 10 feet apart. Please advise whether this is acceptable. Thank you.

Very truly yours,

LASCHER & LASCHER

BY  
DAVID M. KINTZER

DMK:rf  
enlc.



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

1763

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: Minuta's Lounge Site Plan  
PROJECT LOCATION: Route 207  
NW #: 85-57  
25 February 1987

1). The submitted Site Plan was previously reviewed by the Planning Board; however, it is understood that approval was not granted pending resolution of a violation of Article 24 (Fresh Water Wetlands) of the Environmental Conservation Law as administered by the New York State Department of Environmental Conservation.

2). Based on the Uniform Building Code, five (5) of the indicated 125 parking spaces should be handicapped spaces; no such spaces are shown on the plan.

3). The Board should request verification, for the record, that the Applicant has complied with the "Schedule of Compliance" as indicated in the State Order on Consent.

4). Other than the comments noted above, the Plan appears acceptable from an Engineering standpoint.

Respectfully submitted,



Mark J. Edsall, P.E.  
Planning Board Engineer

MJEfmd

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12550

(This is a two-sided form)

85-57

Date Received 10/3/85  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid 25.00

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project Site Plan for Minuta's Lounge 561-5900
2. Name of applicant Vincent Minuta Phone 561-1686  
Address 6 Farmstead Rd, New Windsor N.Y. 12550  
(Street No. & Name) (Post Office) (State) (Zip Code)
3. Owner of record William C. Paladino, Jr. Phone \_\_\_\_\_  
Address Perkinsville Rd Highland New York  
(Street No. & Name) (Post Office) (State) (Zip Code)
4. Name of person preparing plan Patrick T. Kennedy, L.S. Phone 564-0906 562-6444  
Address 647 Little Britain Rd New Windsor N.Y. 12550  
(Street No. & Name) (Post Office) (State) (Zip Code)
5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip Code)
6. Location: On the South side of Little Britain Rd (N.Y.S. Rte 207)  
(Street)  
242.7' feet west  
(direction)  
of Weather Oak Hill  
(Street)
7. Acreage of parcel 2.039 acres
8. Zoning district NC
9. Tax map designation: Section 33 Block 2 Lot(s) 10 & 11
10. This application is for the use and construction of Addition to existing Cocktail Lounge & Catering Hall
11. Has the Zoning Board of Appeals granted any variance or special permit concerning this property? No If so, list case No. and Name \_\_\_\_\_
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.

Sworn before me this

2nd day of October, 1985 Alvin M. Marata  
Applicant's Signature

Pauline G. Townsend  
Notary Public Title  
PAULINE G. TOWNSEND  
Notary Public, State of New York  
No. 4543692  
Appointed in Orange County  
My commission expires Mar. 30, 1987

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( \_\_\_\_\_ of the \_\_\_\_\_  
(Official Title)  
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 \_\_\_\_\_, 198\_\_\_\_\_  
(Owner's Signature)

\_\_\_\_\_  
Notary Public

SHORT ENVIRONMENTAL ASSESSMENT FORM

FAX 562 7880

INSTRUCTIONS:

(a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies, research or other investigations will be undertaken.

(b) If any question has been answered Yes the project may be significant and a completed Environmental Assessment Form is necessary.

(c) If all questions have been answered No it is likely that this project is not significant.

(d) Environmental Assessment

- 1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land? . . . . .  Yes  No
- 2. Will there be a major change to any unique or unusual land form found on the site? . . . . .  Yes  No
- 3. Will project alter or have a large effect on an existing body of water? . . . . .  Yes  No
- 4. Will project have a potentially large impact on groundwater quality? . . . . .  Yes  No
- 5. Will project significantly effect drainage flow on adjacent sites? . . . . .  Yes  No
- 6. Will project affect any threatened or endangered plant or animal species? . . . . .  Yes  No
- 7. Will project result in a major adverse effect on air quality? . . . . .  Yes  No
- 8. Will project have a major effect on visual character of the community or scenic views or vistas known to be important to the community? . . .  Yes  No
- 9. Will project adversely impact any site or structure of historic, pre-historic, or paleontological importance or any site designated as a critical environmental area by a local agency? . . . .  Yes  No
- 10. Will project have a major effect on existing or future recreational opportunities? . . . .  Yes  No
- 11. Will project result in major traffic problems or cause a major effect to existing transportation systems? . . . . .  Yes  No
- 12. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation? .  Yes  No
- 13. Will project have any impact on public health or safety? . . . . .  Yes  No
- 14. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood? .  Yes  No
- 15. Is there public controversy concerning the project?  Yes  No

PREPARER'S SIGNATURE:

*Fatima Kennedy*  
*Vicent Minota*

TITLE:

*Land Surveyor*

REPRESENTING:

DATE:

*Oct. 1, 1985*

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval ✓  
Subdivision \_\_\_\_\_ as submitted by

Patrick I. Kennedy for the building or subdivision of

Vincent Mimuta & Sean Mimuta has been

reviewed by me and is approved ✓,

disapproved \_\_\_\_\_.

If disapproved, please list reason.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Suman D. Master  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by  
P. Kennedy L.S. for the building or subdivision of  
Vincent Jean Minute \_\_\_\_\_ has been  
reviewed by me and is approved  \_\_\_\_\_,  
~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason.~~

will not interfere with towns water system

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

Steve DiD...  
\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

Vincent & Jean Minuta

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 12 August 1986.

\*          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).

\* I find that the site plan is acceptable, however, it will be necessary for the building to be fully sprinklered. A complete set of construction drawings to include the sprinkler design, is to be submitted to the Fire Inspector's office prior to construction start up.

Robert F. Rodgers  
Fire Inspector

SIGNED: \_\_\_\_\_  
CHAIRMAN

LASCHER & LASCHER

*Attorneys at Law*

*received  
10/8/86  
Planning Board ph.*

1 HUDSON VALLEY PROFESSIONAL PLAZA, P.O. BOX 2575, NEWBURGH, NY 12550

SADIE L. LASCHER (1910-1977)  
GERALD B. LASCHER

(914) 561-2258 - 2271

DAVID M. KINTZER

October 3, 1986

Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, New York 12550

Attention: Henry J. Reynolds

RE: Minuta Site Plan  
Route 207, New Windsor

Dear Mr. Reynolds:

At the request of my clients Vincent & Jean Minuta I am enclosing a copy of an order on Consent regarding D E C Violations in respect to the Minuta property on Route 207. Also enclosed is a copy of a receipt from the D E C indicating payment of the \$2000.00 required by the consent Order. I believe this should clear up any objections to approval of the Minuta Site Plan. If not please advise immediately. Thank you.

Very truly yours,

LASCHER & LASCHER

BY *David M. Kintzer*  
DAVID M. KINTZER *ck*

DMK:rf  
encl.

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Violations of Article  
24 of the Environmental Conservation Law ("ECL")  
and of an Order on Consent dated May 8, 1984 by

ORDER  
ON  
CONSENT

VINCENT MINUTA

Case #3-1272/8608

Respondent.

WHEREAS:

- CM*
1. Respondent owns premises known as at 607 Little Britain Road, in the Town of New Windsor, State of New York (the "Site").
  2. The Site includes a portion of a freshwater wetland designated "CO-3" and regulated pursuant to ECL Article 24.
  3. Respondent executed an Order on Consent, dated May 8, 1984, alleging violations of ECL Section 24-0703 and assessing a penalty of \$2,000 which was suspended on condition that Respondent comply with the Schedule of Compliance set forth in the Order.
  4. Respondent failed to comply with the Schedule of Compliance set forth in the May 8, 1984 Order on Consent.
  5. On various occasions subsequent to the effective date of the aforesaid Order on Consent, including but not limited to June 20, 1984, October 22, 1984, January 23, 1985, May 22, 1986 and June 10, 1986, Respondent placed fill in the adjacent area of the wetland, in violation of ECL Section 24-0703 and 6NYCRR Section 662.2. Respondent did not have a permit for the aforesaid activities.
  6. Respondent has affirmatively waived its right to notice and hearing in the manner provided by law and has consented to the issuing and entering of this Order and agrees to be bound by the terms, provisions and conditions contained therein.

NOW, having considered this matter and being duly advised, it is ORDERED that:

- I. In respect of the aforesaid violations, a civil penalty in the amount of \$7,000 is hereby assessed against Respondent, which amount shall be payable as follows: \$2,000 shall be paid by Respondent to the Department upon Respondent's return of an executed copy of this Order to the Department;

\$5,000 of which shall be suspended upon condition that Respondent remain in compliance with each term, provision and condition of this Order and shall become payable only as provided in Paragraph IV below.

II. Respondent agrees to comply with the attached Schedule of Compliance, incorporated herein and made a part hereof.

III. Concurrent with Respondent's execution of this Order, Respondent shall execute the Affidavit of Confession of Judgment annexed hereto, in favor of the Department in the sum of \$5,000. The fully executed Confession of Judgment shall be delivered to the Department together with this Order, executed by Respondent, and shall thereafter be held in escrow by the Department, subject to Paragraph IV below.

IV. (a) In the event that the Department determines that the Respondent has violated any term, provision or condition of this Order at any time within seven years after the effective date of this Order, the Department shall have the right, subject to the procedures set forth below, to file the Judgment by Confession in the sum of \$5,000 with the Orange County clerk, and to take all measures authorized by law to execute the Judgment.

(b) Not less than 30 days prior to filing the Judgment by Confession, the Department shall serve upon the Respondent a notice of violation specifying the nature of the violation. Such notice shall be sent by certified mail, return receipt requested to:

Vincent Minuta  
607 Little Britain Road  
New Windsor, NY 12550

A copy of such notice shall also be sent, by regular mail, to:

David Kintzer, Esq.  
Lascher & Lascher  
P.O. Box 2575  
Newburgh, NY 12550

Refusal of delivery of such notice, or undeliverability at the specified address(es), shall not invalidate or impair effectiveness of the notice.

(c) The notice of violation given pursuant to the preceding subparagraph shall specify a date and time, during normal business hours, when a representative or representatives of the Department will be available at the New Paltz office to meet with the Respondent, prior to filing of the Judgment by Confession, to discuss the basis for issuance of the notice. The opportunity for such a meeting shall not constitute a right

or opportunity for a formal hearing prior to filing of the Judgment by Confession, which right is expressly waived pursuant to Paragraph 6 above.

(d) In the event of issuance of a notice of violation pursuant to this Paragraph, Respondent may avoid filing of the Judgment by Confession by payment of the \$5,000 penalty suspended by this Order. Upon such payment, a Satisfaction of Judgment shall be provided to the Respondent.

V. The Department shall not institute any administrative, civil or criminal action or proceeding for penalties or other relief for the violations described at Paragraphs 4 and 5 hereof for so long as Respondent remains in compliance with this Order. Compliance with this Order shall not excuse nor be a defense to charges of any violations of the ECL or any regulation or permit issued thereunder, which may occur subsequent to the date of this Order.

VI. Respondent shall not be in default of compliance with this Order if Respondent is unable to comply with any provision of this Order because of the action of a national or local government body or court, an act of God, war, strike, riot or catastrophe as to any of which the negligence or willful misconduct on the part of Respondent was not the proximate cause. Respondent shall apply in writing to the Department immediately upon obtaining knowledge of such event and request an appropriate modification to this Order.

VII. If, for any reason, Respondent desires that any provision of this Order be changed, Respondent shall make timely written application therefor to the Department setting forth reasonable grounds for the relief sought, together with any supporting documentation tending to establish such grounds. Such request shall be made as soon as reasonably possible after Respondent learns of the grounds for such relief. Such relief shall not be unreasonably withheld. No change or modification to this Order shall be made or be effective except as may be specifically set forth in writing by the Department.

VIII. All reports and submissions herein required shall be made to the Region 3 headquarters, New York State Department of Environmental Conservation, 21 South Putt Corners Road, New Paltz, New York 12561-1696. Attn: Joseph Steeley.

IX. For the purpose of insuring compliance with this Order, duly authorized representatives of this Department shall be permitted access to the site in question during reasonable hours, in order to inspect and/or require such tests as may be deemed necessary to determine the status of Respondent's compliance herewith.

X. The terms of this Order shall not be construed to prohibit the Commissioner or his duly authorized representative

from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

XI. Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of the provisions hereof by Respondent, its directors, officers, employees, servants, agents, successors or assigns.

XII. The failure of Respondent to comply fully and in timely fashion with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL, and shall constitute sufficient grounds for revocation of any permit, license, certification or approval issued to the Respondent by the Department.

XIII. The provisions of this Order shall be deemed to bind Respondent, its officers, directors, agents, employees, successors and assigns, and all persons, firms and corporation acting under or for it.

XIV. The provisions hereof shall constitute the complete and entire Order between Respondent and the Department concerning the Site. No terms, conditions, understandings or agreements purporting to modify or vary the terms hereof shall be binding unless made in writing and subscribed by the party to be bound. No informal advice, guidance, suggestions or comments by the Department regarding reports, proposals, plans specifications, schedules or any other writing submitted by Respondent shall be constructed as relieving Respondent of its obligations to obtain such formal approvals as may be required by this Order.

XV. The effective date of this Order shall be the date it is signed on behalf of the DEC.

DATED: New Paltz, New York  
*September 15,* 1986

HENRY G. WILLIAMS  
Commissioner  
New York State Department  
Environmental Conservation

BY:

  
\_\_\_\_\_  
PAUL D. KELLER  
Regional Director  
Region 3

TO: Vincent Minuta

## SCHEDULE OF COMPLIANCE

1. Respondent shall conduct no "regulated activity," as defined at ECL Section 24-0701, or as defined by regulation adopted pursuant to ECL Article 24, in the wetland or within 100' from the wetland boundary without a valid permit issued pursuant to Article 24. This prohibition does not apply to the work specifically required by this Order.
2. Respondent shall arrange for a surveyor licensed in the State of New York to conduct a survey of the wetland boundary within 60 days after execution of this Order. Respondent shall have the surveyor place permanent markers at the points where the wetland boundary and the boundary of the 100' adjacent area intersect the property lines. At least two additional permanent markers shall also be placed at approximately equally spaced intervals along the wetland boundary within the property lines. Placement of all markers shall be consistent with the delineation and marking of the wetland boundary performed by Joseph Steeley on July 18, 1986. The type and placement of markers shall be subject to approval by Joseph Steeley. Respondent shall furnish to the Department, within 60 days after performance of the survey, an original survey map which shall show, at a minimum: the boundaries of Respondent's property, the wetland boundary, the boundary of the 100' adjacent area, the location of all permanent markers placed by the surveyor, the location of the building, a scale and a North arrow. The survey shall be certified to the "State of New York, Department of Environmental Conservation."
3. Within 30 days after execution of this Order, Respondent shall grade the edge of the area which has been filled to a slope not steeper than 2:1, and shall seed the graded slope. Respondent shall thereafter maintain the slope to prevent erosion of the slope.
4. Within 60 days after execution of this Order, Respondent shall submit to the Department for approval a plan or proposal for erection of a permanent fence or barrier to be placed along the edge of the filled area after grading. Construction of the fence or barrier shall be complete within 90 days after approval of the plan or proposal by the Department.

CONSENT BY RESPONDENT

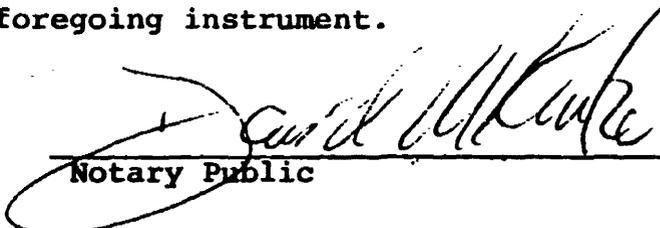
Respondent hereby consents to the issuing and entering of this Order, waives his right to notice and hearing herein, and agrees to be bound by the provisions, terms and conditions contained herein.

Dated:

  
Vincent Minuta

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

On this 9<sup>th</sup> day of SEPTEMBER, 1986, before me personally came VINCENT MINUTA to me known, who, being by me duly sworn, did depose and say that he resides in New Windsor, New York and that he executed the foregoing instrument.

  
Notary Public

DAVID M. KINTZER  
Notary Public, State of New York  
Qualified in Orange County  
My Commission Expires Mar 30, 1987



New York State Department of Environmental Conservation

RECEIPT

093862

REGION NO. 3 DATE 9-15-86  
LOCATION New Paltz DIVISION Legal Affairs  
RECEIVED OF Lascher & Lascher  
IN THE AMOUNT OF Two thousand<sup>00</sup>/<sub>100</sub> — \$2,000.<sup>00</sup>/<sub>100</sub>  
FOR civil penalty for violation of ECL Article 24  
by VINCENT MINUTA  
CASH  DEPARTMENT REPRESENTATIVE Judith Ferry  
CHECK  NUMBER 9715 TITLE Regional Attorney  
MONEY ORDER

32-01-3 (4/80)

ORIGINAL

case #  
3/1272-8608  
wetlands

**Memo FROM:**

PLANNING BOARD  
TOWN OF NEW WINDSOR  
NEW WINDSOR, NEW YORK 12550

555 UNION AVENUE

**TO:**

TO WHOM IT MAY CONCERN:

**DATE:** July 17, 1986

**SUBJECT:**

~~FOLD HERE~~

Vincent Minuta has permission from the Planning Board to place a trailer on property at the rear of his building on Little Britain Road on a temporary basis.

Very truly yours,

*Henry J. Rejns*

HENRY J. REYNS  
Chairman

HJR/sh

by \_\_\_\_\_

Building Department

(CITY, TOWN OR VILLAGE) OF New Windsor 1141  
(Address and Telephone Number)

County of: Orange

**Order to Remedy Violation**

Location 607 Little Britain Rd

Map No.: \_\_\_\_\_ Section: 33 Block: 2 Lot: 10

Date 1/2 1966

TO Vincent Timote  
(owner or authorized agent of owner)  
607 Little Britain Rd  
(address of owner or authorized agent of owner)

**PLEASE TAKE NOTICE** there exists a violation of:

The State Building Construction Code  
Zoning Ordinances  
Other Applicable Laws, Ordinances or Regulations XXX

at premises hereinafter described in that Removal of House Trailer  
not allowed in all districts (state character of violation)

in violation of 48-16-H  
(state section or paragraph of applicable law, ordinance or regulation)

**YOU ARE THEREFORE DIRECTED AND ORDERED** to comply with the law and to remedy the conditions above mentioned forthwith on or before the 16<sup>th</sup> day of Jan 1966

Failure to remedy the conditions aforesaid and to comply with the applicable provisions of law may constitute an offense punishable by fine or imprisonment or both.

*Hold  
under  
permit*

J. L. ...  
Superintendent of Buildings

*OK  
To have done to be  
until permit in March*



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

MINUTA'S LOUNGE

1763

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 10 December 1985.

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).

Bureau failed to meet, approval granted by the Fire Inspector

Lined area for providing reasons for disapproval.

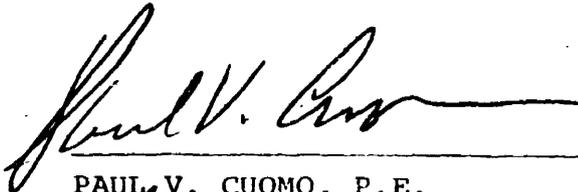
SIGNED: *Robert H. Fisher*  
CHAIRMAN

PLANNING BOARD

PLANNING BOARD ENGINEER REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
~~Subdivision~~ \_\_\_\_\_ as submitted by  
TAT KEANEY for the ~~building or subdivision~~ building  
of MINUTA'S LOUNGE has been reviewed  
by me and is approved X disapproved \_\_\_\_\_

If disapproved, please list reason.



PAUL V. CUOMO, P.E.

Nov. 27, 1985  
Date

**New York State Department of Environmental Conservation**

21 South Putt Corners Road  
New Paltz, New York 12561-1696  
(914) 255-5453

*Planning Board 3/12/86  
Received*



**Henry G. Williams  
Commissioner**

March 10, 1986

Town of New Windsor  
Planning Board  
Town Hall  
New Windsor, New York 12550

Re: Minuta's Lounge

Dear Sirs:

We understand that a proposed expansion of Minuta's Lounge is under consideration. It is also our understanding that the proposal would involve work in a regulated freshwater wetland and/or its buffer zone, which would require a freshwater wetlands permit from this Department. This is just to let you know that the Minutas entered into an Order on Consent with this Department in May of 1984, for previous violations of the Freshwater Wetlands Law. The Order required performance of certain restorative work, which was not performed to our satisfaction. What is more, it appears that further violations were committed after the date of the Order. The entire matter has been referred to the Attorney General for appropriate enforcement action.

At this time, we want your Board to be aware that, in accordance with our policies and regulations (6 NYCRR Section 621.3(e)), we would not undertake consideration of a freshwater wetlands permit application unless and until the outstanding violations had been resolved.

Very truly yours,  
*Judith Almgren Ferry*  
Judith Almgren Ferry  
Regional Attorney  
Region 3

JAF/ar

**GENERAL NOTES**

OCCUPANCY TYPE: GROUP C-5.2

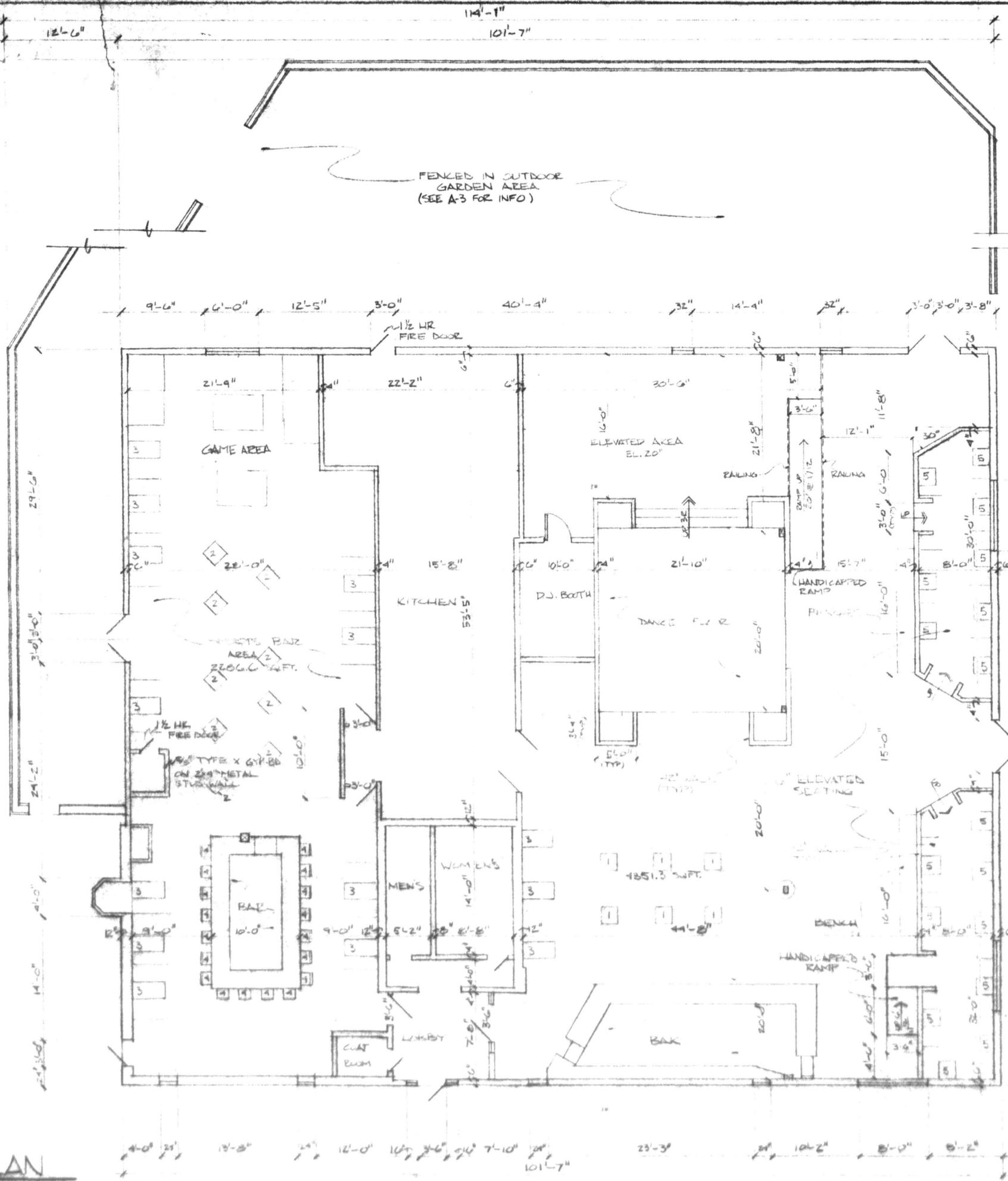
ALL EXITS MEET OR EXCEED STATE & LOCAL FIRE CODES

**SPECIFICATIONS**

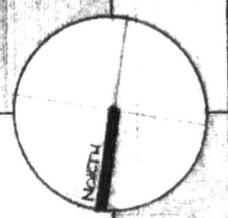
1. TYPE 'SA' STRUCTURE.
2. ALL MATERIALS TO BE IN ACCORDANCE WITH CLASS 'X' (NON-COMBUSTIBLE).
3. WALLS TO BE 2" GYB WITH 5/8" TYPE X GYP. BD.
4. DROP CEILINGS TO BE CLASS 'A' FIRE RATED.
5. WIRE TO BE GREENFIELD OR CONDUIT
6. SMOKE DETECTORS THROUGHOUT ENTIRE BUILDING WITH EMERGENCY PAGING SYSTEM.
7. KITCHEN TO BE EQUIPPED WITH AN ANSUL SYSTEM
8. EMERGENCY EXIT LIGHTS TO BE PLACED OVER ALL EXITS
9. ALL DOORS TO BE FIRE CODED

**SYMBOLS**

- 1 - SEATS 1 PL
- 2 - SEATS + PR
- 3 - SEATS 4 PL
- 4 - BAR SEAT
- 5 - SEATS + PL



**FLOOR PLAN**



FLOOR PLAN  
PROPOSAL

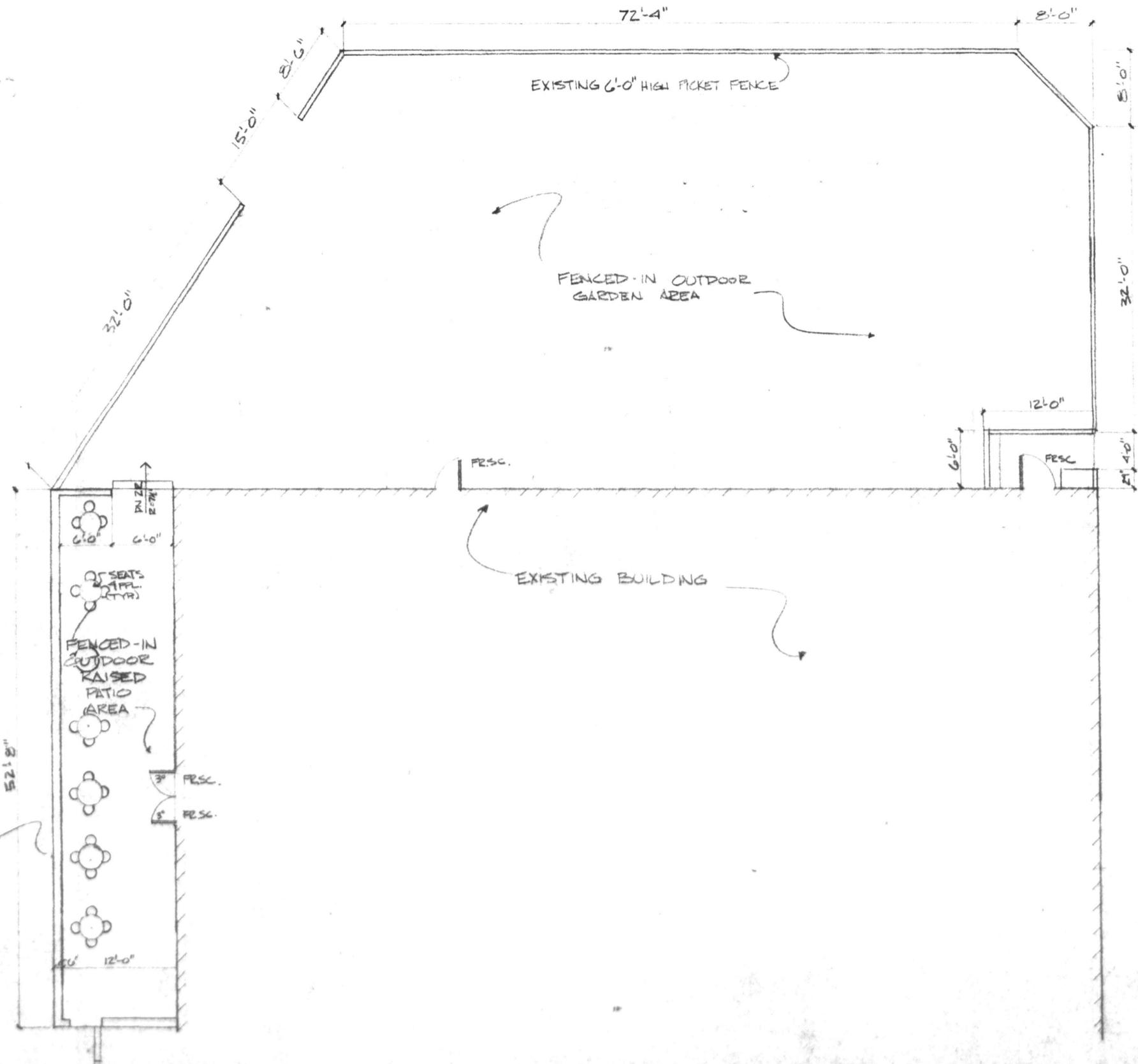
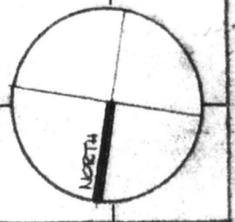
EXTREMES RESTAURANT  
AMODEO / WEINRENER

DATE: 1-14-91  
DRAWN BY: JOSEPH MINUTA  
CHECKED BY: [Signature]



SHEET NO. 1 OF 3

JUN 17 1992  
 As approved by: [Signature]  
 P.B. 6/10/92



NOTE:  
OUTDOOR AREA TO BE  
USED FROM DAWN TILL  
DUSK.

EXTREMES SPORTS CAFE & DANCE CLUB  
RTE. 207 NEW WINDSOR, NY. 12553

AMODEO / WIENBENNER

OUTDOOR FLOOR PLAN

SEAL

DATE 4-30-92

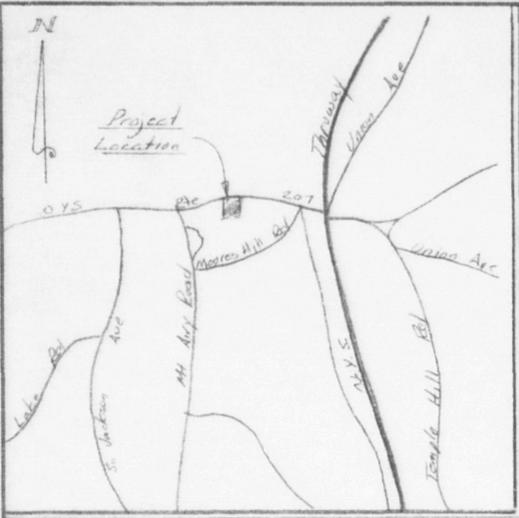
DRAWN BY J.J.M.

CHECKED BY

SCALE 1/8" = 1'-0"

A-3

SHEET NO 3 OF 3



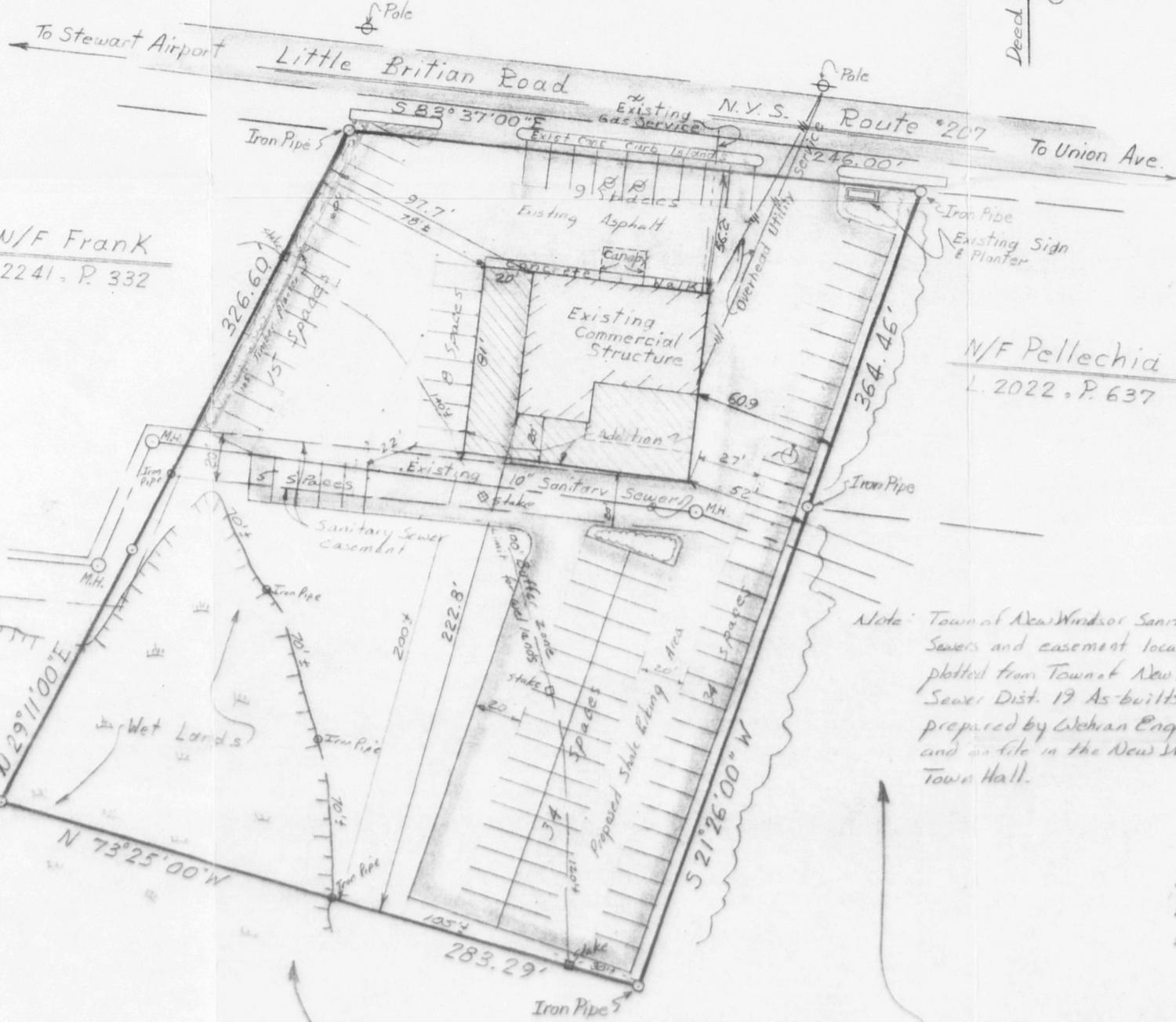
Location Map  
Scale: 1" = 2000'

Site coverages:  
 A. Bldg Area: 7695 SF - 3% coverage  
 B. Parking Area: 54700 SF - 62% coverage  
 C. Open Space: - 23% coverage

N/F Frank  
L. 2241 - P. 332

N/F Bivona

To Vincent Minuta & Jean Minuta  
and Norstar Bank of The Hudson  
Valley, N.A. its successors and/or  
assigns and Lawyers Title  
Insurance Company certified to  
be a correct and accurate survey.  
Dated: March 11, 1986



Note: Town of New Windsor Sanitary  
Sewers and easement locations  
plotted from Town of New Windsor -  
Sewer Dist. 19 As-builts as  
prepared by Wehman Engineers  
and on file in the New Windsor  
Town Hall.

N/F Vailsgate Fire Co. Inc.  
L. 1678 - P. 414



Tax Map Data:  
 Section: 33  
 Block: 2  
 Lots: 10 & 11

Deed Reference:  
 Liber. 2183, Page 570

Lot Area: 2.039 Acres

Zoning District: N/C  
 Minimum Requirements  
 Lot Area: 10,600 S.F.  
 Lot Width: 100'  
 Front Yard: 40'  
 Side Yard: 15'  
 Both Sides: 35'  
 Rear Yard: 15'

Parking Requirements:  
 1 space per three seats  
 Total proposed seating  
 capacity: 300  
 Required Parking: 100 spaces  
 Provided Parking: 102 standard  
 + 3 Handicapped  
 Total spaces: 105 spaces

Record Owner:  
 Vincent Minuta & Jean Minuta  
 607 Little Britain Road  
 New Windsor, New York 12550

- Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2 of the N.Y. State Education Law.
- Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies.
- Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.
- Underground improvements or encroachments, if any, are not shown hereon.

Patrick T. Kennedy L.S. 335 Temple Hill Road * New Windsor, New York 12550	
SCALE: 1" = 40'	Revised: July 15, 1985 / Feb 6, 1986
DATE: Oct 1, 1985	DRAWN BY: [Signature]
Site Plan for Vincent Minuta & Jean Minuta Town of New Windsor Orange County New York	
DRAWING NUMBER: 85-314-A	