

ZB# 72-8

Southland Corp./ Sinisgalli

(no SBL given)

Public Hearing
5/1/72 - 8 p.m.

p.m.

72-8

Sinsigalli / Southland
Corp.

Filed

7/11/72

12:20 PM

16-8
Simsbury / Conn
Conn.

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE _____

APPLICATION is hereby made for the following:

Agenda _____ Service _____

1. Name ANTHONY & MARY SINISGALLI

Address RT. 94 UNILS GATE NEW WINDSOR N.Y.

Telephone number _____

Are you the owner of the property? YES

2. Briefly describe intention (or attach) and location of property:
I WOULD LIKE A VARIANCE TO PERMIT A 7-11 DAIRY STORE TO BE ERECTED ON MY PROPERTY. LOCATION RT. 94 & KNOX DRIVE.

3. PLANNING BOARD

_____ Site Plan Preliminary Meeting

_____ Subdivision Preliminary Meeting

_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map
near side (both) & use variance -
Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

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

*Agenda -
Apr. 3rd.
8:30 - Prelim -
Hearing
Apr. 17th
8 p.m.*

APPLICATION is hereby made for the following:

Agenda _____ Service _____

1. Name ANTHONY & MARY SINISGALLI

Address RT. 94 UNILS GATE NEW WINDSOR N.Y.

Telephone number _____

Are you the owner of the property? YES

2. Briefly describe intention (or attach) and location of property:

I WOULD LIKE A VARIANCE TO PERMIT A 7-11 DAIRY STORE TO BE ERECTED ON MY PROPERTY. LOCATION RT. 94 & KNOX DRIVE.

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near side (both) & use variance -
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AGENDA DATE _____

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:

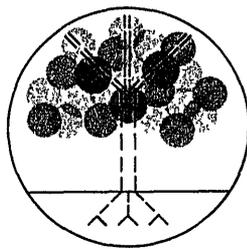
I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: Anthony Sinisgalli
(APPLICA...)

*Agenda -
Apr. 3rd.
8:30 - Prelim -
Hearing
Apr. 10th
8 pm.
Apr. 17th*

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

April 27, 1972

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

Re: Use Variance - 7-11 Store
Route 94 and Knox Drive

Dear Mr. Wygant:

This office is in receipt of the above application. In accordance with the provisions of Sections 239, L and M, of the General Municipal Law, we have made our review and deny County approval.

In denying County approval, we feel that the applicants have failed to prove their case, since no practical difficulties or unnecessary hardships have been demonstrated. Furthermore, although there are commercial uses in the area, the variance, if granted, would alter the residential character of the adjoining neighborhood in which the lot is located.

We would hope that commercial uses, other than the occasional grouping of neighborhood commercial types of businesses which may arise, do not extend northeast of Old Temple Road along Route 94 in the manner of both strip and spotty highway commercialization resembling, to some extent, the trend which has occurred in the Vails Gate-Route 32 area.

Very truly yours,

Peter Garrison
Peter Garrison
Commissioner of Planning

PG:MJ

cc: T. Marsden
D. Bello

Reviewed by:

Joel Shaw
Senior Planner

AUGUSTO LATORRE, M D
PROFESSIONAL MEDICAL BUILDING
ROUTE 9-W
MILTON, NEW YORK 12547

TELEPHONE 795-3781

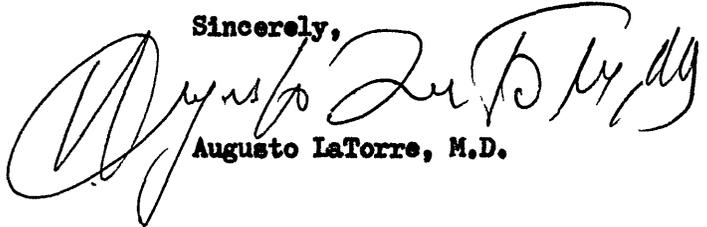
April 7, 1972

Re: Mrs. Mary Sinisgalli

To Whom It May Concern:

In my medical opinion, Mrs. Sinisgalli
should move out of her present residence.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Augusto LaTorre'.

Augusto LaTorre, M.D.

AL:cd

TOTAL: 103

April 25, 1972

SUBJECT: Variance of Article III and IV, Section
48-7 and 48-14C of Zoning Ordinance

We, the undersigned, wish to go on record as strongly opposed
to granting the Variance requested:

Name	Address
Mildred Beaulieu	76 Kingswood Gardens
Thomas Cummings	78 Kingswood Gardens
Grace H Cummings	78 Kingswood Gardens
Frances Pilot	62 Kingswood Gardens
Fanny Pilot	68 Kingswood Garden
Otto Schade	81 Kingswood Gardens
Roe Frank	66 Kingswood Gardens
Felice Cennamo	66 Kingswood Garden
Joseph Coole	67 Kingswood Gardens
Rose Trumb	73 Kingswood Gardens
Kerry Trumb	73 Kingswood Gardens
John Donnell	63 Kingswood Gardens
Mary McDonald	63 Kingswood Gardens
Jammi Strubel	89 Kingswood Gardens
Edward Strubel	89 Kingswood Gardens
atherine Cook	69 Kingswood Gardens
Nancy Messina	62 Kingswood Gardens
Josephine Ruggiero	58 Kingswood Gardens
Barbara Smith	42 Kingswood Gardens
Martha Tisor	106 Kingswood Gardens
fr Diabrowsky	31 " "

April 25, 1972

SUBJECT: Variance of Article III and IV, Section
48-7 and 48-14C of Zoning Ordinance

We, the undersigned, wish to go on record as strongly opposed
to granting the Variance requested:

Name	Address
Samuel H. Turetzkin	57 KINGSWOOD GARDENS ^{NEW WINDSOR}
Mary Levy	Kingswood Gardens
Sara Levy	48 " " New Windsor
Evelyn Turetzkin	57 " " " "
George Sica	51 " " "
Jack Pitt	52 " " "
Mannie Levy	48 Kingswood Gardens ^{New Windsor}
Michael Swartz	48 " "
Elizabeth Levine	45 " "
Abraham Levine	47 KINGSWOOD GARDENS
Miriam Levine	47 Kingswood Gardens ^{New Windsor}
Graci Swartz	46 Kingswood Gardens, New Windsor
Lena Swartz	" " "
Mrs. M. Vasile	34 Kingswood Gardens, ^{New Windsor}
Leonard Praver	37 " " "
Rose Bauer	37 " " "
Charles P. Cottone	40 " " "
Libertie Platt	43 Kingswood Gardens
Joe Platt	" " "
Venny J. Abuzzo	74 Kingswood Gardens
Annice Abuzzo	74 Kingswood Gardens

April 25, 1972

SUBJECT: Variance of Article III and IV, Section
48-7 and 48-14C of Zoning Ordinance

We, the undersigned, wish to go on record as strongly opposed
to granting the Variance requested:

Name	Address
Lena B. Falcone	10-Kingswood Gardens
Rose Wasuleski	9 Kingswood Gardens
Nick Wasuleski	" "
Edna Geany	12 Kingswood Edus ^{New Windsor}
Charles Selmon	14 Kingswood Gardens ^{New Windsor}
Bernadine Selmon	14 Kingswood Edus ^{Newburg}
Charlotte Shewer	17 Kingswood Edus "
Edna C. Smith	15 Kingswood Edus. "
Charles G. Smith	15 Kingswood Gardens
Jean Kader	16 Kingswood G.
Lenna Ganci	4 Kingswood Edus-
Barney Ganci	4 Kingswood Gardens
John J. Jankovic	7-Kingswood Gardens
Angeline Imbrasciani	2 "
Blady Fredricks	8 Kingswood Edus
Sylvia D. Ambrosio	5 "
Gerry Fieber	11 Kingswood Edus.
Sam J. Falcone	10 "
William J. McCracken	21 Kingswood Gardens
Cecilia Sulcon	7 "
E. K. Stuchbridge	102-Kingswood Edus

April 25, 1972

SUBJECT: Variance of Article III and IV, Section 48-7 and 48-14C of Zoning Ordinance

We, the undersigned, wish to go on record as strongly opposed to granting the Variance requested:

Name	Address
Alfred Magliano	28 Kingswood Gardens
Rosalia Magliano	28 Kingswood Gardens
Pauline Konstantin	20 Kingswood Gardens
Albert L. Thompson	22 Kingswood Gardens
Helen F. Thompson	22 Kingswood Gardens
Rose Lo Presti	18 Kingswood Gardens
Emil Lo Presti	18 Kingswood Gardens
Lillian Maiorino	23 Kingswood Gardens
Anna Maiorino	23 Kingswood Gardens
Nicholas Maiorino	23 Kingswood Gardens
Joseph Knapp 54	54 Kingswood Gardens
Thomas Knapp 54	54 Kingswood Gnd
Anna Olbruggo	27 Kingswood, Gdn
Joseph T. Hawrahaw	84 Kingswood Gdn
Emma W. Hawrahaw	84 " "
Wm. Johnson	85 " "
Rae Pantone	90 Kingswood Gdn
Agnes Kelly	94 Kingswood Gdn
Marion M. Leubrecht	97 Kingswood Gardens
Joseph C. Simonica	101 Kingswood Gardens
Marilyn S. Lloveria	101 Kingswood Gardens

April 25, 1972

SUBJECT: Variance of Article III and IV, Section
48-7 and 48-14C of Zoning Ordinance

We, the undersigned, wish to go on record as strongly opposed
to granting the Variance requested:

Name	Address
Andrew J. Falcone	10 Kingswood Gardens
Mary Connaughton	107 Kingswood Gardens
Charles Connaughton	" " "
Helen S. Mullin	108 Kingswood Gardens
Ambrose L. Mullin	108 Kingswood Gardens
Anthony Christie	30 Kingswood "
Catherine Christie	30 Kingswood "
John Gambetta	89 Kingswood
August Gambetta	89 Kingswood
Cecilia M. Lorus	98 Kingswood Gardens
Marquise H. Keate	87 Kingswood Gardens
Madys Perry	" " "
Edward Coze	91 Kingswood Gardens
Virginia Pope	" " " "
Mrs. Mae Keller	95 " "
Charles W. Keller	" " "
Elizabeth Dushery	55 Kingswood Gardens
Ruth Newman	60 " "
Robert Newman	60 " "

555 Union Avenue
New Windsor, N. Y.
April 22, 1972

Joseph C. Tallarico, Chairman
New Windsor Planning Bd.
555 Union Avenue - Town Hall
New Windsor, N. Y. 12550

RE: SINISGALLI/SOUTH LAND CORPORATION
Application for Variance

Dear Mr. Tallarico:

Please be informed that a public hearing will be held on
Monday, May 1, 1972 at 8 p. m. at the Town Hall on the above
subject.

In connection with same, enclosed please find copy of the
application together with public hearing notice.

Yours truly,

PATRICIA DELIO, Secretary

/pd

Enc.

cc: Howard Collett, Bldg. Inspector
Theodore F. Marsden, Supervisor

C
O
P
Y

NEW WINDSOR ZONING BOARD OF APPEALS

Regular Session

May 1, 1972

MEMBERS PRESENT: Chairman Fred Wygant, Louise Budney,
Lawrence Bilello, Ed Flanagan, Vincent
Bivona and Mark Stortecky.

MEMBERS ABSENT: William Goemann.

ALSO PRESENT: Bernard Sommers, Board attorney and
Patricia Delio, Board secretary.

The May 1, 1972 meeting of the Zoning Board of Appeals was called to
order by Chairman Fred Wygant at 7:30 p.m. Secretary called the roll.

MOTION followed by Vincent Bivona, seconded by Ed Flanagan to approve
the April 17th minutes as written. Motion carried, all ayes.

Correspondence reported:

1. Letter, dated April 3, 1972, from the Deputy Supervisor - Re:
Consideration of an amendment to the Zoning Ordinance directed to the Town
Board. Received and filed.

2. Memo from the Town Clerk, dated April 4, 1972 - Re: Jurisdiction
of Conditional uses from Planning Bd. to ZBA.

3. Memo, dated April 24th, from Supervisor Re: Conditional uses
which will be jurisdiction of ZBA from now on.

4. Memo from the Supervisor, dated April 21st, Re: Diplomat
Motor Lodge obtaining an easement. Received and filed for future public
hearing.

5. Letter, dated April 27th, from City Manager of the City of Newburgh
Re: Mobil Oil Corporation - station to be located on Union and Temple Hill Rd.
near Washington Lake. Mr. Maurer said the City was never notified of the Public
Hearing. Secretary to pull file and check on matter.

6. Bill submitted by Mr. Sommers Re: Legal services rendered in the
Ronny Bogert case totaling \$766.80.

MOTION followed by Ed Flanagan, seconded by Mark Stortecky, to
approve the payment of this bill. Motion carried, all ayes. Bill will be sub-
mitted to the Town Comptroller for payment.

* * * * *

PUBLIC HEARING - Application of Anthony and Mary Sinisgalli and Southland Corporation for a variance to locate a 7-11 Dairy Store on Rt. 94 and Knox Drive on property owned by the Sinisgalli's and zoned RB - one-family residential.

Secretary read the application, public hearing notice which appeared in the newspaper on April 21st and reported that 78 receipts were received, 2 returned unclaimed and 4 not returned - from adjacent property owners. A list from the Town Assessor was also received and filed. Spectator's list attached.

Leon Orzechowski, real estate representative, appeared on behalf of the Sinisgalli's and made the following presentation:

"This is J. Klein, architect for Southland Corporation who resides on Garden Drive. (Mr. Klein presented plans to the Board.) We are seeking a use variance to vary the use of a specific parcel of land on Rt. 94. We need rear yard and side yard to permit the 7-11 Dairy Store on property owned by Mr. and Mrs. Sinisgalli located on Rt. 94 in New Windsor. We presently have water and sewer on the property and this is zoned residential. The minimum lot required at this time is 12,500 sq. feet. This lot only has 10,500. This is a business area and across the street is zoned LB. The applicant has a letter which I submit for the record from Dr. LaTorre. It is a medical report dated April 7, 1972 indicating that in Dr. LaTorre's opinion, Mrs. Sinisgalli should move out of her present residence."

Questions from the Board followed:

Fred Wygant: How many parking places do you have?

Mr. Orzechowski: We have 12.

Mr. Wygant: One entrance and exit from Rt. 94?

Mr. Orzechowski: Yes.

Mr. Wygant: What is the frontage of the property?

Mr. Orzechowski: I think we have 106.

Mr. Wygant: The entrance and exit will be in the middle?

Mr. Orzechowski: Yes. 35 ft. in width. The curb cuts are per New York State Transportation requirements.

Mr. Wygant: No entrance from Knox Drive?

Mr. Orzechowski: No.

Mr. Wygant: Has the County Planning Dept. been informed and received a copy of this?

Mr. Orzechowski: Yes.

Mr. Wygant: How about deliveries?

Mr. Orzechowski: All supplies and deliveries are made through the front door. The building will be brick over block - a four-sided building.

Mr. Sommers: What is the square footage of the building?

Mr. Orzechowski: 30 by 80 feet.

Mr. Wygant: One story building?

Mr. Orzechowski: Yes, there will be no basement. The overhang is included.

Mr. Sommers: From what I can figure, you need the following variances: (1) 25 ft. rear yard variance, (2) 1,500 sq. ft. area variance, (3) side yard variance - 2 feet on each side for a total 10 ft. of side yard, (4) plus a use variance.

Mr. Wygant: Are there any other questions from the Board?

(None forthcoming.)

Mr. Wygant: Is there anyone in the audience who wishes to speak in favor of the application? (None forthcoming.) Anyone to speak in opposition to the application before the Board tonight?

Mr. Harry Pilot: I live in Kingswood Gardens. Is this going to be an entirely new structure or a reconstruction of the old building?

Mr. Orzechowski: This will be entirely new.

Mr. Peter Pidhorodecky: I live at 47 Cocheton Tpk. I am the owner of several apartments in Kingswood Gardens. My interpretation of the request is not his request for a variance but a complete rezoning of the area. There is an existing structure which exists upon the site. These gentlemen are before your Board to completely change the complexity of the community. It is an RB zone for apartment dwellings, houses of worship, etc. There is ample and adequate housing throughout the area. What they request is a complete rezoning contrary to the trend within the particular area proposed to be built. I don't know how your Town goes about variances. In this case they come in for a use variance and show hardship based upon the site when it conforms. When it does not conform to the specific requirements of the zone, and is not in for a complete rezoning of the ordinance. We ask you to deny this application. The law mandates that you deny it. I don't think that this should be honestly granted. How does the Town permit it? This is not an application

to rezone.

Mr. Wygant: This is not an application to rezone. It is an application to vary. We will take this into consideration.

Mr. Pidhorodecky: This is a complete request for rezoning of the area which is an RB zone.

Mr. Wygant: It is an RB zone, yes.

Mr. Pidhorodecky: If the Board forces this, they will change the complexity. It is entirely residential. This is a residential area. There is no hardship. There are many other business sites available in the immediate vicinity. People live there closely. They don't choose to have any more shopping there.

Mr. Sal Marino - I live at 72 Kingswood Gardens. I am here to object to the zoning changes. This will be on Rt. 94 within several hundred feet as it stands and there are two school bus stops here. This type of business establishment would bring much more vehicular traffic on Rt. 94 at all times of the day and night and may interfere with school bus traffic. We will have additional vehicular traffic. We are creating additional hardship for children traffic wise which is not necessary.

Edna Leamey: I live at 12 Kingswood Gardens. These gentlemen have put forth my arguments. I would like to add that there is a Fire Station just above this point which possibly will be interfered with if this store were allowed to go in here. I think we have many stores available. I think some of them aren't making a living now. This building may start out as a 7-11 Store and be abandoned because of lack of business and then we have a general deterioration of a residential area because we have a building falling apart. Then someone will open a pizzeria. Traffic is a big problem. We can at least maintain Rt. 94 at its present residential condition. We don't want another Rt. 32. I have a petition, dated April 25, 1972 signed by 103 persons which are opposed to this. Secretary: Received and filed as part of the record in opposition to this variance.

Mr. Mungo Samuel: I am one of the tenants and I live next to Sinisgalli. There are people on both sides next to me and this is all commercial. Directly across from me is all commercial. I am a resident there going on 28 years. Is this residential or commercial? Kingswood Gardens is residential. Knox Village is a residential use.

Mr. Wygant: The area where Kingswood is located is zoned LB.

Mr. Samuel: Before these apartments came in this was all commercial. Even my place was commercial. I put up a few homes then they made it residential. I am a non-conforming use. My wife has a beauty shop here. This

part came in later. Knox Village is a residential use. They are renting. Kingswood people own their own homes. Knox people are paying rents. The man who owns them, he is getting the money. If I rented this place, I would be getting money also.

Mr. Wygant: Kingswood is a condominium and Knox is an apartment complex.

Mr. Samuel: When they let Knox Village go up, nobody said nothing. Everybody wants to jump down his throat now. Why are these three properties only zoned residential?

Mr. Wygant: We only hear applications from appeals from the Zoning Laws. Any questions you have on zoning changes will have to be directed to the Town Board.

Mr. Mungo: If my place were zoned commercial, I would get more money. I am content with what I have got. I know for a fact that both sides are all commercial. The furniture place is commercial across the street from Kingstodd Gardens.

Mr. Sommers: All of the west side of Rt. 94 on the side of Kingswood and south of Old Forge Hill Road is zoned LB. On the eastside of Rt. 94 the side the Sinisgalli's are on, it is zoned RB, residential. Some of the commercial and residential enterprizes there are non-conforming before zoning went in.

Mr. Pilot: I would like to point out that this gentleman who presented this referred to the site of this proposed section as an area of general business. This is not so. The nearest business is several hundred feet toward Rt. 32. There is no other business on Rt. 94. What we are trying to do is forestall the spread of business further east. I might point out that we at Kingswood Gardens are homeowners. There are 111 taxpayers contributing some \$60,000 in taxes. This represents the interest of 111 taxpayers compared to the interest of one taxpayer seeking a change in the zoning laws. What is the purpose of zoning laws? Is it not to forestall business and tend to deteriorate or demoralize? This is what we are fighting against. We feel that the area we live in in Kingswood is a nice place to look at and live in. If you were to permit this to come in this would open the flood gates for all types of businesses. All of Rt. 94 would become commercial. We feel the Board in consideration of the taxes and in consideration of the net result in Vails Gate and New Windsor, can do nothing but refuse this petition.

Mrs. Helen Conklin - I am with Knox Village. Mr. Blumenfeld could not make it. We are not for or against this application. The house has been there since we have been there. It can still stay there. We have over 300 tenants and a lot of small children. It would be a safety factor for us because Rt. 94 is quite

dangerous for our children to cross.

Mr. Orzechowski: For summation - In answering some of the questions these fine people have brought up. The area right now is being used as commercial in and around this property. There is a furniture store. Next to the furniture store is Knox Headquarters. That is not a one-family house. It is historical and it has a commercial text to it. On the other side of the Sinisgalli's there are 320 apartments. Next door to Sinisgalli there is a beauty parlor. 150 feet away begins local business. The immediate area is LB. The firehouse, gas station and Kingswood are local business so the area is commercial in fact. Mr. and Mrs. Sinisgalli have a young daughter. Some three years ago she was playing ball and it went into the street and struck a car. The driver of the car came over to her, struck her and knocked her down. He was arrested and brought up on charged and paid a fine. They need relief for a variance. It is no longer tolerable for them to live there. The Board has a letter written by Dr. LaTorre. The doctor lives in Knox Village. The letter indicates that Mrs. Sinisgalli has been treated by this doctor for two years for heart and ulcer conditions which have been aggravated by the people in the immediate area. The Sinisgalli's had to put up a fence in the back of their yard because of people crossing into their property, which is private property. The fence was knocked down subsequent to that. A gentleman living in Knox Village on a motor cycle came around the corner on to their property knocking down their fruit tree. In October 1971 a car crashed through their hedges onto the front lawn on the property. In May of 1970 another car jumped the curb and came into the garden in the rear and broke up a guide wire holding a telephone pole, ending up two feet from the property. In September 1968 they had a German Shepherd tied in the backyard. He was poisoned with lye. Dr. Flannery made the autopsy. Two summers ago a man chased Mrs. Sinisgalli around her house threatening her life. There was damage to the driveway, flagpole, gutter of house when a car crashed through the hedges. A rock was thrown through the front picture window almost hitting Mr. Sinisgalli who was sitting in the living room. What would you people living in Kingswood do? In June of 1971 a man knocked down the hedges with a VW van. In April 1971 the mailbox was knocked down. This was knocked down 5 times in 4 years. In 1967 a gang of children created an argument with Mrs. Sinisgalli and her daughter, beating up the daughter and fighting with Mrs. Sinisgalli. Gangs of teenagers came around and the Sinisgalli's were afraid to sit outside in the summer. Adults from the apartments used the Sinisgalli's land to cut through to go to apartments. When asked to stop, they refused. Rats are a constant plague in the apartments. Mrs. Sinisgalli must every morning pick up garbage from her front lawn which the people from the apartments throw there. There was a peeping Tom in 1964 four times. A cat was run over on the Sinisgalli's property and the cats head was thrown on their land. The Sinisgalli's have to bring back Shop-Rite carts which are left on their property. I have 25 reasons why they are requesting this variance. We have tried to sell this for residential purposes since 1966. We have not been able to do so. We are requesting a variance and in order to obtain a variance we must show a great deal of hardship and I feel we have shown more than enough to obtain this variance. Since 1966 this property

has been on the market and no one has bought this for residential purposes.

Mr. Pilot: This story is quite sorrowful. The request these people are making is for a zoning change. If this is a valid reason, than anyone of us in Kingswood can change his apartment. The zoning ordinance was adopted on the basis of protection for everybody. You should not allow further business to increase in a residential area. We ask that you do not allow this variance to pass.

Mr. Mullin: I live in Kingswood Gardens. I feel sympathetic as a human being for their efforts to sell the house. The reasons given here for hardship are those which would justify a change in regulations. As for the reasons, I believe them to be frivolous. They have no bearing on the matter at hand.

Mrs. Helen Conklin: I feel I must defend Knox Village. I have been there for 4½ years. I was there in the beginning, six years ago. I lived at No. 1. In the front of Knox Village we have one through fourteen. In those apartments adults live - no children in front. The front is the best part. It is our main interest with the automobiles. The people did not like it when we first arrived. This was zoned accordingly and we built. Further on into the forest there is more room for more apartments. We have had 64 apartments in 4 years and then 126. We came in through Marshall Park. As far as the Sinisgalli's mailbox being knocked down on Rt. 94, this has nothing to do with our property. This is the main road. As far as cars or motorcycles, this is the fault of the drivers. We can't guard our children 24 hours a day. Basically, as far as I know, with threats, I have no complaints from the people in the front. They have been here 2 to 3 years. I am now in the middle of the complex. Just a few comments came in but they were mostly thrown toward our development.

Mr. Pilot: The arguments presented are very weak as Mr. Mullins pointed out. They are frivolous. His own arguments interfere with any arguments for granting of the petition. If all these arguments are against the property and now I ask, if they open up this store, where are they going to get their business from? They might as well close before they open. This will be open until 10 or 11 o'clock at night and all day Sunday. If you examine the area further east from this spot you find Knox Headquarters, which is a shrine. The only one which predates zoning is the garage. Our property would deteriorate if this would be granted. A number of apartments have been sold at Kingswood at an increase of 20% to 50% off the purchase price. Property is going up.

Mrs. Mulligan: There is a possibility of a health hazard. Rats. If this were the case, this would present a very serious health hazard to a store by its very nature because of the nature of the material. This would seem to not permit such an establishment to become established. This would increase the infestation. This is my first reason. My second is that we have seen the seriousness of the traffic situation. Several years ago we were promised a traffic light at Big V Shopping Center and Forge Hill Road on Rt. 32. They still have not erected a traffic light there. Trying to get by that particular spot is impossible. This is the kind of situation you will have at 7-11 Store. No traffic control. There

is more than one-quarter of a mile with no traffic control. You suddenly find a congested area. From 9W almost no place you can stop. This will present a right congested area, and will add to the traffic problems.

Mr. Sommers: Leon, you started talking about hardship and adults etc. and you and the Sinisgalli's trying to sell the property. For the record, I am suggesting that the applicants' statement should be made under oath either by the petitioners or by you. We should get more specific as to the dates the property went on sale. The attempts to sell it as a residential home. The broker's asking price. Any offers made to purchase as residential between 1966 and to the present time. What offers to purchase under any conditions and if these offers were subject to a variance or a zoning change. There should be testimony under oath by Mr. Orzechowski or Mr. or Mrs. Sinisgalli.

Leon Orzechowski: A lot of water has gone under the bridge.

Mr. Sommers: There are conclusions. We should have factual statements.

Mr. Orzechowski: I can provide for the board the Newburgh Multiple Listings service for 6 months at a time. Some 20 brokers and 100 salesmen could be provided.

Mrs. Budnty: Would they have any record as to when it was shown?

Mr. Orzechowski: Only to the best of their recollection.

Mr. Sommers: It should be sworn testimony so that someone representing these people would have a right to ask questions directly to you.

Mr. Orzechowski: I would like to give them some time.

Mr. Sommers: You can request an adjournment. I think that this is very important.

Mr. Orzechowski: I would like to request an adjournment for the next Board meeting.

Mr. Wygant: Before we can reach a decision on this particular application we must wait action from the Orange County Planning Dept. Their recommendations have not been received and since our attorney feels they should present definite sworn evidence to the attempts to sell it for residential use, we are going to adjourn this matter until 8 p. m. May 15th and hopefully we will have the recommendations from the Orange County Planning Dept. at that time and can take action of the request.

Mr. Pilot: With regard to the Orange County Planning Dept. How did they fit into this?

Mr. Wygant: If you are within 500 ft. of a County Road, the property in question, we must ask them for their recommendations. We can override their decision by a 5 man vote. Otherwise we have to go along with their recommendations.

We might have the recommendations and they will become part of the minutes of the next meeting. We have to give them 30 days. I declare this hearing adjourned until 8 p. m. on May 15th.

Mr. Sommers: I don't know who is going to give any sworn testimony, but I think it might be helpful for this group, who obviously are here together, and in opposition to this application, they should pick out a spokesman who will act as an interrogator to ask the questions at this next meeting.

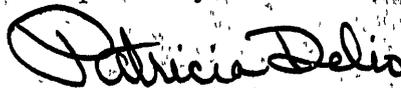
(Hearing adjourned.)

* * * * *

Mr. Frank Maurice and Mr. Reis appeared before the Board for a Preliminary meeting and presented a small plan of property which is owned by Mr. Frank Maurice containing $5\frac{1}{2}$ acres of land on Dean Hill Road, zoned RA. They would like a variance to RC to built one-family apartments with one-bedroom. They explained that they do not wish to put up too many at this time but would like to erect approximately 20 one-bedroom apartments immediately. Applications were furnished by the Secretary and a public hearing was scheduled for June 5, 1972 at 8 p. m..

Motion to adjourn followed by Lawrence Bilello, seconded by Vincent Bivona. Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,



Patricia Delio, Secretary

Public Hearing -

Sinigalli / Southland Corp. 5/1/72 -

Spectators:

<u>Names</u>	<u>Address</u>
Anthony Sinigalli	833 Blooming Grove Trpk.
Mary Sinigalli	132 Blooming Grove Trpk.
Mrs. L. Rein	Box 785 - Vails Gate L.I.C.
Robert Rein	Box 385 Vails Gate L.I.C.
Henry J. Abruzzo	74 Kingwood Gardens ^{New Rochelle} N.Y.
Larry Frank	73 " " "
Lucia Abruzzo	74 Kingwood Gardens
Rose Frank	73 Kingwood Gardens
Anna Abruzzo	27 Kingwood Gardens
Evelyn Tuzetkin	57 Kingwood Gardens
Thomas Gunning	78 Kingwood Gardens
Harvey Pilat	65 Kingwood Gardens
Frances Pilat	68 Kingwood Gardens
Jack H. Gunning	78 Kingwood Gardens
Ida Gambetta	89 Kingwood Gardens
Elizabeth Levine	45 Kingwood Gardens
Edna Leamey	12 Kingwood Gardens
Lauri Smith	42 Kingwood Gardens
Andrew L. Mullin	108 Kingwood Gardens

Public Hearing -

Sinisgalli / Southland Corp. 5/1/72 -

Spectators:

<u>Names</u>	<u>Address</u>
Anthony Sinisgalli	833 Blooming Shore Traph.
Mary Sinisgalli	733 Blooming Shore Traph.
Mrs L. Rein	Box 785 - Vails Gate N.Y.
Robert Rein	Box 385 Vails Gate N.Y.
Henry J. Abruzzo	74 Kingswood Gardens ^{New Windsor} N.Y.
Harry Tranter	73 " " "
Lucia Abruzzo	74 Kingswood Gardens
Rose Tranter	73 Kingswood Gardens
Anna Abruzzo	27 Kingswood Gardens
Evelyn Trzetykin	57 Kingswood Gardens
Thomas Gunning	78 Kingswood Gardens
Harvey Pilat	65 Kingswood Gardens
Frances Pilat	68 Kingswood Gardens
Grace H. Gunning	78 Kingswood Gardens
Ida Gambetta	89 Kingswood Gardens
Elizabeth Levine	45 Kingswood Gardens
Edna Learney	12 Kingswood Gardens
Laurie Smith	42 Kingswood Gardens
Ambrose L. Mullin	108 Kingswood Gardens
Helen S. Mullin	108 Kingswood Gardens
Paul E. Mulligan	109 Kingswood Gardens
James Mulligan	109 Kingswood Gardens
Jenni Horbich	59 Kingswood Gardens
John Horbich	59 Kingswood Gardens

Josephine Ruggieri 58 Kingswood Gardens Newburgh N.Y.
Mancy Messina 62 Kingswood Garden Newburgh
Edward Pope 91 Kingswood Gardens ^{Newburgh}
Virginia A. Pope 91 Kingswood Gardens, Newburgh, N.Y.
Lena B Zukow 10 - Kingswood Gardens
Rae Cantone 90 Kingswood Gardens
Helen Conklin 77 Rural Village
Peter Felkowsky 47 Route 17K Newburgh N.Y.
Samuel J. Mengo Marshall Dr.
Schuta J. Davis 72 Kingswood Gardens
John P. De Santis 3 Hill St, Newburgh, N.Y.



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808
April 17, 1972

Mr. Leon Orzechowski

RE: Siniscalli Property

Dear Mr. Orzechowski:

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 \$40.00. 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

84

EEW/pk

Enc.

*Paid \$40.00
Julia M. Tuckwell
Town Clerk*



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

Sinisgalli Property

1763

- | | | | |
|---|--|---|--|
| X | Emilio Panella
Sylvia Dambrosio
410 Blooming Grove Turnpike
New Windsor, New York 12550 | X | Theodore H. Solomon
700 Executive Office Building
Rochester, New York 14614 |
| O | George & Catherine Smith
38 Willow Lane
New Windsor, New York 12550 | X | Mans & Miller Apto Centers Inc.
453 Robinson Avenue
Newburgh, New York 12550 |
| X | William & Blanche Marshall
16 Marshall Drive West
Vails Gate, New York 12584 | X | City School District of Newburgh
98 Grand Street
Newburgh, New York 12550 |
| X | Antone & Anastazja Moniz
16 Marshall Drive West
Vails Gate, New York 12584 | X | The Vails Gate Fire Company
Route 94
Vails Gate, New York 12584 |
| X | William & Gloria Muller
Marshall Drive West
Vails Gate, New York 12584 | X | Vails Gate Methodist Cemetary
Vails Gate, New York 12584 |
| X | Benjamin & Bella Harris
200 Route 9W
New Windsor, New York 12550 | X | Vails Gate Methodist Church
Vails Gate, New York 12584 |
| X | Harold & Yvonne B. Abrams
2 Truex Drive
Vails Gate, New York 12584 | X | Vails Gate Fire Company Inc.
Route 94
Vails Gate, New York 12584 |
| X | Benjamin & Bella Harris
200 Route 9W
New Windsor, New York 12550 | X | Anna Abruzzo
27 Kingswood Gardens
New Windsor, New York 12550 |
| X | Thomas J. & Irene E. Bellcastro
4 Marshall Drive East
Vails Gate, New York 12584 | X | Henry & Aimee Abruzzo
74 Kingswood Gardens
New Windsor, New York 12550 |
| X | Knox Village Associates
2375 Hudson Terrace
Fort Lee, New Jersey | f | Alfay Brick Mason, Inc.
169 Isle of Venice
Fort Lauderdale, Florida |
| X | The State of New York
C/O County Finance Office
Goshen, New York | X | Jeremiah & Matilda Buckley
24 Kingswood Gardens
New Windsor, New York 12550 |
| X | Donald C. & Martha A. Gordon
815 Blooming Grove Turnpike
New Windsor, New York 12550 | X | Rae Cantone
90 Kingswood Gardens
New Windsor, New York 12550 |
| | | X | Frank Cardullo
2 Dorothy Court
Farmingdale, New York |



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

Siniscalli Property

1768

x Daniel & Virginia Cennamo 3 Kingswood Gardens New Windsor, New York 12550	x Gladys Fredericks 8 Kingswood Gardens New Windsor, New York 12550
x Felice Cennamo 66 Kingswood Gardens New Windsor, New York 12550	x Paul & Lois Gagliardo 110 Kingswood Gardens New Windsor, New York 12550
x Joseph & Catherine Cook 69 Kingswood Gardens New Windsor, New York 12550	x August & Ida Gambetta 89 Kingswood Gardens New Windsor, New York 12550
x Alex & Genevieve Coviello 26 Kingswood Gardens New Windsor, New York 12550	x Barnew & Anna Ganci 4 Kingswood Gardens New Windsor, New York 12550
f Anthony & Catherine Christie 30 Kingswood Gardens New Windsor, New York 12550	x Joseph & Emma Hanrahan 84 Kingswood Gardens New Windsor, New York 12550
x Brendan & Agnes Creagh 75 Kingswood Gardens New Windsor, New York 12550	x Cenith Havener 86 Kingswood Gardens New Windsor, New York
x Thomas & Grace Cummings 78 Kingswood Gardens New Windsor, New York 12550	x Willis & Henrietta Hawkins 88 Kingswood Gardens New Windsor, New York 12550
y Sylvia D'Ambrosio 5 Kingswood Gardens New Windsor, New York 12550	x Earl & Hazel V. Jesse 29 Kingswood Gardens New Windsor, New York 12550
x Samuel & Geraldine Destafano Box 212 Richmond, Vermont	x Marguarite Keats 87 Kingwood Gardens New Windsor, New York 12550
x Michael Duff Inc. 14 Sebro Avenue North Amityville, New York	x Charles & Mae Keller 95 Kingswood Gardens New Windsor, New York 12550
x Andrew & Amelia Falcone 7 Kingswood Gardens New Windsor, New York 12550	x Agnes Kelly 97 Kingswood Gardens New Windsor, New York 12550
x Samuel & Lena Falcone 10 Kingswood Gardens New Windsor, New York 12550	x Pauline & Theodore Konstantin 20 Kingswood Gardens New Windsor, New York 12550
x Witold Filipowsky 37 Knox Village New Windsor, New York 12550	x William & Helen Lawson 32 Kingswood Gardens New Windsor, New York 12550



1783

Sinisgalli Property

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

†	Joseph & Matilde Llaveria 101 Kingswood Gardens New Windsor, New York 12550	†	James & Sarah Mulligan 109 Kingswood Gardens New Windsor, New York 12550
†	Edna Leamey 12 Kingswood Gardens New Windsor, New York 12550	×	Ambrose & Helen Mullin 108 Kingswood Gardens New Windsor, New York 12550
†	Leva Brothers, Inc. 2040 Baylis Avenue Elmont, New York	†	Joseph & Olga Parisi 7 Fanewood Drive New Windsor, New York 12550
×	Harry & Rosalie Lewis 105 Kingswood Gardens New Windsor, New York 12550	†	Peter & Olga Pidhorodecky 68 Wisner Avenue Newburgh, New York 12550
†	Verl & Ruth Luzens 112 Kingswood Gardens New Windsor, New York 12550	†	Harry & Frances Pilat 68 Kingswood Gardens New Windsor, New York 12550
†	William & Anna McCracken 21 Kingswood Gardens New Windsor, New York 12550	×	Edward & Virginia Pope 91 Kingswood Gardens New Windsor, New York 12550
✓	Alfred & Rosalie & Alfred Jr. Magliano 28 Kingswood Gardens New Windsor, New York 12550	×	Al & Jean Radar 18 Kingswood Gardens New Windsor, New York 12550
×	Lillian Maiorino 23 Kingswood Gardens New Windsor, New York 12550	×	Frederick & Carol Redfern Box 38 Vails Gate, New York 12584
×	Salvatore & Sallie Marino 72 Kingswood Gardens New Windsor, New York 12550	×	Cecelia Sarno P.O. Box 263 Holtsville, New York
×	Jane Marsh 70 Kingswood Gardens New Windsor, New York 12550	†	Otto & Martha Schade 81 Kingswood Gardens New Windsor, New York 12550
×	Herman & Helen Meyeroff 4F Putnam Green Greenwich, Connecticut	×	Charles & Bernadine Selemon 14 Kingswood Gardens New Windsor, New York 12550
†	M & M Woodworking Inc. 725 E. 98th Street Brooklyn, New York	×	Max & Helen Skyer 19 Kingswood Gardens New Windsor, New York 12550



1768

Sinisgalli Property

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

- | | |
|---|--|
| <p>x Charles & Edna Smith
15 Kingswood Gardens
New Windsor, New York 12550</p> <p>x Elizabeth Stanbridge
102 Kingswood Gardens
New Windsor, New York 12550</p> <p>+ Henry & Helen Stauch
113 Kingswood Gardens
New Windsor, New York
12550</p> <p>x Albert & Helen Thompson
22 Kingswood Gardens
New Windsor, New York 12550</p> <p>+ Martha Tiber & Pidhorodecky
106 Kingswood Gardens
New Windsor, New York 12550</p> | <p>x Lawrence & Rose Traub
73 Kingswood Gardens
New Windsor, New York 12550</p> <p>x Dorothy Van Leuwen
85 Kingswood Gardens
New Windsor, New York 12550</p> <p>+ Helen Walsh & Marilyn Lewis
79 Kingswood Gardens
New Windsor, New York 12550</p> <p>+ Nicholas & Rose Wasilewski
9 Kingswood Gardens
New Windsor, New York 12550</p> |
|---|--|

54

Respectfully submitted,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk

enc.

PUBLIC HEARING NOTICE 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. 8

Request of ANTHONY & MARY SINISGALLI and SOUTHLAND CORPORATION for a Variance of the regulations of the Zoning Ordinance, to permit the construction of a 7-11 Dairy Store, being a Variance of Article III & IV

Section 48-7 and 48-14 C, for property owned by him situated at No. 833 Blooming Grove Tpk, New Windsor, N. Y.

SAID HEARING will take place on the 1st day of May, 1972 at 8 o'clock p. m. at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.

FRED WYGANT, Chairman

By: PATRICIA DELIO, Secretary

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE _____

APPLICATION is hereby made for the following:

Agenda _____ Service _____

1. Name ANTHONY & MARY SINISGALLI
Address RT. 94 UNITS GATE NEW WINDSOR N.Y.
Telephone number _____

Are you the owner of the property? YES

2. Briefly describe intention (or attach) and location of property:
I WOULD LIKE A VARIANCE TO PERMIT A 7-11 DAIRY STORE TO BE ERECTED ON MY PROPERTY. LOCATION RT. 94 & KNOX DRIVE.

3. PLANNING BOARD

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

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map
var. side (both) & use variance -
_____ Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

BUILDING PERMIT

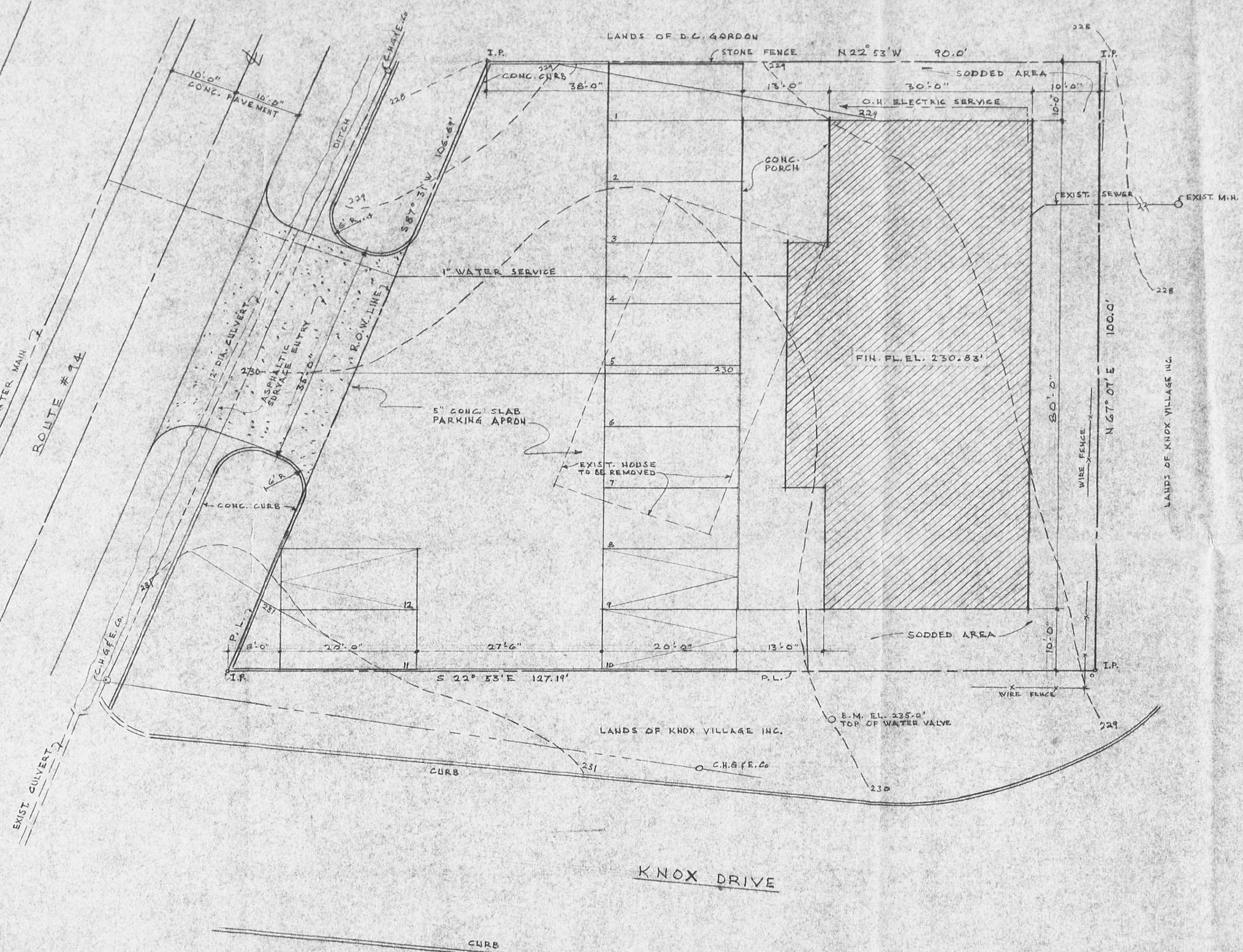
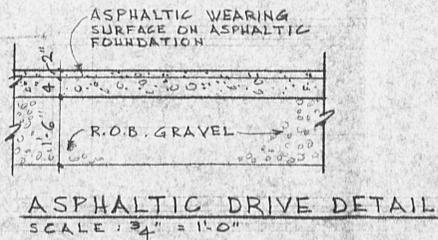
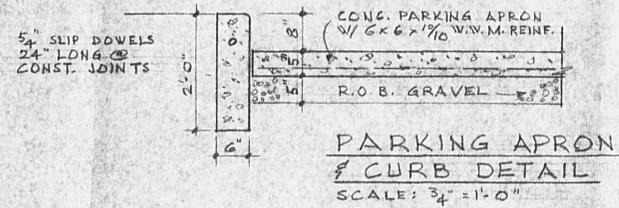
- _____ Planning Board action needed
- _____ Z.B.A. action needed
- _____ Site plan needed
- _____ Subdivision approval needed
- _____ Water, Sewer and Highway action needed

ACTION TAKEN:

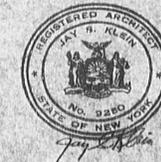
I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: Anthony Sinisgalli
(APPLICANT)

*Agenda -
Apr. 3rd.
8:30 - Prelim -
Hearing
~~Apr. 10th~~
8 pm.
Apr. 17th*



SITE PLAN
SCALE: 1/8" = 1'-0"
SITE PLAN IS BASED ON A SURVEY BY
T. JARGSTORFF, L.S., FEB. 18, 1972.



7-ELEVEN STORE
FOR THE SOUTHLAND CORPORATION
2828 NORTH HASKELL AVENUE, DALLAS, TEXAS
JAY S. KLEIN - ARCHITECT
11 GARDEN DRIVE NEWBURGH, N.Y.

MODEL:
DATE: APRIL 72
L.C.N.: P.N. 67-72
SHEET 5 OF 7
S-1