

**ZB# 83-2**

**Michael Faddis**

**71-1-64**



Public Hearing

Area Variance

March 14, '83

3/1/83. Notice to Sentinel  
(Given to Er. Smith)

CCPD to be notified

# General Receipt

**TOWN OF NEW WINDSOR**

555 Union Avenue  
New Windsor, N. Y. 12550

March 22 1983

Received of Theresa Ann Wilson Due \$ 50.00  
LLP DOLLARS

For Payment of Interest 83-2

DISTRIBUTION		
FUND	CODE	AMOUNT
<u>Check</u>		<u>50.00</u>
<u>Account</u>		

By Pauline Townsend  
Town Clerk  
Title

Attachment Book Co., Rochester, N. Y. 14602

# General Receipt

**TOWN OF NEW WINDSOR**

555 Union Avenue  
New Windsor, N. Y. 12550

Feb. 28 1983

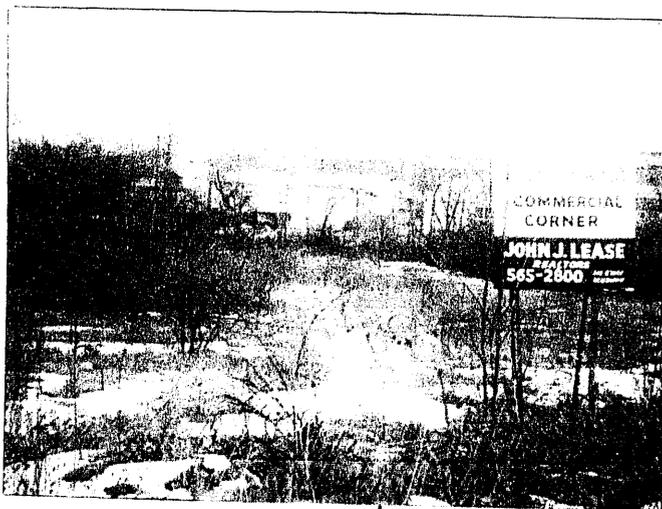
Received of Jim Raab \$ 50.00  
Fifty and 00/100 DOLLARS

For Variance List

DISTRIBUTION		
FUND	CODE	AMOUNT
<u>\$50.00 Check</u>		
<u>Spa Development Co.</u>		

By Pauline J. Townsend  
Town Clerk  
Title

Attachment Book Co., Rochester, N. Y. 14602





By \_\_\_\_\_  
 \_\_\_\_\_  
 Title

## General Receipt

**TOWN OF NEW WINDSOR**

555 Union Avenue  
 New Windsor, N. Y. 12550

Feb. 29 1983

Received of Gym Rant \$ 50.00

Fifty and 00/100 DOLLARS

For Variance List

FUND	CODE	AMOUNT
<u>\$50.00 Check</u>		
<u>Spa Development Co.</u>		
<u>Check #1005</u>		

By Pauline J. Tronzo  
Town Clerk  
 Title

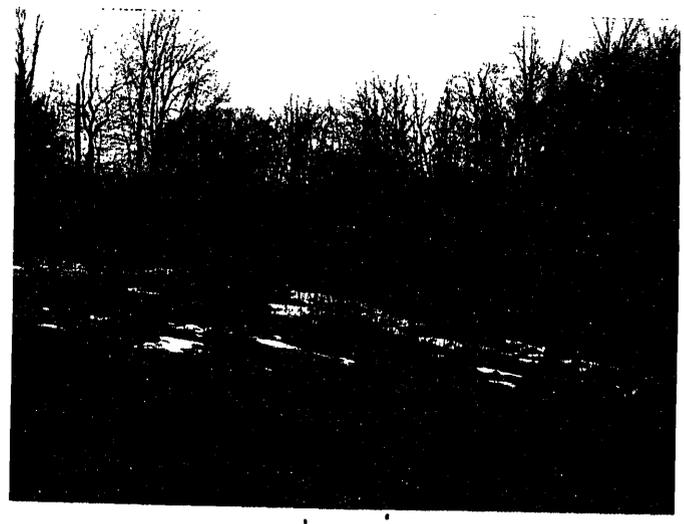
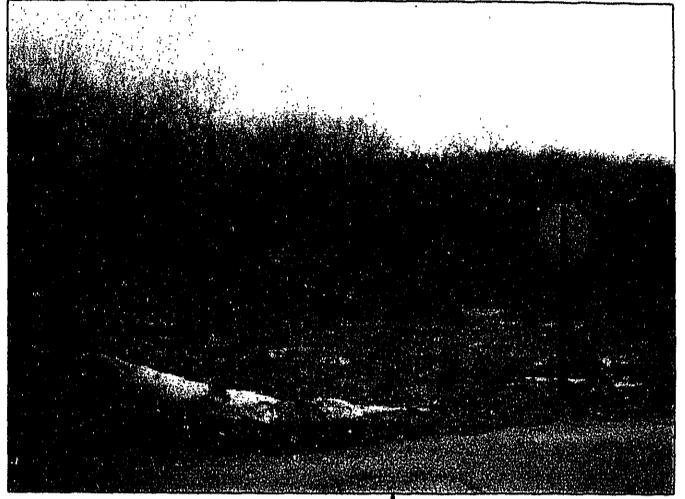




Exhibit 8/17



NEW WINDSOR ZONING BOARD OF APPEALS

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In the Matter of the Application of

MICHAEL & CAROLYN FADDIS and  
NEW WAVE SPAS, INC.

# 83-2.

DECISION GRANTING  
VARIANCE

-----X

MICHAEL & CAROLYN FADDIS of R.D.1, Box 279, Valatie, NY  
WHEREAS, /and NEW WAVE SPAS, INC. of 162 S. Robinson Ave.,

Newburgh, New York,, have made application before the  
Zoning Board of Appeals for area variances for the purposes of:  
the construction of a spa center to be located on Old Temple Hill Road ;  
and

WHEREAS, a public hearing was held on the 14th day of  
March, 19 83 before the Zoning Board of Appeals at the Town Hall,  
New Windsor, New York; and

WHEREAS, the applicant appeared by VINCENT DOCE ASSOCIATES  
with Mr. Doce making presentation; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New  
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents  
and businesses as prescribed by law and published in The Sentinel, also  
as required by law.

2. The evidence shows: that applicant is in the process of  
purchasing 33,105.9 ± acre parcel with 154 ft. lot width and intends to  
construct a spa center which will house hot tubs and exercise gymnasium,  
including snack bar

3. The evidence shows that property is bounded on the right  
by a railroad; on the left by a road and to the rear by Town property  
and no additional property is available

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

1. The evidence shows that the applicant will encounter practical difficulty if the area variance requested is not granted.

2. The proposed variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor and 13' 4" building height variance with restrictions below\* grants 6,894 ft. lot area variance; 46 ft. lot width variance/ in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: March 28, 1983

  
Chairman

\*

Restrictions to variance:

1. Hours of operation - 6 a.m. to midnight;
2. No alcoholic beverages served on premises.
3. No minors will be allowed on premises unless accompanied by adult.

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 83-2

Date: 2/23/83

I. Applicant Information:

- (a) Michael L. & Carolyn S. Faddis R.D. 1 Box 279 VALATIE N.Y. 518-784-4543  
(Name, address and phone of Applicant) (Owner)
- (b)\* New Wave Spas, Inc. 122 S. Robinson Ave. Newburgh, N.Y. 562-4267  
(Name, address and phone of purchaser or lessee)
- (c) Gary Galati, 27 West St. Newburgh, N.Y. 561-6400  
(Name, address and phone of attorney)
- (d) Lease Real Estate 313 Broadway Newburgh, N.Y. 565-2800  
(Name, address and phone of broker)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Special Permit

III. Property Information:

- (a) C OLD TEMPLE HILL ROAD 741-64 33,105.9 S.F.  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-5 & PT
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 9-25-79
- (e) Has property been subdivided previously? No 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
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section —, Table of — Regs., Col. —, to allow:  
(Describe proposal) —

\* AND SPA DEVELOPMENT COMPANY  
R.D. Box 199  
WALTON, N.Y., 12586

(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 48-12, Table of Bulk Regs., Col. 4, 5, 8, 10.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>40,000 S.F.</u>	<u>33,105.9 S.F.</u>	<u>6874.1 S.F.</u>
Min. Lot Width <u>200'</u>	<u>154'±</u>	<u>46'±</u>
Reqd. Front Yd. <u>60'</u>	<u>60'</u>	<u>—</u>
Reqd. Side Yd. <u>30/70</u>	<u>70 / OVER 70'</u>	<u>— / —</u>
Reqd. Rear Yd. <u>30'</u>	<u>20'</u>	<u>SEE 348-15B WAIVER</u>
Reqd. Street Frontage*	<u>—</u>	<u>—</u>
Max. Bldg. Hgt. <u>4 in / 8 ft. Dist. = 80" To Lot Line</u>	<u>168"</u>	<u>88" (DEPENDS UPON 348-15B WAIVER)</u>
Min. Floor Area*	<u>—</u>	<u>—</u>
Dev. Coverage*	<u>— %</u>	<u>— %</u>
Floor Area Ratio**	<u>.5</u>	<u>.13</u>

\* 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.

LOT AREA - WE OWN ONLY 33,105.9 S.F. - WE ARE BOUNDED BY ROADS, R.E. PROPERTY & TOWN PROPERTY.  
LOT WIDTH - WE OWN ONLY 154' WIDTH ± - BOUNDED BY ROAD & R.E. PROPERTY.  
BUILDING HEIGHT - WE ARE USING 20' REAR YARD DUE TO WAIVER (348-15B). THIS MAY NECESSITATE HEIGHT VARIANCE EFFORTS - PURCHASE OF ADDITIONAL PROPERTY FROM TOWN OR RAILROAD IS ALMOST NOT POSSIBLE.

VI. Sign Variance:

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

	Requirements	Proposed or Available	Variance Request
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.

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

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✓VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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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.)

1. VARIANCE IS IN NATURE OF AREA, NOT USE.  
 2. PROPOSED USE IS CLEAN & DESIRABLE.  
 3. " BUILDING IS EXTREMELY ATTRACTIVE  
 4. SITE WORK INCLUDES AMPLE PAVING, LANDSCAPING, UTILITIES, & DRAINAGE.  
 7. EXISTING & PROPOSED CHARACTER OF NEIGHBORHOOD IS BUSINESS. THIS APPLICATION FITS WELL, AND NATURE OF BUSINESS & SITE PLAN ACTS AS BUFFER TO R-5 AREAS TO NORTHEAST.

IX. Attachments required:

- ✓ Copy of letter of referral from Bldg./Zoning Inspector.
- ✓ Copy of tax map showing adjacent properties.
- ✓ Copy of contract of sale, lease or franchise agreement.
- ✓ 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 the amount of \$ \_\_\_\_\_ payable to TOWN OF NEW WINDSOR.
- ✓ Photos of existing premises which show all present signs and landscaping.



3/14/83 Public Hearing: New Wave Spas, Inc. / Fuddis

<u>Name:</u>	<u>Address:</u>
Michael Smeal (owner)	8 Ashwood Tr. Newburgh
William K. Zick (owner)	Box 400-5 Quaker at Wallkill
Bill McNair (owner)	Hinchcliffe Dr. Newburgh.
Frank Brand (owner)	Hillcrest DR. MARLBORO
Jan Koopman (owner)	RD BOX 199 Walden, NY
JEFF GROSSLEY (C.M.I.)	131 LITTLE BETTAN RD. <sup>100506</sup>
<del>John M. Hall</del>	V.P. Vail State Personnel Center RT 9 Vail, N.Y.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK  
(914) 565-8550

*file*

Date: March 15, 1983

Mr. Jim Raab  
VINCENT J. DOCE ASSOCIATES  
15 New Road  
Newburgh, N. Y. 12550

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS  
# 83-2 - FADDIS/NEW WAVE SPAS, INC.

Dear Jim:

This is to confirm that your above application before the  
New Windsor Zoning Board of Appeals was Granted  
at a meeting held on the 14th day of March, 1983.

A formal decision will be drafted and acted upon at a later  
date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not  
hesitate to call me.

Yours very truly,

*Patricia Delio*

PATRICIA DELIO, Secretary  
New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg/Zoning Inspector  
Town Planning Board

RE: FADDIS/NEW WAVE SPAS, INC. APPLICATION

Before listening to anything that will be presented to you at the above public hearing, I THINK YOU SHOULD BE AWARE OF THE FOLLOWING INFORMATION:

The application of moist heat (typical to what you would receive in a hot tub) is correctly categorized as adjunctive therapy which falls into the realm of physiotherapy. As such, should only be administered on the advice, direction and supervision of a licensed physician.

Physiologically, one of its main effects is DILATION OF BLOOD VESSELS and LYMPH VESSELS which may cause FAINTING, STROKE, ABNORMAL CARDIAC HEARTBEAT and SHOCK in certain susceptible persons.

In addition, it is further contraindicated that persons with an ongoing inflammatory process, may have severe adverse reactions.

Furthermore, there may be severe allergic reactions to this therapy.

Additionally, the monitoring of the person's individual heat tolerance is necessary in order to prevent severe burns.

SUMMARY:

THIS TYPE OF THERAPY IS NOT TO BE ADMINISTERED BY UNQUALIFIED HANDS AND AT ALL TIMES REQUIRES THE ADVICE AND GUIDANCE OF A LICENSED PHYSICIAN. ALSO, AT NO TIME SHOULD WINE OR BEER BE SERVED ON THE PREMISES BECAUSE THIS WOULD FURTHER COMPLICATE THE ADVERSE SYMPTOMS POINTED OUT ABOVE.

Prelim. meeting  
before ZBA -  
2/14/83.  
7:30 p.m.

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. .... Date ..... JAN. 19, 1983

To MICHAEL T SHRAMEK JR. - Owner → Michael & Carolyn  
% VINCENT J. DOCE L.S. of prop. Faddis  
(5 NEW ROAD, NEWBURGH

PLEASE TAKE NOTICE that your application dated ..... JAN. 19, 1983  
for permit to ..... BUILD A 40' x 72' ± BUILDING  
at the premises located at ..... OLD TEMPLE HILL ROAD &  
VALE GATE HEIGHTS ROAD SECT. 71-1-64

is returned herewith and disapproved on the following grounds:

..... SUBSTANDARD PARCEL AREA FOR A  
..... COMMERCIAL USE IN A "C" ZONE

  
Building Inspector



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Feb. 16, 1983

1763

Mr. Jim Raab  
15 New Road  
Newburgh, N.Y.

RE: 71-1-64

Dear Mr. Raab:

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

The charge for this service is \$50.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script that reads "Paula Sarvis".

PAULA SARVIS  
ASSESSOR  
Town of New Windsor



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Kumstar Rose B  
RD3 Rt 300 N Plank Rd  
Newburgh NY 12550

Consolidated Rail Corp  
Property Tax Dept  
PO Box 8499  
Philadelphia Pa 19101

Beck Raymond J Jr & Pauline A  
Box 498  
Vails Gate NY 12584

Morgese Felicia  
71 Sullivan St  
New York NY 10012

Simon Daniel W & Jennie W &  
Jennie L  
149 Temple Hill Rd  
Vails Gate NY 12584

Morey Frank A & Lois A  
Mertes Lane  
New Windsor NY 12550

Mc Grane James & West Frances  
Stewart Ave  
Newburgh NY 12550

Rashbaum Gilbert & Smith Chas F III  
PO Box 7002  
5 Meadow Hill Rd  
Newburgh NY 12550

Barone Anthony & Evelyn Mae  
PO Box 405  
Vails Gate NY 12584

Kodsi Moshe & Godis Mayer  
PO Box 575  
Vails Gate NY 12584

Pulliam Charles & Joann  
Box 55  
Vails Gate NY 12584

Trifilo William J & Etta  
Box 55  
Vails Gate NY 12584

Quick Michael & Patrick  
316 Baldwin Lane  
Newburgh NY 12550

Faenza Donald & Fanelli Adele A  
c/o J F Olmo  
PO Box 421  
Vails Gate NY 12584

Panella Emilio  
PO Box 573  
Vails Gate NY 12584

Tornatore Anthony & Gemma  
82 Continental Dr  
New Windsor NY 12550

Bank Earnest & Ruth  
125 Vails Gate Heights Dr  
New Windsor NY 12550

Ashton Rowell Assoc Inc  
157 S Plank Rd  
Newburgh NY 12550

Effron Joseph  
PO Box 174  
Poughkeepsie NY 12602

Deitz Gary & Karen  
141 Vails Gate Heights Dr  
New Windsor NY 12550



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Morange William A & Dianna A  
149 Vails Gate Heights Dr  
New Windsor NY 12550

Uherec Joseph J & Doreen V  
157 Vails Gate Heights Dr  
New Windsor NY 12550

Kayes Vincent L & Jeanne M  
165 Vails Gate Heights Dr  
New Windsor NY 12550

Boulay Joseph W & Margaret K  
171 Vails Gate Heights Dr  
New Windsor NY 12550

Wilson Samuel C & Norma M  
187 Vails Gate Heights Dr  
New Windsor NY 12550

Otero Jose & Aida  
195 Vails Gate Heights Dr  
New Windsor NY 12550

Town of New Windsor  
555 Union Ave  
New Windsor NY 12550

Manna Frank & Margaret  
108 Vails Gate Heights Dr  
New Windsor NY 12550

Napolitano Thomas & Billie Mae  
110 Vails Gate Heights Dr  
New Windsor NY 12550

Saunders Leon E & Barnett Ann L  
114 Vails Gate Heights Dr  
New Windsor NY 12550

Donaghy Francis J & Agnes  
116 Vails Gate Heights Dr  
New Windsor NY 12550

Mazurek Robert A & Linda R  
118 Vails Gate Heights Dr  
New Windsor NY 12550

Stanley Alan R & Patrina A  
120 Vails Gate Heights Dr  
New Windsor NY 12550

Mahoney John F & Luz M  
122 Vails Gate Heights Dr  
New Windsor NY 12550

Mc Garry William & Lynne  
124 Vails Gate Heights Dr  
New Windsor NY 12550

Ekstein Robert N & Barbara  
126 Vails Gate Heights Dr  
New Windsor NY 12550

Giffen John W & Claudia J  
128 Vails Gate Heights Dr  
New Windsor NY 12550

Lamb Edward M & anne P  
130 Vails Gate Heights Dr  
New Windsor NY 12550

De Stefano Michael & Helen  
134 Vails Gate Heights Dr  
New Windsor NY 12550

Sullivan Francis E & Carolyn M  
136 Vails Gate Heights Dr  
New Windsor NY 12550

Kessler William & Adele  
138 Vails Gate Heights Dr  
New Windsor NY 12550

Trincali Robert F & Dolores M  
140 Vails Gate Heights Dr  
New Windsor NY 12550



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Gracey Adeline P  
142 Vails Gate Heights Dr  
New Windsor NY 12550

Del Gatto Vincent & Johanna  
148 Vails Gate Heights Dr  
New Windsor NY 12550

Forneris Richard A & Rosemary  
150 Vails Gate Heights Dr  
New Windsor NY 12550

Windsor Properties  
c/o Teitelbaum  
65-24 Ellwell Crescent  
Forest Hills NY 11375

# Contract of Sale

January 19, 1983

Date.....

Seller and Purchaser agree as follows:

Parties

Seller MICHAEL L. FADDIS and CAROLYN S. FADDIS, his wife,  
address RD#1, Box 279, Valarie, Columbia County, New York, 12184

Purchaser MICHAEL T. SHRAMEK, JR.,  
address 8 Ashwood Terrace, Newburgh, Orange County, New York, 12550,

Purchase agreement  
Property

1. Seller shall sell and Purchaser shall buy the Property on the terms stated in this Contract.

2. The Property is described as follows:

ALL their interest in and to a certain parcel of real property designated on the 1979 Orange County Tax Map as follows:

Town of New Windsor

Section 71, Block 1, Lot 64.

BEING the same premises conveyed to Orange County by Tax Deed dated the twenty-first day of June 1979 and recorded in the Orange County Clerk's Office in Liber 2139 of Deeds at Page 906 on August 15, 1979 and conveyed by Peter L. Gunn by deed recorded in the Orange County Clerk's Office in Liber 1769 of Deeds at Page 1056 on June 16, 1967.

BEING the same premises as described in that certain deed dated the twenty-fifth day of September, 1979, made by Orange County (also known as The County of Orange) to Michael L. and Carolyn S. Faddis, the sellers herein, and recorded in the Orange County Clerk's Office on October 18th, 1979 in Liber 2146 of Deeds at Page 431.

Said premises being further described in a survey of the property as prepared by Dillin & Sorace Associates, Professional Land Surveyors, and dated October 30, 1979. Copy of said survey is annexed hereto and made a part hereof for reference.

1A-116  
129



Buildings and  
improvements

Fixtures,  
personal  
property

3. ~~XXXXXX~~ The sale includes:

(a) All buildings and improvements on the Property.

(b) All fixtures and articles of personal property attached to or used in connection with the Property, unless specifically excluded below. Seller represents that they are paid for and owned by Seller free and clear of any lien other than the Existing Mortgage. They include but are not limited to plumbing, heating, lighting and cooking fixtures, radio and television aerials, blinds, shades, screens, awnings, storm windows, storm doors, mail boxes, weather vanes, flagpoles, pumps, shrubbery, clothes washers, clothes dryers, garbage disposal units, ranges, refrigerators, freezers, air conditioning equipment and installations, and wall to wall carpeting.

Excluded from this sale are:

~~XXXXXX~~ Fixtures and household furnishings

Price

4. The purchase price is..... \$ 11,000.00  
 payable as follows: (\$100.00 of which already received on binder)
- On the signing of this Contract, by check subject to collection..... \$ 1,000.00
  - By allowance for the principal amount still unpaid on the Existing Mortgage.... \$
  - By a Purchase Money Note and Mortgage from Purchaser (or assigns) to Seller.. \$
  - Balance in cash or certified check on the delivery of the deed at the Closing..... \$ 10,000.00



Purchase money mortgage	<p>6. If a purchase money note and mortgage is to be given it shall be drawn by the attorney for the Seller. Purchaser shall pay for the mortgage recording tax, recording fees and the charge for drawing the note and mortgage.</p> <p>The purchase money note and mortgage shall provide that it will always be subject to the prior lien of any Existing Mortgage even though the Existing Mortgage is extended, consolidated or refinanced in good faith.</p>
Title transfer subject to	<p>7. The Property is to be conveyed subject to:</p> <ul style="list-style-type: none"> <li>(a) Building and zoning regulations.</li> <li>(b) Conditions, agreements, restrictions and easements, of record.</li> <li>(c) Any state of facts, an inspection or survey of the Property may show if it does not make the title to the Property unmarketable.</li> <li>(d) Existing tenancies.</li> <li>(e) Unpaid assessments payable after the date of the transfer of title.</li> <li>(f) Parcel being served by town water and sewer.</li> <li>(g) All necessary governmental approvals being granted for commercial use based upon appropriate applications to the Town of New Windsor. In this regard, purchaser agrees to make all necessary and appropriate applications for said purpose forthwith and to keep the attorneys for the sellers continually apprised as to the status of his efforts.</li> </ul>
Deed and transfer taxes	<p>8. At the Closing Seller shall deliver to Purchaser a Bargain and Sale with Covenant Against Grantor's Acts deed so as to convey a fee simple title to the Property free and clear of all encumbrances except as stated in this Contract. The deed shall be prepared, signed and acknowledged by Seller and transfer tax stamps in the correct amount shall be affixed to the deed, all at Seller's expense. The deed shall contain a trust fund clause as required by Section 13 of the Lien Law.</p>
Adjustments at closing	<p>9. The following are to be apportioned pro-rata as of the date of delivery of the deed:</p> <ul style="list-style-type: none"> <li>(a) Rent as and when collected.</li> <li>(b) Interest on the Existing Mortgage.</li> <li>(c) Taxes, water rates and sewer rents based on the fiscal period for which assessed.</li> <li>(d) Premiums on existing transferable insurance policies and renewals on those expiring prior to closing.</li> <li>(e) Fuel, if any.</li> </ul>
Water meter readings	<p>10. If there is a water meter on the Property, Seller shall furnish a reading to a date not more than thirty days prior to the time set for Closing. The unfixed meter charge and sewer rent, if any, shall be apportioned on the basis of this last reading.</p>
Fire, other casualty	<p>11. This Contract does not provide for what happens in the event of fire or casualty loss before the title closing. Unless different provision is made in this Contract, Section 5-1311 of the General Obligations Law will apply.</p>
Closing date and place	<p>12. The Closing will take place at the office of BLOOM &amp; BLOOM, P.C., 530 Blooming Grove Turnpike, New Windsor, NY, 12550 at 2:00 P.M. on or before 4/30/83.</p>
Broker	<p>13. Purchaser represents that Purchaser has not dealt with any broker in connection with this sale other than JOHN J. LEASE REAL ESTATE and Seller agrees to pay broker the commission earned (pursuant to separate agreement).</p>
Purchaser's lien	<p>14. All money paid on account of this Contract, and the reasonable expenses of examination of the title to the Property and of any survey and inspection charges are hereby made liens on the Property. The liens shall not continue after default by Purchaser.</p>
No Oral Change Successors	<p>15. This Contract may not be changed or ended orally.</p> <p>16. This Contract shall apply to and bind the distributees, executors, administrators, successors and assigns of the Seller and Purchaser.</p>
Multiple Parties	<p>17. If there are more than one Purchaser or Seller the words "Purchaser" and "Seller" used in this Contract includes them.</p>
<p>18. Deposit received herein to be held in escrow by John J. Lease Real Estate until signing of the contract.</p>	
Signature	<p>Seller and Purchaser have signed this Contract as of the date at the top of the first page.</p>
	<p>WITNESS</p> <p>SELLER</p> <p>.....</p> <p>MICHAEL J. FADDIS</p> <p>.....</p> <p>CAROLYN S. FADDIS</p> <p>PURCHASER</p> <p>.....</p> <p>MICHAEL T. SHRAMEK, JR.</p> <p>.....</p>

STATE OF NEW YORK, COUNTY OF  
On 19

before me personally came

ss.:

STATE OF NEW YORK, COUNTY OF  
On

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF  
On 19

before me personally came

ss.:

STATE OF NEW YORK, COUNTY OF  
On 19

before me personally came

ss.:

to me known, who, being by me duly sworn, did depose and say that he resides at No.

to me known and known to me to be a partner in

that he is the  
of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

a partnership, and known to me to be the person described in and who executed the foregoing instrument in the partnership name, and said  
duly  
acknowledged that he executed the foregoing instrument for and on behalf of said partnership.

**Adjournment**

Closing of title under this Contract is adjourned to  
at  
and all adjustments are to be made as of

19 , at

o'clock,

19

**Assignment**

Date: 19

For value received, this Contract is assigned to

and Assignee assumes all obligations of the purchaser in the Contract.

.....  
*Purchaser*

.....  
*Assignee of Purchaser*

Seller

Purchaser

19 19

19

CLERK

STATE OF NEW YORK, COUNTY OF \_\_\_\_\_ ss.:  
On \_\_\_\_\_ 19 \_\_\_\_\_ before me personally came  
to me known, who, being by me duly sworn, did depose and say  
that he resides at No. \_\_\_\_\_

that he is the \_\_\_\_\_  
of \_\_\_\_\_  
the corporation described in and which executed the foregoing  
instrument; that he knows the seal of said corporation; that  
the seal affixed to said instrument is such corporate seal; that it  
was so affixed by order of the board of directors of said corpora-  
tion, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF \_\_\_\_\_ ss.:  
On \_\_\_\_\_ 19 \_\_\_\_\_ before me personally came  
to me known and known to me to be a partner in \_\_\_\_\_

a partnership, and known to me to be the person described in  
and who executed the foregoing instrument in the partnership  
name, and said \_\_\_\_\_ duly  
acknowledged that he executed the foregoing instrument for and  
on behalf of said partnership.

**Adjournment**

Closing of title under this Contract is adjourned to \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock,  
at \_\_\_\_\_  
and all adjustments are to be made as of \_\_\_\_\_ 19 \_\_\_\_\_

**Assignment**

Date: \_\_\_\_\_ 19 \_\_\_\_\_  
For value received, this Contract is assigned to \_\_\_\_\_

and Assignee assumes all obligations of the purchaser in the Contract.

\_\_\_\_\_  
*Purchaser*

\_\_\_\_\_  
*Assignee of Purchaser*

Seller

and

Purchaser

**Contract of Sale  
of Real Estate**

Date \_\_\_\_\_ 19 \_\_\_\_\_  
Deed to pass on \_\_\_\_\_ 19 \_\_\_\_\_

STATE OF NEW YORK

County of \_\_\_\_\_

RECORDED ON THE

\_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
in Liber \_\_\_\_\_ of Deeds  
at Page \_\_\_\_\_ and examined

CLERK

PLEASE PUBLISH AS SOON AS POSSIBLE. SEND BILL TO: Vincent Doce Assocs.  
15 New Road  
Newburgh, N.Y. 12550

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

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 48-34A of the  
Zoning Ordinance on the following proposition:

Appeal No. 2

Request of MICHAEL L. & CAROLYN S. FADDIS

for a VARIANCE ~~SPECIAL PERMIT~~ of

the regulations of the Zoning Ordinance to

permit a spa center on 33,107.9 s.f. of  
property in a C Zone, said parcel having a  
width of 145' ±, proposing an 18 foot high ±  
building,  
being a VARIANCE ~~SPECIAL PERMIT~~ of

Section 48-12 BULK REGULATIONS

for property situated as follows:

TAX PARCEL SECTION 71 BLOCK 1

LOT 64, LOCATED AT INTERSECTION

OF VALLS GATE DRIVE AND TEMPLE HILL ROAD  
AND OLD TEMPLE HILL ROAD.

SAID HEARING will take place on the 14<sup>TH</sup> day of

MARCH, 1983, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

RICHARD FENWICK

Chairman

By: Patricia Delio, Secretary

file

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
ORANGE COUNTY PLANNING DEPT.

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARINGS BEFORE THE ZBA

DATE: February 28, 1983

Please be advised that there is one (1) public hearing scheduled to be heard before the New Windsor Zoning Board of Appeals on the evening of March 14, 1983 as follows:

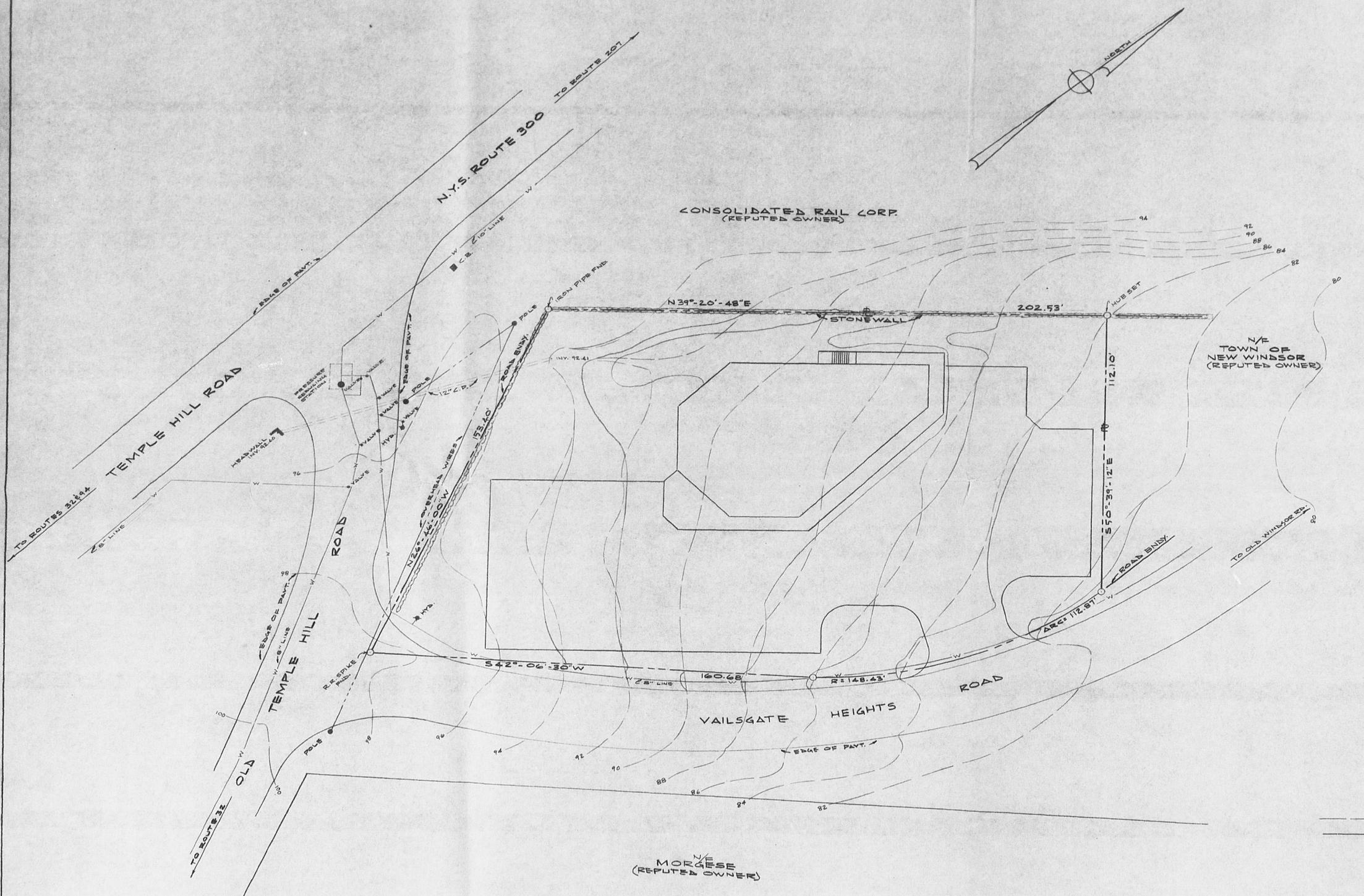
Application of FADDIS, MICHAEL & CAROLINE  
and NEW WAVE SPAS, INC.

I have attached hereto copies of the pertinent application together with the public hearing notice which will be published in The Sentinel.

Patricia Delio, Secretary  
NEW WINDSOR ZONING BOARD OF APPEALS

./pd  
Attachments (2)

cc: Town Building Inspector Kennedy  
Orange County Planning Department



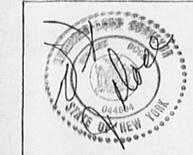
- NOTES:
1. HYDRANTS & VALVES LOCATED BY FIELD SURVEY
  2. WATER LINE LOCATIONS & SIZES AS PER DATA SUPPLIED BY THE TOWN ENGINEER'S OFFICE AND TO BE FURTHER VERIFIED.
  3. PROPOSED CONTOURS BY OTHERS
  4. SEWER LINE TO SITE AND NECESSARY PUMPING STATION TO BE INSTALLED BY THE TOWN OF NEW WINDSOR. PLANS, SPECIFICATIONS ETC. TO BE PROVIDED BY TOWN ENGINEER.

----- EXISTING CONTOURS  
 - - - - - PROPOSED CONTOURS

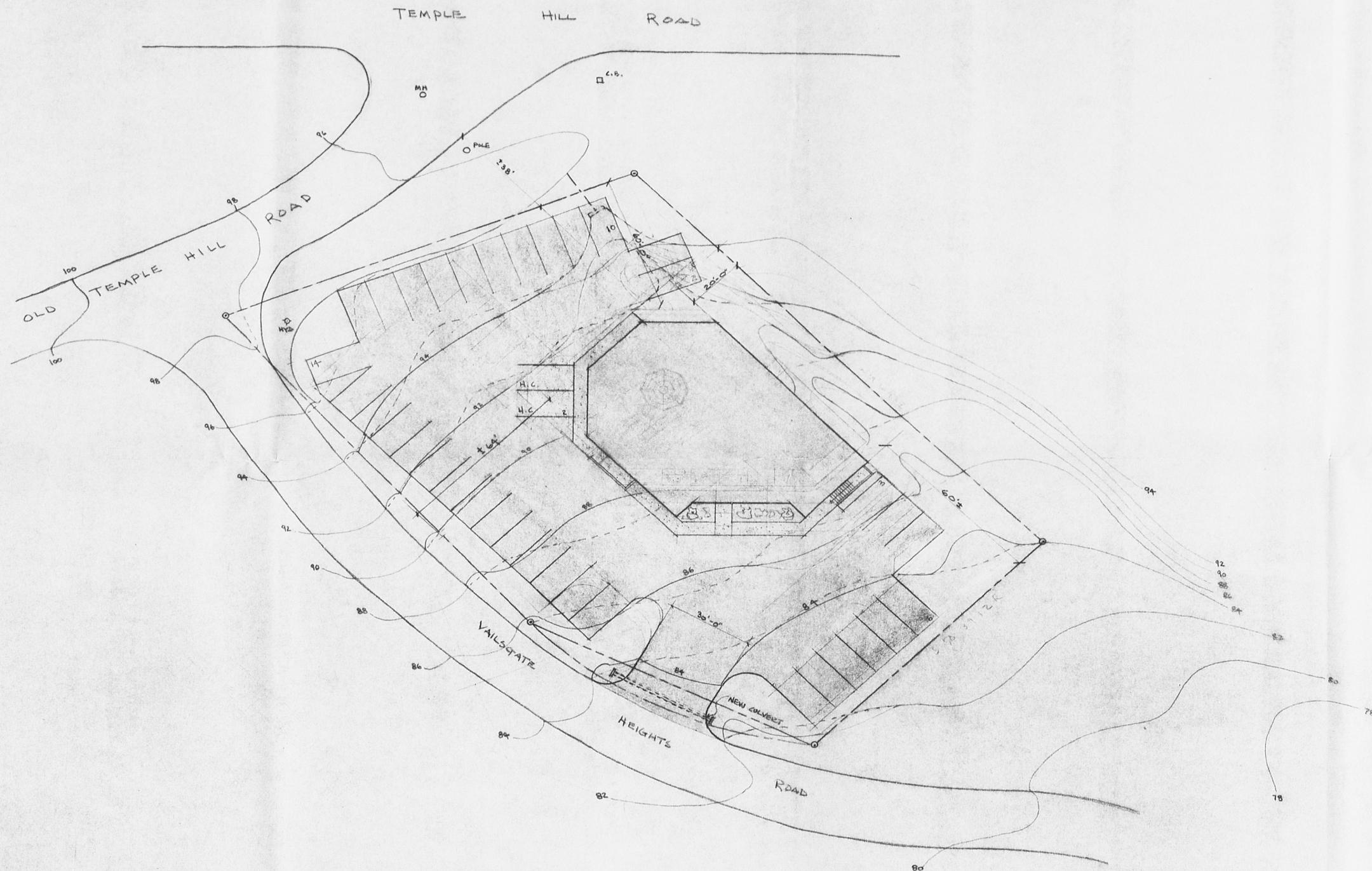
MORRIS  
 2004  
 (REPUTED OWNER)

BOUNDARY & TOPOGRAPHICAL PLAN  
 LANDS OF  
**MICHAEL L. & CAROLYN S. FADDIS**  
 OLD TEMPLE HILL RD. TOWN OF NEW WINDSOR  
 ORANGE CO. NEW YORK  
 FOR  
**NEW WAVE SPAS, INC.**

**VINCENT J. DOLE ASSOCIATES**  
 15 NEW ROAD NEWBURGH, N.Y.  
 DRAWN BY: J.R. CHECKED BY: P.D.  
 DATE: 2-8-83 SCALE: 1" = 20'







SITE PLAN NO. 2

31 C 200 = 7400

	<b>Crossley Construction Corp.</b> 131 Little Britain Road, Newburgh, N.Y. 12550 914 582-0002		JOB NO. DATE SHEET TITLE	DRAWING NO.
	SCALE <b>1:20</b>	DESIGNED BY <b>BF/BB</b>	<b>SITE PLAN</b>	<b>S-1</b>
REVISIONS	CHECKED BY <b>JLL</b>	PROJECT TITLE <b>NEW WAVE SPAS Inc.</b> <b>NEW WINDSOR, NEW YORK</b>		