

ZB# 72-6

Mid Hudson Beauty Supply

(no SBL given)

Fee for Application pd.

Secretary fee owing

Public Hearing 3/20/72

8 p.m.

Adjourned to -
Apr. 3, 1972.

Approved.

4/3/72.

file

72-6
Mid-Hudson
Beauty Supply Corp.
Kidd

- 1 - Application for Variance - Fred McKible 72-6
- 2 - Letter from Dept of Planning to Fred Weyant, Jr. - Mar 17 - 1972
- 3 - " " to George J. Shaw from Mr + Mrs Schaffer Mar 29 - 1972
- 4 - " " Mrs Schaffer from George J. Shaw Jr. - Mar 25, 1972
- " " Orange County Planning Dept from George J. Shaw Mar 27

filed
4/12/72
1.00 P.

Legal Notice Mar 10, 1972

- Receipt for Certified Mail No 402527
- " " " " " 402528
- " " " " " 402529
- " " " " " 402530, 402531, 402532
- 402533, 402534, 402535
- 402536, 402537, 402538
- 402539, 402540, 402542
- 402541, 402526, 950726

Mar. 9, 1972 Letter to Fred + Joel McKible from Ellsworth Weyant

Public Notice - The Zoning Board of Appeals - No 6
Application - Feb 24, 1972 72-6 - signed McKible
to Mid Hudson Beauty Supply Corp. George Shaw Jr.

Map - File No 2043 - No 4 + 7

Certified mail to David S + Jean Ray from George J. Shaw

Public Hearing 3/20/72 # 72-6

- Returned Receipt # 402538x # 402539x
- # 402540x # 402541x # 402542x # 402527x
- # 402535x # 402536x # 402537x # 950726x
- # 402534x # 402528x # 402529x # 402530x
- # 402531x # 402532x # 402533x # 950727x

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

72-6-

DATE February 24 1972

APPLICATION is hereby made for the following:

Agenda _____ Service _____

1. Name Mid Hudson Beauty Supply Corp.
Address 8 Fullerton Ave Newburgh N.Y.
Telephone number _____
Are you the owner of the property? Yes

2. Briefly describe intention (or attach) and location of property:
To construct a 8100 square foot building housing three stores and storage space for one of the stores. Property is located on west side of Windsor Highway opposite Calvet Rental.
3. PLANNING BOARD

_____ Site Plan Preliminary Meeting

_____ Subdivision Preliminary Meeting

_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map

_____ Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site plan needed

_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York

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AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site plan needed

_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: Frank Mc Gill per. George Thompson
420PT. (2-7)

Adopted 12/20/65

Approved 3/20/72

APPLICATION FOR VARIANCE

Application No. 72-24
Date: November 30, 1972

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

FRED MC KIBLE, d/b/a

I (We) MID -HUDSON BEAUTY SUPPLY of Windsor Highway, New Windsor, N. Y.
CORP. (Street & Number)

_____ New York _____ HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

A. Location of the Property Windsor Highway, Rt. 32, New Windsor, N. Y.
(Street & Number) (Zone)

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.) Article III - Sec. 48-9 - B (8D)

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: This variance is for the construction of a double-faced sign, with a spotlight, identifying the building. This sign is unique to applicant's land and would not apply to any of the other neighboring lands or structures since it is the only business of its kind in the area.
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: This identifying sign is very necessary to conduct business at this new location. Applicant recently moved into his new building and his customers have no way of knowing where his new store is located without this vital sign.
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: Applicant applied to the Zoning Bd. of Appeals for construction of this new building and was granted a variance by the Board subsequent to the adoption of the Ordinance. Thereafter it was found out that a sign would be a necessary part of the business and a variance is needed because the sign is over the minimum required by the sign ordinance.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: _____

The identifying sign proposed to be constructed would not cause detriment to public good since the services offered to the public by this new business are in demand.

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

Many of the surrounding businesses have over-sized signs identifying their services.

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

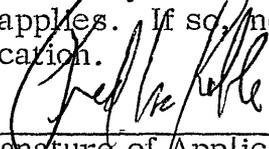
Construction of a double-faced sign, 5 1/2 by 12 feet with two spotlights shining thereon. Attached hereto is a sketch of the sign together with elevations and specifications.

E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 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. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: December 5, 1972

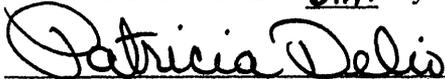


Signature of Applicant

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

Sworn to on this 6th day of December, 19 72.

42 Windsor Highway, New Windsor,
Address N. Y.



(Notary Public)

PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1974

56 1-5106

Telephone Number

(DO NOT WRITE IN THIS SPACE)

Application No. _____
Date of Hearing _____
Date of Decision _____

Date Received _____
Notice Published _____

DECISION:



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

March 9, 1972

Fred & Joel McKible
5 Meadow Street
Newburgh, New York 12550

Dear Sirs:

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 the Town Clerk, making the check payable to Town Clerk, Town of New Windsor.

Respectfully,

Ellsworth E Weyant

ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk

Enc.



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Fred & Joel McKible Property

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

✓ Torry, Anna G.
Greene, Fred H. & Charles W. Jr & Franco
MD23 Windsor Highway
New Windsor, New York 12550

✓ K W G Realty Corporation
P.O. Box 2628
Newburgh, New York 12550

✓ Gallagher, Frank X. & Anne C.
60 Mill Street
Newburgh, New York 12550

✓ Epstein, Abraham & Molly
399 Ann Street
P.O. Box 2217
Newburgh, New York 12550

✓ Erie Lackawanna Railroad Co.
C/O David A. Lerch
112 Prospect Avenue S.E.
Cleveland, Ohio

✓ 561-6347 Weiner, Elliott M.
1 Hinchcliffe Drive
Newburgh, New York 12550

X Weyerhaeuser Company
C/O H.F. Sackleben
P.O. Box 710
Camden, New Jersey

✓ Weyerhaeuser Company
C/O H.F. Sachleben
P.O. Box 710
Camden, New Jersey

✓ Provan Leasing Corp.
210 Mill Street
Newburgh, New York 12550

✓ 562-5524 Monti, Anthony & Veronica
42 Fern Avenue
New Windsor, New York 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Fred & Joel McKible Property

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1768 Lease, John J. Jr. & Frances K.
313 Broadway
Newburgh, New York 12550

Padilla, Angel M. & Nellie A.
38 Windsor Highway
New Windsor, New York 12550

Lease John J. Jr. & Frances K.
313 Broadway
Newburgh New York 12550

Schaffer, William R.
MD25 Carter Avenue
Newburgh New York 12550

562-8881 ✓ Gasking, Harry S. & Clara
MD42 Fern Avenue
New Windsor, New York 12550

365-3634 ✓ Orsino, Thomas & Sarah
MD42 Fern Avenue
New Windsor, New York 12550

✓ Ray, David J. & Irene
MD42 Fern Avenue
New Windsor, New York 12550

561-1724 ✓ Scott, John A. & Alice
Windsor Highway RD33
New Windsor, New York 12550

✓ Lee, Margaret
Windsor Highway
New Windsor, New York 12550

565-2800 ✓ Lease, John J. Jr. & Frances K.
313 Broadway
Newburgh, New York 12550

562-1579 ✓ Brandel, William & Amanda
Bethlehem Road RD2
New Windsor, New York 12550

✓ Garziona, Patrick & Rose M.
2 Edgewood Drive MD30
Newburgh, New York 12550

Respectfully submitted,

Ellsworth E. Weyant

ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

✓ 3/30/72 - Public Hearing # 72-6 - 8 p.m.
Mid-Hudson Beauty Supply Corp.

<u>Spectators:</u>	<u>address:</u>
Anna G. Jorng	76 Windsor Hwy, N.W.
Gulston B. Jorng	76 _____
Angel M. Padilla	38 WINDSOR HWY N.W.

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. 6

Request of Fred McKible for a
Variance ~~Conditional Use Permit~~ of the regulations of
the Zoning Ordinance, to permit Construction of a one
story Block Building containing 3^{retail} stores & warehouse, being
(Describe proposal)
a Variance ~~Conditional Use Permit~~ of Article ~~III~~ IV,
Section 48-13; 48-14, for property owned by him situated
as follows: West Side of Route 32, 250' South
of Fern Ave, Town of New Windsor, Orange
County New York

SAID HEARING will take place on the 20th of May, 1972,
at the _____, beginning at 8 p.m. o'clock P.M.

Chairman

GEORGE J. SHAW, JR.

Professional Engineer & Consultant

177 LIBERTY STREET — NEWBURGH, NEW YORK

PHONE 561-3695

March 7, 1972

Orange County Planning Dept.
265 Main Street
Goshen, New York 10924
Dear Sir:

This is to inform you that Mr. Fred McKible proposes to construct a 8190 sq. ft. one story concrete block building to house Mid Hudson Beauty Supply Corp. presently located at 8 Fullerton Ave., Newburgh New York.

The building will consist of 3 stores and also an area for the storage, packing and shipping of beauty supplies and equipment, and will be located on Windsor Highway (Route 32) 252' south of Fern Ave. in the Town of New Windsor.

Because the building will be located in a General Industry Zone and because the lot size is 100' wide instead of the required 150' a public hearing for a variance of the ~~se~~mentioned restrictions will be held on March 20, 1972 at 8:00 PM in New Windsor School.

We are submitting two copies of the proposed site plan to your office for your comments and recommendations which we hope you will be able to submit to the Town of New Windsor - Zoning Board of Appeals for the above mentioned meeting.

If there are any questions concerning this matter, feel free to contact my office.

Very Truly Yours,

George J. Shaw Jr.
Engineer for Mr. McKible

GEORGE J. SHAW, JR.

Professional Engineer & Consultant

177 LIBERTY STREET — NEWBURGH, NEW YORK

PHONE 861-8698

March 25, 1972

Mr. William H. Schaffer
MD 25 Carter Avenue
Newburgh, New York 12550

Dear Mr. Schaffer:

This is to inform you that Mr. Fred McKible proposes to construct a 8190 sq. ft., one story concrete block building to house Mid Hudson Beauty Supply Corp. presently located at 8 Fullerton Ave., Newburgh, New York.

The building will consist of 3 retail stores and also an area for the storage, packing and shipping of beauty supplies and equipment, and will be located on Windsor Highway (Route 32) 252' south of Fern Ave. in the Town of New Windsor.

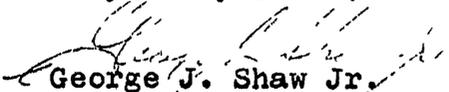
Because the building will be located in a General Industry Zone, and because the lot size is 100' wide instead of the required 150' plus, being in violation of the building height regulations, a public hearing for a variance of the above mentioned restrictions was held on March 20, 1972 at 8:00 PM in New Windsor Town Hall.

Through an oversight on the part of my office, you were not notified of this public hearing. The Town of New Windsor Zoning Board of Appeals has therefore directed me to notify you that they shall hold off any decision on this application for a variance until its April 3 meeting in order to give you an opportunity to appear at this meeting and register any objections you may have, if you so desire.

If you wish to register your objections in writing, you should address the correspondence to the Town Of New Windsor Zoning Board of Appeals.

c/o Mrs Patricia Delio
7 Franklin Ave.
Newburgh, N. Y.

Very Truly Yours,


George J. Shaw Jr.
Engineer for Mr. McKible

65 Carter Avenue
Newburgh, N. Y.
March 29, 1972

Mr. George J. Shew
177 Liberty Street
Newburgh, N. Y.

Dear sir:

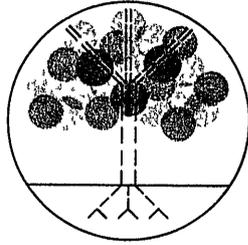
In response to your letter of
March 25th regarding Mr. McKibbin's
request for a variance for
construction on Windsor Highway
adjacent to our property, we
wish to inform you that we
have no objection to this
building.

Thank you for consulting
us.

Very truly yours,
Mr. & Mrs. Wm. Schaffer

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner



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

County of Orange

Louis V. Mills, County Executive

March 17, 1972

Mr. Fred Wygant, Jr., Chairman
Town of New Windsor Zoning Board of Appeals
Forge Hill Road
New Windsor, New York 12550

Re: Area variance - Mid-Hudson Beauty
Supply Corporation, Route 32

Dear Mr. Wygant:

Our office is in receipt of the above application. Pursuant to the provisions of Sections 239, L and M, of the General Municipal Law, we have made our review. Our comments are as follows:

1. At the present time, the property is situated in a GI district. Our preliminary land use plan, and rezoning, will be to continue this type of land use in the area. The applicant states that the building will be used for the storage, packing, and shipping of beauty supplies and equipment. This would be consistent with our objectives. However, the 3 stores will probably be used for commercial purposes which would be contrary to our effort.
2. There should be a single entrance and exit of sufficient width to accommodate both vehicular and truck delivery services. The front yard could, therefore, be put to use by removing the unspecified rectangular area and installing additional parking spaces in the front. The area should be suitably arranged and provide maneuverability.
3. The additional parking area should be shown on the plan in more detail.

Mr. Fred Wygant, Jr.
Mid-Hudson Beauty Supply Corporation

-2-

March 17, 1972

4. The "driveway" has a width of about 13'. This, coupled with its length of about 155', could create problems; particularly, if the "driveway" is to be used for two-way traffic.
5. The New York State Department of Transportation should comment on the proposed building (access, curb-cuts, drainage, etc.).

To conclude, we have no objection to the variance and the proposal provided that the site is used primarily for general industrial purposes and not commercial uses. We would also suggest that the Town and the applicant and his engineer re-evaluate the use and the site plan based upon our comments. We, therefore, grant our approval subject to the Town's consideration of our recommendations.

Very truly yours,



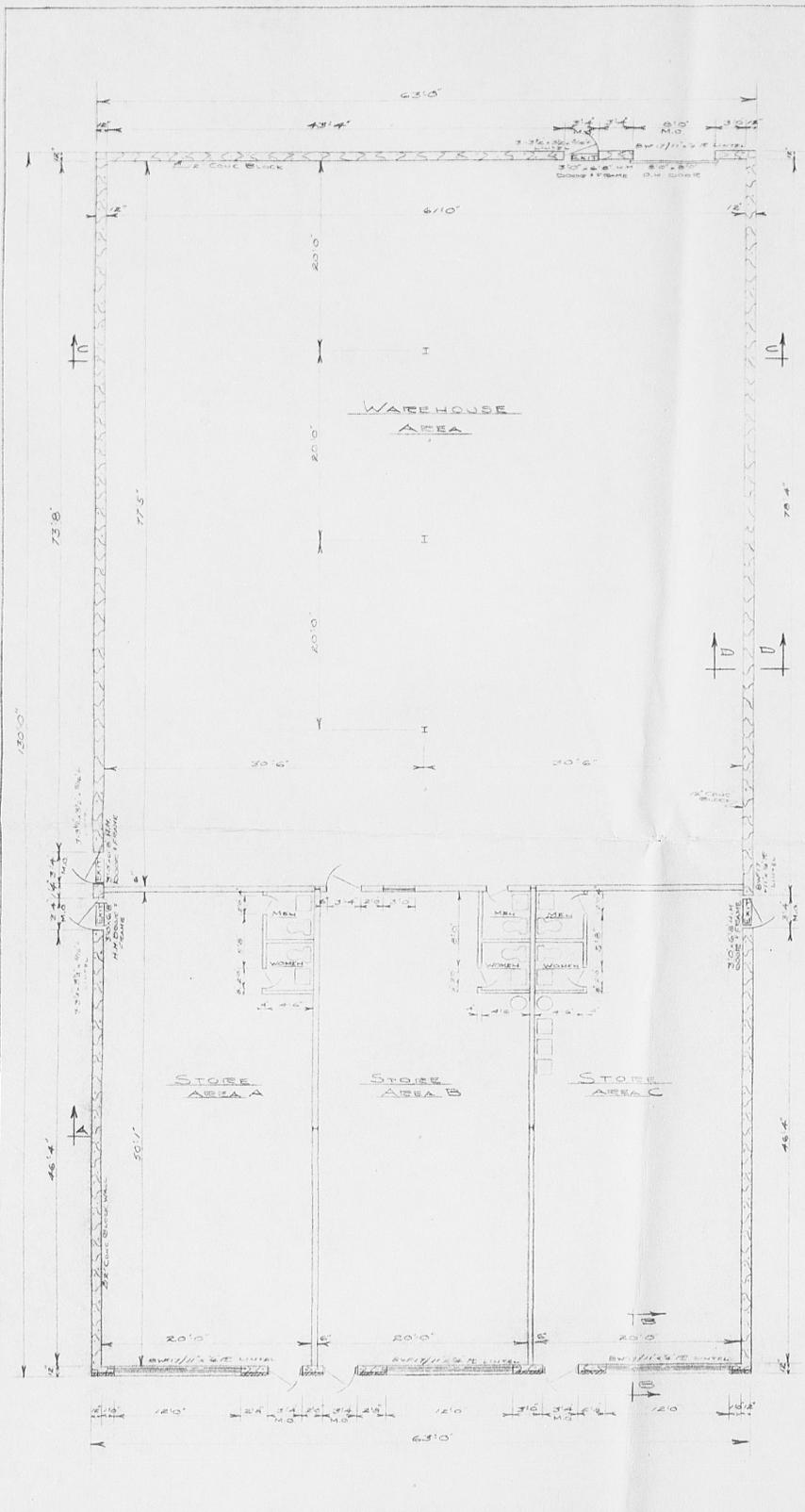
Peter Garrison

Peter Garrison
Commissioner of Planning

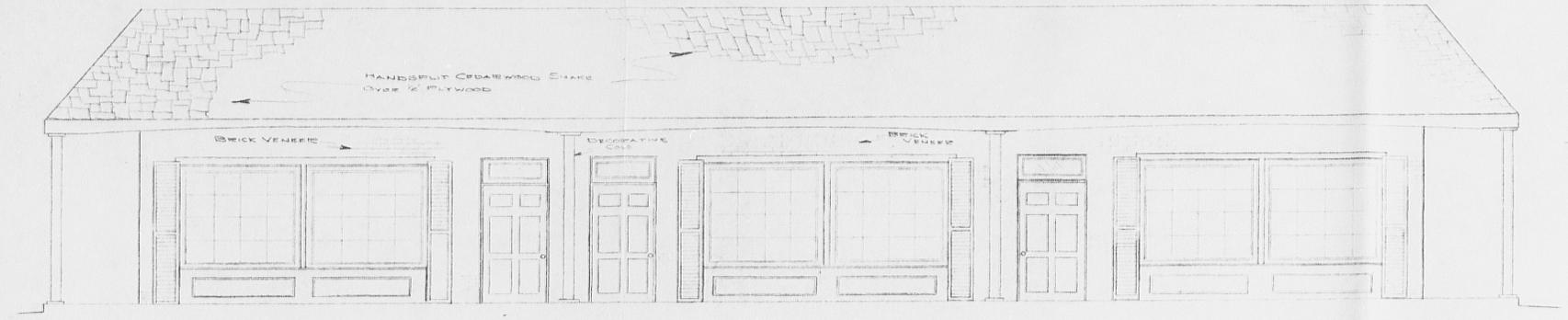
PG:mj

Enclosure

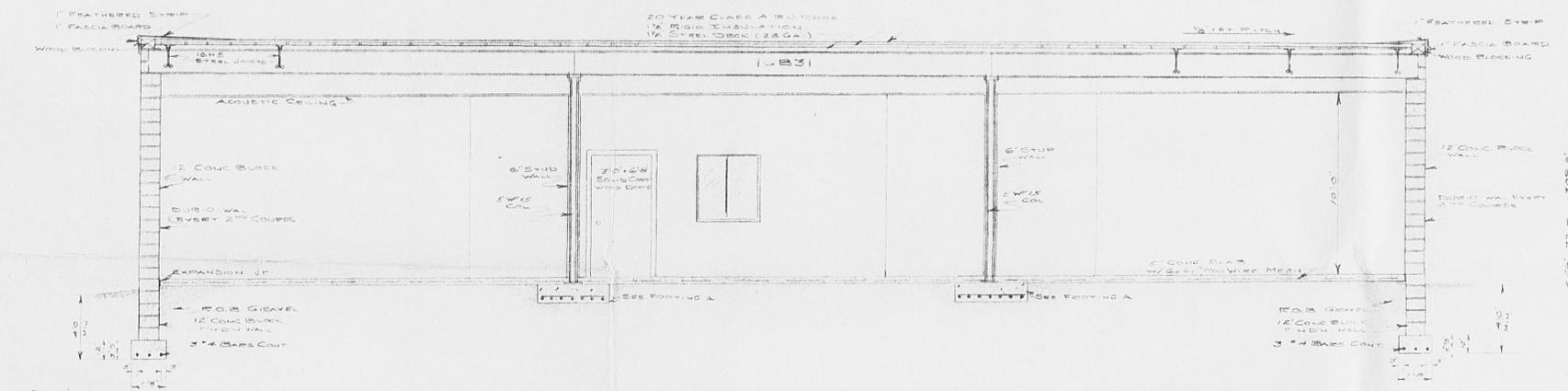
cc: J. Tallarico
D. Bello
G. Shaw, Jr.



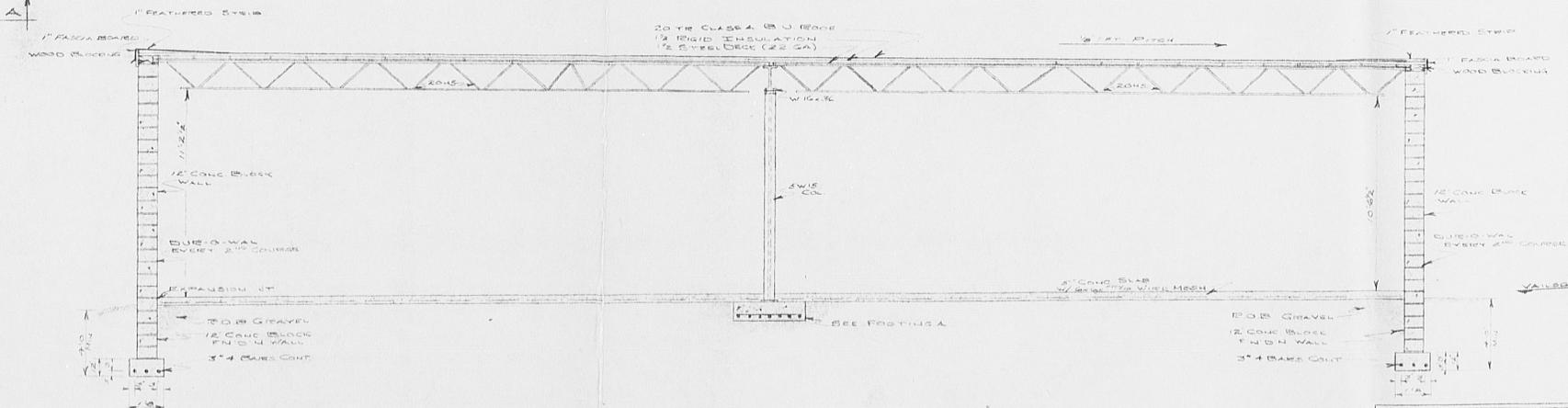
FLOOR PLAN
SCALE 1/8" = 1'-0"



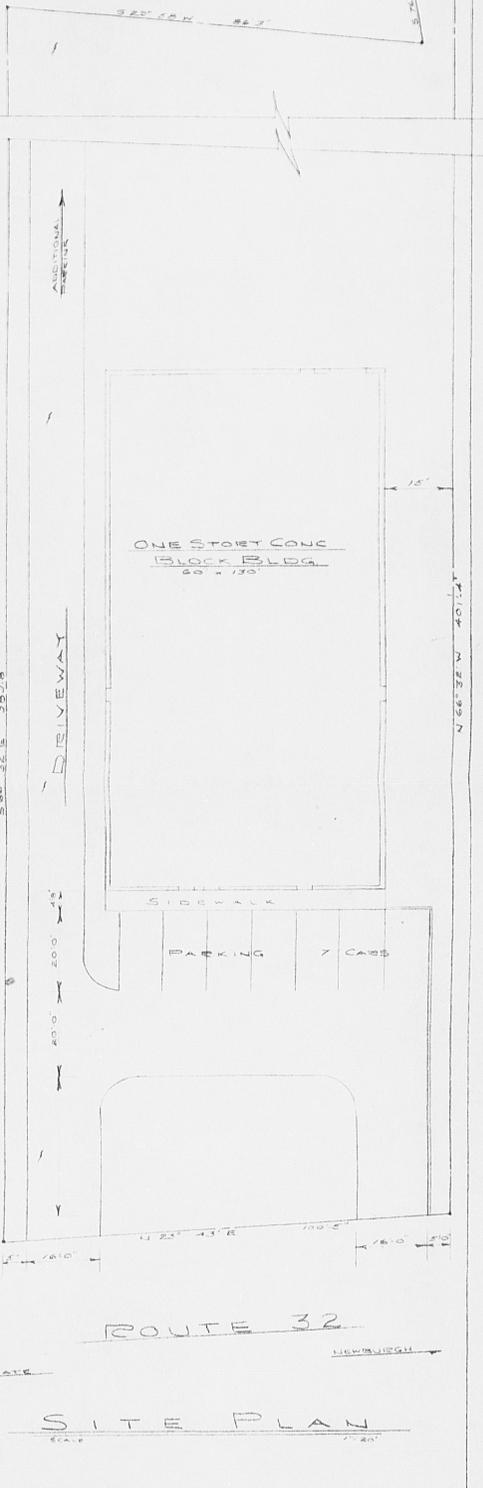
FRONT ELEVATION
SCALE 1/4" = 1'-0"



CROSS-SECTION A-A
SCALE 1/4" = 1'-0"

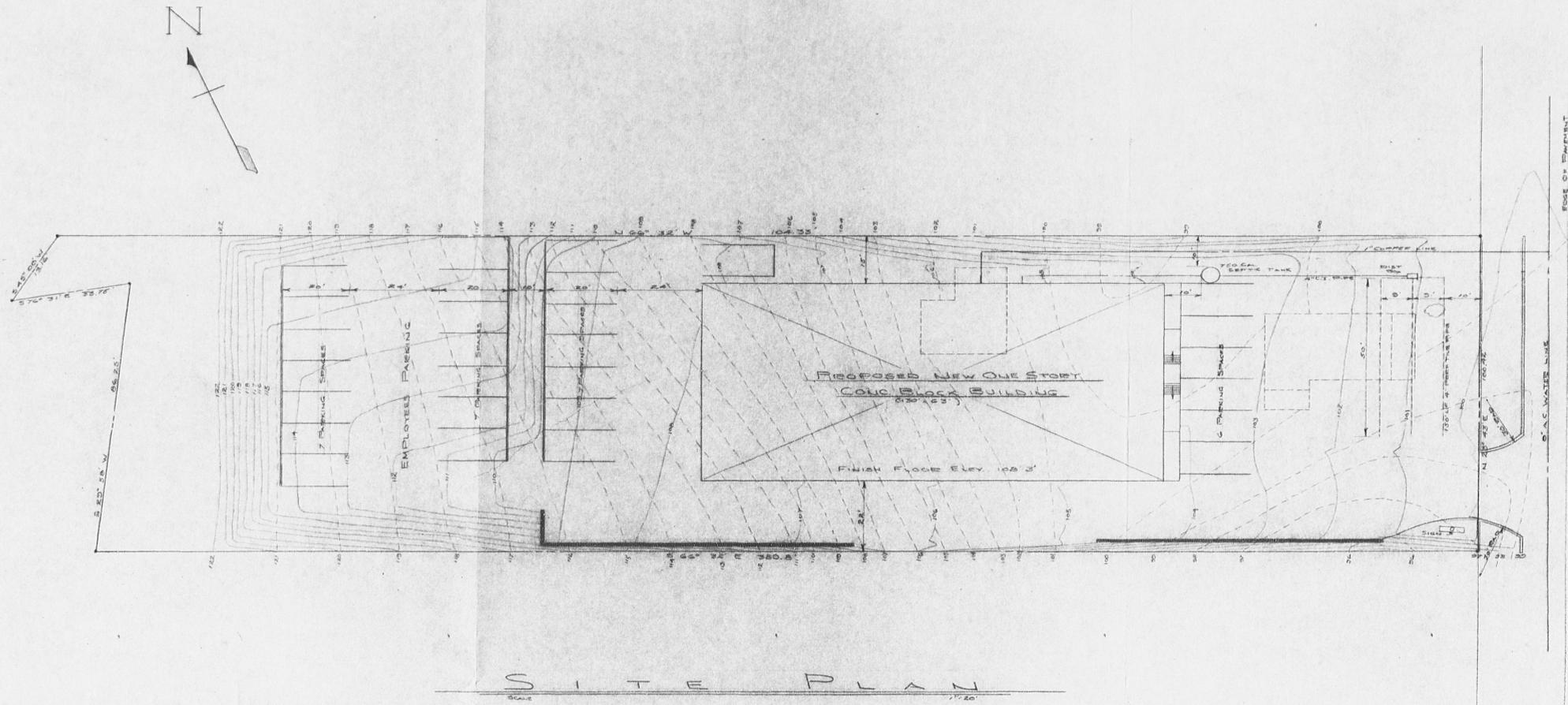


CROSS-SECTION C-C
SCALE 1/4" = 1'-0"



SITE PLAN
SCALE 1/8" = 1'-0"

ROOF PLAN	FILE NO. 2043
PROPOSED NEW BLDG	DRAWN BY GJS
FOR	CHECKED BY [Signature]
MID-HUDSON BEAUTY SUPPLY	DATE 3/3/72
WINGSBY HWY NEWBURGH, NY	SCALE AS SHOWN
GEORGE J. SHAW JR. P.E.	DRAWN BY 1
177 LIBERTY ST. NEWBURGH, NY	



S I T E P L A N
SCALE 1" = 20'

WINDSOR HIGHWAY (ROUTE 32) TO NEWBURGH

GENERAL INFORMATION:
 SCHOOL DISTRICT - CITY OF NEWBURGH SCHOOL SYSTEM
 ZONE - GENERAL INDUSTRY
 SETBACKS
 - FRONT YARD 50' MIN
 - SIDE YARD 15' MIN
 - REAR YARD 20' MIN
 PARKING SPACES REQUIRED 1 PER 300 FT FLOOR AREA
 RECORDED OWNER
 - ERIC J. JOEL MCKIBBLE
 8 FULLERTON AVE
 NEWBURGH, NY
 CONTOURS
 EXISTING -----
 REVISED _____

	SITE PLAN	FILE NO. 2043
	PROPOSED NEW BLDG.	DRAWN BY GJS
	FOR	CHECKED BY [Signature]
	MID-HUDSON BEAUTY SUPPLY	DATE 3/31/72
	WINDSOR HWY NEW WINDSOR, NY.	SCALE AS SHOWN
	GEORGE J. SHAW JR. PE. 177 LIBERTY ST. NEWBURGH, NY.	DWG. NO. 4

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

72-6-

DATE February 24 1972

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Agenda _____ Service _____

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

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

- _____ Interpretation of Ordinance or Map
_____ Variance (Notify P/B - plans if necessary)
_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

- _____ Planning Board action needed
_____ Z.B.A. action needed
_____ Site plan needed
_____ Subdivision approval needed
_____ Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: Frank M. Kille Per.
George [unclear]
(APPLICANT)