

ZB# 76-15

Pietro & Joseph Zarcone

35-1-70

Public Hearing

Sept. 13, 1976

8 p.m.

CPD hrs to be

notified

Notice sent

To Evening News 8/16

Read at hearing:

Position Recd 9/17/76

Letter of objection

rec'd. 9/17/76.

Fee to T.C. 9/14/76.

Received

12/29/76 C.M.

76-15 - Pietro Zarcone & Joseph Zarcone

GENERAL RECEIPT

2985

Town of New Windsor, N. Y.

Sept 14, 1976

Received of Alfred Cavalari \$25.00
~~Twenty Five Dollars~~ Dollars

For Variance Application Fee # 76-15

DISTRIBUTION

FUND	CODE	AMOUNT
<u>25.00</u>		
<u>Check</u>		

BY Charlotte Marcantonio
Deputy
TITLE

WILLIAMSON LAW BOOK CO., ROCHESTER, N. Y. 14609



Legal Notice
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 49-33a of the Zoning Ordinance on the following proposition:
 Appeal No. 15
 Request of PIETRO ZARCONE and JOSEPH ZARCONE for a Variance of the regulations of the Zoning Local Law to permit operation of a restaurant and insufficient sidewalk thereon being a Variance of Section 3.2 and 3.3 of the Zoning and Bulk Regulations for property situated at the Temple Hill Road, across from New Windsor, Cantonment, New Windsor, N.Y.
 SAID HEARING will take place on the 31st day of September, 1976 at the New Windsor Town Hall, 455 Union Avenue, New Windsor, N.Y. beginning at 8 o'clock P.M.
 THEODORE JARGSTORFF
 Chairman
 By PATRICIA RAZANSKI
 Secretary
 Sept. 4

State of New York
 County of Orange, ss:

Olga Trachewsky, being duly sworn deposes and says that he is Principal Clerk 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 September A.D., 1976, and ending on the 4th day of September A.D., 1976

Subscribed and sworn to before me this
 7th day of September 1976

Olga Trachewsky
Patricia Razanski

Notary Public of the State of New York, County of Orange.
 MY COMMISSION EXPIRES MARCH 30, 1977

555 Union Avenue
New Windsor, N. Y.
May 28, 1976

Affred F. Cavalari, Esq.
Cavalari & Larocca
P. O. Box 276
Vails Gate, N. Y. 12584

RE: APPLICATIONS FOR VARIANCE - ZARCONE

Dear Mr. Cavalari:

As requested, enclosed please find all necessary forms to prepare
for public hearing before the Zoning Board of Appeals.

Very truly yours,

PATRICIA RAZANSKY, Secretary

/pr

Enclosures

Agenda
5/10/76 - 7:30

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. Date 4-30 19 76

To PIETRO ZARCONE
..... RD 2 TEMPLE HILL ROAD
..... NEW WINDSOR NY 12550

PLEASE TAKE NOTICE that your application dated 4-28 19 76
for permit to BUILD RESTAURANT.. OR.. SUBDIVIDE.. FOR.. DWELLING
at the premises located at ... THE CAUSEWAY.....

is returned herewith and disapproved on the following grounds.

..... PROPERTY LOCATED IN PLANNED INDUSTRIAL ZONE (PI)
..... RESTAURANT NOT PERMITTED ..
..... DWELLING " " ..

..... Howard R. Covert
Building Inspector

Pietro Zarcone
RD#2 Temple Hill Rd.
New Windsor, N.Y. 12550

4/28/76

Dir Sir,

I have been trying to get a permit to build (A) a restaurant or (B) to subdivide the land to build two houses. But I have failed in getting it. Therefore I would like a hearing to be held by the board concerning this matter.

Thank You
Pietro Zarcone
562-0814.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

In the Matter of the Application of

PIETRO ZARCONE and JOSEPH ZARCONE

for a Use Variance #76-15.

DECISION DENYING
A USE VARIANCE

WHEREAS PIETRO and JOSEPH ZARCONE of R. D. 2, Temple Hill Road, Town of New Windsor, New York, have made application for a variance from the provisions of the Zoning Local Law, Section 4.2 of the Table of Use Regulations, under application #76-15 of the New Windsor Zoning Board of Appeals for property located on Temple Hill Road in the Town of New Windsor in a Professional-Industrial Zone (P.I.), which property is further identified as Tax Map #35, Block 1, Lot 70; and

WHEREAS a Notice of Disapproval of Building Permit Application has been issued against the property by the Building Inspector on April 30, 1976; and

WHEREAS the purpose of the variance request is to obtain approval to convert the residential dwelling herein into a restaurant, which is not permitted in this zone; and

WHEREAS a public hearing on the application was held by the Zoning Board of Appeals at the Town Hall, New Windsor, New York on the 13th day of September, 1976 after due notice by publication in The Evening News and due notice to residents and businesses within 500 feet of the subject premises by certified mail; and

WHEREAS at said hearing the petitioners were represented by Alfred F. Cavalari, Esq., attorney; and

WHEREAS at the public hearing a number of residents objected to the proposed use variance; and

WHEREAS, at the public hearing a petition was presented from neighboring residents and correspondence was filed from other residents who were unable to attend the public hearing; and

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

(1) The land contains a residential dwelling thereon and the petitioners herein have not presented any evidence which constitutes a hardship if the use variance requested is denied.

(2) The variance if granted will change the residential character of the neighboring properties and will be detrimental to the adjacent New Windsor Cantonment.

WHEREAS the Zoning Board of Appeals makes the following determinations of law in this matter:

(1) The land in question can yield a reasonable return if used as a single family residence in the zone (Planned Industrial) in which it has a pre-existing use as a single family dwelling.

(2) The plight of the owner is due to unique circumstances and not to the general conditions in the neighborhood which may reflect any unreasonableness of the Zoning Local Law itself; and

(3) The use sought to be authorized by the variance would alter the essential character of the locality.

WHEREAS the Zoning Board of Appeals of the Town of New Windsor voted on the 27th day of September, 1976 to deny the applicants' request for a variance.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals adopts this resolution denying the use variance sought; and

BE IT FURTHER RESOLVED that the secretary transmit a copy of this decision to the applicants' attorney, Town Clerk and the Town Planning Board.


THEODORE JARGSTORFF, Chairman

Dated this 18th day of October, 1976.



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

June 3, 1976

Mr. Alfred F. Cavalari
P. O. Box 276
Vails Gate, N. Y.
12584

re: Pietro & Joseph Zarcone
Property on Temple Hill Rd.

Dear Mr. Cavalari,

Please be advised that the property of Pietro and Joseph Zarcone, located on the corner of Temple Hill Rd. and the Causeway is located in a Planned Industrial Zone (P I).

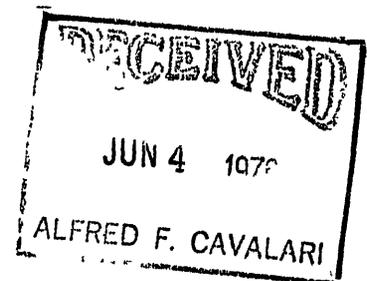
A restaurant is not permitted in this zone.

Restaurants are permitted only in a N. C or C Zone.

Yours truly,


Howard R. Collett
Bldg./Zoning Inspector

HRC/mfb



ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

76-15
(Number)

8/5/76
(Date)

I. Applicant information:

RD 2 TEMPLE HILLS
NEW WINDSOR NY
TEL 562 0814

(a) PIETRO & JOSEPH MARCONE
(Name, address and phone of Applicant)

(b) _____
(Name, address and phone of purchaser or lessee) TEL 561 5967

(c) CAVALARI & LAROSA P.O. BOX 376 VALES GATE N.Y. 12584
(Name, address and phone of attorney)

(d) _____
(Name, address and phone of broker)

II. Application type:

- Use variance
- Area variance
- Sign variance
- Special permit

III. Property information:

(a) PI 35-1-70 129' X 383
(Zone) (Address) (M B L) (Lot size)

(b) What other zones lie within 500 ft.? NONE

(c) Is a pending sale or lease subject to ZBA approval of this application? NO

(d) When was property purchased by present owner? 1973

(e) Has property been subdivided previously? _____ When? _____

(f) Has property been subject of variance or special permit previously? NO When? _____

(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? NO. If so, when _____

(h) Is there any outside storage at the property now or is any proposed? Describe in detail. NONE

8/5/76
(Date)

I. Applicant information:

RD 2 TEMPLE HILLS
NEW WINDSOR NY
TEL 562 0814

- (a) PIETRO & JOSEPH MARCONI
(Name, address and phone of Applicant)
- (b) _____
(Name, address and phone of purchaser or lessee) TEL 562 596;
- (c) CAVALARLY LAROSCA P.O. BOX 376 VAILS GATE N.Y. 12584
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- Use variance
- Area variance
- Sign variance
- Special permit

III. Property information:

- (a) PI 35-1-70 129' X 383
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1973
- (e) Has property been subdivided previously? _____ When? _____
- (f) Has property been subject of variance or special permit previously? NO When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? NO. If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. NONE

IV. Use variance:

(a) Use Variance requested from New Windsor Zoning Local Law, Section 3.2, Table Use, Column A, to allow TO OPERATE Regulations

A RESTAURANT
(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.

THE PROPERTY IS LOCATED ON A BUSY HIGHWAY WHICH IS BECOMING EVEN BUSIER. AREA IS NO LONGER SUITED FOR RESIDENTIAL USE AS INDICATED BY THE FACT THAT THE TOWN HAS ZONED IT FOR INDUSTRIAL USE

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 4-2, Table IF, Column 7

<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>30/70</u>	<u>19/60</u>	<u>19/25</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 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.

~~THE~~ PROPERTY IS LOCATED ON A BUSY HIGHWAY WHICH IS BECOMING EVEN BUSIER. AREA IS NO LONGER SUITED FOR RESIDENTIAL USE AS INDICATED BY THE FACT THAT THE TOWN HAS ZONED IT FOR INDUSTRIAL USE



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 4-2, Table II, Column 7

<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>30/70</u>	<u>19/60</u>	<u>19/25</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.

SUBJECT TO PLANNING BOARD APPROVAL
I PLAN TO MODIFY THE BUILDING SINCE
IT IS NOT ADEQUATE IN SIZE FOR RESTAURANT
THIS WOULD REQUIRE A SIDE YARD ON THE
EAST YARD OF ONLY 35 FEET. THE SIDE YARD
ON THE WEST WOULD REMAIN 19 FEET

North side yard

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?

North side yard

THIS WOULD REQUIRE A SIDE YARD ON THE EAST YARD OF ONLY 35 FEET. THE SIDE YARD ON THE WEST WOULD REMAIN 19 FEET

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	_____	_____	_____
<hr/> <hr/>			
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 _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

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.)

THE REQUESTED USE WILL NOT BE
INCOMPATIBLE WITH THE AREA WHICH IS
PRESENTLY ZONED FOR INDUSTRY. IN FACT
PROPOSED USE WILL PROVIDE AN ESSENTIAL
SERVICE IN THE FORM OF EATING FACILITY
FOR NEARBY COMMERCIAL ESTABLISHMENTS

IX. Attachments required:

- 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 \$ _____ payable to Town of New Windsor.

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.

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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 - Copy(ies) of sign(s) with dimensions.
 - Check in amount of \$ _____ payable to Town of New Windsor.
- 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

SEP 22 1976

Cavalari & Laroocca
ATTORNEYS AT LAW
POST OFFICE BOX 276
VAILS GATE NEW YORK 12584

SEP 22 1976

Alfred F. Cavalari
Elia M. Laroocca

20 September 1976

Telephone
914-561-5969

Mr. Theodore Jargstorff
Chairman Zoning Board of Appeals
Town Hall
555 Union Avenue
New Windsor, New York 12550

Re: Pietro & Joseph Zarcone
#76-15

Dear Mr. Jargstorff:

In connection with the above application for variance we will be submitting shortly a drawing of the proposed restaurant. I am confident the board will find it to be in keeping with the colonial setting on Temple Hill.

Yours truly,

Alfred F. Cavalari
ALFRED F. CAVALARI

AFC/rl

cc: Mr. Joseph Zarcone



COUNTY OF ORANGE

Department of Planning

124 MAIN STREET (1887 Building)

GOSHEN, NEW YORK 10924

TEL. (914) 294-5151

Peter Garrison, A.I.P., Commissioner

Edwin J. Garling, A.I.P., Deputy Commissioner

SEP 24 1976

September 23, 1976

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

Re: Variances - Zarcone
County Road 59 (Temple Hill Road)

Dear Mr. Jargstorff:

We are in receipt of the above application submitted in accordance with the applicable provisions of Section 239, l and m, Article 12-B of the General Municipal Law of the State of New York.

We hereby return the matter for final local determination by the Zoning Board. The Board's decision, however, should be based upon specific findings as per Section 8.2.2.

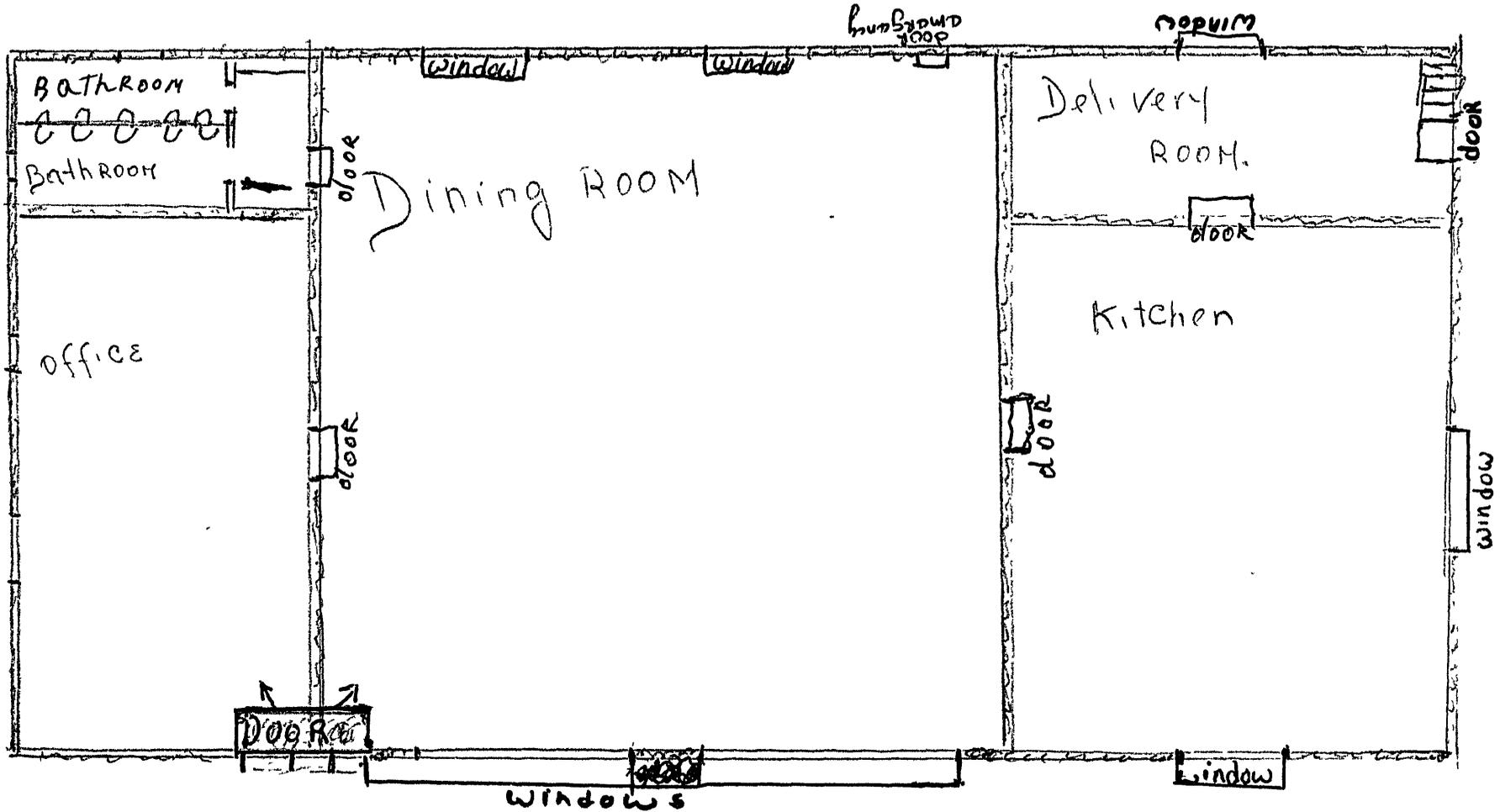
Very truly yours,

Peter Garrison
Commissioner of Planning

PG:jh

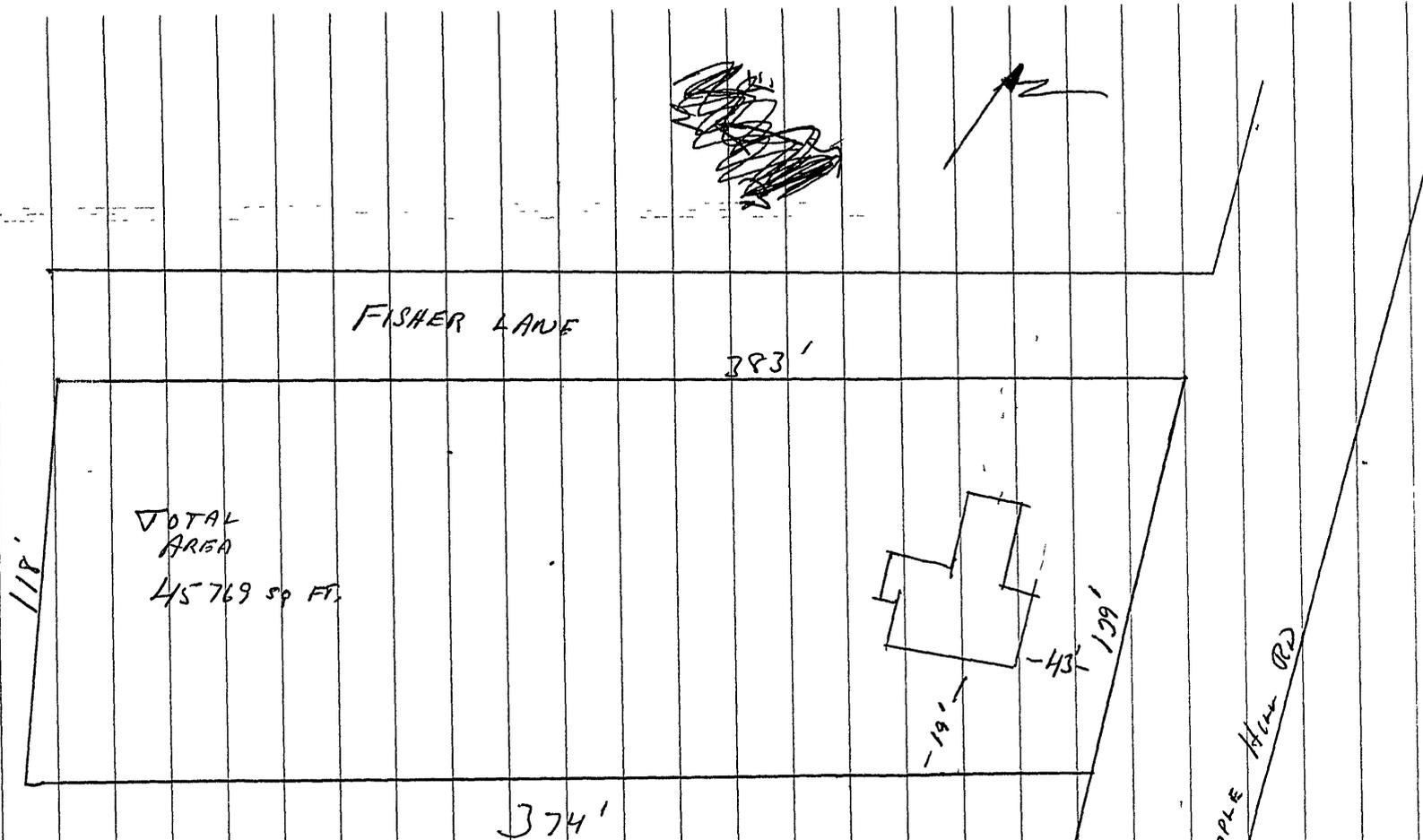
PIETRO ZARCONI

BACK



Temple Hill Rd.

CAUSWAY



APPLICATION OF
PIETRO + JOS. ZARCONI

NOT TO SCALE

JUNE 1976

NEW HAVEN ZONING
BOARD OF APPEALS

SEP 07 1976

Mr. & Mrs. Jerome Woolf
The Causeway, RD # 2
New Windsor, New York, 12550

Mr. Theodore Jargstorff (chairman)
The Zoning Board of Appeals
Town of New Windsor, New York

Sir:

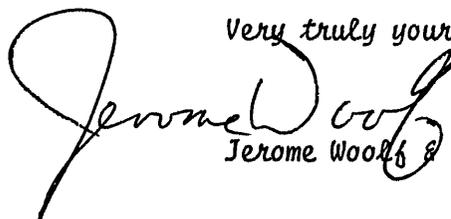
Due to a previous commitment, my wife and I are unable to attend the hearing on the 13th of September. However, I feel the board should consider our view in its deliberations.

The request of Messrs Zarcone & Zarcone to receive a Variance would enable them to destroy the very essence of our, and our neighbors quality of life.

Presently the entire area is of residential character, set in a Historic park like atmosphere. The Cantonement adds a flavor but is not disruptive. On the other hand, a restaurant or any similar activity would cause an increase in traffic, noise, pollution, etc., that we feel would completely dominate the immediate area of Temple Hill Road and The Causeway.

We ARE NOT IN FAVOR of the board granting them the right to establish a restaurant.

Very truly yours,

 + Shirley Woolf
Jerome Woolf & Shirley Woolf

Rec'd - ZBA
SEP 07 1976

Dr.

P E T I T I O N

To: Deny a request (Appeal no. 15) for a Variance of the regulations of the Zoning Local Law, to permit "operation of a restaurant and insufficient sideyard therefor" being a Variance of Section 3.2 and 4.2 - Table of Use and Bulk Regulations for property situated at: Temple Hill Road, across from New Windsor Cantonment, New Windsor, New York.

We, the residents, living within the area, which would be detrimentally affected by the proposed operation of the Zarcone Brothers, wish to place this petition before you, as proof of our complete abhorrence of a restaurant, or any similar use.

We are diligent hard working people who take pride in ourselves and our property. We recognize our obligations as neighbors to each other and the Cantonment. Everyone strives to maintain and improve their property as to enhance the quality of life, and the atmosphere that a National Historic area deserves.

The proposed use would totally negate this atmosphere and would cause the residential park like aurora to disappear in a clash of traffic, parked cars, noise, pollution, and litter. Therefore, we strongly oppose an operation of this sort, and sign our names accordingly.

15 names

Frederick P Todd Lot 22
 Mr. & Mrs. Jerome Woolf Lot 19
 Mr. & Mrs. Stephen Prewitt Lot 23
 Mr. & Mrs. Frank Scadato Lot 69
 Mrs. Lena Di Vignini Lot 68
 Mrs. Jennie Caruso Lot 67
 Mr. & Mrs. John Marquis
 Mr. Paul Brown

OR

P E T I T I O N

To: Deny a request (Appeal no. 15) for a Variance of the regulations of the Zoning Local Law, to permit operation of a restaurant and insufficient sideyard therefor" being a Variance of Section 3.2 and 4.2 - Table of Use and Bulk Regulations for property situated at: Temple Hill Road, across from New Windsor Cantonment, New Windsor, New York.

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We are diligent hard working people who take pride in ourselves and our property. We recognize our obligations as neighbors to each other and the Cantonment. Everyone strives to maintain and improve their property as to enhance the quality of life, and the atmosphere that a National Historic area deserves.

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15 names

Frederick P Todd Lot 22

Mr. & Mrs. Jennet Dooly LOT 19

Mr. & Mrs. Stephen Devito Lot 23

Mr. & Mrs. Frank Scadato Lot 69

Mrs. Lena Di Vignini lot 68

Mrs. Jennie Caruso lot 67

Mr & Mrs. John Marquis

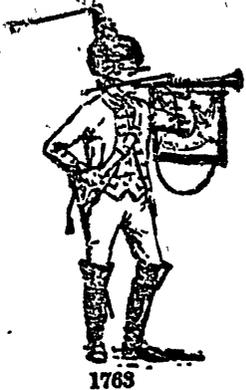
Mrs. Carol Brown

R. J. Smith LOT 20

Mary E. Smith

Valerie Heener

Regional Planning, County Planning and Local Planning are the means by which the best use of land is established for municipalities. The purpose of zoning is to create a harmonious grouping of existing uses and future uses for property. Zoning restrictions are the means most commonly resorted to for controlling land use. Among the well established zoning policies are those setting minimal sizes for lots and the location for buildings on those lots, and those prohibiting or constraining uses that would not be harmonious with existing and planned development. The area on Temple Hill Road, in the vicinity of the Cantonment, is zoned for planned industrial use as well as residential activity. Introducing a commercial use would have a negative effect on the quality of life and would force others in the planned industrial and residential zone to live with this commercial use or seek other uses for their properties. There are adequate commercial zones in the Town of New Windsor to accommodate this type of use, and we would strongly object to the granting of this variance as there is no good planning reason for granting this variance.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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

May 27, 1976

Mr. Alfred Cavalari
P.O. Box 276
Vails Gate, New York 12584

RE: Zarccone, Pietro & Joseph

Dear Mr. Cavalari:

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 \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Respectfully submitted,

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

EEW/pk
att.

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR



1768

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

Town of New Windsor ✓
555 Union Avenue
New Windsor, New York 12550

Livigni, Frank & Lena ✓
296 Knickerbocker Avenue
Brooklyn, New York

Woolf, Jerome & Shirley ✓
RD#2 Temple Hill Road
New Windsor, New York 12550

Scaduto, Frank & Giovanua ✓
RD#2 Temple Hill Road
New Windsor, New York 12550

Rose, Mary E. ✓
C/O Mrs. R. Smith
Box 479
Vails Gate, New York 12584

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

Rushman, Albert E. Jr. ✓
46 Melrose Avenue
New Windsor, New York 12550

Todd, Frederick P. ✓
268 Mountain Road
Cornwall On Hudson, New York 12520

Previti, Stephen & Dora ✓
P.O. Box 2126
Newburgh, New York 12550

The Chester National Bank ✓
47 Main Street
Chester, New York 10918

Shedden, James F. & Carrie ✓
RD#2 Temple Hill Road
New Windsor, New York 12550

NYS Department of Audit & Contrl
Land Claims Unit ✓
State Office Building
Albany, New York 12226

Neuner, John & Valaria A. ✓
RD#2 Box 21 Newburgh, New York 12550

Caruso, Andred & Jenniene ✓
RD#2 Temple Hill Road
New Windsor, New York 12550

PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a public hearing pursuant
to Section 48-33A of the Zoning Ordinance on the following
proposition:

Appeal No. 15

Request of PIETRO ZARCONE and JOSEPH ZARCONE

for a Variance ~~Special Use Permit~~ of the

regulations of the Zoning Local Law, to permit

operation of a restaurant and insufficient sideyard

therefor

being a Variance ~~Special Use Permit~~ of

Section 3.2 and 4.2 - Table of Use and Bulk Regulations

for property situated at: Temple Hill Road, across from

New Windsor Cantonment, New Windsor, N. Y.

SAID HEARING will take place on the 13th day of September, 1976,

at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.

beginning at 8 o'clock P. M.

THEODORE JARGSTORFF,
Chairman

555 Union Avenue
New Windsor, N.Y.
August 16, 1976

Alfred F. Cavalari, Esq.
Cavalari & Larocca
P. O.Box 276
Mails Gate, N. Y. 12584

RE: APPLICATION FOR VARIANCE OF ZARCONE #76-15

Dear Mr. Cavalari:

I have taken the liberty of scheduling the above public hearing for Monday evening, September 13, 1976 at 8 p.m. Enclosed please find a copy of the public hearing notice which can be used in your mailing. I will deliver this notice to The Evening News for publication.

I have also enclosed the Town Assessor's list of property owners within 500 feet which you sent back to me. I thought you might need this for your mailing.

Notification to Orange County Planning Board will be made this week.

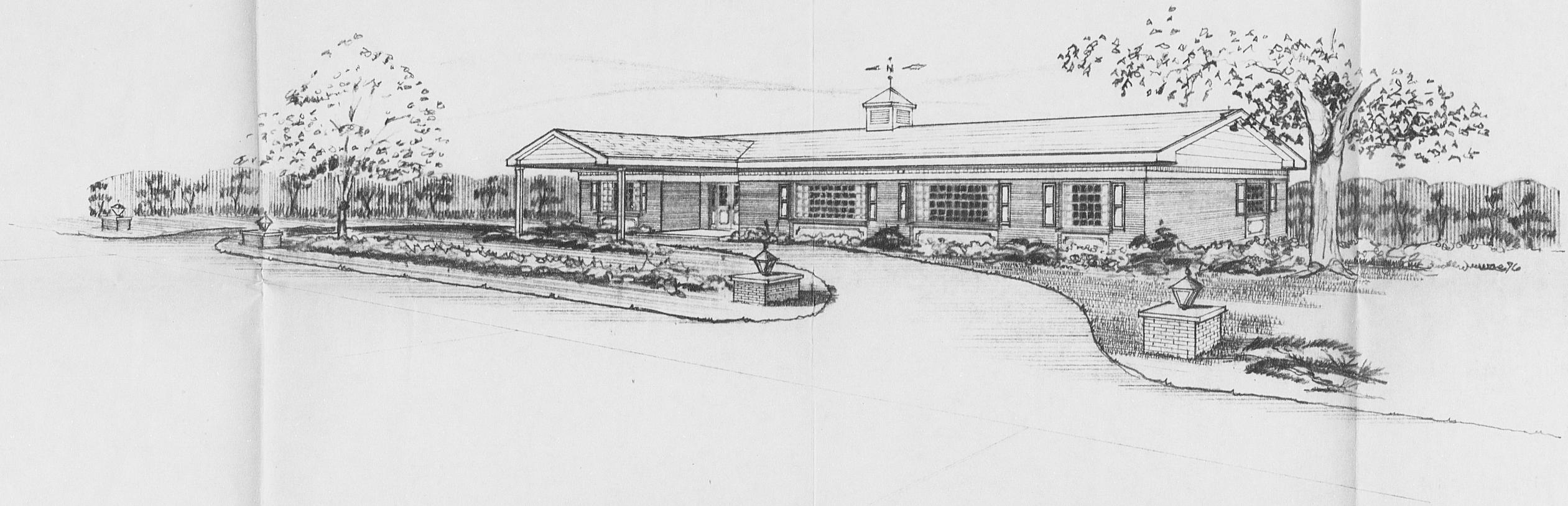
If you have any questions concerning this application or the hearing please do not hesitate to call.

Yours very truly,

PATRICIA RAZANSKY, Secretary

/pr

Enclosures



PROPOSED RESTAURANT

FOR

PIETRO AND JOSEPH ZARCONI

RD #2 TEMPLE HILL ROAD, NEW WINDSOR, NEW YORK

*Received by zoning Bd of Appeals
9/11/76 - PA*

WILLIAM A. SHERADEN, ARCHITECT, A.I.A.

20 CANNON ST., POUGHKEEPSIE, NEW YORK

DATE: SEPT. 1976