

ZB# 73-22

**Central Hudson
Gas & Electric**

(no SBL given)

Central Hudson Gas & Electric
1973 - 22

Filed 9-25-73
9:00AM P.S.

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 48-33 A of the Zoning Ordinance on the following proposition:

Appeal No. 22

Request of Central Hudson Gas & Elec. Corp. for a Variance of the regulations of the Zoning Ordinance, to permit the construction of an electric distribution substation being a Variance of Article III, Section 48-6, for property owned by it situated as follows: Located on the east side of Bethlehem Road and bounded on the west by Bethlehem Road; bounded on the south by Charles and Elizabeth Thorne; bounded on the east by Mt. Airy Trailer Court Inc.; and, bounded on the north by Roderick and Gladys Templeton. Containing
3.66 acres.

SAID HEARING will take place on the 20th day of August, 1973, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 8:00 o'clock P.M.

FRED WYGANT
Chairman

APPLICATION FOR VARIANCE

Application No. 73-22

Date: July 19, 1973

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

XK (We) CENTRAL HUDSON GAS & ELEC. CORP. of 284 South Avenue
(Street & Number)

Poughkeepsie New York HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

A. Location of the Property Bethlehem Road RA
(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 Do not quote the ordinance.)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, Section 48-6

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: Applicant is a public utility serving the Town of New Windsor and purchased the 3.66 acres July 2, 1954 for construction of electric transmission lines (existing) and future construction of an electric distribution substation.
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: Applicant would not be permitted to construct an electric distribution substation and would not be able to utilize the land for the purpose for which it was purchased.
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: The property was purchased July 2, 1954 prior to the Zoning Ordinance for the purposes as set forth in number 1 above.

289-0198C
CS8610-682

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: No electrical discharge, dust, light, vibration noise, television interference, or radioactivity is created by the operation of a substation.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: The portion of the lot not currently being used for electric transmission lines is heavily wooded and only minimal clearing of the lot is anticipated.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate. A building to house the control equipment for an electric substation will be constructed of masonry with a peaked roof to resemble a ranch house and will be located approximately 145 feet from Bethlehem Road and will be compatible with the neighborhood. Transformers and other electrical equipment associated with an electric substation will not be as high as the existing transmission line and will be installed within a fenced-in area in the center of the lot in an area to be lowered to an elevation of approximately 476 feet, which is approximately 25 feet lower than the highest point of the parcel. The fenced-in area, involving approximately 18,213 sq. ft., and the 1,400 sq. ft. area of the control house, is 12.3% of the total area of the lot (159,430 sq. ft.).*

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.

*Refer to attached Map #50B(A)73193 and sketch of ranch house.

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: July 19, 1973

David R. Ambler
Signature of Applicant

Real Estate Manager

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

Sworn to on this 19 day of July, 19 73.

284 South Avenue, Poughkeepsie
Address N.Y.

Bernard J. Adams
(Notary Public)

452-2000
Telephone Number

(DO NOT WRITE IN THIS SPACE)

Application No. _____
Date of Hearing _____
Date of Decision 9/2/73

Date Received _____
Notice Published _____

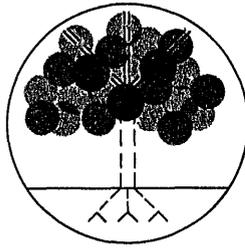
DECISION:

Granted

289-10-682

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

August 17, 1973

Mr. Fred Wygant, Jr., Chairman
Zoning Board of Appeals
Town of New Windsor
c/o Mrs. Patricia Delio, Secretary
7 Franklin Avenue
New Windsor, New York 12550

RE: Variance - CENTRAL HUDSON
Bethlehem Road
Our File No. NWT 73-27-M

Dear Mr. Wygant:

We have been asked to review the above application to construct an electric distribution substation and find that a variance is not necessary since public utility structures are conditional uses subject to the procedures set forth in Sections 48-35 and 34. The applicant should file the appropriate application and submit plans to the Planning Board as well.

Our review is not mandatory; however, we would be willing to comment on the matter when it is filed according to proper procedures.

Very truly yours,

Joel Shaw
Senior Planner

JS/bd
cc: J. Tallarico

CENTRAL HUDSON

GAS & ELECTRIC CORPORATION

284 SOUTH AVENUE, POUGHKEEPSIE, N. Y. 12602

(914) 452-2000

July 19, 1973

Town of New Windsor Zoning Board of Appeals
Mrs. Patricia Delio
7 Franklin Avenue
New Windsor, New York

Dear Mrs. Delio:

Pursuant to Central Hudson's proposed public hearing pertaining to property owned by us on Bethlehem Road in the Town of New Windsor, we have enclosed the following:

1. Application for a variance #73-22 together with (2) photocopies of the application.
2. Notice of Public Hearing Before Zoning Board of Appeals together with (3) photocopies.
3. Check in the amount of \$25.00 drawn to the Town of New Windsor in connection with the public hearing scheduled for August 20, 1973 at 8 P.M.
4. Check in the amount of \$25.00 drawn to Patricia Delio for taking of minutes of Public Hearing.

Thank you for your continued assistance and cooperation and if you require any additional information, please contact us.

Very truly yours,



Real Estate Representative

BJAdams/jeo

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF NEW WINDSOR

DAVID R. HINKLEY, being duly sworn, deposes and says:

I am a resident of Dutchess County, New York, 53 Spackenkill Road, Poughkeepsie, New York, that on the 8th day of August, 1973, I mailed the annexed Notice of Public Hearing to each of the parties hereinafter named by depositing in the Post Office at Poughkeepsie, Dutchess County, New York, a true copy of said notice, each properly enclosed in a securely sealed, post-paid wrapper, marked "CERTIFIED MAIL, RETURN RECEIPT REQUESTED" directed respectively to each of the following parties at the address set opposite their names.

	<u>NAMES</u>	<u>ADDRESSES</u>
1	<u>Mt. Airy Estates</u>	<u>c/o Knox Village, 2375 Hudson Terr., Fort Lee, N.J. 07024</u>
2	<u>Mt. Airy Trailer Court Inc.</u>	<u>Box 324, RD 1, Walden, N. Y. 12586</u>
3	<u>George J. & Barbara Decker</u>	<u>Mt. Airy Road, RD 2, New Windsor, N.Y. 12550</u>
4	<u>George & Barbara Hall</u>	<u>Mt. Airy Road, RD 2, New Windsor, N.Y. 12550</u>
5	<u>Alfred G. & Helen B. Wollenberg</u>	<u>Mt. Airy Road, New Windsor, N. Y. 12550</u>
6	<u>Cameron W. & Irmgrad S. Koppenhoefer</u>	<u>9 Metropolitan Oval, Bronx, N.Y. 11202</u>
7	<u>Roderick D. & Gladys A. Templeton</u>	<u>1540 Oak Creek Dr. Apt. 12, Palto Alto, Calif. 94304</u>
8	<u>Edward H. & Maria Timberger</u>	<u>Bethlehem Road, RD 2, New Windsor, N.Y. 12550</u>
9	<u>Charles R. & Elizabeth Thorne</u>	<u>Bethlehem Road, RD 2, Box 219, Newburgh, N.Y. 12550</u>
10	<u>Daniel J. & Carol J. Dabroski</u>	<u>Bethlehem Road, RD 2, New Windsor, N.Y. 12550</u>
11	<u>James Petro</u>	<u>Mt. Airy Road, RD 2, New Windsor, N.Y. 12550</u>
12	<u>Charles W. & Carolyn Craft</u>	<u>Bethlehem Road, RD 2, New Windsor, N.Y. 12550</u>
13	<u>Thomas E. & Opal M. McCardle</u>	<u>Mt. Airy Road, RD 2, New Windsor, N.Y. 12550</u>

Sworn to before me this 8th day of August, 1973

Signed: David R. Hinkley

Bernard J. Adams Notary Public

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF NEW WINDSOR

DAVID R. HINKLEY, being duly sworn, deposes and says:

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	<u>NAMES</u>	<u>ADDRESSES</u>
1	<u>Angelo & Josephine Lacatena</u>	<u>Mt. Airy Road, RD 2, Newburgh, New York 12550</u>
2	<u>James & Margaret V. Petro</u>	<u>Mt. Airy Road, RD 2, New Windsor, N.Y. 12550</u>
3	_____	_____
4	_____	_____
5	_____	_____
6	_____	_____
7	_____	_____
8	_____	_____
9	_____	_____
10	_____	_____
11	_____	_____
12	_____	_____
13	_____	_____

Sworn to before me this 8th day of August, 1973

Signed: David R. Hinkley

Bernard J. Adams Notary Public

289-01989

CENTRAL HUDSON

GAS & ELECTRIC CORPORATION

284 SOUTH AVENUE, POUGHKEEPSIE, N. Y. 12602

(914) 452-2000

July 27, 1973

Mrs. Patricia Delio, Secretary
Town of New Windsor
Zoning Board of Appeals
7 Franklin Avenue
New Windsor, N. Y.

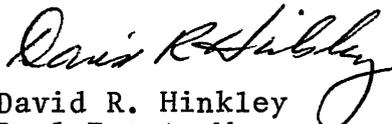
Dear Mrs. Delio:

Pursuant to our telephone conversation this morning, we have enclosed a print of our Drawing #50B(A)73193 and also a sketch showing the proposed ranch house.

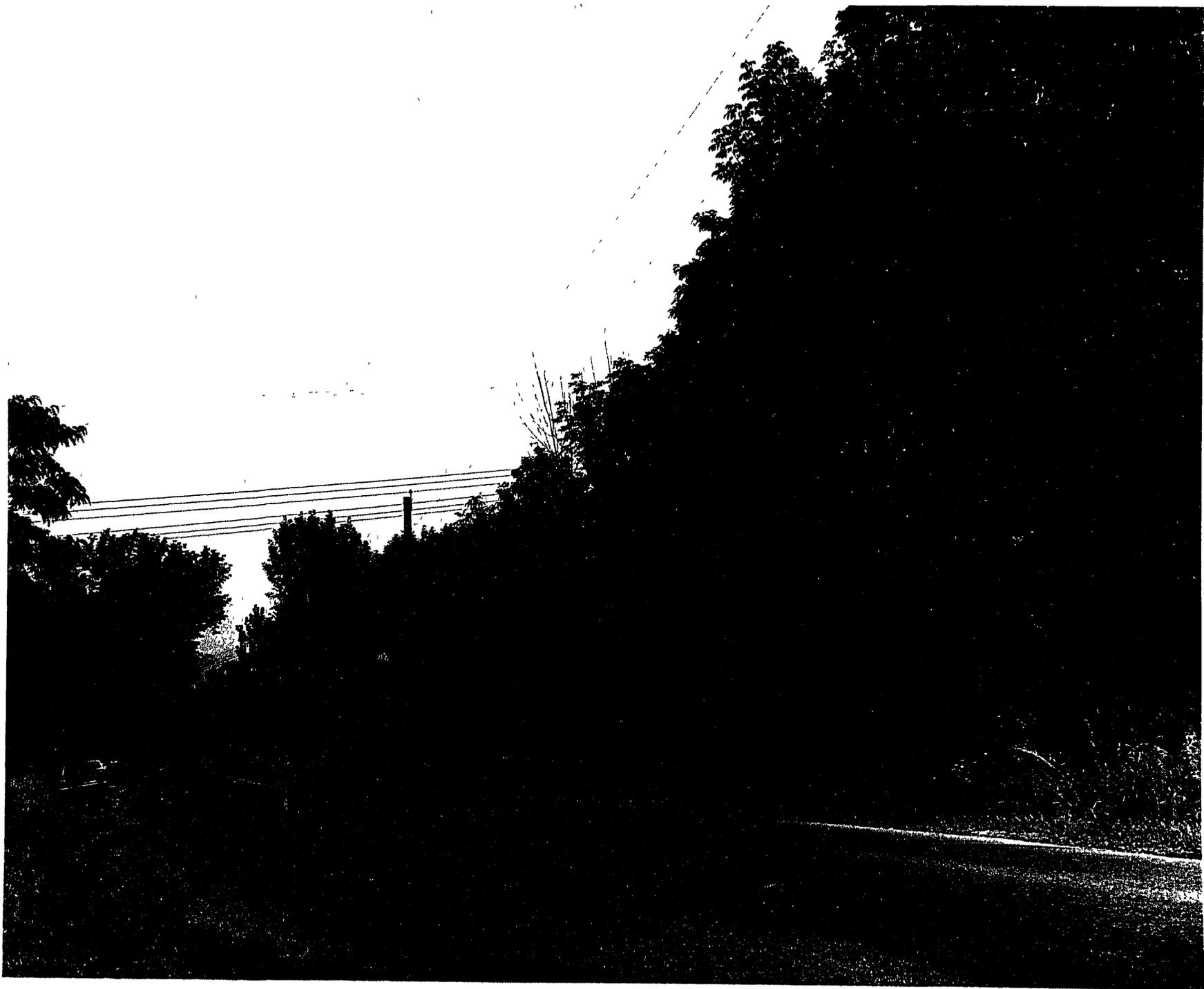
As the site is more than 500 feet from any State or County highway, and more than 500 feet from any political boundary, we do not believe that it is necessary for your Board to notify the Orange County Planning Board. Perhaps, you would like to check this point with your Board's attorney.

We look forward to seeing you on August 20.

Very truly yours,


David R. Hinkley
Real Estate Manager

DRH/msm
Enclosure





STATEMENT REGARDING PROPOSED BETHLEHEM ROAD SUBSTATION

Town of New Windsor Zoning Board of Appeals
July 16, 1973

Presently, the electric power needs of the Town of New Windsor are provided by the Danskammer Point Electric Generating Station located in the Town of Newburgh and transmitted by means of high voltage electric lines through the Towns of Newburgh, Montgomery, New Windsor, to distribution substations in the area. The majority of the New Windsor area load is supplied by our Union Avenue 115-13.2 Kv. Substation, built in 1955.

Electric demands in the Town of New Windsor have grown at a rate in excess of 9% per year, compounded. The load on the Union Avenue Substation has approached its firm capability. To reinforce electric service in the Town of New Windsor and to prevent an overload of the Union Avenue Substation, it is now proposed to install a 115-13.2 Kv. substation adjacent to our 115 Kv. electric transmission lines which extend from Rock Tavern Substation to Union Avenue Substation. This new substation will be located on the easterly side of Bethlehem Road on a lot which Central Hudson acquired July 2, 1954.

Thus, relief would be provided at the Union Avenue Substation so that its capability could be utilized to provide for the growing needs of the eastern area of New Windsor and a second substation would be available and concealed from public view in a location which could advantageously meet the growing needs for electric distribution service in the southwestern portion of New Windsor. In addition, these two substations will provide back-up supply to portions of the Town of New Windsor in the event a failure should occur in either substation or its associated distribution circuits.

An examination of the Zoning Map of the Town of New Windsor indicates that the front 200 feet of the proposed substation site, which Central Hudson has owned for 19 years, is zoned RA and the larger rear portion of the property is zoned OLI and, although electric substations are permitted use in an area zoned OLI, it is necessary for Central Hudson to obtain a Conditional Use Permit to utilize its property.

It is our intention to construct a building to house the control equipment associated with an electric substation. The building will be of masonry construction with a peaked roof and doors and windows facing the front so that it will resemble a ranch style house. It will be located approximately

145 feet from Bethlehem Road in the RA area, as shown on Map #50B(A)73193, and will appear as depicted in our sketch attached to our Application for Conditional Use.

The proposed site is so heavily wooded that foliage will effectively screen the house so that it will not be noticeable from the road. We are confident that the entire installation will be compatible with the neighborhood.

Transformers and other electrical equipment associated with an electric substation will not be as high as the existing transmission line and, therefore, may be installed under the transmission line in a fenced-in area at a grade which is approximately 25 feet lower than the highest point of the parcel which is adjacent to the road. The fenced-in area involves approximately 16,800 square feet, or, 11% of the lot which contains 159,400 square feet. The equipment within the fenced-in area will occupy only 1.9% of the area. Thus, equipment density on the site will be less than 0.13%.

As construction of the proposed electric substation is essential to the normal growth of the Town of New Windsor; is in a location where it will be unnoticed by the travelling public; and, screened from view of adjacent owners, it is earnestly and urgently requested that this Board render a favorable opinion

to permit Central Hudson to fulfill its statutory obligations, which are not in conflict with the health, safety, or the general welfare of the community and are in harmony with the orderly development of the Town.

DRHinkley/msm



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

July 9, 1973

Central Hudson Gas and Electric Corp.
284 South Avenue
Poughkeepsie, New York

Gentlemen:

According to my records, the attached list of property owners are within the five hundred (500) feet of the proposed Sub Station.

The charge for this service is \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Respectfully yours,

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

EEW/km

Mailing List - Town of New Windsor
Property Owners Within 500 feet
Bethlehem Road Substation Site

Sec 65 Block 1
Lot # 65.1

Mt. Airy Estates
% Knox Village
2375 Hudson Terrace
Fort Lee, N. J. 07024

Lot #76

Mt. Airy Trailer Court Inc.
Box 324 RD 1
Walden, N. Y. 12586

Sec. 54 Block 1
Lot #30

George J. & Barbara Decker
Mt. Airy Road RD 2
New Windsor, N. Y. 12550

Lot #31

George & Barbara Hall
Mt. Airy Road RD 2
New Windsor, N. Y. 12550

Lot #31.2

Alfred G. & Helen B. Wollenberg
Mt. Airy Road
New Windsor, N. Y. 12550

Lot #32

Cameron W. & Irmgard S. Koppenhoefer
9 Metropolitan Oval
Bronx, N. Y.

Lot #33

Roderick D. & Gladys A. Templeton
1540 Oak Creek Dr. Apt. 12
Palto Alto, Calif. 94304

Lot #35

Edward H. & Maria Timberger
Bethlehem Road RD 2
New Windsor, N. Y. 12550

Lot #36

Charles R. & Elizabeth Thorne
Bethlehem Road RD 2
Box 219
Newburgh, N. Y. 12550

Lot #37 & 38

Daniel J. & Carol J. Dabroski
Bethlehem Road RD 2
New Windsor, N. Y. 12550

Lot #39

James Petro
Mt. Airy Road RD 2
New Windsor, N. Y. 12550

Lot #40

Charles W. & Carolyn Craft
Bethlehem Road RD 2
New Windsor, N. Y. 12550

Lot #41

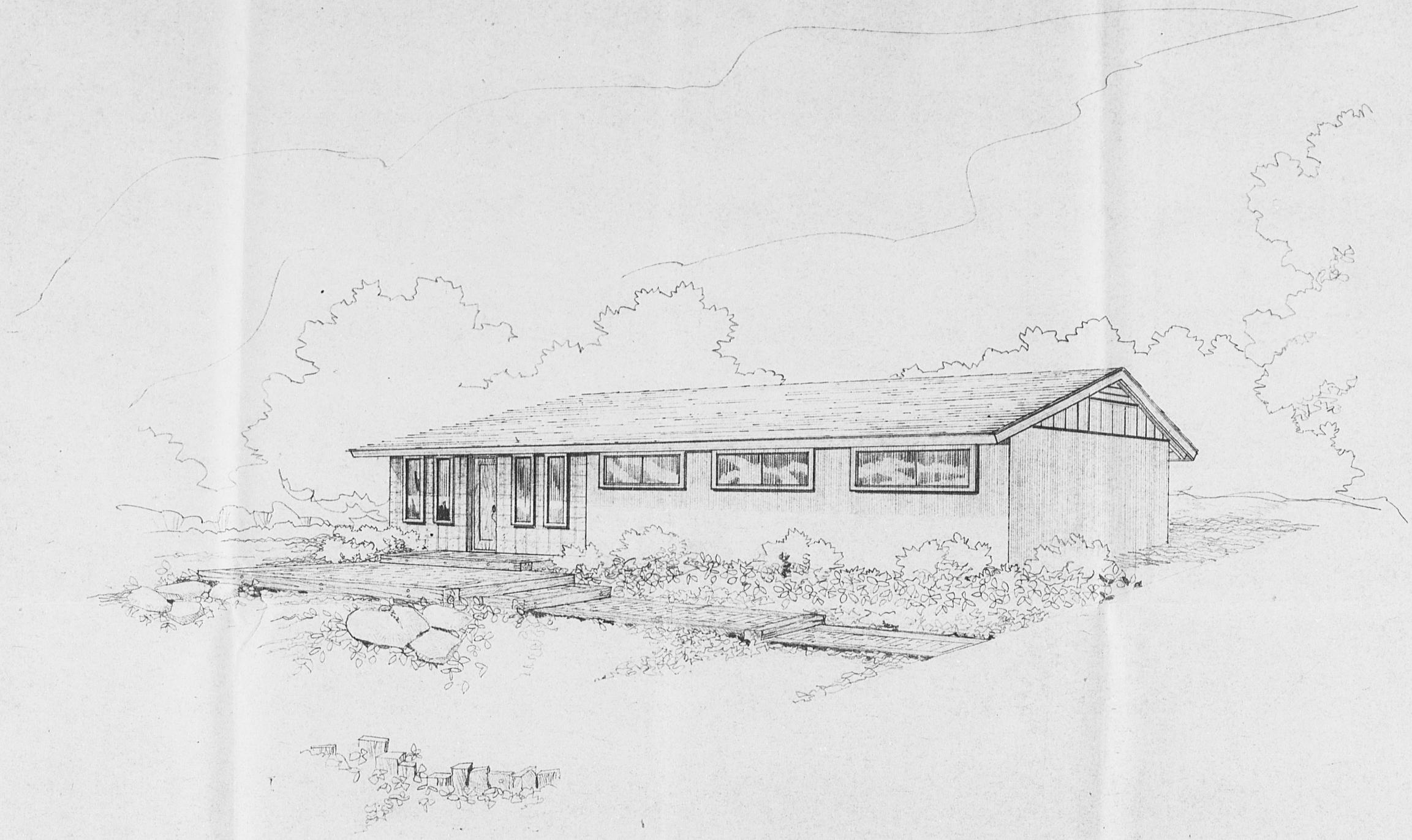
Thomas E. & Opal M. McCardle
Mt. Airy Road RD 2
New Windsor, N. Y. 12550

Lot #42

Angelo & Josephine Lacatena
Mt. Airy Road RD 2
Newburgh, N. Y. 12550

Lot #43

James & Margaret V. Petro
Mt. Airy Road RD 2
New Windsor, N. Y. 12550





NOW OR FORMERLY THORNE

505.36'

I.P. SET

SURVEY STAKE

S 72° 49' 00" E

(NO. PHYSICAL BOUNDS)

- 50296
- 50297
- 50298
- 42596
- 42597
- 42598

● 31476

● 43508

● 31479

BETHLEHEM ROAD

N 16° 04' 00" E (NO. PHYSICAL BOUNDS)

323.07'

(NO. PHYSICAL BOUNDS)

N 69° 12' 00" W

(STONE WALL)

440.50'

SURVEY STAKE IN STONE PILE.

S 26° 48' 00" W

(STONE WALL)

NOW OR FORMERLY ODELL

ZONING RA

ZONING OLI



HOUSE

REVISIONS

CENTRAL HUDSON GAS & ELEC. CORP.		SCALE 1" = 20'
BETHLEHEM RD. SUB.		DATE 5-24-73
PROPOSED TOPOGRAPHIC & GRADING PLAN		REVISION NO.
		FILE NO.
		50B A
W.O. NO. 8894 A	CHECKED <i>SM</i>	73193
PROJ. NO.	CLEARED <i>SM</i>	
DRAWN D.P.T.	R/W	
SUPV. <i>SM</i>	APPROVED <i>SM</i>	
		SH. NO. OF