

ZB# 86-47

**Laborer's Union-
Local 17**

49-1-25

Relem:
11/10/86.

Applications
furnished.

Public Hearing

1/12/87 -

Notice to

Sentinel 12/9/86.

Area
variance
approved.
1/12/87.

General Receipt

8568

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

January 23 1987

Received of Laborers Int. Union of N.A. Local #17 \$ 50.00

Fifty and 00/100 DOLLARS

For Variance Application 86-47

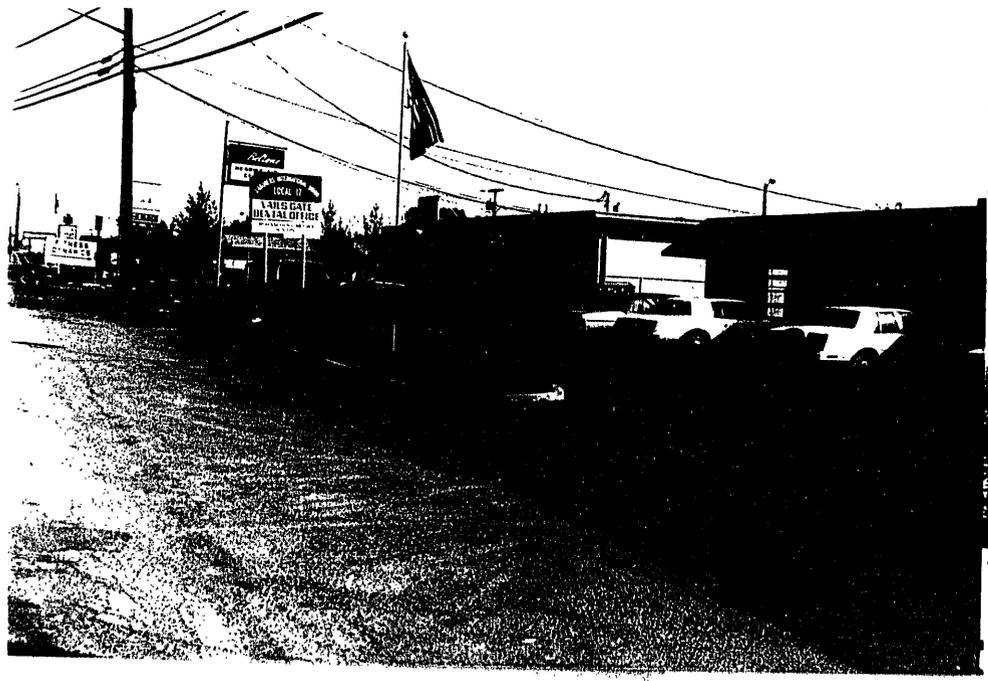
DISTRIBUTION

FUND	CODE	AMOUNT
<u>Ch # 2702</u>		<u>50.00</u>

By Pauline J. Towne

Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

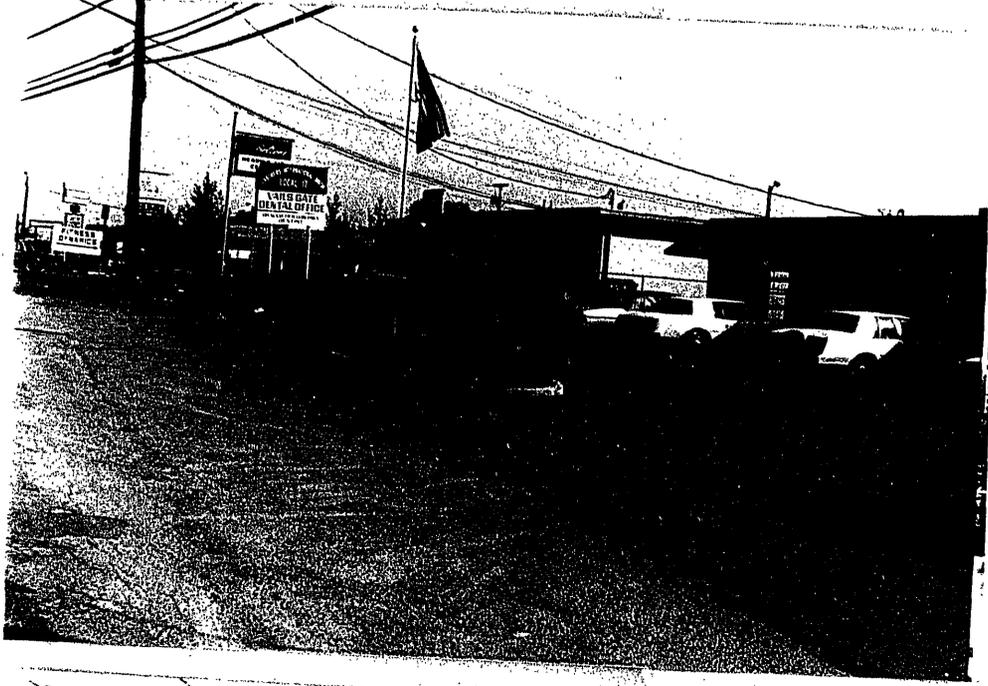


CB # 2702	50.00

By Jacqueline H. Howard
CS

Town Clerk
 Title

Williamson Law Book Co., Rochester, N. Y. 14609



NEW WINDSOR ZONING BOARD OF APPEALS

-----X
In the Matter of the Application of
LABORER'S INTERNATIONAL UNION LOCAL #17
#86-47.

DECISION GRANTING
AREA VARIANCE
(FENCE)

-----X
WHEREAS, LABORER'S INTERNATIONAL UNION LOCAL #17, by its agent Ignatius Kosior, Jr., Windsor Highway, Vails Gate, N. Y. has made application before the Zoning Board of Appeals for an area variance to retain a 6 ft. fence which extends beyond the front portion of office located on Windsor Highway in an C zone;

WHEREAS, a public hearing was held on the 12th day of January, 1987 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant's agent, Ignatius Kosior, Jr., was present; and

WHEREAS, the application was unopposed;

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 seeking permission to retain a 6 ft. fence which extends beyond the front portion of the building on Windsor Highway, Vails Gate, N. Y. in a C zone.

3. The evidence presented by the applicant substantiated the fact that the proposed construction would not be detrimental to the neighboring commercial properties.

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 variance requested is not granted due to excessive vandalism of the previous fence. Also, trespassing, loitering, litter and debris have been a major problem in the past.

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

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a variance allowing the applicant to retain a 6 ft. chainlink fence beyond the front portion of the property located on Windsor Highway, Vails Gate, N. Y. 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: January 26, 1987.

A handwritten signature in cursive script, appearing to read "John B. ...", is written over a horizontal line. Below the line, the word "Chairman" is printed in a simple, sans-serif font.
Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

86-47

Date: 12-1-86

Phone-565-2737

I. Applicant Information:

- (a) Laborers' Int. Union of N.A. Local 17, P.O. Box 356, Vails Gate, N.Y. 12584
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- Use Variance Sign Variance
- Area Variance-Fence Special Permit
Supplementary Yard Regs.

III. Property Information:

- (a) C Same as above 49-1-25 100 x215.8
(Zone) (Address) (S 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? _____
- (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? Yes
- (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) _____~~

(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 48-14C, ~~Table of~~ ^{Table of} _____ Regs., Col. _____.

Requirements	Supplementary Yard	Proposed or Available	Variance Request
Min. Lot Area	_____	_____	_____
Min. Lot Width	_____	_____	_____
Reqd. Front Yd.	_____	_____	_____
Reqd. Side Yd.	_____ / _____	_____ / _____	_____ / _____
Reqd. Rear Yd.	_____	_____	_____
Reqd. Street Frontage*	_____	_____	_____
Max. Bldg. Hgt.	_____	_____	_____
Min. Floor Area*	_____	_____	_____
Dev. Coverage*	_____ %	_____ %	_____ %
Floor Area Ratio**	_____	_____	_____

Chain Link Fence beyond front of building

* 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.

See Attached

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.

(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 of _____ Regs., Col. _____.

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

VIII. Additional comments: NA

(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:

- 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 \$ 50.00 payable to TOWN OF NEW WINDSOR.
- Photos of existing premises which show all present signs and landscaping.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

December 5, 1986

(39)

Mr. Ignatius Kosior
P.O. Box 356
Vails Gate, N.Y. 12584

RE: 49-1-25

Dear Mr. Kosior:

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

The charge for this service is \$55.00. Please remit same to the Town Clerk, Town of New Windsor, New York.

Very truly yours,

CHRISTIAN E. JAHRLING, IAO
Sole Assessor

CEJ/jvv

*Mailed Certified Letter
Attached 12/11/86*

✓ Dimitrios & Pope Mylonas
% New Windsor Coach
351 Windsor Highway
New Windsor, N.Y. 12550

✓ Patricia W. Prendergast
52 Continental Drive
New Windsor, N.Y. 12550

✓ Peter & Sandra DeGregorio
54 Continental Drive
New Windsor, N.Y. 12550

✓ Frank & Daisey Lee Hilton
P. O. Box 193
Vails Gate, N.Y. 12584

✓ William & Elizabeth Stafford
58 Continental Drive
New Windsor, N.Y. 12550

✓ Michael & Kathleen Sitler
60 Continental Drive
New Windsor, N.Y. 12550

✓ Richard Cohen & Jeryl A. Dorsey
62 Continental Drive
New Windsor, N.Y. 12550

✓ Richard & Jeannie Crook
64 Continental Drive
New Windsor, N.Y. 12550

✓ William J. & Genevieve Marotta
66 Continental Drive
New Windsor, N.Y. 12550

✓ Berend & Margaret Baker
68 Continental Drive
New Windsor, N.Y. 12550

✓ Ahiel & Lina Eldridge
70 Continental Drive
New Windsor, N.Y. 12550

✓ Ralph & Rose Simonson
72 Continental Drive
New Windsor, N.Y. 12550

✓ Forge Hill Associates
% Tower Management Service
11 G Ivy Lane
Bergenfield, N.J. 07621

Balmville Est. Inc.
6306 NW 74th Ave.
Tamerac, Fla. 33319

STP/JMK Properties Inc.
300 Forge Hill Road
New Windsor, N.Y. 12550

Carmine Andriuolo
363 Windsor Highway
New Windsor, N.Y. 12550

Eugene Hecht
363 Windsor Highway
New Windsor, N.Y. 12550

Carmine Andriuolo
363 Windsor Highway
New Windsor, N.Y. 12550

Edward Cicchetti
8 Baltza's Lane
Newburgh, N.Y. 12550

Reziero & L. Vitolo
12 Lancer Drive
Newburgh, N.Y. 12550

Bankers' Trust Hudson Valley N.A.
% Barclays Bank of N.Y. N.A.
353 Windsor Highway
New Windsor, N.Y. 12550

Richard & Angelina Coloni
43 Continental Drive
New Windsor, N.Y. 12550

Francis W. & Susan Sommerlad
2 Regimental Place
New Windsor, N.Y. 12550

Vito & Louise Maiorana
6 Regimental Place
New Windsor, N.Y. 12550

Robert J. & Ann Marie Stipak
8 Regimental Place
New Windsor, N.Y. 12550

Robert & Roma Upton
10 Regimental Place
New Windsor, N.Y. 12550

Frederic C. & Virginia C. McCoy
12 Regimental Place
New Windsor, N.Y. 12550

✓ James & Anita B. Gilbert
53 Continental Drive
New Windsor, N.Y. 12550

✓ Costas & Anna Zapantis
51 Continental Drive
New Windsor, N.Y. 12550

✓ David & Marie Kemp
49 Continental Drive
New Windsor, N.Y. 12550

✓ Fred Sr. & Fred Jr. & Ann Norvell
47 Continental Drive
New Windsor, N.Y. 12550

✓ Joseph & Aurora M. Kraiza
45 Continental Drive
New Windsor, N.Y. 12550

✓ Emilio Panella
410 Blooming Grove Tpke
New Windsor, N.Y. 12550

✓ Bila Partners % William Rosenberg
176 Main Street
Florida, N.Y. 10921

✓ Frederick J. Kass, Samuel & Audrey Madison
367 Windsor Highway
New Windsor, N.Y. 12550

✓ Canzoneri Carina
323 Old Forge Hill Road
New Windsor, N.Y. 12550

✓ Jack & Emilie Graziano
317 Old Forge Hill Road
New Windsor, N.Y. 12550

✓ Sun Refining & Marketing Co.
Attn: Accounts Payable
P.O. Box 13812
Philadelphia, Pa. 19101

✓ Francis Musolino
P.O. Box 206
Vails Gate, N.Y. 12584

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 Local Law on the following proposition:

Appeal No. 47

Request of Laborers International Union of North America
Local No. 17

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Local Law to
permit Retaining a 6 ft. chain link fence
beyond front of building

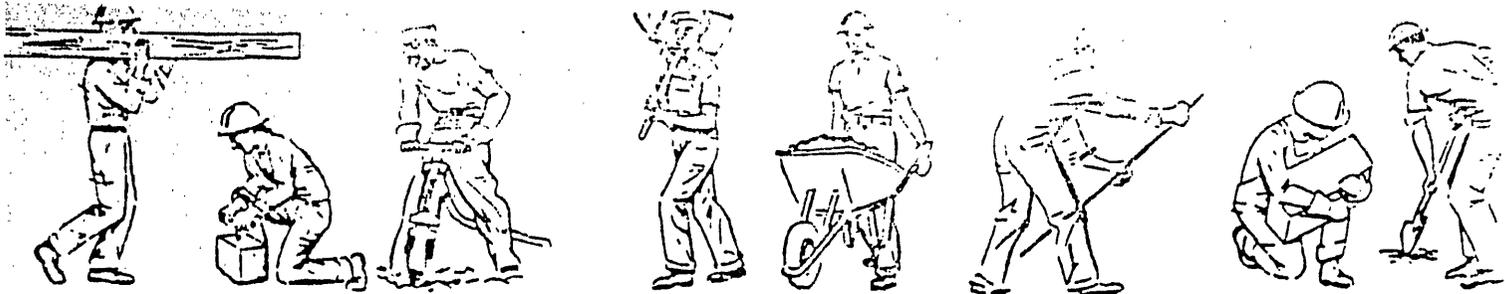
being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-14-C-1 Supplementary Yard Regs.
for property situated as follows:

361 Windsor Highway, Route 32

Town of New Windsor, N.Y.

SAID HEARING will take place on the 12th day of
January, 1987, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

Jack Babcock
Chairman



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA
LOCAL No. 17

LAWRENCE DIORIO, Bus. Mgr.
(914) 565.2737
(914) 565.2738

ROUTE 32, WINDSOR HIGHWAY
POST OFFICE BOX 356
VAILS GATE, NEW YORK 12584

April 23, 1984

Mr. Patrick Kennedy
Town of New Windsor Building Inspector
555 Union Avenue
New Windsor, New York 12550

Dear Sir:

As per our telephone conversation of April 23, 1984 I am verifying the following:

1. A condition exists between the property of Laborers' Local 17 and an adjoining business (namely Video Circus) whereby a four foot high chain link fence separating our properties has been continually damaged and vandalized.
2. Trespassing and loitering has been a continual practice with litter and debris, including broken bottles from alcoholic beverages being left on our premises.
3. As per your permission we are extending the height of the fence to six (6) feet and adding several strands of barbed wire to the top of the fence as a deterrent to protect our property from further damage.

Thank you for your cooperation in this matter.

Very truly yours,

Lawrence T. Diorio,
Business Manager

LTD:MD

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 9/29 1986

To Labor Union Local #17.....

Windsor Highway.....

New Windsor, N.Y. 12550

PLEASE TAKE NOTICE that your application dated 9/29 1986

for permit to Retain 6 Ft Fence, That Goes beyond.....

at the premises located at Front of Building on Route 32

Windsor Highway.....

is returned herewith and disapproved on the following grounds:

Code 48-14 -C-1- No Fence Shall be Allowed

Beyond Front of Building.....

John Finnegan
Building Inspector
Zoning Inspector

Please Call The Zoning Secretary
At 565-8550

Requirements
Min. Lot Area

Proposed or
Available

Variance
Request

OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 9/29 1986

To Labor Union Local #17

Windsor Highway

New Windsor, N.Y. 12550

PLEASE TAKE NOTICE that your application dated 9/29 1986
 for permit to Retain 6 Ft Fence, That Goes beyond
 at the premises located at Front of Building on Route 32
 Windsor Highway

is returned herewith and disapproved on the following grounds:

Code 48-14 - C-1 - No Fence Shall be Allowed
 Beyond Front of Building

John Finnegan Zoning Inspector
 Building Inspector

Please Call The Zoning Secretary
 At 565-8550

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	1	1
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only
 ** Non-residential districts only

State of New York
County of Orange, ss:

Everett W. Smith, being duly sworn
disposes and says that he is
Publishing of the E.W. Smith
Publishing Company, Inc. publisher
of The Sentinel, a weekly newspaper
published and of general circulation
in the Town of New Windsor, and that
the notice of which the annexed is
a true copy was published once

in said newspaper, commencing on
the 18th day of December A.D., 1986
and ending on the 18th day of December
A.D. 1986

Everett W. Smith
Subscribed and shown to before me
this 12 day of January, 1987
Patricia A Moore

Notary Public of the State of New York
County of Orange.

My commission expires 4/31/88

PATRICIA A. MOORE
Notary Public, State of New York
Qualified in Orange County
No. 401459
Commission Expires July 31, 1988

LEGAL NOTICE

Public Notice of Hearing Board
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 Local Law
on the following proposition:
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Request of Laborers Interna-
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Local 17 for a VARIANCE of the
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chain link fence beyond the front
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361 Windsor Highway Route 32
Town of New Windsor, N.Y.
SAID HEARING will take
place on the 12th day of January,
1987 at the New Windsor Town
Hall, 555 Union Avenue, New
Windsor, N.Y. beginning at 7:30
o'clock p.m.
John Babcock
Chairman
By: Patricia Delio, Secretary



SECTION 65

SECTION 45

SECTION 37

SECTION 65

SECTION 37

Order of St. Helena

ALL NEWBURGH SCHOOL DISTRICT
ALL VAILS GATE FIRE DISTRICT

Prepared by
AERO SERVICE CORPORATION
A DIVISION OF LITTON INDUSTRIES
4219 VAN KIRK ST. PHILADELPHIA, PA. 19130
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE

LEGEND		TAX MAP BLOCK NO. 32		FILED PLAN BLOCK NO. 22	
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	32	FILED PLAN BLOCK NO.	22
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.		FILED PLAN LOT NO.	
BLOCK & SECTION LIMIT	MATCH LINE	AREAS (Deed) 11.1A, (Calculated) 11.6A(C)		STATE HIGHWAYS	N.Y. STATE HWY. NO. 17
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS (Deed) 66 (Scaled) 705		COUNTY HIGHWAYS	COUNTY HWY. NO. 4
PROPERTY LINE				TOWN ROADS	TOWN RD. 1

ORANGE COUNTY~NEW YORK

Photo No. 14-32,33 Date of Map: 9-24-67
Date of Photo: 3-1-65 Date of Revision: 3-1-86
Scale: 1" = 100'

TOWN OF NEW WINDSOR

Section No. 49