

ZB# 72-9

Diplomat Motor Lodge

(no SBL given)

Filed - 10/20/72
9:15 A.M.

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 22-23A of the Zoning Ordinance on the following proposition:

APPEAL NO. 9
REQUEST of Diplomat Motor Lodge, Inc. for a variance of the regulations of the Zoning Ordinance, to permit construction of a motel and restaurant, a variance of Article III, Section 48-13, to property owned by him, situated as follows: Union Avenue between the property of the County of Orange, James Z. Patasalos, and the New York State Thruway.

Said hearing will take place the 15th day of May, 1972 at the Town Hall, beginning at 8:30 p.m.

FRED WYGANT Chairman
By: PATRICIA DELLO Secretary
 May 4

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

Brian J. Donnelly , 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.....**4th**.....day of
**May**.....**A.D., 1972** , and ending on
 the**4th**..... day of**May**..... **A.D., 1972**

Subscribed and sworn to before me this
**5th**..... day of.....**May**..... **1972**.....




Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 19

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 72-9

Date: May 2, 1972

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

I (We) Diplomat Motor Lodge of 16 Clark Street
(Street & Number)

Newburgh

New York

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

A. Location of the Property (no number) Union Avenue G I
(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 Do not quote the ordinance.) §48-11 (B) (3)

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: Premises are well suited to a motel site. The acreage abuts the N. Y. State Thruway and is located on good access roads to the N. Y. State Thruway and Interstate 84 Adjoining land is owned by the County of Orange and not available for development purposes. Rear lot is owned by James Z. Patsalos, a portion of which is being used for a truck warehouse and the remainder is, upon information and belief, undeveloped. Applicant previously owned a motel in the Town of Newburgh, taken for highway purposes and applicant owns no other lands on which to replace said motel.

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: The zone in question is commercial, being G I. The desired use is permitted under GB (B)(3). Applicant is a motel corporation and the erection of a motel and restaurant would be reasonable use to be made of the land. A motel would present a better use of applicant's land than uses permitted in G B 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: Applicant operated a motel in the Town of Newburgh at the intersection of Route 84 and Union Avenue; a redesign of Route 84 exit ramps resulted in its property being condemned by N. Y. State. This property in question is the nearest site applicant could get to replace its motel and restaurant. Applicant requested a rezoning of the premises and funded a sewer extension study to make the use feasible. Upon information and belief, the Town Board is considering a rezoning of the area to permit the intended use and a variance would not violate the spirit or intent of the ordinance. Uses normally permitted in a higher zone (G B) would upgrade the character of this G I district and bring to the Town a better tax ratable than those uses permitted in a G I zone.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: The use requested, being commercial, is not in violation of the spirit of a commercial zone. Furthermore, the motel and restaurant will be a commercial tax ratable that will not require increased services or bring to the Town additional needs for schooling of new children.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: The zone, being commercial, the variance operates to permit a modification of the use required in degree between two commercial zones. As such, the use could complement existing uses and in no instance would the proposed use create any special privilege or place any burden on the adjoining lands.

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

See plans attached

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: May 2, 1972

/s/ Dominick Roscino
Signature of Applicant

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

Sworn to on this 2 day of May, 1972.

17 Clark Street, Newburgh, N. Y.
Address

/s/ Richard J. Drake
(Notary Public)

Telephone Number

Com exp 7/30/74

(DO NOT WRITE IN THIS SPACE)

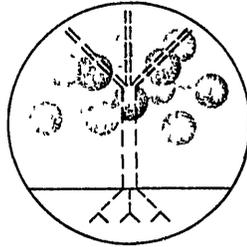
Application No. 72-9
Date of Hearing 6/5/72 5/15/72
Date of Decision 6/5/72

Date Received 5/2/72
Notice Published 5/4/72

DECISION: Approved subject to recommendations.

Town Hall File

Department of Planning



County of Orange

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

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

Louis V. Mills, County Executive

August 24, 1972

Mr. Joseph Tallarico, Chairman
Town of New Windsor Planning Board
Park Hill Drive
New Windsor, New York 12550

RE: Diplomat Motor Hotel Complex -
County Road 38 (Union Avenue)

Dear Mr. Tallarico:

We are in receipt of the above site plan, in accordance with the provisions of Sections 239, L and M, of the General Municipal Law. We have made our review and offer the following comments:

1. The proposed complex lies slightly to the south of Stewart Airport, which suggests that the uses shown will be exposed to noise unless extensive and expensive precautions are taken in the construction of the buildings.

For your information, in measuring noise at a specific location, an index, known as "Noise Exposure Forecast Units" (NEF), helps to indicate the degree to which noise sensitivity is likely to be compatible with major categories of land use. In areas falling within NEF zones 20-30, few activities will be affected by aircraft sounds. Those areas within NEF values of 30-40, sound exposure in design should be considered. Areas having NEF values greater than 40 should be reserved for activities which can tolerate a high level of sound exposure.

Since the proposal is situated within NEF values of 30-40, sound control should be incorporated in building design. Construction materials and techniques should be carefully monitored and controlled by your Board and the Town Building Inspector.

2. In the future, the County road may require widening to handle the increase in traffic generated by this complex and other projects in the area. We suggest, therefore, that an alternative scheme be developed showing access onto Square Hill Road and not directly onto the County road; or a single point of entry onto the County road, with access to aspects of the complex off a main interior road running through the site. The latter would require improvements to accommodate and channel left-turning and right-turning movements into the complex.

3. The plan, in its present form, proposes several uses which were not a part of the use variance sought by the applicant and approved by the Zoning Board in June 1972. This should be clarified, since the applicant may have gone beyond the approved action of the Zoning Board.
4. Since the motel will be situated on the high part of the property, runoff and erosion could be a problem. A copy of the plan has been submitted to the Soil Conservation Service for review. The Service should provide information on the suitability for the uses proposed, as well as practices which should be followed during construction.
5. Lake Washington will absorb runoff water from this complex. The City of Newburgh should have an opportunity to review the plan; particularly, the drainage elements of the proposal.

Since there are aspects of the project which need to be resolved, we are withholding the granting of our approval pending (a) the approval of the complex by the Federal Aviation Administration, (b) the development of an alternative means of access, (c) clarification by the Zoning Board on the uses, (d) the recommendations of the Soil Conservation Service, and (e) the City of Newburgh's acceptance of the drainage plan. All of this information should render assistance to you in making a final determination.

We will communicate with your Board so that the modifications, if any, can be incorporated into future submissions.

Very truly yours,

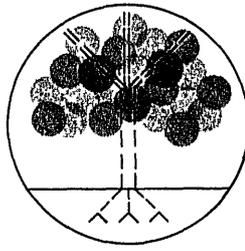
Joel Shaw
Senior Planner

JS:mj

cc: George Garry, FAA
William Price, Sr., OCPDW
Fred Wygant, Jr., ZBA
George Shaw, Mayor, Newburgh City
Barbone & Habig, Architects
Lloyd Wright, OCSCS

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

January 4, 1972

Mr. Richard J. Drake, Attorney
Box 511, 233 Liberty Street
Newburgh, New York 12550

Re: Diplomat Motor Lodge
Union Avenue

Dear Mr. Drake:

Our office is in receipt of your correspondence with the Town of New Windsor regarding a possible rezoning or variance request for a motel and restaurant facility on Union Avenue.

In order for our Department to review the proposed rezoning of the area or use variance, it will be necessary for us to receive a map of the area to be redesignated and the reasons behind the requested change of zoning; or a site plan and copy of the application submitted to the Zoning Board of Appeals.

We will begin our review upon receipt of the above-mentioned information.

Very truly yours,

Joel Shaw
Senior Planner

JS:mj

cc: T. Marsden
F. Wygant ✓
W. Price

Forge Hill Rd.
New Windsor, N. Y.
September 15, 1972

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

RE: DIPLOMAT MOTOR LODGE

Dear Mr. Tallarico:

Reference is made to your Planning Board minutes of July 26th on page 3 - Item No. 10. This portion of minutes refers to a bank and gas station proposed by the Diplomat Motor Lodge.

We enclose for your information a copy of the June 5, 1972 minutes of the Zoning Board of Appeals which included a motion by the Board to approve the variance application of the Diplomat Motor Lodge. The motion approves the erection of a restaurant and motel - does not mention a gas station or bank.

Please may we hear from you regarding this situation as soon as possible.

Thank you.

Yours truly,

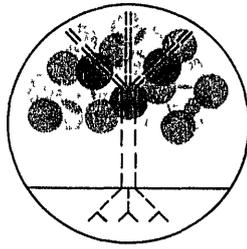
Fred Wygant, Chairman

/pd

Enc.

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

May 11, 1972

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

Re: Use Variance - Diplomat Motor Lodge
County Road 38 (Union Avenue)

Dear Mr. Wygant:

This office has received and reviewed the above variance application. The following comments are the result of this review:

1. At the present time, the property is zoned G1. The petition before your Board is for a variance to erect a motel and restaurant and service station on the parcel. The service station component of the proposal is a conditional use subject to the approval of the Zoning Board and site plan approval by the Planning Board.
2. Our recommendation to the Town Planning Board and Town Board is to rezone the area to OLI and not a general business designation. An OLI designation would be the least likely to cause such problems as pollution to Lake Washington and congestion and relatively unsafe traffic conditions in this area.
3. The motel use would not be inconsistent and could be a part of the proposed OLI district. However, due to the nature of this use as it relates to the proposed expansion and development of Stewart, a critical review should be made, taking into consideration the proximity of the site to runway 16-34 (north-south).
4. The applicant, Dominick Roscino, agreed, in 1970, that there would be no driveway or any connection onto the County Road. All access would be from Square Hill Road. The site plan, which will have to be reviewed by us when submitted to the Town Planning Board for approval, shows access onto the County Road. This should be revised, in accordance with the agreement. A copy of this agreement is enclosed.

Mr. Fred Wygant
New Windsor ZBA

-2-

May 11, 1972

Therefore, acting under the provisions of Sections 239, L and M, of the General Municipal Law, we grant conditional approval subject to the consideration of the above Items #3 and #4; the favorable recommendation of the use by the Federal Aviation Administration; its relationship to the MTA Stewart Master Plan (to be released on or about June 1st of this year); and the submission of a revised site plan to us, the County Department of Public Works, and others at the appropriate time.

Very truly yours,



Peter Garrison
Commissioner of Planning

PG:mj
Reviewed by:
Joel Shaw
Senior Planner

Enclosure

cc: D. Lisack
Richard Drake
Joseph Tallarico
George Gary

May 18, 1970

Mr. Dominick Roscino, President
Diplomat Motor Lodge
P. O. Box 2085
Newburgh, New York 12550

Dear Mr. Roscino:

This is to confirm our conversation with you on Friday P.M., May 15, 1970, when we agreed and understood that there would be no driveway or any connections to the County Road (Union Avenue) from your property except the utilities. All access to your property, as recorded in the Office of the Orange County Clerk, October 30, 1969, in Liber 1833 at Page 602 of Deeds, will be made from the Town Road, formerly Silver Stream Road, now Square Hill Road.

If you have changed your mind, kindly advise this office by return mail. If we do not hear from you by Monday, May 25, 1970, we will assume that this arrangement is satisfactory. We will then process the permit for water and notify Mr. Howard Collett, the building inspector, so that you may continue with the single residence as planned.

Very truly yours,

ALFRED H. PETERSON,
Commissioner of Public Works

By:

William C. Price, Sr.,
Senior Engineer

WCPSr:rmh

CC: Mr. Howard Collett
Building Inspector, Town of New Windsor

Mr. Joseph Craig
Water Supt., Town of New Windsor

PROPOSED SEWER STUDY AGREEMENT

THIS AGREEMENT MADE the 15th day of ~~August~~ ^{OCTOBER}, 1970 between
DIPLOMAT MOTOR a domestic corporation, with a place of
LODGE, INC. business at 16 Clark Street, City of Newburgh,
New York, party of the first part and the TOWN OF NEW WINDSOR, a
municipal corporation of the State of New York, having its office
at 555 Union Avenue, New Windsor, Orange County, New York, party
of the second part.

W I T N E S S E T H:

WHEREAS the party of the first part owns property in the
Town of New Windsor, more particularly described in Schedule A,
annexed hereto, and said property has no public sewage disposal
facilities, and

WHEREAS, the party of the first part desires the party of
the second part to furnish sewage disposal facilities for the
party of the first part, and

WHEREAS, in connection therewith, it is necessary to
prepare a general map, plan and report on the feasibility of the
same, and the cost of preparing such general map, plan and report
will be a charge against the party of the first part and against
any sewer district formed within the Town of New Windsor encom-
passing lands of the party of the first part and any other lands
within the said Town which are benefitted by the sewer service, and

WHEREAS the party of the second part wishes to secure
itself against expenses for preparation of such general map, plan
and report, and

WHEREAS the party of the first part is willing to under-
write the expenses of preparing such a general map, plan and
report and

WHEREAS the projected cost of the preparation of such a
general map, plan and report and legal work in connection with

THIS AGREEMENT MADE the 15 day of ~~August~~^{October}, 1970 between
DIPLOMAT MOTOR LODGE, INC. a domestic corporation, with a place of
business at 16 Clark Street, City of Newburgh,
New York, party of the first part and the TOWN OF NEW WINDSOR, a
municipal corporation of the State of New York, having its office
at 555 Union Avenue, New Windsor, Orange County, New York, party
of the second part.

W I T N E S S E T H:

WHEREAS the party of the first part owns property in the
Town of New Windsor, more particularly described in Schedule A,
annexed hereto, and said property has no public sewage disposal
facilities, and

WHEREAS, the party of the first part desires the party of
the second part to furnish sewage disposal facilities for the
party of the first part, and

WHEREAS, in connection therewith, it is necessary to
prepare a general map, plan and report on the feasibility of the
same, and the cost of preparing such general map, plan and report
will be a charge against the party of the first part and against
any sewer district formed within the Town of New Windsor encom-
passing lands of the party of the first part and any other lands
within the said Town which are benefitted by the sewer service, and

WHEREAS the party of the second part wishes to secure
itself against expenses for preparation of such general map, plan
and report, and

WHEREAS the party of the first part is willing to under-
write the expenses of preparing such a general map, plan and
report and

WHEREAS the projected cost of the preparation of such a
general map, plan and report and legal work in connection with
the agreement and the authorization for and in connection with this
project will not exceed the sum of \$5,000.00 for this portion of
the study,

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. The party of the first part, simultaneously with the execution of this agreement, is delivering to the party of the second part the sum of \$5,000.00, receipt of which is hereby acknowledged.

2. The said sum is to be deposited in a trust account of the party of the second part as security for the payment of that portion of the preparation of the general map, plan and report, deemed to be the equitable share thereof for the party of the first part and the related legal printing and publication expenses, and in the event that it is not deemed feasible to supply the party of the first part with the aforesaid sewage facilities, the party of the second part is authorized to draw against the said sum for the payment of the costs hereinabove mentioned and, upon payment of such costs, any balance then remaining shall be remitted to the party of the first part.

3. The party of the second part agrees to engage the services of an engineer and an attorney for the preparation of such general map, plan and report for other legal work in connection therewith.

4. In the event that it is deemed feasible to supply the party of the first part with the aforesaid sewage disposal facilities the parties hereto shall enter into an agreement with respect to the furnishing of such facilities, and upon the execution thereof, the aforesaid sum shall be returned to the party of the first part. ~~or else applied to the expenses in connection with the installation or the services as the same may be provided by the agreement.~~

5. If at the expiration of one year from the date hereof, no general map, plan or report has been prepared, then and in that event, this agreement shall cease and terminate and the party of the second part shall return to the party of the first part all sums hereunder paid as security.

IN WITNESS WHEREOF the parties have caused their corporate seals to be hereunto fixed and these presents to be signed by their duly authorized officer the day and year first above written.

DIPLOMAT MOTOR LODGE, INC.

BY: *Dominick Roscino*
Dominick Roscino, President

TOWN OF NEW WINDSOR

BY: *Theodore F. Marsden*
Theodore F. Marsden, Supervisor



1763

OFFICE OF THE SUPERVISOR

TOWN OF NEW WINDSOR

Supervisor
Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

December 5, 1971

Orange County Planning Board
County Center
Goshen, N.Y. 10924

Attention: Joel Shaw

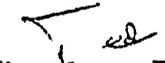
Dear Mr. Shaw,

Enclosed please find a request from Richard Drake of Scott, Hoyt and Drake, Counselors at Law representing Mr. Roscino and the Diplomat Motor Lodge. Enclosed also find a copy from my office to the Zoning Board of Appeals regarding this request.

I wish that we could consider this in the proposals that you have presented to me on the land use map and proposed re-zoning map that you are presently preparing. I would like to set up a meeting with you early in January or late December to review with you prior to going before the Town and or Planning Board with these proposals so that some necessary corrections can be made prior to this time.

I wish to thank you for your attention to this matter.

Respectfully


Theodore F. Marsden
Supervisor

TFM:pjm
Enclosures: 2

November 29, 1971

Mr. Theodore Marsden
Supervisor, Town of New Windsor
Town Hall
Union Avenue
New Windsor, New York 12550

Re: Diplomat Motor Lodge, Inc.

Dear Mr. Marsden:

Our office represents Diplomat Motor Lodge, Inc. and Dominick Roscino, its President, and on his behalf we would like to formally request the Town Board to consider rezoning Union Avenue in the area of Mr. Roscino's property as a use which would permit the erection and operation of a motel, restaurant and cocktail lounge, either a general business area or a highway business type zone.

At the present time, the property is zoned, as you know, G-I, which does not permit a motel.

It would appear that the tremendous increase in the commercial nature of Union Avenue in the past four or five years make a G-I zone impracticable for development of this section. As you know, the New York State Department of Transportation appropriated Mr. Roscino's property in the Town of Newburgh for highway purposes. This has resulted in a hardship to him, necessitating the replacement and reconstruction of a motel and the Union Avenue property is the only available parcel which was able to be purchased at the time in question.

For the foregoing reasons, a rezoning of this area, we feel, would not only meet the needs of Mr. Roscino but other property owners and would bring a better tax ratable base to the Town of New Windsor by permitting this type of construction rather than that which is presently designated in the zone.

Very truly yours,

RICHARD J. DRAKE

RJD:kfw



1763

OFFICE OF THE SUPERVISOR

TOWN OF NEW WINDSOR.

Supervisor
Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

December 6, 1971

Fred Wygant, Chairman
Zoning Board of Appeals
New Windsor, N.Y.

Dear Fred,

Enclosed please find a copy of a letter from Dick Drake of Scott, Hoyt and Drake regarding the Diplomat Motor Lodge, Inc.

It is my understanding that they have been and are proceeding to petition you for a variance for use of a motel in that area.

Up until this time the Town Board could not favorably consider such an action because of lack of sewer in this area. We are pleased to advise you that this sewer district has been formed and is presently being reviewed by Audit and Control and should be under construction early in the spring.

If you remember some time ago Mr. Patsalos requested a re-zoning of the property along this area to Local Business. The Town felt at that time that this request could not be granted because of 25 foot lot size and curb cuts that would have resulted as a result of the standards for Local Business Zones that were enforced at that time.

As you are aware the Town has subsequently up-graded this L.B. zone requirement frontage to 100 feet and consequently will reduce by 4 the maximum number of curb cuts that could be imposed there and the Planning Board has the authority before sub-division to limit the amount of curb cuts in their review of site plans and sub-division of any lands along that road.

The Town Board has, as you know, a study under way by the Orange County Planners and we are considering this property to be zoned as either Local Business or General Business to be more suitable to the use and development of that area.

It was the Town Board's intention by re-zoning to O.L.I. and not to L.B. because of curb cuts and lot sizes noted. However we feel that better use of this land could be had by having a General

Business or Highway Business as the proposed modification to this area on which the County is presently working. Variances, of course, were to be allowed for bulk regulations rather than to have them inserted into the Zoning Ordinance for this one area of O.L.I. land.

I hope that this will help you in your deliberations with this request. If you have any questions regarding the intent or meaning of this letter or any questions regarding the content please feel free to call upon me.

Respectfully


Theodore F. Marsden
Supervisor

TFM:pjm
cc: Richard Drake
Orange County Planning Department

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

May 9, 1972

TO: ZONING BOARD OF APPEALS

Dear Members:

There will be a meeting on Monday, May 15, 1972
at 7:30 p.m. at the Town Hall.

Agenda:

7:30 - Roll Call

Motion to approve the May 1st minutes as written. ✓

Mr. Chester Grzybowski - Preliminary meeting -
asking to keep a horse on his
premises on Clancy and Melrose Ave.

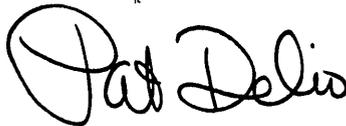
8 p.m. - Sinisgalli hearing - continued

8:30 p.m. - Public Hearing - Diplomat Motor Lodge

Discussion Period - Go over Mobil Oil Corp. file.

Adjournment.

Yours truly,



Agenda 5/1/72

Memo FROM:

OFFICE OF THE SUPERVISOR

THEODORE F. MARSDEN

TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK 12550

PHONE 565-8800

TO:

Zoning Board of Appeals
Planning Board

DATE: April 21, 1972

SUBJECT:

—FOLD HERE—

Gentlemen:

Regarding a review of the land for the Diplomat Motel, this is to advise you that it will be necessary for the Town of New Windsor to obtain an easement for S. D. #17 purposes on the property of Mr. Roscini, and we would call attention to the traffic hazards that exist at the intersection of Square Hill Road and Union Avenue, which we feel could be rectified by another entrance or exit at the tip of this property or the location of the proposed service station.

I would wish the cooperation of both boards in helping the Town to obtain these necessary requirements, improve the general welfare of the Town in general for this particular area.

Your cooperation in this matter would be greatly appreciated.

Respectfully,


THEODORE F. MARSDEN

Supervisor

TFM/pd cc: Art, Mr. Stanton, Kartiganer

Public Hearing 5/15/72 -
Diplomat Motor Lodge

Spectators -

Name

Address

Dominic Percece

Maurice Talbot

Rae Talbot

Joseph D. Roscigno

Dominic Roscigno

SCOTT & HOYT & DRAKE
ATTORNEYS AND COUNSELORS AT LAW

J BRADLEY SCOTT (1894-1962)
JULIUS LARKIN HOYT
RICHARD J DRAKE
LORRAINE COTÉ DEVERS

POST OFFICE BOX 511
233 LIBERTY STREET
NEWBURGH, NEW YORK 12550
(914) 562-3540

May 2, 1972

C
O
P
Y

Zeta Holding Corp.
377 Broadway
Newburgh, New York 12550

Re: Diplomat Motor Lodge, Inc.

Dear Sirs:

An application for a variance to construct a motel and restaurant on the premises located on Union Avenue, between the property of the County of Orange, James Z. Patsalos, and the New York State Thruway, will be made to the Zoning Board of Appeals of the Town of New Windsor at their meeting on the 15th of May, 1972 at 8:30 p. m. at the Town Hall.

Very truly yours,

SCOTT & HOYT & DRAKE
Attorneys for
Diplomat Motor Lodge, Inc.

RJD:kfw

CERTIFIED MAIL
Return Receipt Requested

RECEIVED
MAY 5 1972
NEWBURGH, N.Y.

I have no objections.

fin

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR



1763

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

RE: Diplomat Motor Lodge

1. State of New York
Department of Public Works
Dickinson St. N.Y.C.
2. The Town of New Windsor
555 Union Avenue
New Windsor, New York 12550
3. Langbaum, Harry & Mildred Etal.
26 Hilltop Lane
Monsey, New York 10952
4. Patsalos, James Z. & Murray Rotwein
Grand Avenue MD 16
Newburgh, New York 12550

Langbaum, Harry & Mildred
26 Hilltop Lane
Monsey, New York 10952
5. Zeta Holding Corp.
377 Broadway
Newburgh, New York 12550
6. Gucciardo, Leo & Beatrice M.
RD #2, Union Avenue
Newburgh, New York 12550
7. The County of Orange
124 Main Street
Goshen, New York 10924

8. The City of Newburgh
Newburgh, New York 12550

Respectfully submitted,

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

EEW/pt

7 Franklin Avenue
New Windsor, N. Y.
May 11, 1972

Joseph Tallarico, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, N. Y. 12550

RE: DIPLOMAT MOTOR LODGE

Dear Mr. Tallarico:

Enclosed please find copy of the above application
for a variance and also a copy of the public hearing notice.

This matter is scheduled to be heard on Monday
evening, May 15, 1972 at 8:30 p.m.

Just a reminder that the Sinisgalli public hearing
which was held on May 1st will be continued on May 15, 1972.

Yours truly,

PATRICIA DELIO, Secretary

/pd

Encs.

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

SCOTT & HOYT & DRAKE
ATTORNEYS AND COUNSELORS AT LAW

J BRADLEY SCOTT (1894-1962)
JULIUS LARKIN HOYT
RICHARD J DRAKE
LORRAINE COTÉ DEVERS

POST OFFICE BOX 511
233 LIBERTY STREET
NEWBURGH, NEW YORK 12550
(914) 562-3540

May 2, 1972

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

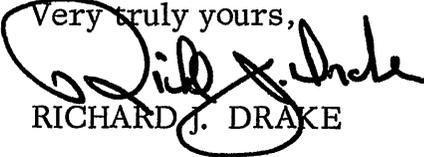
Re: Diplomat Motor Lodge, Inc.

Dear Mrs. Delio:

I enclose application for variance in the above
entitled matter, together with notice of public
hearing.

Also enclosed are two checks, one to your order
in the sum of \$25.00, and the other to the order
of Town of New Windsor.

Very truly yours,


RICHARD J. DRAKE

RJD:kfw
enc.

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE Apr. 14 - 72

APPLICATION is hereby made for the following:

Agenda _____ Service _____

- ✓ 1. Name Diplomat Motor Lodge Inc.
Address 16 Clark St. Newburgh, N.Y.
Telephone number 561 7304 - or 562, 4600
Are you the owner of the property? yes,

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

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:

APPLICATION is hereby made for the following:

Agenda _____ Service _____

- ✓ 1. Name Diplomat Motor Lodge Inc.
 Address 16 Clark St. Newburgh, N.Y.
 Telephone number 561-3304 - or 562-4600
 Are you the owner of the property? yes,

- ✓ 2. Briefly describe intention (or attach) and location of property:
Attach. Map.

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 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: *Samuel Posner*
(ADD. T. CAMP)

555 Union Avenue
New Windsor, N. Y.
June 8, 1972

Richard Drake, Esq.
Scott, Hoyt & Drake, Esqs.
233 Liberty St.
Newburgh, N. Y. 12550

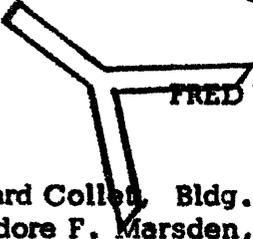
RE: DIPLOMAT MOTOR LODGE, INC.
Application for Use Variance

Dear Mr. Drake:

Please be advised that the above variance was granted at the June 5th meeting of the New Windsor ZBA. The motion read as follows:

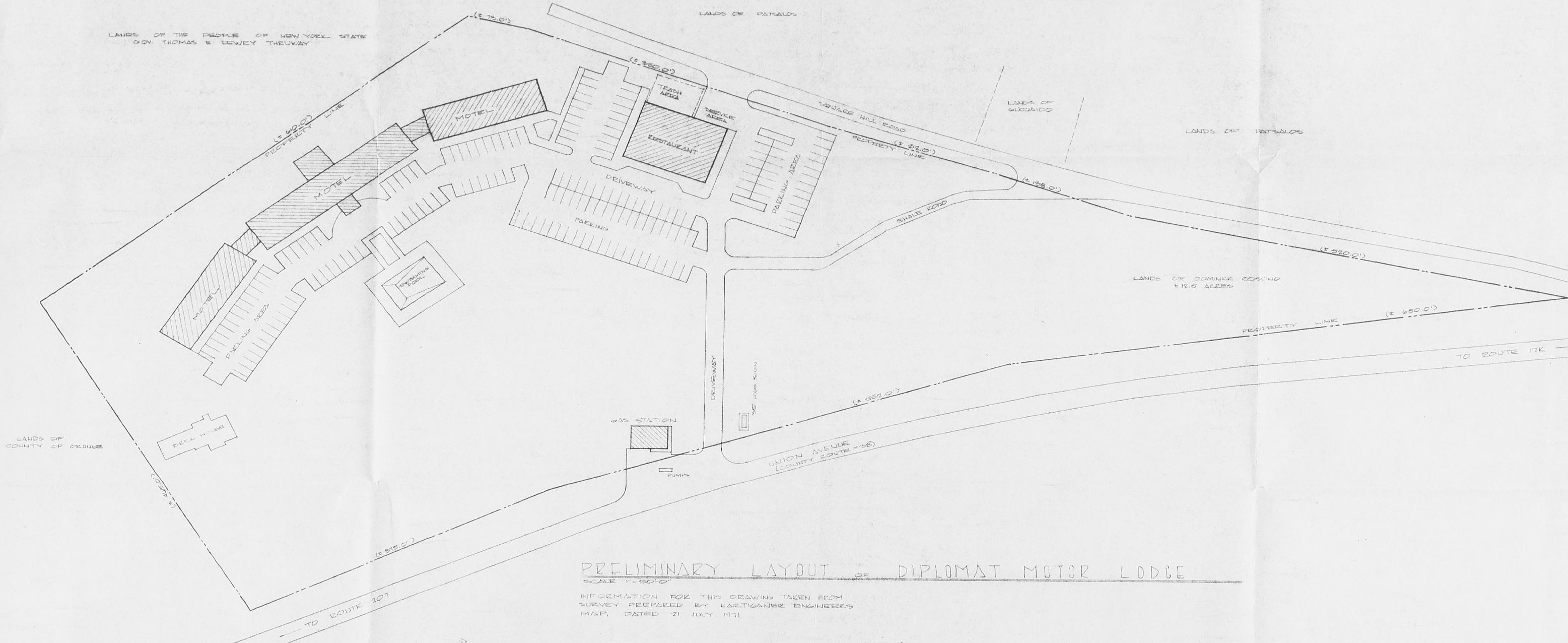
Motion to grant a use variance to permit a motel and restaurant subject to an agreement being reached between the owner and the Town of New Windsor which will improve access from Square Hill Road from the south on Union Avenue but not limiting the owner to access to property solely from Square Hill Road, and also subject to site plan approval of the Planning Board.

Yours truly,


FRED WYGANT, Chairman

/pd

cc: Howard Collet, Bldg. Insp.
Theodore F. Marsden, Supervisor



PRELIMINARY LAYOUT OF DIPLOMAT MOTOR LODGE

SCALE 1"=50'-0"
 INFORMATION FOR THIS DRAWING TAKEN FROM
 SURVEY PREPARED BY KARTIGANER ENGINEERS
 MAP, DATED 21 JULY 1971

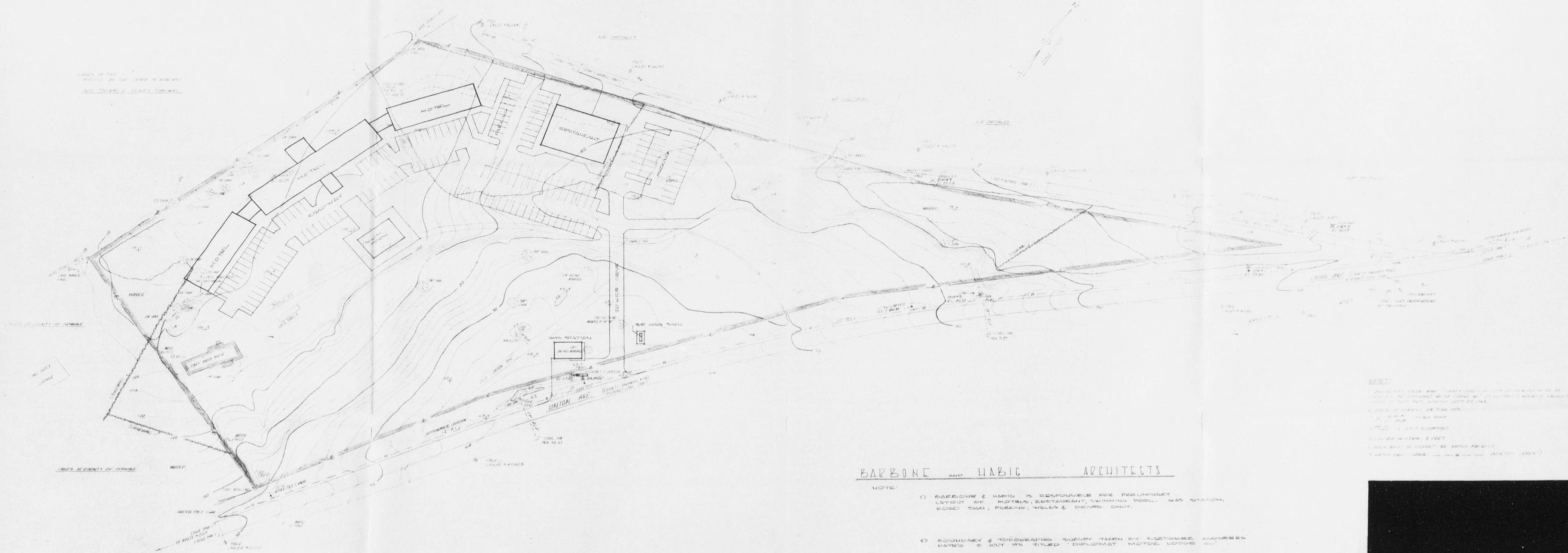
LAND COVERAGE DATA:

TOTAL LAND AREA	112.5 ACRES	(543,900 SF)
TOTAL BUILDINGS		
TWO STORY MOTEL	41,780	
ONE STORY RESTAURANT	7,500	
GASOLINE STATION	1,200	
SWIMMING POOL	2,400	
	52,880	TOTAL SF
TOTAL NUMBER OF PARKING SPACES = 175		PERCENTAGE OF LAND COVERAGE = 5.62%

BARBONE & HABIG ARCHITECTS
 210 east main street, middletown, new york 10940

DIPLOMAT MOTOR LODGE		SHEET A-1 OF 1
TOWN OF NEW WINDSOR, NEW YORK		
DB. PH.	COMM.	
CB.	DATE 11/81	

LANDS OF THE STATE OF NEW YORK
 OFFICE OF THE STATE ENGINEER
 GEO. THOMAS E. DUNN, THROTT



BARBONE AND HABIG ARCHITECTS

NOTE:

- 1) BARBONE & HABIG IS RESPONSIBLE FOR PRELIMINARY LAYOUT OF MOTELS, RESTAURANT, SWIMMING POOL, GAS STATION, ROAD SIGN, PARKING, WALKS & DRIVES ONLY.
- 2) BOUNDARY & TOPOGRAPHIC SURVEY TAKEN BY VARIOUS ENGINEERS DATED 21 JULY 1971 TITLED 'DIPLOMAT MOTEL LODGE INC.'

NOTES:

1. BOUNDARY & TOPOGRAPHIC SURVEY TAKEN BY VARIOUS ENGINEERS DATED 21 JULY 1971 TITLED 'DIPLOMAT MOTEL LODGE INC.'
2. DATE OF SURVEY 28 JUNE 1971
3. SCALE 1" = 20' (SEE PLAN)
4. 1" = 10' (SEE ELEVATIONS)
5. 1" = 10' (SEE ELEVATIONS)
6. 1" = 10' (SEE ELEVATIONS)
7. WATER LINE SHOWN - - - - - (SEE PLAN)