

ZB# 70-13

Albert & Margaret Plona

(no SBL)

Received
9-11-70
4: P.M. Jmt.

70-13
Plona, Albert S. &
Julie Miron

**State of New York
County of Orange, ss:**

**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. 13
Request of Albert S. Plona and Margaret P. Plona for a Variance of the regulations of the Zoning Ordinance, to permit erection of a one-story office building on an undersized lot, being a Variance of Article IV, Section 48-14, for property owned by them situated as follows: Being Lot 28, Block 1, Sec. 37 on County Map of Orange County, situate on the westerly side of Rt. 9W, south of lands of Torches Restaurant, Town of New Windsor, New York.
SAID HEARING will take place on the 20th of July, 1970 at the New Windsor Town Hall, 440 Union Avenue, beginning at 8:00 o'clock p.m.
PATRICIA DELIO
Secretary
July 10

Philip T. Gialanella , being duly sworn deposes and says that he is The Publisher of Newburgh-Beacon News Co., Inc., Publisher of The Evening News- a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time in said newspaper, commencing on the...10th...day of July A.D., 19⁷⁰ , and ending on the 10th day of July A.D., 19⁷⁰

Subscribed and sworn to before me this }
10th July 1970 }
..... day of 19..... }

.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1971



To: Orange County Planning Dept.
Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 70-13
Date: June 22, 1970

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

~~XX~~ (We) ALBERT S. PLONA of 305 Hudson Street
(Street & number)
& MARGARET P. PLONA

CORNWALL, NEW YORK HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE: County Map Sec. 37, Block 1, Lot 28

- A. LOCATION OF THE PROPERTY Route 9W (No No.), G I
(Street & number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: Art. 4 Section 48-14)

- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:
 1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Subject parcel comprises all of the land owned by applicants in this zone and applicants are deprived of its use and enjoyment.
 2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: subject parcel cannot presently be developed and used for office building, a permitted use in the subject zone.
 3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: applicants have taken no action with respect to subject parcel subsequent to adoption of ordinance.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: variance requested conforms with permitted use in zone

and seeks only area variance.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: relief sought conforms with the use privilege

of all other properties in the zone.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

If variance is granted, property will be conveyed to Mr. Julie

Miron of 60 Ferry Street, Kingston, New York, to erect a one story

office building in accordance with the plans submitted herewith.

E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount decided by the Board. Application to be returned to: Secretary of the Zoning Bd. of Appeals.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239m of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Bd.

Dated: June 1970

Margaret P. Flona
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE) SS

Sworn to on this 23 day of June 1970

Albert S. Flona

305 HUPSON ST
Address ORNWATER-ON-HUPSON

534-2216
Telephone No.

IRVING A. GREENE
Notary Public, State of New York (Notary Public)
Residing in Orange County
My Commission Expires Mar. 30, 1971

DO NOT WRITE IN THIS SPACE

Application No. 70-13
Date of Hearing July 20, 1970
Date of Decision Sept. 3, 1970

Date Received June 22, 1970
Notice Published July 10, 1970

DECISION:

Application Approved.

Public Hearing 7/20 - 8~~30~~ p.m.

Application of Albert S. & Margaret Plona

Spectator's Name Address

Dennis Inrow Arch.

Albert S. Plona

Irving Green, Esq.

Veronica Ave.
New Windsor, N. Y. 12550
September 8, 1970

Irving Green, Esq.
185 Grand Street
Newburgh, N. Y. 12550

Re: Application for Variance of
Albert S. and Margaret P. Plona

Dear Mr. Green:

Please be advised that the above application
for a variance has been granted at a recent meeting
of the New Windsor Zoning Board of Appeals.

Very truly yours,

Louise A. Budney,
Chairman

LAB:pd

cc: Howard Collett,
Building Inspector
Town of New Windsor



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

June 22, 1970

Irving A. Green, Esquire
185 Grand Street
Newburgh, New York 12550

RE: Plona, Albert & Margaret

Dear Sir:

According to my records, the attached list of property owners are within the five hundred (500) feet of the area you inquired about.

The charge for this service is \$15.00. Please remit same to me, making the check payable in my name.

Respectfully,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT *pt*
Chairman
Board of Assessors
Town of New Windsor

EEW/pt
Enc.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

(RE: Plona, Albert^{S.} & Margaret P.)

1 Cornwall - New Windsor RA
Cornwall, New York

2 Cornwall-New Windsor Realty Corp.
Route 9W, RD #4
New Windsor, New York 12550

3 Petro, Richard P. & Marie F.
24 Stori Road, MD #2
Newburgh, New York 12550

4 Muscarella, Raymond G.
North Road
Marlboro, New York

5 DiCarlo, Joseph & Virginia M.
MD #23, Melrose Avenue
New Windsor, New York 12550

6 Olympia, Peter M., Jr.
16 Russell Road
Newburgh, New York 12550

7 Plona, Albert S. & Margaret P.
305 Hudson Street
Cornwall-on-Hudson, New York

8 Forestiere, Jasper A.
River Road, RD #1
Newburgh, New York 12550

Respectfully submitted,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT, Chairman
Board of Assessors
Town of New Windsor

EEW/pt

APPLICATION is hereby made for the following:

Agenda VARIANCE Service _____
 Name DENNIS JURROW A.I.A. ARCHITECT
 Address FAIR OAKS P.O. BOX 149 MIDDLETOWN N.Y.
 Telephone Number 343 2164
 Are you the owner of the property? No. (ARCHITECT)

Briefly describe intention (or attach) and location of property: ENCLOSED FIND 2 copies of Preliminary Plans indicating SITE PLAN.

PLANNING BOARD

- _____ Site Plan Preliminary Meeting
- _____ Subdivision Preliminary Meeting
- _____ Informational Meeting

AGENDA DATE _____

ZONING BOARD OF APPEALS

- _____ Interpretation of Ordinance or Map
- _____ Variance (Notify P/B - Plans if necessary)
- _____ Informational Meeting - Prelim - Mon. June 15th 8:30 p.m.

AGENDA DATE _____

PLANNING PERMIT

- _____ Planning Board action needed
- _____ ZBA. action needed
- _____ Site Plan needed
- _____ Subdivision approval needed
- _____ Sewer and Highway action needed

Public hearing set for July 20th 8 p.m.

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

✓ 1. Name DENNIS JURLOW A.I.A. ARCHITECT
Address FAIR OAKS P.O. Box 149 MIDDLETOWN N.Y.
Telephone Number 343 2164
Are you the owner of the property? No. (ARCHITECT)

✓ 2. Briefly describe intention (or attach) and location of property: ENCLOSED FIND 2 copies of Preliminary Plans indicating SITE PLAN.

PLANNING BOARD

- ✓ _____ Site Plan Preliminary Meeting
- _____ Subdivision Preliminary Meeting
- _____ Informational Meeting

AGENDA DATE _____

ZONING BOARD OF APPEALS

- _____ Interpretation of Ordinance or Map
- ✓ _____ Variance (Notify F/B - Plans if necessary)
- _____ Informational Meeting - Prelim - Mon. June 15th 8:30 p.m.

AGENDA DATE _____

BUILDING PERMIT

- _____ Planning Board action needed
- _____ ZBA, action needed
- _____ Site Plan needed
- _____ Subdivision approval needed
- _____ Water, Sewer and Highway action needed

Public hearing set for July 20th 8 p.m.

STATE TAXES

I hereby certify that all form, permits and charges have been paid and obtained of the State of New York and that all taxes and charges will be paid and that the cost of holding of Public Hearing or meetings and the legal or engineering fees for residential projects.

Signed: _____

Dennis Jurlow Arch.
(ARCHITECT)
as agent for Union

2 BA

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date May 15, 1976

To Mr Dennis Jucaw
Route 17M Box 149
Windsor, N.Y. 10940

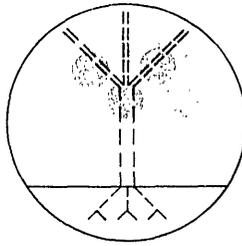
PLEASE TAKE NOTICE that your application dated May 13, 1976
for permit to construct office building
at the premises located at Route 9W

is returned herewith and disapproved on the following grounds:

Lot size 25,000 sq feet 40,000 sq feet required
lot width 125' 150 required

Howard R. Covert
Building Inspector

Department of Planning



County of Orange

Peter Garrison, A.I.P., Commissioner
Edwin J. Garling, A.I.P., Deputy Commissioner

The County Building
Goshen, New York 10924
(914) 294-5151

Louis V. Mills, County Executive

July 27, 1970

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board
of Appeals
16 Veronica Avenue
New Windsor, New York

Re: Application for area variance
Office building on land of
Albert S. Plona, Rte. 9W

Dear Mrs. Budney:

This office is in receipt of materials pertinent to the above-cited application pending before your board, forwarded to us by the applicant's architect.

We have reviewed this application under the provisions of Section 239 l and m, Article 12-B of the General Municipal Law of the State of New York, and hereby grant County approval, contingent on southerly curb-cut to the site being designated an exit only and the northerly curb-cut to the site being designated an entrance only. In doing so, the following matters were taken into consideration:

1. The relation of the cut in the island divider of Route 9W to the property under consideration dictates the above-mentioned entrance-exit designation for purposes of traffic safety.
2. The lot is deficient by 25' in width, and 15,000 square feet in area, but meets all other applicable requirements: front and side yards, depth and parking spaces provided, in fact, exceeding all these minimum requirements considerably. We are favorably impressed with the site plan (with all parking to the rear of the lot, and the entrance to the building being via the parking lot).

Very truly yours,

Peter Garrison
Peter Garrison
Commissioner of Planning

PG:f
cc: Albert S. Plona
Dennis Jurow

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined 5/14 19 70
Approved 3 19.....
Disapproved a/c 5/15/70

Office of Building Inspector
LAWRENCE JONES, Building Inspector
Town Hall, 244 Union Avenue
Newburgh, N. Y.

Permit No.

Refer —

Planning Board

APPLICATION FOR BUILDING PERMIT

Highway

Pursuant to New York State Building Code and Town Ordinances

Sewer

Water

Date 5/13 19 70

Zoning Board of Appeals

INSTRUCTIONS

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

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.


.....
(Signature of Applicant)
-Dennis Jurow, A.I.A.-

Route 17M, Middletown, New York 10940
.....
(Address of Applicant)

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

ARCHITECT

Name of owner of premises: ALBERT S. and MARGARET P. PLONA

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

(Name and title of corporate officer)

1. Location of land on which proposed work will be done Route 9W, New Windsor, New York

X 2. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a Existing use and occupancy

b. Intended use and occupancy Office Building

3. Nature of work (check which applicable): New Building [checked] Addition Alteration

Repair Removal Demolition

4. Estimated cost* \$ 40,000.00 Fee (to be paid on filing this application)

X 5. If dwelling, number of dwelling units Number of dwelling units on each floor If garage, number of cars

X 6. If business, commercial or mixed occupancy, specify nature and extent of each type of use

X 7. Dimensions of existing structures, if any: Front Rear

Depth Height Number of Stories

X 8. Dimensions of same structure with alterations or additions: Front Rear

Depth Height Number of Stories

9. Dimensions of entire new construction: Front 56' ± Rear 56' ± Depth 40' ±

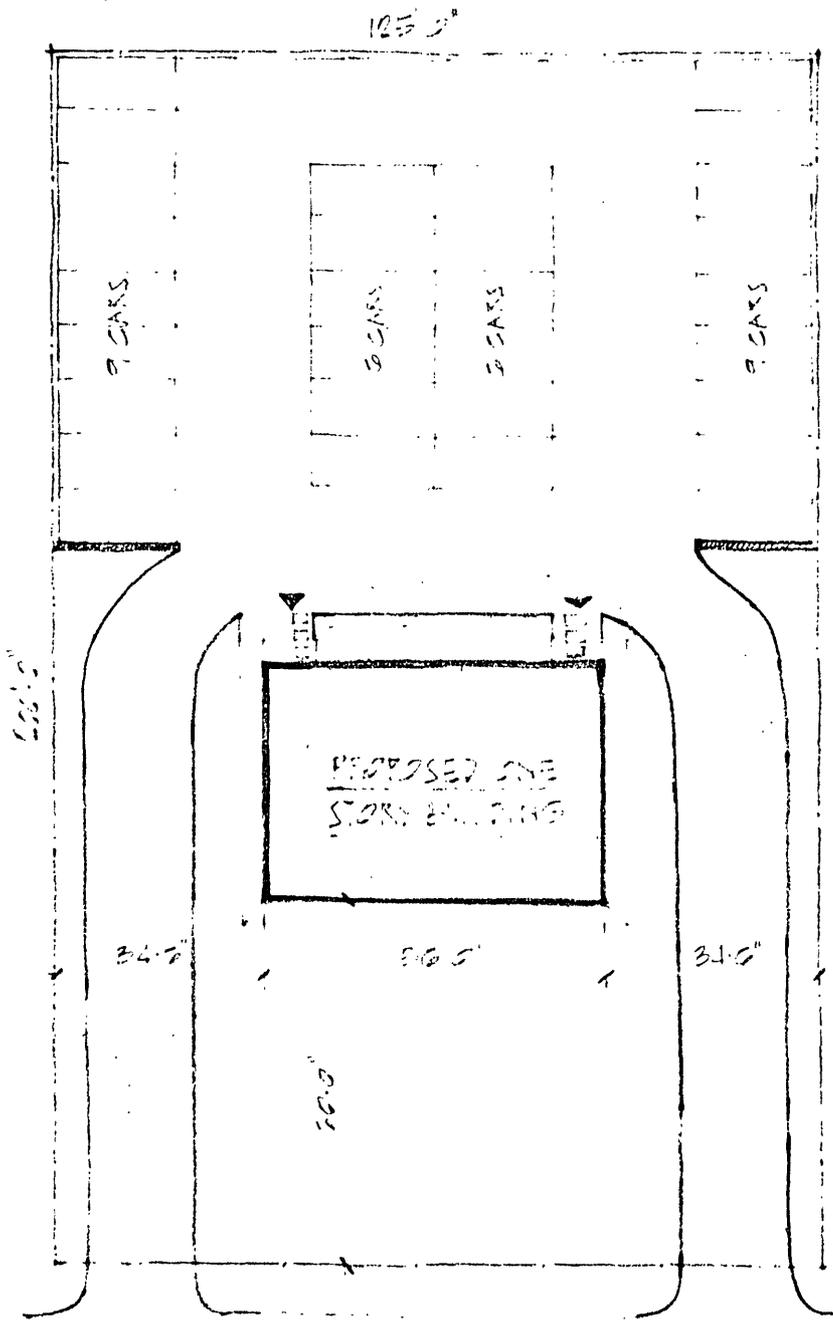
Height 20' ± Number of Stories ONE

10. Size of lot: Front **125'** Rear **125'** Depth **200'** Front Yard **60'**
 Rear Yard **100'** Side Yard **34'-6"** Is this a corner lot? **NO**
11. Zone or use district in which premises are situated **G.1**
12. Does proposed construction violate any zoning law, ordinance or regulation? **Yes - minimum site requirement and minimum site width (. request for variance)**
13. Name of Compensation Insurance Carrier
 Number of Policy Date of Expiration
14. Name of Owner of Premises **ALBERT S. and MARGARET P. PLONA**
 Address **Cullen Avenue, New Windsor, New York** Phone No.
 Name of Architect **DENNIS JUROW, A.I.A. FAIR OAKS**
 Address **Middletown, N. Y. 10940** Phone No. **343 - 2164**
 Name of Contractor
 Address Phone No.
15. Will electrical work be inspected by, and a Certificate of Approval obtained from, the New York Board of Fire Underwriters or other agency or organization?
 If so, specify **YES**
16. IMPORTANT: Do not pour footings until the location of building on lot, and soil has been inspected.
17. Before a Certificate of Occupancy can be issued, a certified survey must be filed. (May be waived.)
18. Walls not to be lathed until Department inspection is made.
19. Defer backfilling until waterproofing of foundation is approved by Department.

* _

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

SHOW PLOT PLAN ON NEXT PAGE



ROUTE 9W

TO NEWBURYH ▶

LAW OFFICES
SIEGEL, GREEN & FIEDELHOLTZ

LAWRENCE SIEGEL
IRVING A. GREEN
JERALD FIEDELHOLTZ
—
ARNOLD A. BERNSTEIN

185 GRAND STREET
Newburgh, New York 12550
(914) 562-1100

270 QUASSAICK AVENUE
New Windsor, New York 12550
(914) 562-4630

PLEASE REPLY TO: Newburgh Office

June 25, 1970

Mrs. Patricia Delio, Secretary
New Windsor Zoning Board of Appeals
7 Franklin Avenue
M. D. 42
New Windsor, New York 12550

Dear Mrs. Delio:

Enclosed is public hearing notice for publication on Variance Application of Mr. and Mrs. Albert S. Plona and Julie Miron.

Also enclosed in duplicate, are the subject plans.

Also enclosed is application for variance with our check in the sum of \$25.00, to cover the fee.

If for any reason, the notice is not correct, please advise us immediately.

Thank you.

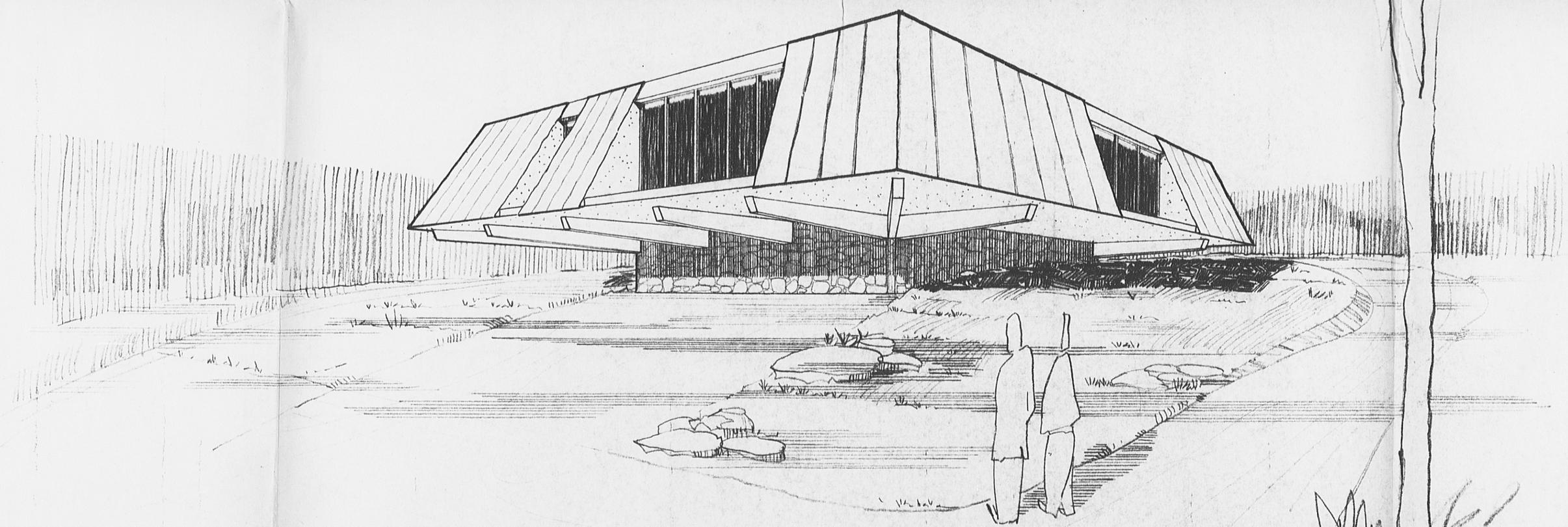
Very truly yours,

SIEGEL, GREEN & FIEDELHOLTZ

By: IRVING A. GREEN

IAG/rdc

Encl.



VIEW FROM 9W

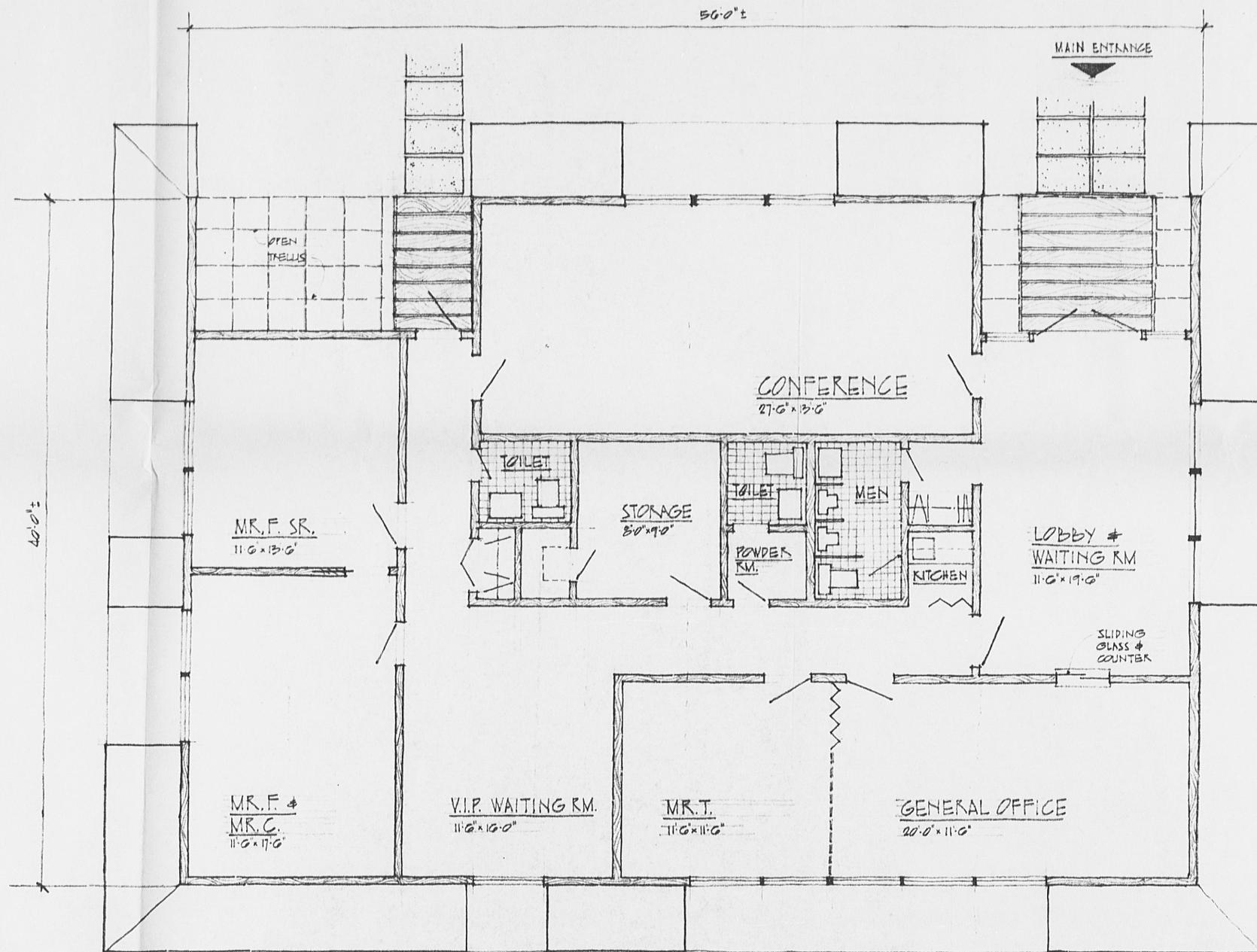
PROPOSED

OFFICE BUILDING
TOWN OF NEW WINDSOR N.Y.
MIRON

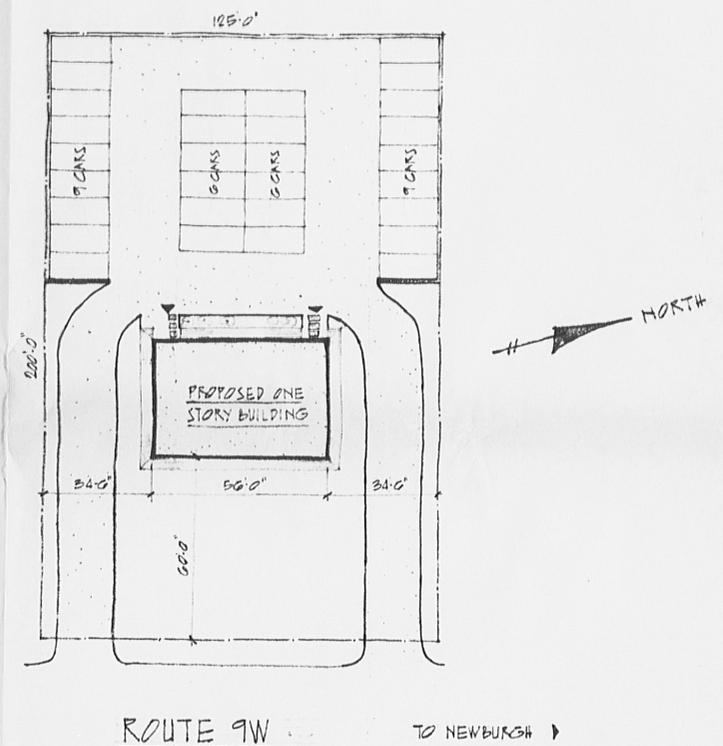
SYDNE SCHLEMAN A.I.A.
DENNIS JUROW A.I.A.

Architects
MIDDLETOWN, NEW YORK

SCALE:	DATE: Nov 1969
DRAWN BY: S.S.	JOB NO.
CHECKED BY:	DWG. NO. P-1 of 2



PLAN
1/4" = 1'-0"



CONSTRUCTION
WOOD & STEEL FRAME,
MASONRY FOUNDATION,
BUILDING TO BE HEATED & AIR-
CONDITIONED.

SITE PLAN
SCALE 1" = 30'-0"

PROPOSED
OFFICE BUILDING
TOWNSHIP OF NEW WINDSOR
MIRON N.Y.

SYDNE SCHLEMAN · A.I.A.
DENNIS JUROW · A.I.A.

Architects
MIDDLETOWN, NEW YORK

SCALE: AS NOTED	DATE: NOV 1969
DRAWN BY: DEJ	JOB NO.
CHECKED BY:	DWG. NO. P. 2 OF 2