

ZB# 91-10

Jane Tanner

(Forge Hill Ctry. Furniture)

65-2-33.22

Trakem.

Mar. 25, 1991

Need:

- ① Need 9 Title Policy
- ② Photographs, ↘
on survey map.

CCPD to be notified.
Sent: 5/28/91.

Public Hearing:

June 10, 1991.

Notice to Sentinel
delivered by Ted T.
on 5/29/91.

Collect fee

\$50.00

Paid

Action Adj. P.H. to
June 24th pending
review from CCPD.

June 24, 1991. ^{No} Quorum

Public Hearing:

July 8, 1991

Granted -

Sign Jarance

General Receipt

12108

TOWN OF NEW WINDSOR

355 Union Avenue
New Windsor, N. Y. 12550

July 9 19 91

Received of Forge Hill Country Furniture Inc 50.00

Fifty and 00 DOLLARS

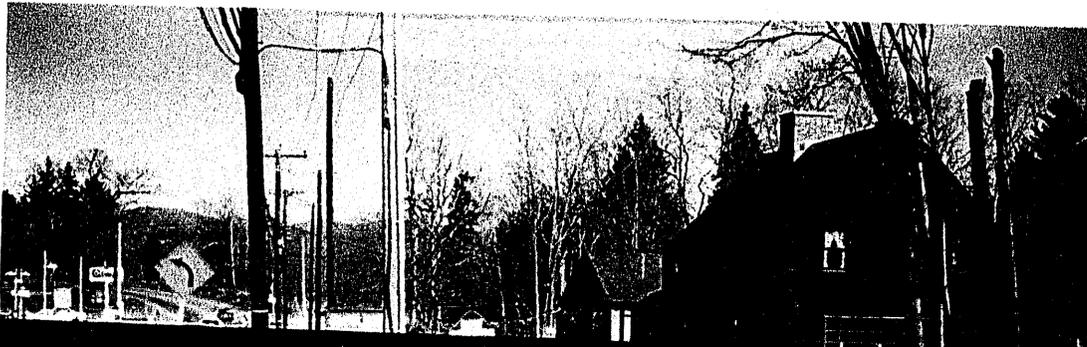
For 35a Application Fee # 91-10

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CP# 1800</u>		<u>50.00</u>

By Pauline M. Townsend
Town Clerk
Title

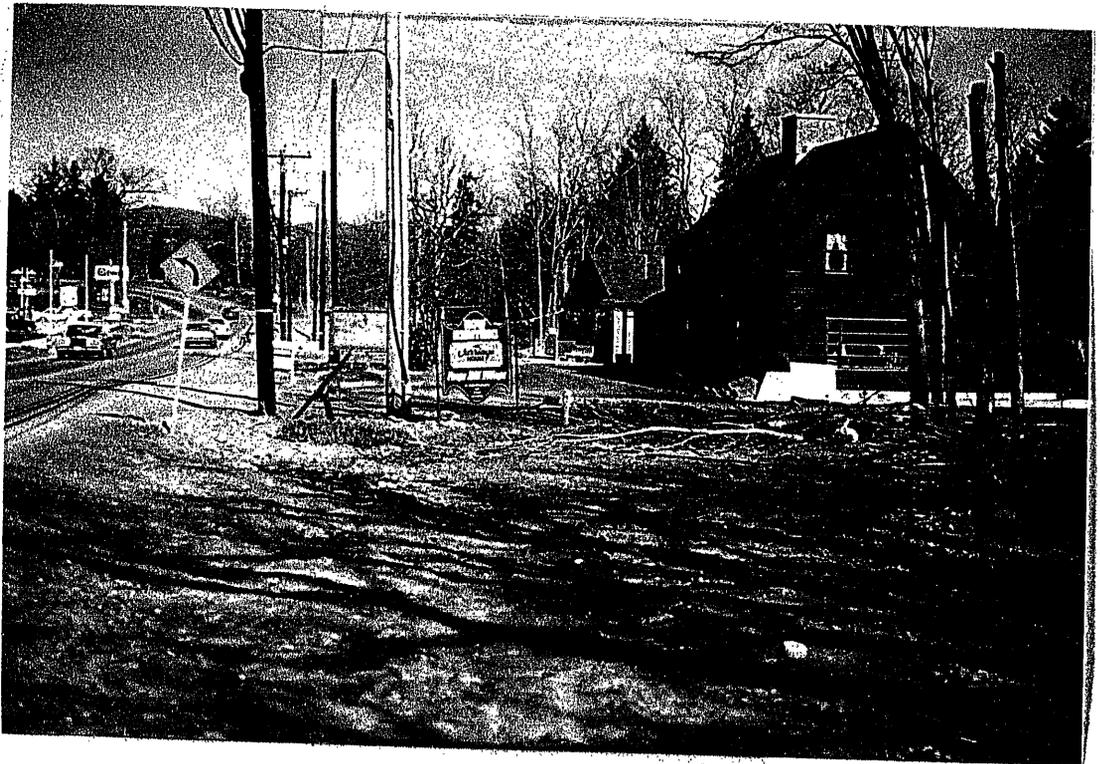
Williamson Law Book Co., Rochester, N. Y. 14609



027-1800 00.00

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

Jean Clerk es
Title



1110 - 1110 - 1110 - 1110



1110



Louis Halasz
County Executive

Rec'd. ZPA
6/17/91 (SAB)

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-8181

Peter Gerrison, Commissioner
Richard S. DeTurk, Deputy Commission

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor D P & D Reference No. NWT 16 91 M
County I.D. No. 65 / 2 / 33.22

Applicant Forge Hill Country Furniture, Inc.

Proposed Action: Area Variance - signs

State, County, Inter-Municipal Basis for 239 Review within 500' of NYS Rte. 94

Comments: There are no significant inter-community or Countywide concerns to bring to your attention.

Related Reviews and Permits _____

County Action: Local Determination XX Disapproved _____ Approved _____

Approved subject to the following modifications and/or conditions: _____

6/17/91
Date _____

[Signature]
Commissioner

6/24/91 ZBA

PUBLIC HEARING:

FORGE HILL COUNTRY FURNITURE:

Mrs. Jane Tanner came before the Board representing this proposal.

BY MR. FENWICK: This is a public hearing tabled at 6/10/91 meeting, reconvened pending OCPD review.

BY MR. TANNER: I'll excuse myself from this.

BY MR. FENWICK: We have the OCPD review. We can't vote. We don't have a quorum.

BY MS. TANNER: I have got businesses opening. You want to talk about practical difficulty?

BY MR. FENWICK: Are you taking, are the other ones going to come down?

BY MS. TANNER: Yes, they are going to come down.

BY MR. FENWICK: Apparently, we have got a problem and the only way I can address it is we do not have a quorum to vote on your case.

BY MS. TANNER: Do you ever call a special meeting or do it via telephone or --

BY MR. FENWICK: No.

BY MR. TORLEY: July 8th, I would assume that this item can be placed on the agenda for the July 8th meeting.

BY MS. BARNHART: Everybody else, there's not going to be a limit.

BY MR. FENWICK: I'm surprised they are short. Those people always call. I don't know why. I didn't get a call from either one of them. I was in the office most of the day.

BY MS. BARNHART: I was home all day.

BY MR. FINNEGAN: Does this just hold you up in putting up the sign or --

BY MS. TANNER: Well --

381
PENGAD CO., BAYONNE, NJ 07002 - LASER BOND-A

BY MR. FINNEGAN: Just physically putting it in?

BY MS. TANNER: We have businesses that are opening up July 1st and we have no signs.

BY MR. LUCIA: You might talk to Mike about a temporary sign. This is a provision in the code that may involve a rental and something that looks tacky, but --

BY MR. TORLEY: What constitutes temporary sign?

BY MS. BARNHART: Put it on wheels.

BY MR. FENWICK: I know of one other time when it has happened.

BY MR. LUCIA: The only outstanding item is the photographs, which Mrs. Tanner has now brought in. If you want to, you can close the public hearing at this point. We just have to adjourn the vote.

BY MS. BARNHART: You can't do anything on this. We can't open it and we can't close it.

BY MR. LUCIA: Well, we'll just adjourn it.

BY MS. TANNER: Do I have to appear at the July 8th or can Mr. Tanner remove himself from the Board and -

BY MR. FENWICK: Yes.

BY MR. LUCIA: Since adjournment of the public hearing is just an administrative act, we ought to have a motion. I see no problem with Ted voting on the motion to adjourn it. It doesn't involve the merits of the application.

BY MR. FENWICK: Motion to adjourn the public hearing?

BY MR. TORLEY: I so move.

BY MR. FINNEGAN: I'll second it.

BY MR. LUCIA: To July 8th.

BY MR. FENWICK: We're not closing the public hearing

until we get a quorum.

BY MR. TORLEY: I move that we adjourn the public hearing to July 8th.

BY MR. FINNEGAN: I'll second it.

ROLL CALL:

Torley: Aye.

Finnegan: Aye.

Tanner: Aye.

Fenwick: Aye.

File

NEW WINDSOR ZONING BOARD OF APPEALS

(ZBA DISK#1-050388.FD)

-----X

In the Matter of the Application of

FORGE HILL COUNTRY FURNITURE, INC.

DECISION GRANTING
SIGN VARIANCE

#91-10.

-----X

WHEREAS, FORGE HILL COUNTRY FURNITURE, INC., a corporation having an office located 815 Blooming Grove Tpk., New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for 48 s.f. sign area variance for a free-standing directory sign at the above address in a C zone; and

WHEREAS, a public hearing was held on the 10th day of June, 1991 and adjourned to, and continued on the 24th day of June, 1991, and again adjourned to, and continued on the 8th day of July, 1991, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Jane Tanner, President of the above-named corporation, was present for the hearing and spoke on behalf of the applicant in support of the application; 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 the applicant is seeking to construct a free-standing directory sign to be placed on the front portion of the above parcel.

3. Applicant's proposed sign area exceeds the bulk regulations for signs in the C zone by 48 s.f.

4. The evidence presented and the Board's familiarity with the area shows that Route 94 in front of the applicant's site is a well-traveled highway, and that motorists typically pass the subject site in excess of 45 m.p.h., which makes clear signage identifying the location of area businesses essential to passing traffic.

5. The evidence presented by the applicant indicated that the proposed sign is required because of recent expansion of the building adds a number of businesses which have no road frontage and are not readily visible from the road. Thus, these businesses require signage at the roadside to identify their location and provide them with

exposure.

6. The evidence presented by the applicant indicated that the proposed sign would consolidate the signage onto a single directory sign with inserts for the respective businesses, thereby eliminating the possibility of 15-20 small separate signs along the road.

7. The evidence presented by the applicant further indicated that a recent reconfiguration of the swale along Route 94 has obscured the present sign, making the proposed sign a necessity for adequate visibility to passing traffic.

8. The evidence presented and the Board's familiarity with the area shows that the sign will be located along a major highway, not too far from a busy intersection, where a multitude of signs are located, which further hampers visibility of signs located in this area.

9. The evidence presented further showed that the proposed signs will facilitate ready identification of the applicant's property by passing motorists.

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

1. The evidence shows that the applicant will encounter practical difficulty if the sign variance requested is not granted due to the fact that this is a well-travelled highway and signs readily identifying the applicant's existing as well as the new commercial businesses are required.

2. The proposed variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood since the neighboring properties are mixed use in character and the proposed sign merely replaces and enlarges somewhat the existing sign.

3. The proposed request for a sign variance of 48 s.f. sign area is not considered excessive with relation to the other signs which are located on nearby site commercial properties, given the fact that the subject site requires signage for several businesses, some of which have no road frontage.

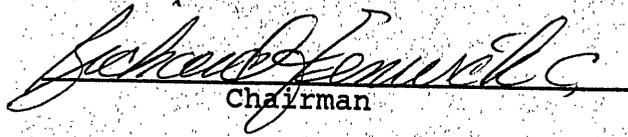
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a sign area variance of 48 s.f. as requested above in accordance with plans presented at the public hearing and on file in Building Inspector's Office.

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: July 8, 1991.


Chairman

6-10-91

PUBLIC HEARING: FORGE HILL COUNTRY FURNITURE

MR. FENWICK: This is a request for 48 square foot sign variance for freestanding sign at 815 Blooming Grove Turnpike in C zone.

Jane Tanner came before the Board representing this proposal.

MR. TANNER: I think I ought to excuse myself from this one.

MR. LUCIA: Just one preliminary point, I notice that this request as read by the Chairman was for 48 square foot variance. Your application indicated, I believe, 160 square foot variance and the 48 number comes from the preliminary meeting we had last month, 160 is the first time I've seen that in the application.

MR. FENWICK: Have you changed the content of the sign?

MRS. TANNER: No.

MR. FENWICK: Mike, can you tell us why in the disapproval of buiding permit we have 48 square feet for variance and all of a sudden, we have an application with 160 square feet?

MR. BABCOCK: Because she made a mistake.

MR. FENWICK: Who made the mistake?

MR. BABCOCK: All of our number are 48.

MR. LUCIA: And 48 is what we discussed last month?

MR. BABCOCK: Yes.

MRS. TANNER: The sign is what?

MR. FENWICK: Your proposed sign is 200 square feet.

MRS. TANNER: Are you talking about both sides?

MR. FENWICK: Yes.

MRS. TANNER: It's 10 feet high by 66 wide so that's 66, 133 square feet.

MR. BABCOCK: When we did the calculations, it was 128 square feet. The sign she's allowed 80, that's a

difference of 48.

MR. LUCIA: Application for variance shows proposal of 200 square feet and 40 foot requirement. That really should be 80 so this seems to ask for 160. It really should be 140.

MR. TORLEY: Can we change that now?

MR. NUGENT: Who made the addition errors?

MR. LUCIA: It also needs to be signed.

MR. FENWICK: Has the publication gone out?

MR. BABCOCK: Sure, this is the public hearing.

MR. FENWICK: I wanted to make sure the publication, we have the mailings.

MRS. TANNER: These are what came back.

MR. LUCIA: The public hearing says one freestanding sign more than the allowable sign areas so that the square footage is not a problem but we should get it right before we are through.

MR. FENWICK: Let's get it right. What's the total square area and the total square area and the total square footage on premises including, that would be 128 square feet?

MR. BABCOCK: We have 100, the paperwork I have is 120 square feet, 128.

MR. FENWICK: That's what should be here, 128 square feet.

MR. BABCOCK: That's what they are proposing. They are allowed 80.

MR. FENWICK: We are going over this application as written by Mrs. Tanner's secretary over here. I'd like to get this straightened out because this is going into the record. On the second page of the application --

MR. LUCIA: I think Jane can write it in an initial it.

MR. TORLEY: Asking for really a smaller variance than what's there.

MR. FENWICK: Can you come up here and get this squared away? Anyone in reference to this?

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MRS. BARNHART: I have an Affidavit of Service by mail which I mailed out 136, after I compared each one on May 29th, 1991.

MR. LUCIA: You need to explain why the 80 foot requirement isn't adequate for you and why it is you need this variance.

MRS. TANNER: It's a hardship because without signs, the businesses cannot exist and have a good draw and in order to give them signage, we would have to put up 15 to 20 signs along the front of the property hence looking like a berm shave commercial. It would be inappropriate considering the neighborhood, the quote historic site next door.

MR. LUCIA: Okay, the height of the sign you feel is needed because of the speed in which traffic passes by?

MRS. TANNER: Not the speed, just for visibility, the new configuration of the swale next to the road is lower now than it was before with the new construction. Therefore, the signs are not visible hardly at all. We have photographs.

MR. LUCIA: We're going to have to adjourn the public hearing because of the problem of referral to the County which was made on the 28th. We need a letter and an answer from the County or allow 30 days to lapse before them to answer before the Board can vote on it so we can't vote on it until July 28th. The problem is, we can adjourn to the next meeting which is the 24th if the County has not answered we have to adjourn once again because even June 24th will not be 30 days.

MR. TORLEY: Why can't we pick up the phone tomorrow and call the County and say you're not going to object to this, send the darn letter out tomorrow.

MR. FENWICK: Never can tell.

MR. TORLEY: Can't hurt to nudge them a little,

MRS. TANNER: If you tell me what desk to be in front of tomorrow morning.

MR. LUCIA: Peter Garrison, County Planning Department.

MR. KONKOL: Take it right out to Goshen.

MR. LUCIA: As long as they get you an answer before the 24th, the Board can vote on the 24th.

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MR. BABCOCK: In all fairness to you, I know other people that went out there. The law does allow them 30 days to return it. It's the idea that right now, they are supposedly they are not only entire Orange County that they are doing everybody else that went out there, that's what they have been told is that they have 30 day turn around and --

MRS. TANNER: What happens if they take more than 30 days?

MR. LUCIA: We can vote on it.

MRS. TANNER: When is that 30 days up?

MR. LUCIA: It would be the 28th of June but the next meeting would be the second so --

MR. FENWICK: We have been doing a lot of scrambling around, let's get it squared away exactly what the size of the sign is just for the record, tell us what the size of the sign is.

MRS. TANNER: That's been changed.

MR. FENWICK: Tell us, this is being recorded so that's the reason why.

MRS. TANNER: Size of the sign would be 128 square feet, 12 feet high, 10 feet wide.

MR. LUCIA: Is that 128 square feet dimension correct?

MR. FENWICK: Are you sure about that?

MRS. TANNER: The poles are 12 feet high, the panels end down here.

MR. BABCOCK: Just to clarify it, what I did to be in all fairness of the sign, in between these signs, there's not signs, they're, what we did, we took these signs, the signs are 6 inches by 32 inches. There's 1, 2, 3, 4, 5, there's 10 of those. We multiplied that up. We took the size of this sign, multiplied it up and came up with the square footage.

MR. TORLEY: 128?

MR. BABCOCK: Yes.

MR. FENWICK: The other overall height is 12 feet and the overall width is 10 feet.

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MR. LUCIA: Off the record.

(Whereupon a discussion was held off the record.)

MR. LUCIA: Jane, is Route 94 a heavily traveled road?

MRS. TANNER: Yes.

MR. LUCIA: Would you hazard a guess on the speed which cars go by your place of business?

MR. NUGENT: Speed limit is 45.

MRS. TANNER: 45, the speed limit is 45.

MR. LUCIA: The move about the limit or faster?

MRS. TANNER: Faster.

MR. FENWICK: We have substantial evidence.

MRS. TANNER: Anyone can come the next meeting and object if they so choose?

MR. LUCIA: Yes but there will be no additional notice other than the public hearing. If you would at the next meeting, which is June 24th, bring back some photographs of the site, please, and unless you bought it tonight, I'd like to see the deed and title policy.

MRS. TANNER: I have the title policy.

MR. LUCIA: No problem with the title policy.

MRS. BARNHART: When you come back, I need a check in the amount of \$50.00 application fee.

MR. FENWICK: I need a motion to adjourn this public hearing.

MR. FINNEGAN: I make the motion.

MR. KONKOL: I'll second it.

MR. LUCIA: o June 24th, 1991.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Konkol	Aye
Mr. Tanner	Abstain
Mr. Nugent	Aye
Mr. Fenwick	Aye

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

91-10

Date: 5/21/91

I. ✓ Applicant Information:

- (a) Forge Hill Country Furniture Inc. - Jane Tanner
(Name, address and phone of Applicant) (Owner)
~~(b)~~ 815 Blooming Grove Tpk, New Windsor, N.Y. 561-4619
(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 Interpretation.

III ✓ Property Information:

- (a) C 815 Blooming Grove Tpk
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.?
(c) Is a pending sale or lease subject to ZBA approval of this application? No
(d) When was property purchased by present owner? 1989
(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: N/A

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

N/A
(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: N/A

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

Requirements	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**	_____	_____

* Residential Districts only
** Non-residential districts only

N/A
(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 of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1	40 sq ft	200 sq ft	
Sign 2	80 sq ft	128 sq ft	48 sq ft
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	40 sq ft	160 sq ft	160 sq ft
	80 sq ft	128 sq ft	48 sq ft

J.P.

J.P.

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

THE SIGN WILL BE A FREE STANDING SIGN. THE HEADER WILL STATE THE LOCATION AS "FORGE HILL VILLAGE". UNDER THE HEADER WILL BE 8" X 36" REMOVABLE SIGN BOARDS. THE STORES IN THE COMPLEX DO NOT HAVE ROAD FRONTAGE. THIS TYPE OF SIGN IS NECESSARY FOR CUSTOMERS TO LOCATE THE SPECIFIC BUSINESS.

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

128 SQ. FT. J.L.

VII. Interpretation: N/A.

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

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 SIGN WILL BE WOOD WITH A PAINTED DESIGN AND LETTERING. THERE WILL BE SUITABLE LANDSCAPING AROUND THE BASE OF SIGN INCLUDING A SMALL STONE WALL.

IX. ✓ Attachments required:

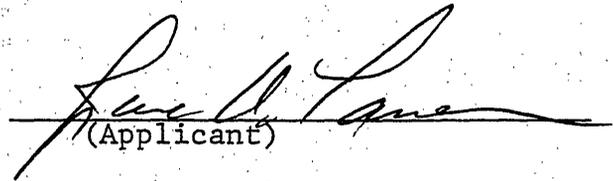
- _____ Copy of letter of referral from Bldg./Zoning Inspector.
- _____ Copy of tax map showing adjacent properties.
- _____ Copy of contract of sale, lease or franchise agreement.
- _____ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, 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.

X. AFFIDAVIT

Date 6-10-91

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.


(Applicant)

Sworn to before me this

10th day of June, 1991.
Patricia A. Bankart

XI. ZBA Action:

- (a) Public Hearing date _____.
 - (b) Variance is _____.
 - Special Permit is _____.
 - (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: _____

APPLICANT: JANE TANNER

815 BLOOMING GROVE TPK
NEW WINDSOR

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3-13-91

FOR (BUILDING PERMIT) To Build Sign

LOCATED AT 815 BLOOMING GROVE TPK

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 65 BLOCK: 2 LOT: 33.22

IS DISAPPROVED ON THE FOLLOWING GROUNDS: TOTAL SIGN

AREA PERMITTED IS 80 SQ. FT.

48-18-
Supp Sign Regs

Mahesh Babal
BUILDING INSPECTOR

<u>PERMITTED</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u>	USE <u>A1</u>	
SIGN _____	_____	_____

APPLICANT: JANE TAMBK

815 BLOOMING GROVE TPK
NEW WINDSOR

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3-13-91

FOR (BUILDING PERMIT) To Build Sign

LOCATED AT 815 BLOOMING GROVE TPK

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 65 BLOCK: 2 LOT: 33.22

IS DISAPPROVED ON THE FOLLOWING GROUNDS: TOTAL SIGN

AREA PERMITTED IS 80 SQ FT

48-18-
Supp Sign Regs.

Mahesh Babbar
BUILDING INSPECTOR

<u>PERMITTED</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u> USE <u>A1</u>		
SIGN		
FREE STANDING	<u>80 SQ FT</u>	<u>128 SQ FT</u>
HEIGHT		<u>48 SQ FT</u>
WALL SIGNS		
TOTAL ALL SIGNS		

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT: (914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

CC: Z.B.A., APPLICANT, B.P. FILE

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----X
In the Matter of Application for Variance of

FORGE HILL COUNTRY FURNITURE, INC.,

Applicant.

#91-10

AFFIDAVIT OF
SERVICE
BY MAIL

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

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On May 29, 1991, I compared the 136 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor on 5/29/91.


Patricia A. Barnhart

Sworn to before me this
29th day of May , 19 91 .


Notary Public

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
4881654
Commission Expires December 23, 1992

(TA DOCDISK#7-030586.AOS)

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. 10.

Request of Forge Hill Country Furniture, Inc.
for a VARIANCE of

the regulations of the Zoning Local Law to

permit one (1) freestanding sign

of more than the allowable sign area;

being a VARIANCE of

Section 48-18- Supplemental Sign Regs.

for property situated as follows:

815 Blooming Grove Tpk. New Windsor

N.Y. - known & designated as tax map

Sec. 65 - Blk. 2 - Lot 33.22.

SAID HEARING will take place on the ___ day of

June, 1991, at the New Windsor Town Hall,

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

7:30 o'clock P. M.

Richard Fenwick
Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

136

May 7, 1991.

Forge Hill Country Furniture, Inc.
815 Blooming Grove Turnpike
New Windsor, NY 12553

Re: Tax Map Parcel 65-2-43
Owner: Forge Hill Country Furniture, Inc.

Gentlemen:

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 \$149.00, minus your deposit of \$25.00.

Please remit the balance of \$124.00 to the Town Clerk, Town of New Windsor, NY.

Sincerely,

Leslie Cook /po
LESLIE COOK
Sole Assessor

LC/po
Attachments
cc: [REDACTED]

State of New York X
Knox Headquarters
c/o Wally Workmaster
Palisades Interstate Park Commission
Bear Mountain, NY 10911

The Order of St. Helena
PO Box 426 X
Vails Gate, NY 12584

Fletcher, Thomas A. & Joan P.
80 Continental Dr. X
New Windsor, NY 12553

Provost Realty Assoc.
c/o Ronald Fish X
107 Law Road
Briarcliff Manor, NY 10510

The Vails Gate Fire Company
PO Box 101
Vails Gate, NY 12584 X

Vails Gate Methodist Cemetery X
PO Box 37
Vails Gate, NY 12584

Sorbello, Bouyea, King X
c/o Robert K. Bouyea
505 North Riverside Rd.
Highland, NY 12528

Forge Hill Management Assoc.
11-G Ivy Lane X
Bergenfield, NJ 07621

Leemits Petroleum, Inc. X
125 Jerico Turnpike
Jerico, NY 11753

833 Blooming Grove Turnpike Associates X
833 Blooming Grove Turnpike
New Windsor, NY 12553

Lawton, Edith B. X
PO Box 653
Vails Gate, NY 12584

Gordon, Donald C. & Martha A. X
815 Blooming Grove Turnpike
New Windsor, NY 12553

Marshall, William & Blanche
8452 Robb Circle
Arvada, CO 80005

Driscoll, Michael J. & Nancy L.
18 Marshall Dr.
New Windsor, NY 12553

Edwards, Ronald & Edna
20 Marshall Dr.
New Windsor, NY 12553

Harris, Benjamin & Bella
PO Box 780
Cornwall, NY 12518

Vriesma, Samuel & Elizabeth L.
11 Marshall Dr.
New Windsor, NY 12553

Watkins, Brian K.
& Trask, Kim L.
9 Marshall Dr.
New Windsor, NY 12553

Laboy, Humberto & Bessie Louise
7 Marshall Dr.
Vails Gate, NY 12584

Eiras, Juan R. & Laura J.
5 Marshall Dr.
New Windsor, NY 12553

DeSousa, Constantino
PO Box 4266
New Windsor, NY 12553

Knox Village Associates
2375 Hudson Terrace
Ft. Lee, NJ 07024

Bonsell, John & Shirley
4 Marshall Dr.
New Windsor, NY 12553

Bridge Road Realty Corp.
RD #1, Box 34
Route 94
Salisbury Mills, NY 12577

Gafford, James D.
8 Marshall Dr.
New Windsor, NY 12553

Vails Gate Methodist Church, Inc.
c/o Treasurer
PO Box 37
Vails Gate, NY 12584 X

Worden, David A. & Marie A.
PO Box 134
Vails Gate, NY 12584 X

Meno, Mercurio & Fidelia S.
7 Kingswood Gardens
New Windsor, NY 12553 X

Cavalari, Agnes
Box 4282
New Windsor, NY 12553 X

Cennamo, Daniel & Virginia
3 Kingswood Gardens
New Windsor, NY 12553 X

Weiner, Sylvia
4 Kingswood Gardens
New Windsor, NY 12553 X

Conyee, Minnie E.
1 Kingswood Gardens
New Windsor, NY 12553 X

Cardullo, Frank
PO Box 407
Farmingdale, NY 11735 X

DeLatorre, George & Lorraine
5 Kingswood Gardens
New Windsor, NY 12553 X

Newman, Thomas & Muriel
6 Kingswood Gardens
New Windsor, NY 12553 X

Toma, Erino & Madeline
16 Kingswood Gardens
New Windsor, NY 12553 X

Swanson, Kenneth G. & Lillian M.
17 Kingswood Gardens
New Windsor, NY 12553 X

Neumetzger, Lothar & Beverly
29 Susan Dr.
Newburgh, NY 12550 X

Wasilewski, Rose L. X
9 Kingswood Gardens
New Windsor, NY 12553

Mascitelli, Alfred & Elizabeth X
10 Kingswood Gardens
New Windsor, NY 12553

Selemon, Bernadine X
14 Kingswood Gardens
New Windsor, NY 12553

Smith, William H. X
PO Box 2018
New City, NY 10956

Manley, Maureen A. X
112 Kingswood Gardens
New Windsor, NY 12553

Stauch, Henry C. & Helen X
113 Kingswood Gardens
New Windsor, NY 12553

Cornell, Eileen M. X
22 Seneca St.
Sidney, NY 13838

Honold, Carolyn G. X
109 Kingswood Gardens
New Windsor, NY 12553

Pidhorodecky, Olga X
7767 Cloverfield Circle
Boca Raton, FL 33433

Jeffery, Mary C. X
Kingswood Gardens, Unit 107 X
810 Blooming Grove Turnpike
New Windsor, NY 12553

Zeiger, Marie X
110 Kingswood Gardens
New Windsor, NY 12553

Jobson, Sr. Thomas A. & Patricia A. X
10 Peter Ave.
Newburgh, NY 12550

Cammarata, Biagio & Grace X
104 Kingswood Gardens
New Windsor, NY 12553

DiBitetto, Grace
105 Kingswood Gardens
New Windsor, NY 12553

Clark, James & Elizabeth
4 William St.
Harrington Park, NJ 07640

DeCrosta, Liberato & Isabelle
98 Kingswood Gardens,
New Windsor, NY 12553

Sotland, Adele
& Marion Riesenberg
c/o Marian Riesenberg
125 Fostertown Rd.
New Windsor, NY 12553

Germaine, Italia
103 Kingswood Gardens
New Windsor, NY 12553

Benedict, Clarence B. & May F.
88 Kingswood Gardens
New Windsor, NY 12553

Rafanelli, Marie
56-09 187th St.
Flushing, NY 11365

Perry, Joseph A. & Sylvia
84 Kingswood Gardens
New Windsor, NY 12553

Mason, Joan M.
85 Kingswood Gardens
New Windsor, NY 12553

D'Angelo, Thomas & Vincenza
82 Kingswood Gardens
New Windsor, NY 12553

Cavalari, John R. & Frances M.
c/o Cavalari, John
Route 94, RD #2
Newburgh, NY 12550

Smith, Linda
& Susan Sloat
18 Waring Rd.
Newburgh, NY 12550

Stelz, Shirley
50 Hudson Dr.
New Windsor, NY 12553 X

McLaughlin, Michael & Margaret
96 Kingswood Gardens
New Windsor, NY 12553 X

Gerosi, Peter S.
& Florence Villano
28 Baldwin Dr.
Wappingers Falls, NY 12590 X

Diaz, Mary L.
& Shirley A. Jones, As Trustees
10 Williamsburg Ct.
Newburgh, NY 12550 X

Swanson, Karl Stuart
93 Kingswood Gardens
New Windsor, NY 12553 X

Vaccaro, Rosalie
90 Kingswood Gardens
New Windsor, NY 12553 X

Chrinian, Gerard
92 Kingswood Gardens
New Windsor, NY 12553 X

Kelly, Agnes G.
94 Kingswood Gardens
New Windsor, NY 12553 X

Lease, John J. III & Mariko
95 Kingswood Gardens
New Windsor, NY 12553 X

St. John, Jean M.
72 Kingswood Gardens
New Windsor, NY 12553 X

Santacroce, Lorraine
26 Richmond Ave.
Newburgh, NY 12550 X

O'Dea, William & Margaret
68 Kingswood Gardens
New Windsor, NY 12553 X

Cook, Joseph J. & Catherine
69 Kingswood Gardens
New Windsor, NY 12553 X

Mancinelli, Anthony & Carmella
66 Kingswood Gardens
New Windsor, NY 12553 X

LeCrann, Alain & Leda C.
67 Kingswood Gardens
New Windsor, NY 12553 X

Senaca, Candace M. & Salvatore W.
RD #2, Box 121
Wallkill, NY 12589 X

Spagnola, Marie
71 Kingswood Gardens
New Windsor, NY 12553 X

Karp, Ronald A. & Rochelle
58 Runnymede Rd.
Berkely Hgts., NJ 07922 X

Conklin, Jennie M.
81 Kingswood Gardens
New Windsor, NY 12553 X

Ruscitti, Aaron J. & Patricia A.
224 Margo St.
New Windsor, NY 12553 X

Nolfo, Lori Patricia
73 Sunken Meadow Rd.
Fort Salonga, NY 11768 X

Davidson, F. Audrey
74 Kingswood Gardens
New Windsor, NY 12553 X

Ennis, Evelyn B.
Kingswood Gardens, Unit 75
810 Blooming Grove Turnpike
New Windsor, NY 12553 X

Cummings, Thomas
78 Kingswood Gardens
New Windsor, NY 12553 X

Barbieri, Gerard & Agnes C.
79 Kingswood Gardens
New Windsor, NY 12553 X

Lenahan, Hugh H. & Margaret N. & Jean Ann
56 Kingswood Gardens
New Windsor, NY 12553 X

Flint, Rose L.
57 Kingswood Gardens
New Windsor, NY 12553 X

Bloom, Daniel J. & Peter E.
PO Box 4323
New Windsor, NY 12553 X

Gillespie, Charlotte
& Dolores Childress
53 Kingswood Gardens
New Windsor, Ny 12553 X

Finkelstein, Sylvia
50 Kingswood Gardens
New Windsor, NY 12553 X

Cavalari, Agnes
Box 4282
New Windsor, NY 12553 X

Knapp, Joyce
37 Roe St.
Newburgh, NY 12550 X

Schmid, Robert M. & Veronica M.
55 Kingswood Gardens
New Windsor, NY 12553 X

Crill, Timothy J.
& Laura A. Palladino
64 Kingswood Gardens
New Windsor, NY 12553 X

Whalen, Ann L.
65 Kingswood Gardens
New Windsor, NY 12553 X

Gurski, William P.
60 Kingswood Gardens
New Windsor, NY 12553 X

Duff, Michael & Elizabeth
471 Wolf Hill Rd.
Dix Hills, NY 11746 X

Slack, William F. & Mary
58 Kingswood Gardens
New Windsor, NY 12553 X

Strokirk, Edward & Jennie
59 Kingswood Gardens
New Windsor, Ny 12553 X

Messina, Nancy
62 Kingswood Gardens
New Windsor, NY 12553 X

Negus, George W. & Edna F.
63 Kingswood Gardens
New Windsor, NY 12553 X

Gowdey, George W. & Ruth G.
40 Kingswood Gardens
New Windsor, NY 12553 X

Pullar, James & Donna R.
7 Valewood Dr.
New Windsor, NY 12553 X

Kirson, Joseph & Belle
36 Kingswood Gardens
New Windsor, NY 12553 X

Bauer, Leonard R. & Alice
3 Regimental Place
New Windsor, NY 12553 /

McKeegan, James J. & Helen A.
34 Kingswood Gardens
New Windsor, NY 12553 X

Pirhala, Roy T.
35 Kingswood Gardens
New Windsor, NY 12553 X

Berean, Laurine R.
& Mary E. Bradley
47 Parade Place
New Windsor, NY 12553 X

Baruffaldi, Teresa
Unit 12F, Bldg. 6
39 Kingswood Gardens
New Windsor, NY 12553 X

Slave, Richard
222 12th St., West
Bradenton, FL 34205 X

Neuss, Kathryn P.
2 Far Harizons Dr.
Newburgh, NY 12550 X

Smith, Louise X
42 Kingswood Gardens
New Windsor, NY 12553

Civitano, Sr., Frank J. & Jean
43 Kingswood Gardens X
New Windsor, NY 12553

Leonardi, Angelo & Gerdi X
46 Kingswood Gardens
New Windsor, NY 12553

Levine, Jules P. & Marion X
2 Park Place
Newburgh, NY 12550

Suttlehan, Gay A. X
73 Harth Dr.
New Windsor, NY 12553

Pesavento, Veronica X
& Veronica H. Gibney
33 Kingswood Gardens
New Windsor, NY 12553

Rogers, Howard P. & Sue H.
Kingswood Gardens
810 Blooming Grove Tpke. X
Unit 28
New Windsor, NY 12553

Jesse, Earl & Hazel V. X
29 Kingswood Gardens
New Windsor, NY 12553

Coviello, Alex & Genevieve X
109 Fletcher Dr., No.
Newburgh, NY 12550

Torelli, Linda X
Kingswood Gardens
810 Blooming Grove Tpke., Unit 15F
New Windsor, NY 12553

Trifilo, Etta X
30 Kingswood Gardens
New Windsor, NY 12553

Kelly, Albert B. & Myrene B. X
101 Ashley Place
New Bern, NC 28562

Fenton, Thomas J. X
24 Kingswood Gardens
New Windsor, NY 12553

Salvaggio, Joseph E. & Charles M.
25 Kingswood Gardens
New Windsor, NY 12553 X

DiPono, Gennaro
& Laurine Berean X
20 Kingswood Gardens
New Windsor, NY 12553

McCracken, William John X
21 Kingswood Gardens
New Windsor, NY 12553

LoPresti, Emil & Rose X
18 Kingswood Gardens
New Windsor, NY 12553

Wolpe, Judel & Miriam X
19 Kingswood Gardens
New Windsor, NY 12553

Thompson, Albert F. X
22 Kingswood Gardens
New Windsor, NY 12553

Costello, David J. & Marie R. X
RD #2, 1 Morris Rd.
Peekskill, NY 10566

Pidhorodecky, Olga X
7767 Cloverfield Circle
Boca Raton, FL 33433

Neuss, Kathryn P. X
49 Kingswood Gardens
Newburgh, NY 12550

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 91-10

1. Municipality Town of New Windsor Public Hearing Date 6/10/91
 City, Town or Village Board Planning Board Zoning Board

2. Owner: Name Forge Hill Country Furniture, Inc.
Address 815 Blooming Grove Tpk., N.W.

3. Applicant*: Name Same
Address _____

* If Applicant is owner, leave blank

4. Location of Site: same - (Int. Forge Hill Rd. & Rt. 94)
(street or highway, plus nearest intersection)

Tax Map Identification: Section 65 Block 2 Lot 33.22

Present Zoning District C Size of Parcel _____

5. Type of Review:
Special Permit: _____

Variance: Sign Use _____
Area - Sign - (See attached)

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units _____

Site Plan: Use _____

5/28/91
Date

Patricia A. Bauhart, Secy.
Signature and Title

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1- WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2- FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3- INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4- WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5- INSULATION.
- 6- PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
- 7- DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
- 8- \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9- PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10- THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11- SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12- SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13- ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.
- 14- ALL BUILDING PERMITS WILL NEED A CERTIFICATE OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A \$15.00 FEE FOR THIS.

Name of Owner of Premises..... Jane A. Tanner

Address..... 815 Blooming Grove Trk Phone..... 561-4619

Name of Architect

Address..... Phone.....

Name of Contractor

Address..... Phone.....

State whether applicant is owner, lessee, agent, architect, engineer or builder..... Owner

If applicant is a corporation, signature of duly authorized officer.

Jane H. Tanner Pres.

(Name and title of corporate officer)

1. On what street is property located? On the South side of Rout 94

and 250' feet from the intersection of Forge Hill Rd (N.S.E. or W.)

2. Zone or use district in which premises are situated. Is property in a flood zone? Yes.....No...

3. Tax Map description of property: Section..... 65 Block..... 2 Lot..... 033,22

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

Existing use and occupancy, Commercial Intended use and occupancy,

IF ANY PART OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

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- 2- FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
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Address 815 Blooming Grove Trk Phone 561-4619

Name of Architect

Address Phone

Name of Contractor

Address Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer.

Jane A. Tanner Pres.

(Name and title of corporate officer)

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and 250' feet from the intersection of Forge Hill Rd. (N.S.E. or W.)

2. Zone or use district in which premises are situated. Is property in a flood zone? Yes No

3. Tax Map description of property: Section 65 Block 2 Lot 033,22

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy COMMERC b. Intended use and occupancy

5. Nature of work (check which applicable): New Building Addition Alteration Repair
Removal Demolition Other 128 sq. ft total sign

6. Size of lot: Front Rear Depth Front Yard Rear Yard Side Yard
Is this a corner lot?

7. Dimensions of entire new construction: Front Rear Depth Height Number of stories

8. If dwelling, number of dwelling units Number of dwelling units on each floor
Number of bedrooms Baths Toilets

Heating Plant: Gas Oil Electric/Hot Air Hot Water
If Garage, number of cars

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost..... Fee.....

(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

3-25-91

PRELIMINARY MEETING: TANNER, JANE

ZBA #91-10.

MR. FENWICK: This is a request for 48 square foot sign area variance for freestanding sign at 815 Blooming Grove Turnpike in a C-zone.

Mrs. Jane Tanner came before the Board representing this proposal.

MRS. TANNER: Okay, this is the sign that we propose. We need an extra 48 square feet over the variance which is allowed which is 80 square feet. None of the, well, all but two of the businesses that are there are going to be there do not have frontage so their signs cannot be out by the road so this is a general marque sign that we propose of which each sign individually is less than what is required or allowed in general. You can pass this around. This is a two-scale drawing, 12 feet high, 10 feet wide at the outer most perimeter and then the bottom most would be 8 feet wide. It's two sided so it can be read coming and going.

MR. TORLEY: Internally lit kind of thing?

MRS. TANNER: Yes, with--no, no I thought you were being sarcastic. I'm sorry. I can't tell the difference.

MR. NUGENT: On the property where are you going to put the sign?

MRS. TANNER: If you were facing the store, Forge Hill Country Furniture, it would be to the right of the entrance drive on the upper most part of the property, on the road.

MR. FINNEGAN: So it's not near the corner?

MRS. TANNER: No, no.

MR. TORLEY: What lighting if any is on the sign?

MRS. TANNER: There will be ground lighting, that will probably come up from the ground and it's all wood totally and the signs in between are freestanding so that we can change them as we need to.

MR. TORLEY: And there will be no obstruction of vision in and out of the driveway for people?

MRS. TANNER: No, this is the bottom of the sign is 6

feet up from the ground.

MR. FINNEGAN: How far back?

MRS. TANNER: It has to be fairly far back from the road. The town, the DOT is widening the road there.

MR. BABCOCK: According to the regulations, there are no setbacks. This is the one zone that this is the area that doesn't have a setback from the road as far as the bulk tables concerned, just that it can't be more than 80 square feet and it can't be more than 25 feet above ground level but it doesn't say how far from the road it's got to be.

MR. TANNER: The problem is we don't know where the road is going to be because they haven't put it in yet.

MRS. TANNER: The Forge Hill sign that is there now is on the very edge of the property and that leaves about 10 feet between where the sign is now and where the beginning of the road is now that will be, you'll back behind that sign because the--

MR. FENWICK: It hasn't been staked out, the right-of-way or anything in the front of the house?

MR. TANNER: There's some catch basins and there's a swale and no one really knows where the swale is going to end. They just know approximately. We have to be back at least 15 feet from where the swale is otherwise you couldn't see up the road coming out of the driveway.

MR. TORLEY: Mike, if they're granted the variance and erect a sign and the State says you have to move the sign back 4 feet, do they have to go back through the process again?

MR. BABCOCK: There's no requirement by the town ordinance where it has to go.

MR. TORLEY: If they had to move the sign, there'd be no problem?

MR. BABCOCK: No, I'm sure they're going to make sure where it is going to go before they put it in.

MR. TORLEY: What the State does six months later, you never know.

MR. FENWICK: If you take either that or the partial, the lot and actually pinpoint it out, the lot, I mean--

MRS. TANNER: Would that be all right if I brought that back, do we have to come back through again?

MR. FENWICK: Get the location of that, we'll need photographs so we have an idea and a survey map would help, yes. We'll need that.

MR. LUCIA: Deed, title policy also when you come back you need to speak to the issue of why the Board should grant you a variance. Essentially you should explain why the 40 square foot--is that the requirement?

MR. BABCOCK: Eighty (80).

MR. LUCIA: --is insufficient, why you need the exposure. speak to issues as to how fast traffic comes by, the businesses in the back obviously don't have any front exposure so they need signage exposure. Any practical problem that why it is you feel a Board should grant the variance.

MRS. TANNER: Okay.

MR. FENWICK: You did hear me about photographs, right?

MRS. TANNER: Yes.

MR. TORLEY: I'll move to schedule this for a public hearing.

MR. FINNEGAN: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Tanner	Abstain
Mr. Fenwick	Aye
Mr. Nugent	Aye
Mr. Konkol	Aye

Cut out of
4' x 10' plywood



Cut out of
4' x 10' plywood

Cut
out of
plywood

8" x 36" Tenant
Name
plates

12'

6-32
Tenn
Name

SCALE 1/2" = 1'-0"

