

**ZB# 76-1**

**Chip's Automotive  
Service Station**

**(no S-B-L given)**

ate CM

Public Hearing  
Jan. 12, 1975.

8 p.m.

OCPD must be notified.

Notice to papers on

Jan. 3rd. -

(All fees paid)

Fee sent to TC

Office 12/29/75.

Sent to County on

Dec. 31/75

CHIP'S AUTOMOTIVE SERVICE STATION #76-1  
Application for Special Permit

All fees paid.

Application  
Approved

1/12/76 -

Patricia  
Delio



**Oxford Pendaflex**

STOCK NO. 1152 1/2

• • • • •

MADE IN U.S.A.

11/20/75 Exemption no longer  
needed. PDC

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

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In the Matter of the Application of

CHIP'S AUTOMOTIVE SERVICE

No. 76-1 for Special Use Permit.

DECISION GRANTING  
A SPECIAL USE PERMIT  
FOR GASOLINE SALES

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WHEREAS CHIP'S AUTOMOTIVE SERVICE of No. 200 Union Avenue, Town of New Windsor, New York, filed an application No. 76-1 for a special use permit for the property located at the corner of Hearthstone Way and Route 94 in the Town of New Windsor.

WHEREAS a public hearing on this application for a special use permit was held by the Zoning Board of Appeals on the 12th day of January, 1976 at the Town Hall of the Town of New Windsor after due notice by publication and due notice to residents and businesses within 500 feet of the subject premises; and

WHEREAS at said hearing the petitioning business was represented by Mr. David Wingfield and no opposition having appeared to the application; and

WHEREAS the Zoning Board of Appeals makes the following findings of fact in this application:

1. That Chip's Automotive Service is an already established business in the Town of New Windsor.
2. That the applicant intends to offer gasoline for sale together with light service only. No heavy front end or brake work will be carried on at this location.
3. That pneumatic tools will only be used between the hours of 9 a.m. and 5 p.m.
4. That the hours of operation will be from 6 a.m. to 10 p.m.

5. That there will be no watch dog or dogs on the premises.

6. There will be no outside storage of automobiles, only the automobiles which are being worked on or awaiting repairs.

7. That this special use permit is limited to the present owner and subject to renewal to another subsequent lessee or transferee.

8. That this site has always been used as a service station and is presently boarded up and that the reopening of same would be an enhancement of the property.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor hereby grants the special use permit as requested hereinabove, with the inclusion of the above eight provisions; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicant, the Town Planning Board, and the Town Clerk.

Dated: January , 1976.

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THEODORE JARGSTORFF, Chairman



1768

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

---

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

December 29, 1975

American Oil Company  
555 Fifth Avenue  
New York, New York

RE: 43-1-40  
Town of New Windsor

Gentlemen:

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

The charge for this service is \$25.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

  
ELLSWORTH E. WEYANT  
Sole Assessor  
Town of New Windsor

EEW/pk  
att.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

✓ Marino, Leonard & Otilie  
4740 NW 20th Street  
Lauderhill Fla. 33313

✓ Simoni, Mario  
9 St. Anne Drive  
New Windsor, New York 12550

✓ Littler, Stephen & Linda  
7 St. Anne Drive  
New Windsor, New York 12550

✓ Judd, Leon H. & Grace  
5 St. Anne Drive  
New Windsor, New York 12550

✓ Wright, James C. & Dolores  
3 St. Anne Drive  
New Windsor, New York 12550

✓ Murray, George C. & Margaret E.  
1 St. Anne Drive  
New Windsor, New York 12550

✓ Brady, Robert J. & Alice E.  
402-404 Blooming Grove Tpke.  
New Windsor, New York 12550

✓ Panella, Emilio & Grace  
410 Blooming Grove Tpke.  
New Windsor, New York 12550

✓ Panella, Emilio  
182 Grand Street  
Newburgh, New York 12550

✓ Dineen, Joseph E. & Linda A.  
4 Hearthstone Way  
New Windsor, New York 12550

✓ Spignardo, Joseph & Shirley A.  
6 Hearthstone Way  
New Windsor, New York 12550

✓ Coughlan, John B. & Yvonne  
8 Hearthstone Way  
New Winsor, New York 12550

✓ Schwartz, Frank & Anita  
10 Hearthstone Way  
New Windsor, New York 12550

✓ Aimone, Barbara A.  
12 Hearthstone Way  
New Windsor, New York 12550

✓ Cohen, George N.  
11 Hearthstone Way  
New Windsor, New York 12550

✓ Szmidt, Floyd & Susan  
9 Hearthstone Way  
New Windsor, New York 12550

✓ Striano, Robert A. & Carol M.  
2 Hobnail Ct.  
New Windsor, New York 12550

✓ French, Ray L. & Hazel  
4 Hobnail Ct.  
New Windsor, New York 12550

✓ Fanning, Elizabeth M.  
5 Hobnail Ct.  
New Windsor, New York 12550

✓ Maloney, Francis Z. Jr. & Desiree A.  
3 Hobnail Ct.  
New Winsor, New York 12550

✓ Heitler, Edward & Ruth C.  
1 Hobnail ct.  
New Windsor, New York 12550

✓ Hartmann, Wilbur J. & Liliane  
3 Hearthstone Way  
New Windsor, New York 12550

33 on list



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

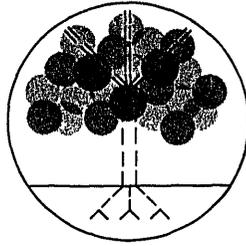
- ✓ Drapun, Blanche  
418 Blooming Grove Tpke.  
New Windsor, New York 12550
- ✓ S&H Shopping Centers Inc.  
New Windsor Assoc.  
238 West Passaic St.  
Rochelle Park N.J. 07662
- ✓ Warmers Construction Corp.  
P.O. Box 148  
Newburgh, New York 12550
- ✓ Reproco Inc. Delaware Corp.  
Tax Ins. & Claims Dept.  
Suite 260  
500 West Will Bridge Road  
Columbus, Ohio 43085
- ✓ Caudy, Kenneth R. & Minnie C.  
2 St. Anne Drive  
New Windsor, New York 12550
- ✓ Kimball, Warren T. & Rosella A.  
4 St. Anne Drive  
New Windsor New York 12550
- ✓ Bilzor, Paul B. & Mary Jo  
6 St. Anne Drive  
New Windsor, New York 12550
- ✓ Henning, William  
339 Blooming Grove Tpke.  
New Windsor, New York 12550
- ✓ Carione John & Louise  
333-335 Blooming Grove Tpke.  
New Windsor, New York 12550
- ✓ Silver, Arthur & Charlotte  
329 Blooming Grove Tpke.  
New Windsor, New York 12550
- ✓ Belcastro, Armand L. & Dorothy L.  
192 Caesars Lane  
New Windsor, New York 12550

Respectfully submitted,

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

Department  
of  
**Planning**

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



124 Main Street  
Goshen, New York 10924  
(914) 294-5151

County  
of  
**Orange**

Louis V. Mills, County Executive

JAN 21 1976

January 19, 1976

Mr. Theodore Jargstorf, Chairman  
New Windsor Zoning Board of Appeals  
c/o Patricia Delio, Secretary  
Town Hall  
555 Union Avenue  
New Windsor, New York

Re: Special Permit - Chip's Automotive  
Route 94 and Hearthstone Way

Dear Mr. Jargstorf:

Our office is in receipt of the above in accordance with the provisions of Section 239, 1 and m, Article 12-B of the General Municipal Law of the State of New York.

A copy of our staff report is attached for your use. As indicated in the report, several variances are necessary prior to a determination on the special permit use and site plan review by the Planning Board. All of these items can and should be determined locally.

Very truly yours,

*Peter Garrison*  
Peter Garrison  
Commissioner of Planning

PG:jh  
Attachment  
c.c: Planning Board

ORANGE COUNTY DEPARTMENT OF PLANNING

STAFF REPORT

MANDATORY REFERRAL PURSUANT TO  
SECTIONS 239 l, m AND n, ARTICLE 12-B  
GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

Report No.: 1 File No.: NWT 76-1-M Date: January 19, 1976

Community: New Windsor

PROPOSAL AND ITS LOCATION:

To operate a service station at the corner of Route 94 and Hearthstone Way.

DESCRIPTION AND ANALYSIS:

Said property was formerly used as an Amoco service station. The intent is to obtain a special permit and once again use the premises for the sale of gasoline, repair of automobiles, and related activities. According to Section 5.8.9 of the Town's Zoning Law, no gasoline service station shall be permitted within one thousand (1,000) feet of any other gasoline service facility fronting on the same street, or fifteen hundred (1,500) feet from any plot line of such station to a plot line of another station. The development of property on the corner of Route 94 and Caesar's Lane is for the sale of gasoline (and food as well). Such was a matter of concern before the Zoning Board in August, 1975, and is extremely close to the applicant's parcel. The fact that other properties in this vicinity are and/or were used as gasoline service stations suggests that the application pending before the Zoning Board may require a variance from this particular Section. The question and items under ingress and egress (Section 5.8.9.1) as well as several other variances relative to bulk (NC District, Group BB regulations) should be considered in this review.

STAFF RECOMMENDATIONS:

Since it is quite apparent that several variances are necessary, the application should be amended accordingly. Such should be reviewed and approved or denied by the Zoning Board prior to a determination on the special permit and site plan review by the Planning Board. All of these items can and should be determined locally.

Reviewed by:  
Joel Shaw  
Senior Planner





IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_, to allow

\_\_\_\_\_  
(Describe proposed use)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_

| <u>Requirements</u>           | <u>Proposed or Available</u> | <u>Variance Request</u> |
|-------------------------------|------------------------------|-------------------------|
| Min. Lot Area _____           | _____                        | _____                   |
| Min. Lot Width _____          | _____                        | _____                   |
| Reqd. Front Yard _____        | _____                        | _____                   |
| Reqd. Side Yards <u>/</u>     | <u>/</u>                     | <u>/</u>                |
| Reqd. Rear Yard _____         | _____                        | _____                   |
| Reqd. Street Frontage* _____  | _____                        | _____                   |
| Max. Bldg. Hgt. _____         | _____                        | _____                   |
| Min. Floor Area* _____        | _____                        | _____                   |
| Development Coverage* _____ % | _____ %                      | _____ %                 |
| Floor Area Ratio** _____      | _____                        | _____                   |

Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_, to allow

(Describe proposed use)

(b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_

| <u>Requirements</u>           | <u>Proposed or Available</u> | <u>Variance Request</u> |
|-------------------------------|------------------------------|-------------------------|
| Min. Lot Area _____           | _____                        | _____                   |
| Min. Lot Width _____          | _____                        | _____                   |
| Reqd. Front Yard _____        | _____                        | _____                   |
| Reqd. Side Yards <u>/</u>     | <u>/</u>                     | <u>/</u>                |
| Reqd. Rear Yard _____         | _____                        | _____                   |
| Reqd. Street Frontage* _____  | _____                        | _____                   |
| Max. Bldg. Hgt. _____         | _____                        | _____                   |
| Min. Floor Area* _____        | _____                        | _____                   |
| Development Coverage* _____ % | _____ %                      | _____ %                 |
| Floor Area Ratio** _____      | _____                        | _____                   |

\* Residential districts only

\*\* Non-residential districts only

(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

|        | <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|--------|---------------------|------------------------------|-------------------------|
| Sign 1 | _____               | _____                        | _____                   |
| Sign 2 | _____               | _____                        | _____                   |
| Sign 3 | _____               | _____                        | _____                   |
| Sign 4 | _____               | _____                        | _____                   |
| Sign 5 | _____               | _____                        | _____                   |
| Total  | _____ sq.ft.        | _____ sq.ft.                 | _____ sq.ft.            |

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

difficulty other than this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

|        | <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|--------|---------------------|------------------------------|-------------------------|
| Sign 1 | _____               | _____                        | _____                   |
| Sign 2 | _____               | _____                        | _____                   |
| Sign 3 | _____               | _____                        | _____                   |
| Sign 4 | _____               | _____                        | _____                   |
| Sign 5 | _____               | _____                        | _____                   |
| Total  | _____ sq.ft.        | _____ sq.ft.                 | _____ sq.ft.            |

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_.

VII.  Special Permit:

(a) Special permit requested under New Windsor Zoning Local Law, Section 3.2, Table of Use Regs, Column A.

(b) Describe in detail the use and structures proposed for the special permit.

CITGO SERVICE STATION  
SELLING GAS, PERFORMING LIGHT  
SERVICE WORK ON CARS, SUCH AS  
OIL CHANGES, TIRE CHANGING, TUNE  
UPS. ALL HEAVY WORK TO BE PERFORMED  
AT OUR PRESENT LOCATION.

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IX.  Attachments required:

(We have) Copy of letter of referral from Building and Zoning Inspector.

Copy of contract of sale, lease or franchise agreement.

Copy of tax map showing adjacent properties

Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

Copy(ies) of sign(s) with dimensions.

\_\_\_ Check in amount of \$25.00 payable to Town of New Windsor.

- (a) Special permit requested under New Windsor Zoning Local Law, Section 3.2, Table of Use Regs, Column A.
- ✓ (b) Describe in detail the use and structures proposed for the special permit.

CITGO SERVICE STATION  
SELLING GAS, PERFORMING LIGHT  
SERVICE WORK ON CARS, SUCH AS  
OIL CHANGES, TIRE CHANGING, TUNE  
UPS. ALL HEAVY WORK TO BE PERFORMED  
AT OUR PRESENT LOCATION.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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IX. ✓ Attachments required:

- (We have) Copy of letter of referral from Building and Zoning Inspector.
- ✓ Copy of contract of sale, lease or franchise agreement.
- ~~✓~~ Copy of tax map showing adjacent properties
- ✓ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

~~✓~~ → Copy(ies) of sign(s) with dimensions.

— Check in amount of \$25.00 payable to Town of New Windsor, together with a check for \$25.00 payable to Secretary for public hearing minutes.  
 Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

— Other

(Official Use Only)

X. AFFIDAVIT.

Date Dec. 16, 1975

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

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

X *Harold J. Winkler*  
(Applicant)

Sworn to before me this

29 day of Dec., 1975.

*Patricia Delio*

PATRICIA DELIO  
Notary Public, State of New York  
Appointed in Orange County  
My Commission expires Mar. 30, 1976.

XI. ZBA Action:

- (a) Public Hearing date 1/12/76.
- (b) Variance is \_\_\_\_\_
- Special Permit is \_\_\_\_\_

- (c) Conditions and safeguards already established  
in New Windsor. Cell, gas and  
light service only. No heavy front end,  
worky ~~at~~ pneumatic tools ~~or~~ only  
blks between 9-5. Hours of  
open 6-10. Only cars allowed outside.

*brake, etc.)*

*no dogs.*

*Subject to renewal to other lessee.  
Personal to applicant or transferee. Signo.*

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-

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

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

X *Harold J. Winters*  
(Applicant)

Sworn to before me this

29 day of Dec., 1975.

*Patricia Delio*

PATRICIA DELIO  
Notary Public, State of New York  
Appointed in Orange County  
My Commission expires Mar. 30, 1976.

XI. ZBA Action:

(a) Public Hearing date 11/2/76.

(b) Variance is \_\_\_\_\_

Special Permit is \_\_\_\_\_

(c) Conditions and safeguards already established  
in New Windsor. Sell gas and  
light service only. No heavy front end,  
worky ~~or~~ pneumatic tools ~~or~~ only  
blks between 9-5. Hours of  
open 6-10. Only cars allowed outside.

*brake, etc.)*

*no dogs.*

*Subject to renewal of other lease.  
Personal to applicant or transferee. Signs.*

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.

8 p.m. - Public Hearing - 1/12/76.

Spectators:

Name:

Address:

Jedro J. Wagner P.O. Box 148, NEWBURGH, N.Y.  
Director of Public Long Hill Rd. Cornwall  
MR & Mrs. W. Hartman 216a Thelma Way, New Windsor

555 Union Avenue  
New Windsor, N. Y.  
January 14, 1976

Chip's Automotive Service  
200 Union Avenue  
New Windsor, N. Y. 12550

Attn: David Wingfield

RE: APPLICATION FOR SPECIAL PERMIT BEFORE THE ZONING BOARD OF APPEALS

Dear David:

This will confirm the approval of the above special permit at the  
January 12, 1975 meeting of the Zoning Board of Appeals.

Sincerely,

PATRICIA DELIO  
ZBA Secretary

/pd

cc: Howard Collett, Bldg. Inspector

Joseph Loscalzo, Chairman  
New Windsor Planning Board



1763

OFFICE OF THE BUILDING & ZONING INSPECTOR

TOWN OF NEW WINDSOR

Howard R. Collett  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

December 10, 1975

Mr. Harold Wingfield  
Union Avenue  
New Windsor, N. Y.  
12550

Dear Sir:

The American Gasoline Service Station located on Rt. 94, was closed on or about July 1973.

A special use permit from the Z B A will be required to reopen this station.

I would suggest you contact Mrs. Delio, secretary of Z B A, to be placed on their agenda. (565-8550)

Yours truly,

*Howard R. Collett*  
Howard R. Collett  
Bldg./Zoning Inspector

HRC/mfb  
✓ cc: Z B A

~~Attorney:~~  
Henry Cerasoli  
45 View Road  
Setauket, N.Y.  
11733-  
(516) 751-7180

Jan. 12th  
8 p.m.

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

January 5, 1975

TO: ZONING BOARD OF APPEALS

Dear Members:

There will be a regular meeting on Monday evening, January 12, 1976  
at 7:30 p.m.

Agenda: 7:30 p.m. - Roll Call

Motion to approve the December 8th minutes  
as written.

Preliminary meetings:

1. Thomas Parisi - Tom Cat Lounge
2. Mrs. Gauvreau and Mrs. Collard - Ceramic studio
3. Mr. Frank Wortmann - indoor tennis courts. Requests *about*  
interpretation

8:00 p.m. - Public Hearing on application for special permit of  
Chip's Automotive Service

Executive Session:

8:30 p.m. - Election of Officers - Reorganize ZBA

Decision on above application.

Discussion period.

Adjournment.

Sincerely,





1763

OFFICE OF THE BUILDING & ZONING INSPECTOR

TOWN OF NEW WINDSOR

Howard R. Collett  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

BUILDING PERMITS ISSUED FOR

December 1975

| NO.  | NAME             | LOCATION         | FEE           | VALUE           | ITEM               |
|------|------------------|------------------|---------------|-----------------|--------------------|
| 1233 | F. Panico        | So. Jackson Ave. | \$90.         | \$30,000        | Dwelling           |
| 1234 | Inbro Homes Inc. | Melville Dr.     | 57.           | 19,000          | Dwelling           |
| 1235 | Inbro Homes Inc. | Keats Drive      | 54.           | 18,000          | Dwelling           |
| 1236 | E. Scott         | Parkhill Dr.     | 10.           | 1,200           | Fireplace          |
| 1237 | C. Rakowiecki    | Station Road     | 27.           | 8,245           | Farm Storage Bldg. |
| 1238 | P. Carbone       | Lake Road        | 16.           | 5,900           | Repair fire damage |
|      |                  |                  | <u>\$254.</u> | <u>\$82,345</u> |                    |

PERMITS ISSUED FOR

|                      | VALUE            |
|----------------------|------------------|
| 3 Dwellings          | \$67,000.        |
| 1 Fireplace          | 1,200.           |
| 1 Farm Storage Bldg. | 8,245.           |
| 1 Repair Fire Damage | 5,900.           |
| <u>6</u>             | <u>\$82,345.</u> |

HRC/mfb

Signed: Howard R. Collett  
Howard R. Collett  
Bldg./Zoning Inspector  
Town of New Windsor, N. Y.

NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
DECEMBER 10, 1975 8:00 P.M.

BOARD MEMBERS PRESENT: VICE-CHAIRMAN HENRY VAN LEEUWEN,  
THOMAS DOWD, LAWRENCE JONES,  
ERNEST SPIGNARDO, ALBERT ARGENIO  
AND JOSEPH CIMORELLI

BOARD MEMBERS ABSENT: CHAIRMAN JOSEPH LOSCALZO

OTHERS PRESENT: PAUL CUOMO, TOWN ENGINEER  
HOWARD COLLETT, TOWN BUILDING & ZONING  
INSPECTOR

tape #87

In the absence of Chairman Loscalzo, Vice-Chairman  
Van Leeuwen will conduct the meeting for this evening.

Vice-Chairman Van Leeuwen called the meeting to order  
promptly at 8:00 P.M.

#1 on the Agenda:

HENRY SCHEIBLE - DISCUSSION

Mr. Scheible called the Secretary to notify the Board  
he was unable to be here tonight and wished to be placed  
on the Agenda for Jan 14, 1976.

Secretary with the approval of the Chairman placed Mr.  
George Greb on the Agenda to fill vacancy left open  
by Mr. Scheible.

MR. GEORGE GREB - DISCUSSION  
Country Side Homes Subdivision and  
Windsor Grove Subdivision  
Located on Bull Road

Mr. Greb: I want to report we are finally spinning our  
wheels.  
You have a Country Side Development already in New Windsor.  
I don't know who came first. It doesn't matter. We have

Mr. Greb continued: We have two developments. Since it is all part of one operation we would like to submit it as one set of plans. One of ours is Windsor Grove and the other Country Side. It would avoid confusion at some future date. We would do away with Country Side on Bull Road and make it all Windsor Grove.

(Explained on the map about increasing the green area.)  
A pumping station was originally planned. If we do away with four (4) lots we could do away with the pumping station. We put in all proper footages. We put three lots where there was one, with your permission. We will retain a fifty foot right-away into the parkland. We would eliminate the big house that we were going to save. We would level it.

Vice-Chairman Van Leeuwen: I would like this gone over by the Engineer.

Mr. Greb: I went over this with Mr. Cuomo before coming before you. Lots 1,2, 10 and 11 are out. We will redraw these plans if they meet with your approval. We would be changing only what is in red. At your next meeting I will submit the plans for your to finalize.

Vice-Chairman Van Leeuwen: Before the next meeting please give your plans to the Town Engineer for his review.

Mr. Cuomo: I can look them over before the next meeting for any recommendation.

Motion by Mr. Jones seconded by Mr. Argenio that the Planning Board of the Town of New Windsor approve the change of name of the Country Side Homes Subdivision located on Bull Road owned by Mr. George Greb to Windsor Grove Subdivision. Vote- All eyes, Motion carried.

#2 on the Agenda:

\* SILVER STREAM TRAILER PARK #75-23  
located on Route 207  
Represented by Attorney Elliott Weiner

Atty. Weiner: If you recall we got preliminary approval more than two (2) years ago. We have had a number of problems. We had to design a sewer plant. The Health Department didn't approve it. It took one year. Then the M.T.A. came along and they were negotiating for the high speed railroad. They finally abandoned their plans. We went back to the Health Department and changed the Sewer Plant but then the Town came along with Sewer District 19. We had our Engineer draw up a new map showing we would connect on to Sewer District 19. This we would do as soon as the pipes go in. It is the same map. Before we were going to have a sewer plant and now it will be hooked up to Sewer District 19. If you don't have to do anything more we can go to the Health Department.

Silver Stream Trailer Park continued:

Mr. Cuomo: This will follow along the natural stream bed.

Mr. Bivona: We no longer need the sewer plant. The only change in the plans is that we don't have the sewer plant.

Mr. Cuomo: There was a discussion on an easement.

Mr. Argenio: We are here for the general map.

Mr. Jones: They won't have septic system. They are going into Sewer District 19.

Vice-Chairman Van Leeuwen: Do you meet the qualifications of Zoning?

Attorney Weiner: We did.

Mr. Jones: You don't ask the County to give permission to hook up into town sewers. This park was pre-existing to zoning.

Attorney Weiner: Our Engineer designed this to meet with the Mobile Home Law.

Mr. Bivona: We made the lots bigger in case we have to go through F.H.A.

Motion by Mr. Argenio seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the site plan of Silver Stream Mobile Homes site located on Route 207. Vote- all ayes, Motion carried.

#3 on the Agenda:

FRED VISCONTI SWIMMING POOL  
LOCATED ON 9W

Mr. Lambert who represents Mr. Visconti called Secretary on Thursday to say the plans from the Engineer were not ready and that he would call when ready to be placed on the agenda.

#4 On the Agenda:

BULL ROAD SUBDIVISION Discussion #75-48  
LOCATED ON BULL ROAD  
REPRESENTED BY Mr. George Pixely and  
Mr. A. Mittlemerk

Mr. Pixley: We are here for a pre-submission conference. We have made some copies for your review. This land is located on Bull Road.

Bull Road Subdivision discussion

Mr. Pixley continued This is the lands of Nadas. There was a minor subdivision taken out. We would have a major subdivision. We would like to make one (1) acre in the front and larger in the rear. This is Zoned R1.

Vice-Chairman Van Leeuwen: Which way do you intend to have driveways come out?

Mr. Pixley: There would be four (4) single family homes using the private road. There would be only three (3) driveways. They would be in chip and gravel. It would be so they would never be turned over to the town.

Mr. Jones: Who would be putting these roads in?

Mr. Mittlemark: The owner of the property.

Vice-Chairman Van Leeuwen: The developer.

Mr. Pixley: The developer or the owner of the property.

Mr. Jones: You are subdividing and not developing?

Mr. Pixley: Yes, I will not necessarily put the road in.

Vice-Chairman Van Leeuwen: You are going to sell the property the way it is?

Mr. Pixley: Most likely. If they don't sell to well, you know who will put the road in. I live on a private road myself in the Town of Newburgh. It is a very simple thing. They are forty (40) foot in width. I would like to see a gravel road.

Mr. Argenio: Are you talking about straight gravel or oil and stone?

Mr. Pixley: Gravel. It could be oiled and stoned.

Mr. Jones: There is one thing. If you have a run off it would come out on Bull Road.

Mr. Cimorelli: Make one road in through the center.

Mr. Argenio: Suppose these roads get pot holes.

Mr. Pixley: If I get a pot hole in my road, I patch it myself.

Vice-Chairman Van Leeuwen: Are you planning to draw this to scale?

Mr. Pixley: We are here tonight just to see if four (4) single family lots on a private road would be acceptable. This is not a preliminary. This is a conference with the Board. I wanted to find out about concept.

Mr. Argenio: What do you think, Paul?

Bull Road development continued

Mr. Cuomo: It is a unique idea. This might not always be a rural area though. We have had trouble with private roads with garbage collection and services.

Mr. Jones: The people should be aware of this.

Mr. Cuomo: They are aware but they forget.

Mr. Pixley: To do a road that wasn't private would add to the cost of each lot.

Mr. Argenio: The problems that this presents is that if this is approved the next developer comes in before the Board and says I am going to make one access road and all roads spurring out and make it part of the deed that the people are responsible for their ten (10) foot section. You can't approve this and not give someone else at a future date the same thing. You are setting a precedent then.

Mr. Pixley: Does the Town want to own a road not built to their specifications?

Mr. Cuomo: It is not out of spec. It could be a rural road.

Mr. Argenio: I would like to see this road with two (2) entrance ways. Also provide some kind of drainage.

Vice-Chairman Van Leeuwen: Personally I am in favor. Can you show us on a map? Show it with a cul-de-sac in the last lot.

Mr. Pixley: In Balmville they have a lot of private roads. They work well there.

Vice-Chairman Van Leeuwen: Show it the other way for the next agenda. Thank you. The next meeting is January 14, 1976.

#5 on the Agenda

AUGUST AND MARGARET KLATT SUBDIVISION 75-49  
Located at Beaver Dam  
Represented by Donald Washburn

Mr. Washburn: This parcel is located between Valley View Drive and Lake Road at Beaver Dam. There are two parcels. Two existing parcels under separate ownership. At present an encroachment of a patio on the southerly side of the lot. We want to take six (6) feet from the smaller lot and put it on the larger lot. Mr. Klatt owned this at one time and then sold it. We want to move the property line now. We would like to get an approval from the Planning Board subject to a zoning variance.

Klatt S/D continued

Mr. Washburn: We would apply for a Zoning Variance as far as the sub-standard lot.

Vice-Chairman Van Leeuwen: There isn't much we can do until you take this to the Zoning Board.

Mr. Jones: Another thing, the patio would still be on the lot line.

Vice-Chairman Van Leeuwen: We can't act on this before you go to the Z.B.A. We don't know if the Z.B.A. will go along with this.

Mr. Collett: A patio is flat on the ground, there are no walls. You have steep topography there.

Vice-Chairman Van Leeuwen: explained on the map another alternative. (Discussion.)

Mr. Washburn: I will get back to the Klatt's and see what they want to do.

Mr. Collett: They have to conform as much as possible. We have had zoning for nine (9) years. They have to conform as much as possible.

#6 on the Agenda

DAN KADICK SITE PLAN #75-49  
Located on Route 32, Windsor Highway  
Represented by Mr. Dan Kadick

Mr. Kadick: I have a preliminary drawing. I have the property next to the Vails Gate Diner. The building is 110 ft. long. I would like to attach a 30x60 building. It would be thirty (30) ft. going toward Newburgh. I just had some land leveled out. I am going to blacktop the area to make sufficient parking.

Mr. Spignardo: This is something that you will have to come back with and bring some plans.

Vice-Chairman Van Leeuwen: How many parking places do you have now?

Mr. Collett: He needs more parking places.

Mr. Spignardo: This is just a rough sketch.

Mr. Argenio: I can't get anything from this.

Vice-Chairman Van Leeuwen: You will have to come back with some plans.

Dan Kadick continued

Mr. Kadick: I will make more parking spaces but it is not going to be a business, it is going to be a new building but for offices. Dr. Rednick wants it for an office. It is not a store.

Vice-Chairman Van Leeuwen: He could move out and a store could move in and you would need the parking.

Mr. Cuomo: I visited the site. It does have potential. They do have curbs in. It is paved in the front.

Mr. Jones: On the back end of the lot does the whole rear of the lot have the drainage easement? If he doesn't have it all along the back he will have too.

Mr. Kadick: I gave the Town a ten foot easement just in back of the building.

Vice-Chairman Van Leeuwen: You will have to come back and bring a set of plans with parking, drainage, ten (10) ft. easement and showing us what you want to do.

Mr. Kadick: When is your next meeting.

Vice-Chairman Van Leeuwen: On January 14th, 1976.

#7 on the agenda:

Jerald Fiedelholz and Henry Van  
Leeuwen 2 Lot Subdivision #75-47  
Located on South Jackson Avenue  
Represented by Attorney Allan Kuslansky

Vice-Chairman Van Leeuwen: I wish to disqualify myself for this item on the agenda.

Attorney Kuslansky: This was originally a four (4) lot subdivision. There is approximately 10 $\frac{1}{2}$  acres. We would like to subdivide this piece of property. (explaining to the Board)  
Discussion followed.

Motion by Mr. Argenio seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the two (2) lot subdivision of Jerald Fieldelholz and Henry Van Leeuwen #75-47 located on South Jackson Avenue. Vote: Cimorelli - aye, Argenio - aye, Spignardo-aye, Jones - aye Motion carried.

#8 on the Agenda:

Correspondence

Hearing no objection a letter dated December 4, 1975 from Attorney Cavalari re: Sesame Estates asking for an outline of reasons why the Board rejected the Cluster Type Subdivision was recorded received and filed. Secretary to write a letter to Attorney Cavalari stating that in Executive Session as stated the Board had decided to accept only 15,000 square lots. Hearing no objections so ordered.

Hearing no objections a copy of Building and Zoning Inspector Collett's report of permits for the month of November was recorded received and filed.

Hearing no objections a letter dated December 8, 1975 from the Planning Department in Orange County regarding Housing- Country Side Homes, Subdivision Feasibility Study. This was recorded received and filed.

Hearing no objections a bill from the New York Planning Federation was received in the amount of \$55.00 for the year 1976. A current list of names and addresses of members of the Planning and Zoning Boards is requested with check for dues. This was recorded received and filed. Secretary to make a list of names and a check to be gotten from the Comptroller for the dues.

#9 on the Agenda:

Minutes

Motion by Mr. Cimorelli seconded by Mr. Jones that the Planning Board of the Town of New Windsor approve the Minutes as read of the November 26, 1975 meeting. Vote- All ayes, Motion carried. Minutes approved as read.

Vice-Chairman Van Leeuwen: If there is no further business to come before this meeting I will entertain a motion to adjourn.

#10. On the Agenda

Adjournment

Motion by Mr. Argenio seconded by Mr. Spignardo that the Planning Board of the Town of New Windsor adjourn the meeting of December 10, 1975. Vote- All ayes, Motion carried. Meeting adjourned.

Respectfully submitted,

*Shirley B. Hassdenteufel*

SHIRLEY B. HASSDENTEUFEL  
Recording Secretary

555 Union Avenue  
New Windsor, N. Y. 12550  
December 16, 1975

Chip's Automotive Service Station  
200 Union Avenue  
New Windsor, N. Y. 12550

RE: APPLICATION FOR SPECIAL PERMIT - #7601

Attn: David Wingfield

Dear Dave:

Enclosed herewith is your application for special permit together with a public hearing notice and procedure which you must follow in order to prepare for a public hearing. Please fill in all places on the application where I have indicated with a checkmark and sign the last page.

All paperwork must be in together with fees by December 29th in order that the 10 day publication requirement may be met.

If you have any questions please call.

Very truly yours,

PATRICIA DELIO, Secretary  
New Windsor ZBA

/pd

Enclosures

# LEASE

This Agreement made this 9th day of December, 1975, between ~~THE AMERICAN~~ <sup>AMOCO</sup> OIL COMPANY, a Maryland corporation, Lessor, and HAROLD J. WINGFIELD, Lessee, of Old West Point Road, Cornwall, N. Y. 12518

## WITNESSETH

1. That in consideration of the covenants and agreements of Lessee hereinafter set forth, Lessor does hereby lease to said Lessee the following described real estate located in the County of Orange and State of New York, to-wit:

All that certain lot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange and State of New York, known as designated as Lot #103 on a certain map known as "Plan of Subdivision, Section A of Forge Hill Estates" Town of New Windsor, Orange County, New York, which map was dated July 10, 1958, was made by Eustance and Horowitz, Engs. and was filed in the Orange County Clerk's Office July 31, 1958, Map #1754 which said lot is more particularly bounded and described as follows: BEGINNING on the corner formed by the intersection of the northerly side of Rt. #94 with the easterly side of Hearth Stone Way and running thence along Rt. #94, N 82° 27' 50" East, 95 feet; thence N 7° 32' 10" West, 125 feet, thence S 82° 27' 50" West 95 feet to the easterly side of Hearth Stone Way; thence southerly along Hearth Stone Way, S 7° 32' 10" East, 125 feet to the point and place of Beginning, together with all improvements thereon

2. TERM TO HAVE AND TO HOLD the same for a period commencing December 22, 1975 and ending December 21, 1976/ and year to year thereafter. Lessor reserves the right to cancel and terminate this lease at any time upon ninety (90) days' notice in writing given to Lessee of Lessor's intention to do so, prior to the end of any yearly period.

3. RENT. Lessee agrees to pay to Lessor as rent for said premises the sum of THREE HUNDRED Dollars (\$ 300.00 ) per month, ~~payable monthly in advance at the office of Lessor~~ during the original term and the sum of Five Hundred Dollars (\$500.00) per month during the renewal period, payable monthly in advance at the office of Lessor at P.O.Box 5077, Atlanta, Ga. 30302.

4. USE OF PREMISES Said leased premises shall be used by Lessee as a Service Station, and for no other purpose without the written consent of Lessor first had and obtained, and Lessee agrees that no beer, wine or intoxicating liquors or beverages shall be sold or handled or permitted to be sold or handled on said leased premises, and that no part of the said leased premises shall be used for the purpose of conducting or carrying on the business of selling, handling or dealing in gasoline, kerosene, benzol, naphtha, greases, lubricating oils, or any fuel to be used for internal combustion engines, or lubricants in any form.

5. INDEMNITY: Lessee agrees that Lessor, its agents and employees, shall not be liable for any loss, damage, injuries, or other casualty of whatsoever kind or by whomsoever caused, to the person or property of anyone (including Lessee) on or off the premises, arising out of or resulting from Lessee's use, possession or operation thereof, or from defects in the premises whether apparent or hidden, or from the installation, existence, use, maintenance, condition, repair, alteration, removal or replacement of any improvements thereon, whether due in whole or in part to negligent acts or omissions of Lessor, its agents or employees; and Lessee for himself, his heirs, executors, administrators, successors and assigns, hereby agrees to indemnify and hold Lessor, its agents and employees, harmless from and against all claims, demands, liabilities, suits or actions (including all reasonable expenses and attorneys fees incurred by or imposed on Lessor in connection therewith) for such loss, damage, injury or other casualty.

6. ASSIGNMENT, SUBLETTING, ENCUMBRANCES: Lessee agrees that it will not assign, mortgage or encumber this lease, or sublet the said premises, nor shall Lessee suffer any lien or encumbrance to be placed on the leasehold hereby created, or any part thereof, by operation of law or otherwise, without the written consent of the Lessor first had and obtained.

NEW WINDSOR PLANNING BOARD MEETING  
TOWN HALL  
DECEMBER 10, 1975 8:00 P.M.

BOARD MEMBERS PRESENT: VICE-CHAIRMAN HENRY VAN LEEUWEN,  
THOMAS DOWD, LAWRENCE JONES,  
ERNEST SPIGNARDO, ALBERT ARGENIO  
AND JOSEPH CIMORELLI

BOARD MEMBERS ABSENT: CHAIRMAN JOSEPH LOSCALZO

OTHERS PRESENT: PAUL CUOMO, TOWN ENGINEER  
HOWARD COLLETT, TOWN BUILDING & ZONING  
INSPECTOR

tape #87

In the absence of Chairman Loscalzo, Vice-Chairman  
Van Leeuwen will conduct the meeting for this evening.

Vice-Chairman Van Leeuwen called the meeting to order  
promptly at 8:00 P.M.

#1 on the Agenda:

HENRY SCHEIBLE - DISCUSSION

Mr. Scheible called the Secretary to notify the Board  
he was unable to be here tonight and wished to be placed  
on the Agenda for Jan 14, 1976.

Secretary with the approval of the Chairman placed Mr.  
George Greb on the Agenda to fill vacancy left open  
by Mr. Scheible.

MR. GEORGE GREB - DISCUSSION  
Country Side Homes Subdivision and  
Windsor Grove Subdivsion  
Located on Bull Road

Mr. Greb: I want to report we are finally spinning our  
wheels.  
You have a Country Side Development already in New Windsor.  
I don't know who came first. It doesn't matter. We have