

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

June 27, 2002

OFFICE OF ZONING BOARD  
(845) 566-4901

DUNKIN DONUTS/ BASKIN ROBBINS

73-2 North Plank Road

Section 75, Block 1, Lot 10.1

B zone

Applicant is seeking to install a drive-thru window and additional signage on the Dunkin Donuts located at 73-2 North Plank Road in the Town of Newburgh.

A drive-thru is not a permitted use in a B zone. The allowable signage for this location is 30.4 sq. ft. The requested signage is 83.6 sq.ft.

All mailings were in order.

Daniel Bloom, attorney, and Robert Spiak of Bohler Engineering represented Dunkin Donuts at the hearing.

Mr. Spiak indicated the old building would be raised and replaced by a typical Dunkin Donuts building with a drive-thru window which should improve the circulation of traffic around the site. He referred the Board to a projected cash flow statement with two projections, one with a drive-thru window and one without, indicating a positive cash flow with the drive-thru window. He also referred to a traffic report Dick Maney reviewed and found generally acceptable. It will be pretty much a phototypical Dunkin Donuts building we see popping up around the area with phototypical colors and free standing sign combination Dunkin Donuts/Baskin Robbins. There will be a wall mounted sign on the front of the building and a couple of directional signs around the site. Total signage for the site is 83.6 sq.ft. The allowable is 53.

Mr. McKelvey asked if it were the same building as the one on 208 in Montgomery. It is brand new. Is it the same size?

This building is 4500 sq. ft. The Montgomery building is slightly larger. The same configuration. The same look from the outside.

Mr. Galli asked how many parking spaces.

Right now we are proposing 14 parking spaces. The existing is 12. We are making a couple of site plan changes and trying to add another parking space.

Mr. Galli asked about the landscaping.

Mr. Spiak replied based on some comments from the Planning Board, we are in the process of adding some landscaping. We want to see a couple of trees along the side to sort of break up the affect of the two buildings. We are not proposing a buffer at this point to keep people from walking across.

Mr. Harris stated right now that lot at some times is a disaster. We have one in this Town now that has a similar situation but with a much larger parking lot and there are certain times of the day when it is brutal. He doesn't see how that drive-thru with 6 or 8 cars and adding additional business is going to make this thing float.

Mr. Spiak replied the businesses compliment each other. We don't expect any Baskin/Robbins customers in the morning or on their way to work. The site design with the one way circulation around the property in addition to the drive-thru we think will help alleviate the parking situation because many of the customers that have to walk in, can go through the drive-thru

Mr. Maher asked about employee parking.

Mr. Spiak pointed out spaces in the rear for employees. It is in the space count.

Mrs. Cardone asked how many employees would there be.

Mr. Spiak replied 3 or 4.

Mr. McKelvey pointed out that would leave 10 for the customers

Mr. Spiak replied it is a very integrated pattern. In the morning we don't anticipate a large Baskin/Robbins. Employees will probably will be cross-trained so they could work both. He doesn't anticipate more than one, possibly two in the afternoon to work on the Baskin/Robbins side.

Mr. McKelvey asked how many vehicles they expect in the morning for the drive-thru.

Mr. Spiak stated this is his first drive-thru so he doesn't have a lot of experience with drive-thrus. As indicated on the analysis 40 to 50% utilize the drive-thru window.

Mr. McKelvey noted that it was a very congested area in the morning. It is congested all the time.

Mr. Spiak indicated that right now they have 700 customers a day, so we are anticipating 50 to 100 at the drive-thru. It is open 24 hours. Inside would probably be closed when the drive-thru window is open at night.

Mr. McKelvey indicated that the traffic study was done for the City of Newburgh.

Mr. Passneau, General Manager, noted that there were a couple of references to the City of Newburgh. The one on Broadway is a different one. This one is for North Plank Road. Right now Dunkin Donuts is moving more and more to drive-thrus and are not approving any more site locations without drive-thrus. With drive-thru there is a 50% increase in business. We hire the architect, but the plans go there first. The building there now is an eyesore. It is kind of a dump so it has to be torn down and rebuilt, and that is going to be a real large expense compared to renting a property.

Mrs. Cardone asked if they had looked for other locations.

Mr. Passneau replied the problem with that is we own the property here. We bought the property a few years ago. Now our franchising unit stipulates that every 10 years you have to remodel.

Mr. McKelvey asked if the one on Broadway will have a drive-thru

Mr. Passneau replied it will. He can just state working with this company the drive-thru is a business decision they made.

Mr. Passneau continued from a use variance justification point of view, their franchising requires every ten years they have to renovate and have to do it in accordance with the requirements at the time, which now is moving towards a drive-thru. Unless you have the drive-thru you can't generate enough income. The hardship we are experiencing is not self-imposed. The franchise agreement more than ten years ago is imposing it and now they are faced with the requirement by Dunkin Donuts that you have to do our way. We are asking relief for a variance on that issue.

Mrs. Eaton asked if this is the first time you had to upgrade.

Mr. Passneau replied when they first moved in it was a Deli and eventually the deli left so we took over the entire space. Since then Carvel couldn't make it so they sold the property to us.

Mrs. Cardone noted that they were also requesting a variance for signage.

Mr. Spiak stated we are requesting a total 83.6 sq.ft. of which the free standing sign would be 40 sq.ft. The building sign above the door is 19.6 sq.ft. and the menu board is 24 sq.ft. There will be a couple of directional signs less than 3 sq.ft. The total allowed is 53.2 sq.ft. Existing signage is an old free standing sign that is 36 sq.ft.. The signage will fit in with the character of the neighborhood.

Mrs. Cardone asked if there were any other questions from the Board.

Mr. Harris asked if there was anything to prevent someone making a left turn coming out.

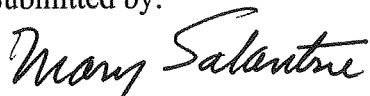
Mr. Spiak replied they have an application before the DOT and preliminary indication is they are not looking to impose any restrictions on the curb cut at this time.

Mrs. Cardone asked if there were any comments from the public.

Ronald Hughes of Pampas Lane in the Town of Newburgh asked how many vehicles can you get in the back around the building before you cause a traffic jam. This is a very bad spot to begin with, there is Pizza Hut, there is Blockbuster, there is Shop Rite across the street. He would urge the Board to relieve the traffic with a piece of property that is behind these property that was spoken of at the Planning Board. He would urge the Board to be in concert with the Planning Board to make some kind of loop behind there for relief of traffic coming unto Gidney Avenue rather than the crazy curb cuts.

Mrs. Cardone if there were further questions or comments from the Board or from the Public. There being no response, she declared this part of the hearing closed.

Submitted by:



Mary Salantrie, Secretary  
Zoning Board of Appeals

/ms

After consultation with the Board's attorney, Mrs. Cardone asked if there were discussion on this application. Mr. McKelvey motions to declare a Negative Declaration for environmental purposes. Mr. Maher seconded the motion. All were in favor. There was agreement among the members of the Board that the traffic and amount of cars in the area would be compounded by the proposed drive-thru window. Some of the Board members also felt that the road in back of the building might be used to mitigate the traffic problem in the area. Mrs. Cardone asked if there were motion to approve the use variance request. There being no response, she asked if there were a motion to disapprove the motion. Mr. Galli made a motion to disapprove the application. Mr. McKelvey seconded the motion. Mrs. Cardone then asked all those in favor to please say "aye". All members of the Board were present and disapproved by saying "aye". Mrs. Cardone then asked if there were a motion to approve the signage request. Mr. Galli made a motion to approve. Mr. McKelvey seconded the motion. All Board members approved by saying "aye".

**TOWN OF NEWBURGH  
ZONING BOARD OF APPEALS**

-----X  
In the matter of the application of:

DUNKIN DONUTS/BASKIN ROBBINS

for a use variance to permit a drive-thru window  
in a "B" Zone and an area variance  
for signage exceeding the allowable signage for this  
location, "B" District.

-----X

**DECISION OF RESOLUTION**

Tax Map # 75-10.1

File No. 2002-6

The property which is the subject of this application is located at 73-2 North Plank Road, Newburgh, New York and is designated on the tax map as Section 75, Block 1, Lot 10.1. It is located in the "B" District.

Applicant was referred to this Board by the Planning Board for a 1) use variance for a drive-thru window at a Dunkin Donuts/Baskin Robbins which is not a permitted use in the "B" zone, only in the "IB" zone, Section 185-42; and 2) an area variance for signage totaling 83.6 square feet which exceeds the 53.2 square feet allowable signage by 30.4 square feet.

A public hearing on the application was scheduled for June 27, 2002 at the Town Hall, 1496 Route 300, Newburgh, New York. Notice of said public hearing, including the subject, date, place and time, was duly published and mailed. Proper affidavits of publication and mailing have been received from the applicant.

The public hearing was held on June 27, 2002. The applicant, applicant's engineer, Robert Spiak of Bohler Engineering and applicant's attorney David Bloom, Esq. appeared at the public hearing and testified before the Board. The testimony and exhibits at the public hearing established that applicant is the owner of the subject Dunkin Donuts franchise and he proposes to demolish the existing Dunkin Donuts and construct a new 4,500 square foot building with a drive-thru window for a phototypical Dunkin Donuts/Baskin Robbins. Applicant does not own any other Dunkin Donuts franchise and believes a drive-thru is necessary based upon the company's estimation that there is a 50% increase in business with a drive-thru. According to Mr. Passneau, General Manger of Dunkin Donuts, Dunkin Donuts is increasing the presence of drive-thrus at their facilities and are not approving any more site locations without drive-thrus. In order to remain competitive, applicant further explained that he is required to renovate his

franchise every ten years and such renovation has to be in accordance with the requirements at the time, which now is a demand for more drive-thrus. Applicant's engineer made reference to a projected cash flow statement with two projections, one with a drive-thru window and one without, indicating a positive cash flow with the drive-thru window. In regards to applicant's sign variance, applicant requests total signage of 83.6 square feet of which the free standing sign combining Dunkin Dounuts/Baskin Robbins would be 40 square feet, a wall mounted sign above the door would be 19.6 square feet, a menu board would be 24 square feet and a couple of directional signs which would be less than 3 square feet. Applicant's proposal requires an area variance as only 53 square feet of signage is permitted on this site. Applicant currently has twelve (12) parking spaces but proposes a total of fourteen (14) parking spaces with three or four spaces reserved for employees. Mr. Spiak estimated that of the 700 customers a day, he anticipates 50 to 100 would use the drive- thru during a 24 hour period.

The Board unanimously determines that the proposed action is an unlisted action under SEQRA and a negative declaration has been made. Before the Board may exercise its discretion and grant a use variance, applicant must show that strict application of the zoning law would produce unnecessary hardship and the following factors must be considered.

**I. UNDER APPLICABLE ZONING REGULATIONS WILL THE APPLICANT BE DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION**

The applicant has not shown that under applicable zoning regulations he will be deprived of all economic use or benefit from the property in question if a drive-thru is not granted. Although applicant has submitted a projected cash flow statement comparing a Dunkin Donuts/Baskin Robbins with a drive-thru and one without, applicant has not shown us actual dollars and cents proof that this particular property would not yield a "reasonable return" property should the applicant maintain the current Dunkin Donuts without a drive-thru.

**II. WHETHER THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD**

In order to establish that the hardship is unique applicant must supply proof that this particular property suffers a singular disadvantage in that when comparing the entire district with similar situated land, this property is uniquely disadvantaged. Applicant must show that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood. The Board believes applicant has not addressed this factor.

### **III. WHETHER THE VARIANCE WILL ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD**

The variance for a drive-thru would alter the essential character of the neighborhood as the traffic and amount of cars in the area would be compounded by the proposed drive-thru. The Board feels that there is an alternate road in the back of the building which may provide more efficient ingress/egress from the subject property and reduce the traffic concerns imposed by the current plan. This Board believes that the addition of a driv-thru at this site will have a negative and detrimental impact on adjacent roadways and intersections despite applicant's submission of the "Traffic Impact Analysis" by Atlantic Traffic and Design Engineers, Inc.

### **IV. WHETHER THE ALLEGED DIFFICULTY WAS SELF-CREATED?**

The alleged difficulty is self-created. Applicant was aware when he bought the property that a drive-thru is not a permitted use in a "B" zone.

### **AREA VARIANCE:**

The applicant's plan requires an area variance from the total signage requirements of Town Code Section 185-14 (B)(1)(c). The criteria which the Board has considered is the factors set forth in Town Law Section 267-b. In considering the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood and community by such grant, the Board has considered the following five factors.



**I. WHETHER AN UNDESIRABLE CHANGE WILL BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES WILL BE CREATED BY GRANTING OF THE VARIANCE?**

The Board finds that the granting of applicant's area variance will not result in an undesirable change in the character of the neighborhood. The business is located at an extremely busy section of North Plank Road. Considering the overall size of the proposed project and the high volume of vehicles which pass through North Plank Road daily, the amount of signage proposed is appropriate as it will inform customers of the location of the business.

**II. WHETHER THE BENEFIT SOUGHT BY THE APPLICANT CAN BE ACHIEVED BY SOME METHOD FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE?**

The Board finds that the applicant cannot achieve the benefit sought by some method feasible for the applicant to pursue other than the requested area variance. As the subject building is located at a busy section of North Plank Road (A.K.A. New York State Route 32), the proposed additional signage will benefit the stores' patrons and customers who need to readily locate the ingress and egress of this business.

**III. WHETHER THE REQUESTED AREA VARIANCE IS SUBSTANTIAL?**

The requested area variance is substantial but this factor alone does not require denial of the variance.

**IV. WHETHER THE PROPOSED VARIANCE WILL HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD?**

The amount of signage proposed will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. The site is surrounded by commercial business uses which is zoned for the same use and the amount of signage will be appropriate when considering the amount of signage found at other nearby commercially developed properties.

**V. WHETHER THE ALLEGED DIFFICULTY WAS SELF-CREATED?**

The alleged difficulty was self-created but this Board declines to give significant emphasis to this factor.


**RESOLUTION**

The Board determines that the applicant has not met the requisites of Town Law § 267-b. The Board hereby denies the requested use variance for a drive-thru window at a Dunkin Donuts/Baskin Robbins but grants the requested area variance for signage totaling 83.6 square feet.

Presented and Voting on motion to deny application:

|                |     |
|----------------|-----|
| Grace Cardone  | Aye |
| Paul Blanchard | Aye |
| Ruth Eaton     | Aye |
| Michael Maher  | Aye |
| Frank Galli    | Aye |
| John McKelvey  | Aye |
| Richard Harris | Aye |

Dated: January 23 2003  
Newburgh, New York

  
GRACE CARDONE, Chairwoman  
Town of Newburgh, Zoning  
Board of Appeals

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-1713

File Date: 03/28/1972  
Expire Date: 09/28/1973

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$90.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: THE SOUTHLAND CORP./ 7 ELEVEN FOOD STRS  
Address: 6600 SCANWELL LANE, SPRINGFIELD, VIRGINIA

Architect's Name: JAY S. KLEIN  
Address: 11 GARDEN STREET, NEW WINDSOR, NEW YORK, 125453

Builder's Name: W. BROWN INC.  
Address: STANTON VIRGINIA

Location of Structure: NORTH PLANK ROAD, /ROUTE 300

Material: MASONRY/FRAME      No. Stories: 1.0      No. Families: 0

Dim. of Stru.: 60' X 45'10"      No. Bedrooms: 0      No. Toilets: 0

Use of Stru.: FOOD STORE      Dim. of Lot: 100.82X 229.24

Census Code: 327      No. Bathrooms: 0.0      Heating Plant: WARM AIR

Remarks: THIS PERMIT REPLACES PERMIT 1551-71 PLANS IN BIN #3  
CO. 1543 ISSUED JAN. 2ND. 1973

Appx. Cost: \$35000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

1. A permit under which no work has commenced within six (6) months after issuance, shall expire by limitation, and a new permit must be secured before work can begin.
2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-1713

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-2145

File Date: 03/21/1973  
Expire Date: 09/21/1974

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$0.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: THE SOUTHLAND CORP.  
Address: ROUTE 300, NEWBURGH, NEW YORK, 12550

Architect's Name:  
Address:

Builder's Name:  
Address:

Location of Structure: ROUTE 300

Material: No. Stories: 0.0 No. Families: 0

Dim. of Stru.: No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: SIGN Dim. of Lot:

Census Code: 329 No. Bathrooms: 0.0 Heating Plant:

Remarks: COMPLETED  
NOW UNDER SPAR REALTY CORP.

Appx. Cost: \$2000.00

:

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

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SEPTIC PERMIT:

Permit No: 0-2145

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-2869

File Date: 02/10/1975  
Expire Date: 08/12/1976

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$0.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH,  
ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: OPPENHEIMER LANDMARKS  
Address: ROUTE 300, NEWBURGH, N.Y.

Architect's Name:  
Address:

Builder's Name:  
Address:

Location of Structure: ROUTE 300

Material: FRAME                      No. Stories: 0.0                      No. Families: 0

Dim. of Stru.:                      No. Bedrooms: 0                      No. Toilets: 0

Use of Stru.: TWO SIGNS\*                      Dim. of Lot:

Census Code: 329                      No. Bathrooms: 0.0                      Heating Plant:

Remarks: \*ONE FOR BUILDING, ONE FREE STANDING  
CLOSED OUT AS COMPLETE 3/17/75

Appx. Cost: \$1500.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

1. A permit under which no work has commenced within six (6) months after issuance, shall expire by limitation, and a new permit must be secured before work can begin.
2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-2869

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-10043

File Date: 09/22/1992  
Expire Date: 03/25/1994

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$105.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH,  
ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: GASPARE & ANGELA SPARACINO (000)-297-8600  
Address: ROUTE 32

Architect's Name: WALTERS HAUPI (MHI) INTERIORS  
Address:

Builder's Name: WALTER HAUPI & JOHN MYSLAK (516)-422-7029  
Address:

Location of Structure: ROUTE 32 #201 NORTH PLANK ROAD

Material: FRAME No. Stories: 0.0 No. Families: 0

Dim. of Stru.: No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: ICE/CRM & DONT'S Dim. of Lot:

Census Code: 437 No. Bathrooms: 0.0 Heating Plant: ELECTRIC

Remarks: RECEIPT #11936 ELECTRICAL #846-92

Appx. Cost: \$21000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

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2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-10043

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-10178

File Date: 12/14/1992  
Expire Date: 06/16/1994

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$15.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: GASPARE SPARACINO (PRES OWN: AARON/  
Address: 201 NORTH PLANK ROAD, NEWBURGH, TERRANOVA

Architect's Name: N/A  
Address:

Builder's Name: AWNING SYSTEMS PLUS (800)-556-0025  
Address: ROCK TAVERN ROAD, ROCK TAVERN, NEW YORK

Location of Structure: 201 NORTH PLANK ROAD

Material: STEEL/PLASTIC No. Stories: 1.0 No. Families: 0

Dim. of Stru.: 2' X 8' & 10' X 2' No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: TWO SIGNS Dim. of Lot: 102' X 264'

Census Code: 329 No. Bathrooms: 0.0 Heating Plant: N/A

Remarks: THIS PROP HAS REACHED PERMITTED SQ FT FOR SIGNS  
CERT/COMPLETION 10/6/94 90027-94

Appx. Cost: \$3000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

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2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-10178

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-10265

File Date: 03/08/1993  
Expire Date: 09/08/1994

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$100.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: SPAR REALTY, INC./SAMUEL SOMMER, TENANT (914)-297-5763  
Address: 17 MERRYWOOD ROAD, WAPPINGER FALLS, NEW YORK 12590

Architect's Name: NONE  
Address:

Builder's Name: SAMUEL SOMMER (914)-297-5763  
Address: 17 MERRYWOOD ROAD, WAPPINGER FALLS, NEW YORK 12590

Location of Structure: 201 NORTH PLANK ROAD

Material: FRAME No. Stories: 0.0 No. Families: 0

Dim. of Stru.: 32' X 40' No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: ALTs deli Donut Dim. of Lot: 101' X 264'

Census Code: 437 No. Bathrooms: 0.0 Heating Plant: ELECTRIC

Remarks: RECEIPT #A12764, ELECTRICAL 961-93  
ALTERATIONS TO CREATE DELICATESSEN & DONUT SHOP

Appx. Cost: \$20000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

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Signature of Applicant

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CODE COMPLIANCE DEPARTMENT

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2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-10265



TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-10588

File Date: 08/13/1993  
Expire Date: 02/13/1995

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$10.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH,  
ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: GASPAR SPARACINO  
Address: WAPPINGERS FALLS, NEW YORK

(914)-297-0962

Architect's Name: N/A  
Address:

Builder's Name: MID-HUDSON NEON SIGN CO.  
Address: 32 WALNUT STREET, NEW WINDSOR, N.Y.

(914)-561-5561

Location of Structure: 201 NORTH PLANK ROAD

Material: AWNING/FRAME      No. Stories: 0.0      No. Families: 0

Dim. of Stru.: 3' X 6 & 14' X 3.5      No. Bedrooms: 0      No. Toilets: 0

Use of Stru.: SIGNS ZBA APP      Dim. of Lot: 100' X 264'

Census Code: 329      No. Bathrooms: 0.0      Heating Plant: N/A

Remarks: CURRENT DELI SIGN TO BE REMOVED ONCE AWNING SIGN  
IS INSTALLED      CERT/COMPLETION 90028-94

Appx. Cost: \$2000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

1. A permit under which no work has commenced within six (6) months after issuance, shall expire by limitation, and a new permit must be secured before work can begin.
2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-10588

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-11994

File Date: 01/30/1996  
Expire Date: 08/01/1997

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$5.00  
C.O. Fee: \$15.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH,  
ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: SPAR REALTY, INC. (914)-297-0962  
Address: C/O SPARACINO, 16 LAKE ONIAD DR., WAPPINGER FALLS, N.Y.

Architect's Name: NONE  
Address:

Builder's Name: OWNER  
Address:

Location of Structure: 201 NORTH PLANK ROAD

Material: FRAME No. Stories: 0.0 No. Families: 0

Dim. of Stru.: 60' X 40' No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: ALTs. old deli Dim. of Lot: 101' X 264'

Census Code: 437 No. Bathrooms: 0.0 Heating Plant:

Remarks: RECEIPT #A17197 \*TO CREATE SPARACINO'S OLD WORLD DELI

Appx. Cost: \$1000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

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SEPTIC PERMIT:

Permit No: 0-11994

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-20520

File Date: 07/17/2006  
Expire Date: 01/17/2008

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$1500.00  
C.O. Fee: \$25.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH,  
ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: JUNE TRUDEAU (845) 446-9489  
Address: 94 CANTERBURY ROAD FORT MONTGOMERY, NEW YORK 10922

Architect's Name: THE CLOVER GROUP (518) 452-6060  
Address: 1977 WESTERN AVE. ALBANY, N.Y. 12203

Builder's Name: TBD  
Address:

Location of Structure: 73 NORTH PLANK ROAD NEWBURGH, NEW YORK 12550

Material: FRAME No. Stories: 0.0 No. Families: 0

Dim. of Stru.: 22' X 22' / 7' No. Bedrooms: 0 No. Toilets: 1

Use of Stru.: ALT. DUNKINDONUT Dim. of Lot:

Census Code: 437 No. Bathrooms: 5.0 Heating Plant:

Remarks: RECEIPTS # 45217 & 45218 INTERIOR ALTERATIONS  
C.O.# 13122 9/12/06 TO EXISTING "DUNKIN DONUTS"

Appx. Cost: \$150000.00 :

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
CODE COMPLIANCE DEPARTMENT

### IMPORTANT

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SEPTIC PERMIT:

Permit No: 0-20520

TOWN OF NEWBURGH  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD  
CODE COMPLIANCE SUPERVISOR  
TELEPHONE: (845) 564-7801  
FAX LINE: (845) 564-7802

Permit No: 0-20652

File Date: 08/21/2006  
Expire Date: 02/21/2008

## BUILDING PERMIT

SEC-BLK-LOT: 75-1-10.1

Permit Fee: \$55.00  
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: TRUDEAU II LLC (845) 446-9489  
Address: P.O. BOX 263, FORT MONTGOMERY, N.Y. 10922

Architect's Name:  
Address:

Builder's Name: HOMELAND BUILDERS (888) 441-2656  
Address: 465 SKYERS RD, FALL RIVER, MA 02720

Location of Structure: 73 N. PLANK ROAD NEWBURGH, NEW YORK 12550

Material: STEEL & FABRIC No. Stories: 1.0 No. Families: 0

Dim. of Stru.: TOTAL 80SF No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: SIGNS Dim. of Lot:

Census Code: 329 No. Bathrooms: 0.0 Heating Plant: N/A

Remarks: RECEIPT#46212 SIGN FOR "DUNKIN DONUTS" PYLON SIGN FREE  
STANDING TOTAL 36 SF. SIGN ON BLDG. 18' X 3'=44SF

Appx. Cost: \$5500.00

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Signature of Applicant

CODE COMPLIANCE DEPARTMENT

### IMPORTANT

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2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-20652