



# STOP WORK ORDER

YOU WILL PLEASE TAKE NOTICE that there exists a violation of Article, Section 71-12, Page 71:06:00, of the Town of Newburgh Municipal Code at the following location: 5268 Rte 9W Newburgh NY 12550 Section/Block/Lot: 20-2-30.21 in that: The sign (permit # 24936-13) has been installed and did not follow the approved plans. A plan review was conducted 12-10-2012 and 4 items are listed that violated zoning ordinance. The sign was installed in violation of 3 out of 4 original items.

You are hereby

**Directed and Ordered to Stop Work,**  
comply with the law, and remedy the conditions above mentioned.

Failure to remedy the condition aforesaid and to comply with the applicable provisions of law may constitute an offense punishable by fine, imprisonment, or both.

July 9, 2013

Date

  
JOSEPH MATTINA  
ASST. BUILDING INSPECTOR

STOP WORK ORDER RESCINDED

Date: \_\_\_\_\_

\_\_\_\_\_  
JOSEPH MATTINA  
ASST. BUILDING INSPECTOR

11:18 - 12-17-2012

NANCY

471 4366

\* Submit new Location for sign then OK to issue.

Left NANCY message 8:40 / 12/11/12

JOE

PLANNING BOARD

APPROVED SIGNAGE

12/20/2012

John P. Ewart

5268 RTE 9W / SANTA MONICA HOLDINGS

MAIL TO: GLOEDE SIGN 97 N. CLINTON ST POUGHKEEPSIE NY 12601  
 PROJECT: FREE STANDING AND BUILDING SIGN  
 CONTRACTOR: GLOEDE SIGNS  
 S.B.L.: 20-2-30.21  
 PHONE #: 471-4366  
 APPLICATION #: 12-819 AND 12-820  
 DATE: 12-10-2012

1. The free standing and building signs are not consistent with the signs previously approved by the towns Architectural Review Board. The signs are different colors, designs and styles. These new signs will require approval from the Architectural review board.
2. 185-14-B-1-C Business: a sign or signs, freestanding or attached to a building, announcing a business establishment on the same lot in a business district or advertising a service or a product available on the same lot in a business district, which may be illuminated. The total area of all such signs on a lot shall not exceed 1/2 of the total length of street frontage of the lot in linear feet. There shall not be more than one freestanding sign, which may not be located closer than 15 feet from any street line. (The sign is located only 10'-2" from the Rte. 9W street line) A variance will be required by the zoning board of appeals.
3. 185-14-C-1 Flashing signs; including any sign or device on which artificial light is not maintained stationary and constant in intensity and color. (The proposed sign features a lower video display assembly)
4. 185-17-B At all street intersections no obstructions to vision, such as but not limited to shrubbery, low-branching trees, finished grade of earth, earthwork in progress, berms, fences, walls, signs or vehicles shall be erected or permitted to a height in excess of two feet within the triangle formed by the intersecting street lines and a line drawn between points along such street lines 40 feet distant from their point of intersection. Existing trees with branches which are trimmed away to a point up to 10 feet above the ground area may be allowed in this area. Tree branches 10 feet above the ground and higher may also be allowed to encroach on the area. (The sign is located within this 40' triangled area). This will require a variance from the zoning board of appeals.

Joseph Mattina  
Code Compliance

12/18/12

JOHN: Nancy from Glode signs will be calling about # 1 + (# 4) (Relocate if possible). Let me know what you think.

Joe M.



Town of Newburgh Planning Board

---

From: Nancy <nforrest@gnsgroupltd.com>  
Sent: Wednesday, December 19, 2012 2:10 PM  
To: planningboard@hvc.rr.com  
Subject: Mansion/Santa Monica Holdings--5268 Rte 9W  
Attachments: Mansion Pylon msrd.jpg; Mansion, The building sign pg 2.jpg; Mansion, The building sign pg 1.jpg; DOC121912.pdf

Hello John , Attached are the final drawings for both the freestanding and the building sign. I have also attached the letter from Joe and have addressed the 4 items below.  
Please advise me on how to proceed. I believe # 1 is the only issue I must deal with.

- #1----- new drawings to be reviewed and approved by Architectural review and Planning Board.
- #2----- freestanding sign is at least 15' back from property line from both streets and sq. ft. is within amount allowed
- # 3---- freestanding sign to be used as stationary message board no blinking , streaming , or strobing
- # 4-----freestanding sign is not located in triangle made by 40' setback on each street

I will wait to hear from you. Have a wonderful and blessed Holiday !

Nancy Forrest

Senior Sales Rep  
GNS Group, Ltd.  
97 North Clinton St.  
Poughkeepsie, NY 12601  
845-471-4366 Office  
845-891-0826 Cell  
[www.gnsgroupltd.com](http://www.gnsgroupltd.com)

TOWN OF NEWBURGH

ZONING BOARD OF APPEALS

IN THE APPLICATION OF THE BUILDING INSPECTOR OF THE TOWN OF NEWBURGH FOR AN INTERPRETATION OF SECTION 30.5.3(C) OF THE ZONING LAW OF THE TOWN OF NEWBURGH

DECISION AND RESOLUTION

In a letter dated April 28, 1994, a copy of which is annexed hereto and made a part of this decision, the Building Inspector of the Town of Newburgh has asked the board to make an interpretation of the Zoning Law of the Town of Newburgh pursuant to its authority under 30.8.2 of that law. The Building Inspector asks if a permanent sign displaying dot matrix messages falls under the category of prohibited signs as defined in Section 30.5.3(C) of the Zoning Law.

The board takes notice that dot matrix message displays are formed by a series of light bulbs set in a grid. Individual lights are then programmed to flash on and off in various patterns, creating the illusion of words and pictures moving across the grid.

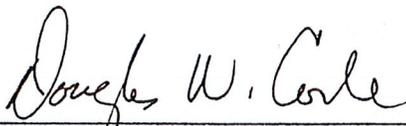
Section 30.5.3(C)(1) of the Zoning law includes among prohibited signs:

Flashing signs, including any sign or device on which artificial light is not maintained stationary and constant in intensity and color.

Since dot matrix message signs, by definition, employ numerous flashing lights, the Zoning law clearly prohibits such signs. Accordingly, it is the interpretation of this board that dot matrix message signs are a prohibited use in the Town of Newburgh pursuant to Section 30.5.3(C)(1) of its Zoning Law.

In conclusion, the board wishes to place all future applicants on notice that any applications for a use variance to operate such signs will receive strict scrutiny from the board. In the experience of board members such signs are a traffic distraction, aesthetically unpleasant, and have a substantial negative impact when introduced into neighborhoods. Accordingly, the Board warns future applicants that it will strictly apply the criteria for the granting of use variances.

Dated: May 5, , 1994  
Newburgh, New York

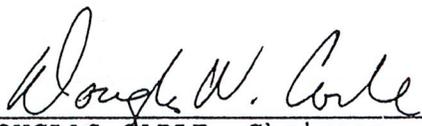
---

DOUGLAS CARLE, Chairman

VOTING ON THE APPLICATION OF  
THE BUILDING INSPECTOR OF THE TOWN OF NEWBURGH  
FOR AN INTERPRETATION OF SECTION 30.5.3(C) OF THE  
ZONING LAW OF THE TOWN OF NEWBURGH

MEMBER	VOTE	
	YES	NO
DOUGLAS W. CARLE	X	
PAUL BLANCHARD	X	
GRACE CARDONE	X	
RUTH EATON	X	
MICHAEL MAHER	X	
LOUIS SCALFARI	X	
JOHN MCKELVEY	X	

Dated: May 5, , 1994  
Newburgh, New York

  
DOUGLAS CARLE, Chairman

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

OLD TOWN HALL  
132 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

CIRO V. DILORENZO  
ENFORCEMENT OFFICER  
BUILDING AND ZONING INSPECTOR  
TELEPHONE 914.564-7801  
FAX LINE 914.564-7802

April 28, 1994

To: Town of Newburgh  
Zoning Board of Appeals

Re: Interpretation of Sign Ordinance

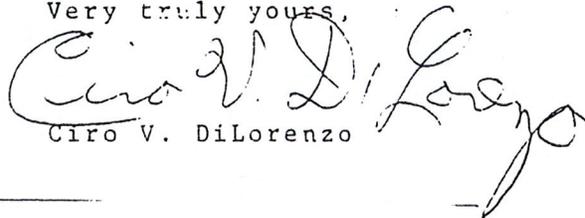
Dear Chairman and Board Members:

Please accept this letter as a formal request for interpretation on a zoning ordinance.

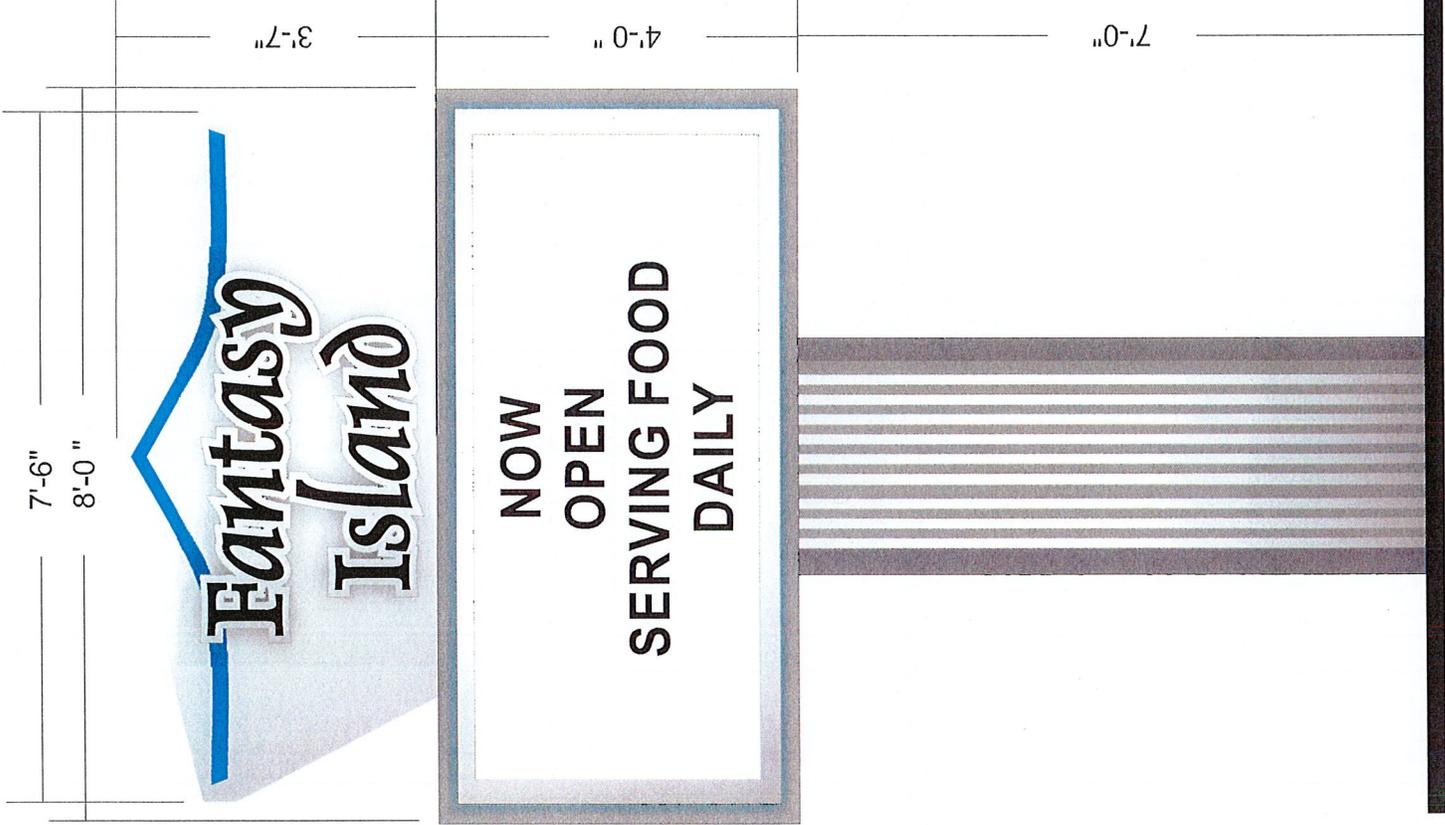
I have received (photo enclosed) a request from Howard Johnson's located on Route 17K (disregard Holiday Inn logo in photo) to install a permanent sign with a dot matrix message board incorporated in the proposed sign. I would like to know if this would be considered a permitted sign under the Town of Newburgh Sign Ordinance. I have enclosed a copy of the section of the Zoning Law pertaining to prohibited signs. In my opinion, it does not address this kind of dot matrix message sign.

Your interpretation would be greatly appreciated for this seems to be the new vogue in signs.

Very truly yours,

  
Ciro V. DiLorenzo

CVD/ms  
Encs.



G R O U P  
 97 North Clinton Street  
 Poughkeepsie, NY 12601  
 845-471-4366 - phone  
 845-471-0987 - fax

www.gnsgroupltd.com

**Client:**  
 Fantasy Island

**Location:**  
 Newburgh

**Salesperson:**  
 Nancy

**Drawn by:** Grace  
**File:**

**Fantasy Island new**  
**construction**

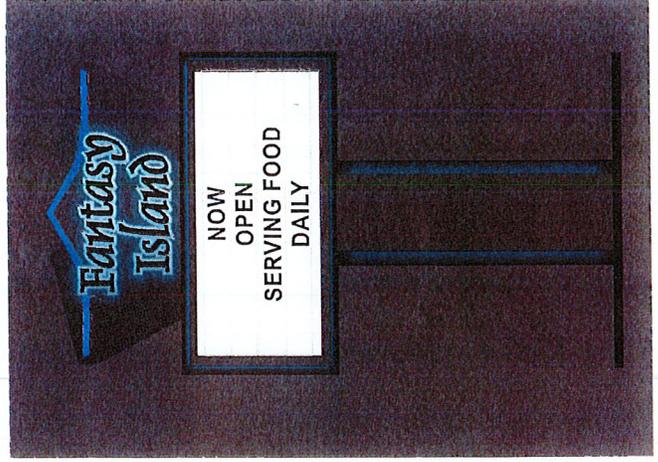
**Date:**  
 3/12/2010

**Project Description:**  
 Double sided, internally  
 illuminated freestanding  
 sign with 60 square feet of  
 sign area; including an area  
 for changeable copy.

This diagram is the property of GNS  
 Group Ltd. and may not be  
 reproduced without written consent  
 until such time an agreement has  
 been reached as to the terms and  
 conditions of the sale of this diagram.

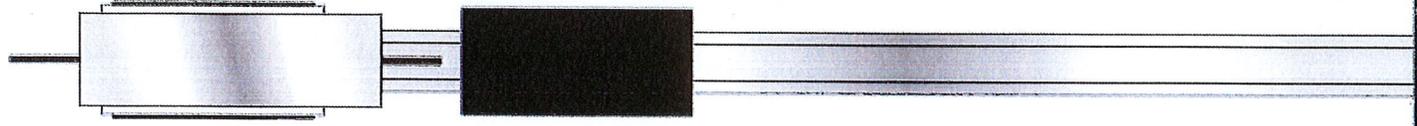


Electrical to use U.L. Listed components  
 and shall meet all N.E.C. Standards



Letters to be "push-thru" with black vinyl on faces - inset to allow outline to light white. Backer to be mounted to upper sign cabinet and feature stencil cut "Gentleman's Club & Steakhouse", backed up with Vision Film to appear black during the day and to light white at night.

Lower portion of sign to feature LED Video Display for ease of copy change. Pole skirt to have "halo" recessed illumination



97 North Clinton Street  
Poughkeepsie, NY 12601  
845-471-4366 - phone  
845-471-0987 - fax

www.gnsgroupitd.com

**Client:**  
The Mansion (formerly  
Fantasy Island)

**Location:**  
Newburgh

**Salesperson:**  
Nancy

**Drawn by:** Grace  
**File:**

Mansion, The \ Pylon  
Sign.cdr

**Date:**  
1/17/2012 rvsd 7/18/2012

**Project Description:**  
Double sided, internally  
illuminated freestanding  
sign with 60 square feet of  
sign area, including an area  
for LED Video Display

This diagram is the property of GNS  
Group Ltd., and may not be  
reproduced without written consent  
until such time an agreement has  
been reached as to the terms and  
conditions of the sale of this diagram.

 Underwriters  
Laboratories Inc.  
Electrical to use U.L. Listed component  
and shall meet all N.E.C. Standards