

**ZB# 03-54**

**Unitarian Church**

**29-1-28.1**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 12-8-03*

ZBA #03-24 UNITARIAN CHURCH  
(SIGN) 9 VANCE ROAD (29-1-28.1)

Linda Carhart 496-9696



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## OFFICE OF THE ZONING BOARD OF APPEALS

March 15, 2004

Unitarian Society of Orange County  
9 Vance Road  
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #03-54 (29-1-28.1)

Dear Sir:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

  
\_\_\_\_\_  
Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

-----X  
In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

UNITARIAN SOCIETY OF ORANGE COUNTY

SIGN

CASE #03-54  
-----X

**WHEREAS, Ms. Linda Carhart**, owner(s) of 9 Vance Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 60 square foot variance for proposed freestanding sign (Use: 48-18-H-2-A-2) at 9 Vance Road in an R-1 Zone

**WHEREAS**, a public hearing was held on December 8, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision 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 presented by the Applicant showed that:
  - (a) The property is a Religious Facility located in a neighborhood of residential properties.
  - (b) The applicants will not be cutting down any trees or removing any substantial vegetation to build the addition.
  - (c) The applicants wish to erect a sign announcing the existence of their building because it is not visible from the nearest major roadway, NYS Rt. 207.

- (d) The sign will not be illuminated.
- (e) The sign will not be flashing, nor will it contain any neon.
- (f) The location of the sign will not interfere with the safe operation of motor vehicles on the adjacent roadway by obstructing in any way a motorists vision or being an obstacle to traffic.
- (g) The sign, if permitted, will be approximately 9 feet in height and the bottom of the sign will be 3 foot, 8 inches from the ground. It will be a two-sided sign.
- (h) The building of the sign will not create any water hazards or runoffs, divert the flow of water drainage or create the ponding or collection of water.
- (i) The sign will not be located on the top of any easements, including but not limited to, water, sewer and utility easements.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

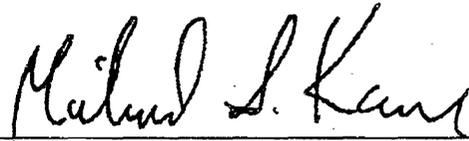
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 60 square feet variance for proposed freestanding sign (Use: 48-18-H-2-A-2) at 9 Vance Road in an **R-1 Zone** as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: December 8, 2003



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Chairman

Copy for  
Mike



6' MAN

ANNOUNCER SUPRA  
CABINET SIZE: 5'x8'

03-54

ORIGINAL DESIGN  
Note: Size of letters increased, & 3 rows of copy

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4615 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 9/25/03

APPLICANT: Unitarian Society of Orange County  
9 Vance Road  
Roack Taver, NY 12575

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Unitarian Society

LOCATED AT: 9 Vance Road

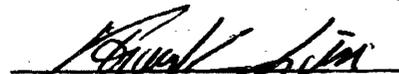
ZONE: R-1 Sec/ Blk/ Lot: 29-1-28.1

DESCRIPTION OF EXISTING SITE: Existing church building

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed 5x8 Freestanding sign will exceed maximum permitted size of 20sqft.

**COPY**

  
BUILDING INSPECTOR

PERMITTED 20sqft

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1      USE: 48-18-H-2-A-2

SIGN:

FREESTANDING:

HEIGHT:

WIDTH:

WALL SIGNS:

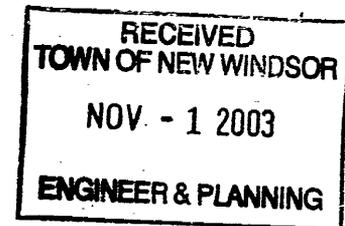
TOTAL ALL SIGNS:

80sqft

60sqft

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP



03-54

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

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.

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 under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule 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 and permit.
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 here is no fee for this.

RECEIVED  
SEP 23 2003

FOR OFFICE USE ONLY:  
Building Permit #: PA 2003-1188

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Unitarian Universalist Congregation @ Rock Tavern  
Address 9 Vance Lane Rock Tavern Phone # 845-496-9696  
Mailing Address Same Fax # \_\_\_\_\_  
Name of Architect none  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Name of Contractor none Day \_\_\_\_\_

Call  
Day

Address \_\_\_\_\_ Phone 565-9624

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

If applicant is a corporation, signature of duly authorized officer. Linda Carhart, President  
(Name and title of corporate officer)

1. On what street is property located? On the South side of Rt. 207 East  
of Vance Lane (N, S, E or W) West of Tolman Rd.  
and East from the intersection of

2. Zone or use district in which premises are situated \_\_\_\_\_ 'is property a flood zone? Y NT

3. Tax Map Description: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy Church b. Intended use and occupancy No Change

5. Nature of work (check  applicable)  New Bldg.  Addition  Alteration  Repair  Removal  Demolition  Other erection of sign

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height 5'x8' on 4' posts No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: N/A 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 \_\_\_\_\_

8. If business, commercial or mixed occupancy, specify nature and extent of each type of use N/A

10. Estimated cost N/A

Fee \$50<sup>00</sup>  
CR# 1704 dtd 7/24/03

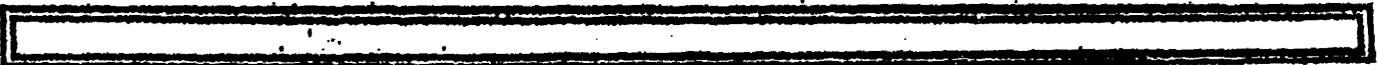
**PAID**

\_\_\_\_\_  
date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Lal & Leola Krysheer  
New Windsor Town Hall  
855 Union Avenue  
New Windsor, New York 12553  
(845) 863-4818  
(845) 863-4885 FAX

Blgd Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_



**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

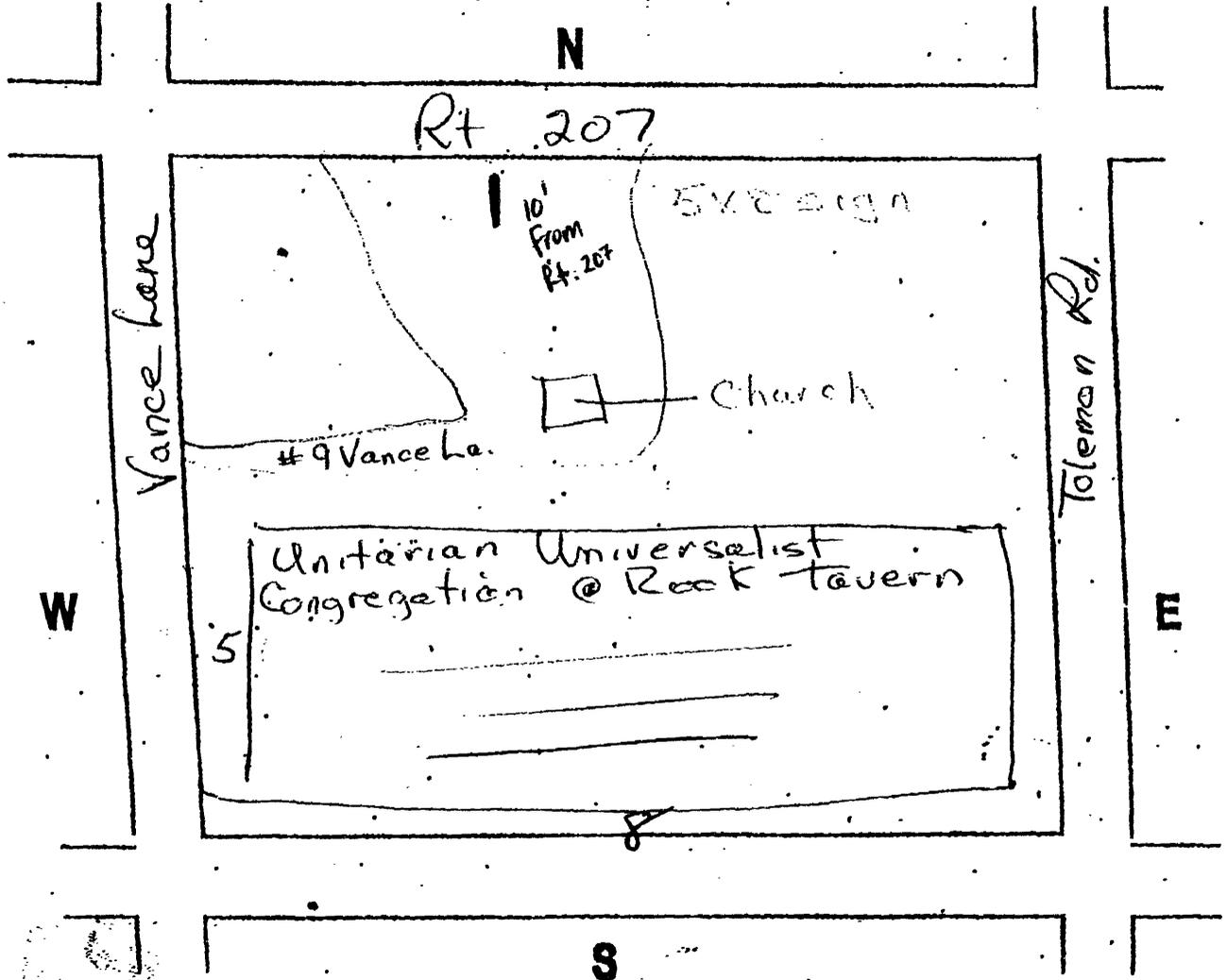
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Linda Cochran, President 37 Westbrook Rd Nbg NY 12552  
(Signature of Applicant) (Address of Applicant)

Will CRT 9 Vance Lane Rock Tavern NY  
(Owner's Signature) (Owner's Address) 12575

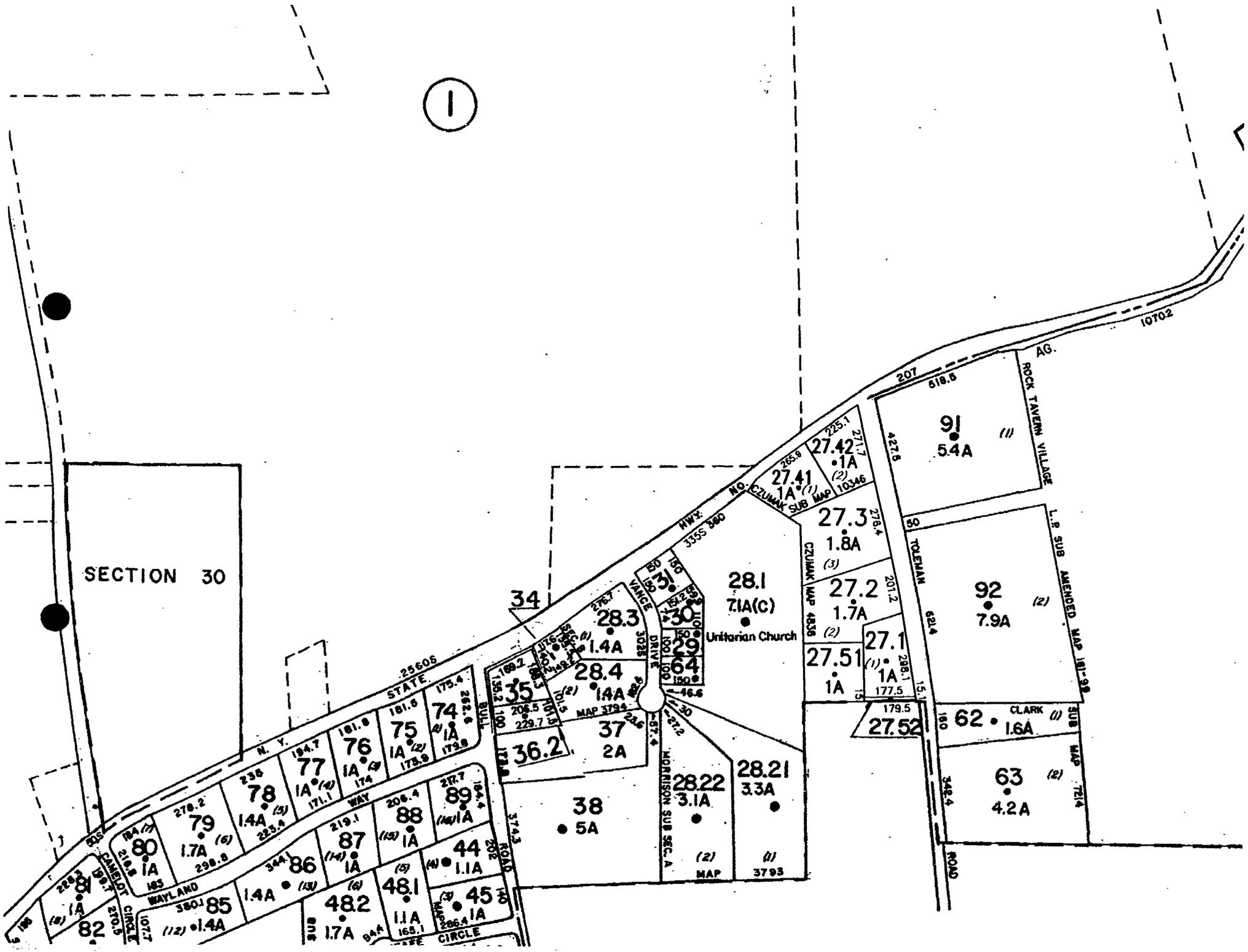
**NOTE:**

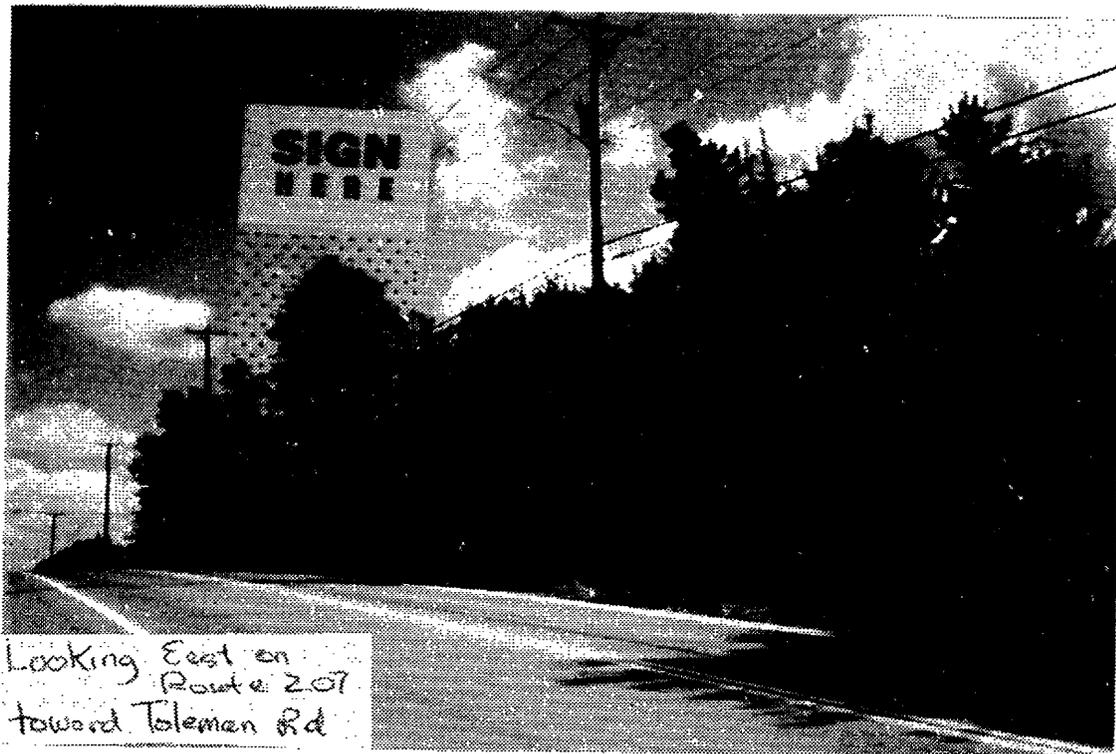
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



1

SECTION 30





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JANUARY 14, 2004**  
**SUBJECT: ESCROW REFUND - 03-54**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 189.50 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #03-54**

**NAME & ADDRESS:**

**Unitarian Society of Orange County  
9 Vance Road  
Rock Tavern, NY 12575**

**THANK YOU,**

**MYRA**

**L.R. 1-14-04**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #03-54      TYPE: AREA

APPLICANT:  
Unitarian Society of Orange County  
9 Vance Road  
Rock Tavern, NY 12575

TELEPHONE:    565-9624

RESIDENTIAL:	\$ 50.00	CHECK #5313264
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00      CHECK #5313265

\*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$4.50 / PAGE	<u>ATTORNEY</u> FEE
PRELIMINARY:	<u>5</u>	PAGES	\$ <u>22.50</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>18.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____
TOTAL:		\$ <u>40.50</u>	\$ <u>70.00</u>

\*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*

ESCROW POSTED:            \$ 300.00  
LESS: DISBURSEMENTS:    \$ 110.50

AMOUNT DUE:                            \$ \_\_\_\_\_

REFUND DUE:                            \$ 189.50

L.R. 1-14-04

UNITARIAN SOCIETY OF ORANGE COUNTY (03-54)

MR. KANE: Request for 60 square feet variance for proposed freestanding sign (Use: 48-18-H-2-A-2) at 9 Vance Road in an R-1 zone.

Ms. Linda Carhart appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MS. CARHART: Well, we propose to erect a sign that will let the public be aware of the building that we have that's out of sight of Route 207, so that our congregation's events can be publicized for the general public.

MR. KANE: This sign itself is illuminated but not flashing?

MS. CARHART: Well, not yet, not even illuminated at this time, it will be.

MR. KANE: Do you plan to illuminate it?

MS. CARHART: Perhaps in the future.

MR. KRIEGER: Interior or exterior?

MS. CARHART: The inside of this part.

MR. KRIEGER: Even though then it won't be flashing?

MS. CARHART: No.

MR. KANE: So if this is approved, you agree that there would be no flashing of the lights, no internal flashing?

MS. CARHART: That's fine.

MR. REIS: Has it been determined exactly where it's going to be?

MS. CARHART: Yes.

MR. REIS: As far as feet back off the road?

MS. CARHART: That would have been a good thing to do, go and measure and I did not do that, but it is definitely down the bank and up, up the hill, so it's definitely more than ten feet.

MR. KANE: I'm noticing on the application says ten feet so you're ten foot or more from the road?

MS. CARHART: Yes.

MR. KANE: And you don't feel that the sign would inhibit any visual impairment to traffic?

MS. CARHART: No, not at all, that's why we need a variance so it will be further away.

MR. KRIEGER: It will be seen but it won't interfere with the safe operation of motor vehicles on the adjacent roadway?

MS. CARHART: Correct.

MR. KANE: The height of the sign for the record is 9 feet?

MS. CARHART: Correct.

MR. KANE: And you're three foot eight inches off the ground?

MS. CARHART: That's right.

MR. KANE: Basically because of the double sided sign that's why we're over on square footage.

MR. BABCOCK: Well, that and that they're in a residential R-1 zone which only allows them to have a 20 square foot sign, if they were in an NC zone, they'd be allowed a 64 square foot sign.

MR. KANE: So it's really not that substantial.

MS. CARHART: Exactly.

MR. KANE: Myra, how many letters went out?

MS. MASON: On the 24th day of November, I mailed out 28 envelopes, I've had no responses.

MR. KANE: I'll open it up to the public, ask if there's anybody in the audience for this particular hearing? Seeing as there's not, we'll close the public hearing and bring it back to the board.

MR. KRIEGER: You say that the building that you have is not visible from the road?

MS. CARHART: Correct, except at night you can see lights, parking lights, that's about it.

MR. KRIEGER: But if there were a sign on the building, you couldn't see that?

MS. CARHART: No.

MR. KANE: Not going to be creating water hazards or runoffs with the building of the sign?

MS. CARHART: No.

MR. KANE: Cutting down any trees, no easements where the sign is going to go?

MS. CARHART: No easements, we did clear, it's a wooded area, so we did a little clearing, yes.

MR. KRIEGER: And it will be off the right-of-way?

MS. CARHART: Yes.

MR. MINUTA: We have clearance from the intersection, viewing clearance?

MR. BABCOCK: Yes, gentlemen, there's a house between them and the intersection of Vance Road.

MR. MINUTA: Well, there's the visual aspect of that, okay.

MR. RIVERA: Accept a motion?

MR. KANE: Yes, I will, Steve.

MR. RIVERA: I make a motion that we grant the Unitarian Society of Orange County their requested 60 square foot variance for the proposed freestanding sign at 9 Vance Road.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

UNITARIAN SOCIETY OF ORANGE COUNTY (03-54)

Ms. Linda Carhart appeared before the board for this proposal.

MR. KANE: Request for 60 square feet variance for proposed freestanding sign (Use: 48-18-H-2-A-2) at 9 Vance Road n an R-1 zone.

MR. KANE: Tell us what you want to do.

MS. CARHART: We propose to put a roadside sign that we can change on a regular basis so that it can be visible from Route 207.

MR. REIS: Will this be a lit sign?

MS. CARHART: It has the capacity to be lighted. At this time, we're not planning to light it.

MR. KANE: But if in the future you wanted to light the sign, it would be internally lit, non-flashing?

MS. CARHART: Correct.

MR. KANE: How far off the road do you plan to put the sign?

MS. CARHART: It's 15 to 20 feet. I think there's a photograph there that shows it.

MR. REIS: There's no existing sign there now?

MS. CARHART: That's correct.

MR. KANE: Ten feet from Route 207?

MS. CARHART: Yeah, it's probably more than that.

MR. KANE: Ten feet would be enough. Mike, is there

anything, any right-of-way?

MR. BABCOCK: No, ten feet is fine, it basically says anywhere on the property as long as it doesn't block the views which will be fine where it is.

MR. KANE: To get it on the record, not blocking the view of any traffic?

MS. CARHART: No.

MR. KRIEGER: My guess is that that means ten feet from the right-of-way, not the paved surface which is why she believes it would be more than ten feet because visually, it would be more than ten feet.

MS. CARHART: Right.

MR. KANE: This sign is double sided.

MS. CARHART: Yes, it is, that's why we're here.

MR. KANE: How big is the actual sign? I notice that you're going for proposed 80 feet, so it's 40 square feet?

MR. BABCOCK: Five by eight, 5 foot high, 8 foot long.

MR. KANE: You feel that's as small as you can make that sign within the code to serve its purpose?

MS. CARHART: With traffic going by at 55 miles an hour, in order to safely read lettering on the sign, it has to be that big.

MR. KANE: Fair enough. Gentlemen, any other questions?

MR. KANE: It's 3 feet 8 inches from the bottom of the sign to the ground and your picture you're showing some

shrubby, is that just an affect or do you plan to put some shrubby?

MS. CARHART: It will be fine.

MR. KANE: Approximately, how much space are you going to open it between the bottom of the sign to the top of the shrubby?

MS. CARHART: Say it again.

MR. KANE: From the bottom of the sign to the top of the shrubby?

MS. CARHART: Well, probably have three foot shrubs around it covering the poles.

MR. KANE: So you have about eight inches to a foot, somewhere in there approximately?

MS. CARHART: Ah-huh.

MR. KANE: We have to get all the details on the record.

MS. CARHART: Absolutely.

MR. KANE: Not cutting down any substantial shrubby or trees in putting the sign up?

MS. CARHART: We have to do some clearing in order to make it visible from both sides but it's a completely wooded lot.

MR. KANE: And not going to be creating any water hazards or runoffs?

MS. CARHART: No.

MR. KANE: Questions?

MR. REIS: No, sir.

MR. RIVERA: No.

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will.

MR. MINUTA: I move we should have the Unitarian Society be set up for a public hearing for the sign for requested 60 square feet variance for the proposed freestanding sign at 9 Vance Road in an R-1 zone.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. RIVERA	AYE
MR. KANE	AYE

MR. KANE: When you come back for the public hearing, take a couple pictures of the roadway.

MS. CARHART: They're there.

MR. KANE: I missed that.

MR. REIS: Nice job.

MR. KANE: Snagged. Very good, thank you.

REV. BRIDGES: One question I have, the congregation name has changed, it's no longer Unitarian Society of Orange County, which is, I noticed that's how it is there, I thought I better raise that.

MR. KRIEGER: I'm glad you raised it at this stage but

November 10, 2003

9

that's all just to make sure that the paperwork is right.

MR. REIS: Who's the variance for?

MS. CARHART: It's for the Unitarian Universal Congregation of Rock Tavern.

MR. KRIEGER: Who owns the property?

MR. KANE: But it's under that name?

MS. CARHART: Right.

MR. KANE: Whatever name's on the deed is what we're going to want to put it under.

MS. CARHART: Okay.

MR. KANE: You'll be all right. Thank you.



RESULTS OF Z.B.A. MEETING OF: December 2, 2003

PROJECT: Unitarian Church ZBA # 03-54  
P.B.# \_\_\_\_\_

USE VARIANCE:      NEED: EAF \_\_\_\_\_      PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING:      M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING:      STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:      M) Rv S) Rs VOTE: A \_\_\_ N \_\_\_.

RIVERA      A  
~~MCDONALD~~      \_\_\_\_\_  
REIS      A  
MINUTA      A  
KANE      A

CARRIED: Y \_\_\_ N \_\_\_.

*No flashing signs*  
*Will not interfere w/ sight distance*





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

November 24, 2003

Unitarian Society of Orange County  
9 Vance Road  
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #03-54

Dear Sir or Madam:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

9 Vance Road  
Rock Tavern, NY

is scheduled for the December 8, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



1763

# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessor's Office

November 17, 2003

Unitarian Universalist Congregation  
9 Vance Road  
Rock Tavern, NY 12575  
Attn: Linda Carhart

Re: 29-1-28.1      ZBA#03-54

Dear Ms. Carhart:

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

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Assessor

JTW/lrd  
Attachments

CC: Myra Mason, ZBA

29-1-5.2

NYS Dept. of Transportation  
C/o Pat Snyder-Passenger Transp. Division  
Building 4, Room 446  
1220 Washington Avenue  
Albany, NY 12232

29-1-28.51 & 29-1-36  
John & Linda Polen  
576 Bull Road  
Rock Tavern, NY 12575

29-1-64  
Scott & Ann Miller  
141 Bruynswick Road  
New Paltz, NY 12561

29-1-27.1

David & Mildred Perez  
539 Toleman Road  
Rock Tavern, NY 12575

29-1-29  
Carl & Kristi Pacella  
5 Vance Road  
Rock Tavern, NY 12575

29-1-91  
Stowaway Self Storage VII, LLC  
580 Toleman Road  
Rock Tavern, NY 12575

29-1-27.2

Jay & Diane Oldham  
551 Toleman Road  
Rock Tavern, NY 12575

29-1-30  
Peter & Lisa Lawrence  
3 Vance Road  
Rock Tavern, NY 12575

29-1-92  
Rock Tavern Village, LP  
400 BaMar Drive  
Stony Point, NY 10980

29-1-27.3

George & Iga Gottlieb  
561 Toleman Road  
Rock Tavern, NY 12575

29-1-31  
Gary & Lynn Boyce  
1555 Little Britain Road  
Rock Tavern, NY 12575

52-1-13.35  
Linda Rahl Nadas  
Arthur Nadas  
502 Bull Road  
Rock Tavern, NY 12575

29-1-27.41 & 29-1-27.42 & 29-1-27.52

Raymond & Mary Czumak  
18 Schofield Lane  
Cornwall, NY 12518

29-1-34  
Scott & Maria Cakouros  
1571 Little Britain Road  
Rock Tavern, NY 12575

52-1-15.1  
Craig & Carrie Callahan  
527 Toleman Road  
Rock Tavern, NY 12575

29-1-27.51

Sunset Crest Realty Corp.  
661 Little Britain Road  
New Windsor, NY 12553

29-1-35  
John & Linda Polen  
582 Bull Road  
Rock Tavern, NY 12575

52-1-58.1  
Lonnie & Lawrence Richardson  
521 Toleman Road  
Rock Tavern, NY 12575

29-1-28.21

Joseph & Lucy Feola  
11 Vance Road  
Rock Tavern, NY 12575

29-1-37  
Vivian & Sharon Terry  
Geneva Terry  
568 Bull Road  
Rock Tavern, NY 12575

52-1-58.2  
Gerald & Debra Lorraine  
515 Toleman Road  
Rock Tavern, NY 12575

29-1-28.22

Joseph & Florinda Sabella  
PO Box 27  
Rock Tavern, NY 12575

29-1-38  
Patrick & Deborah Paukovits  
564 Bull Road  
Rock Tavern, NY 12575

52-1-58.3 & 52-1-58.4  
Patricia Naf  
C/o Elaine Dominquez  
229 Conklingtown Road  
Goshen, NY 10924

29-1-28.3

Nicholas & Shelly Baumkirchner  
4 Vance Road  
Rock Tavern, NY 12575

29-1-62  
William & Phyllis Eich  
53 Toleman Road  
Rock Tavern, NY 12575

29-1-28.4

Timothy & Lori Quackenbush  
6 Vance Road  
Rock Tavern, NY 12575

29-1-63  
Ronald & Deborah Eaton  
530 Toleman Road  
Rock Tavern, NY 12575

# TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 11-12-03

PROJECT NUMBER: ZBA# 03-54 P.B. #

APPLICANT NAME: UNITARIAN UNIVERSALISTS CONGREGATION

PERSON TO NOTIFY TO PICK UP LIST:

LINDA CARHART - UNITARIAN UNIVERSALIST CONGREGATION  
9 VANCE ROAD  
ROCK TAVERN, NY 12575

TELEPHONE: 496-9696 LINDA CARHART

TAX MAP NUMBER:	SEC. <u>29</u>	BLOCK <u>1</u>	LOT <u>28.1</u>
	SEC. <u>    </u>	BLOCK <u>    </u>	LOT <u>    </u>
	SEC. <u>    </u>	BLOCK <u>    </u>	LOT <u>    </u>

PROPERTY LOCATION: 9 VANCE ROAD  
ROCK TAVERN, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD:

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT)



NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 5313266

TOTAL CHARGES: \_\_\_\_\_

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 11/03/03

FOR: 03-54 ESCROW

FROM: UNITARIAN UNIVERSALIST CONGREGATION

9 VANCE ROAD

ROCK TAVERN, NY 12575

CHECK NUMBER: 5313265

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

**Town of New Windsor**  
**555 Union Avenue**  
**New Windsor, NY 12553**  
**(845) 563-4611**

**RECEIPT**  
**#1038-2003**

**11/05/2003**

**Unitarian Universalist Congregation** #03-54

**Received \$ 50.00 for Zoning Board Fees, on 11/05/2003. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green**  
**Town Clerk**



RESULTS OF Z.B. MEETING OF: November 10, 2003

PROJECT: Unitarian Society ZBA # 03-54  
P.B.#

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

NEGATIVE DEC: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

PUBLIC HEARING: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

APPROVED: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) MN S) RS VOTE: A 4 N 0  
RIVERA A  
~~MCDONALD~~       
REIS A CARRIED: Y ✓ N       
MINUTA A  
KANE A

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M)      S)      VOTE: A      N     .

RIVERA       
MC DONALD      CARRIED: Y      N     .  
REIS       
MINUTA       
KANE     

Not Blocking Views  
Sign is double sided 5'x8'



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

November 3, 2003

Unitarian Society of Orange County  
9 Vance Road  
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #03-54

Dear Sir:

This letter is to inform you that you have been placed on the November 10, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

9 Vance Road  
Rock Tavern, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #03-54      TYPE: AREA

APPLICANT:  
Unitarian Society of Orange County  
9 Vance Road  
Rock Tavern, NY 12575

TELEPHONE:    565-9624

RESIDENTIAL:	\$ 50.00	CHECK #5313264
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00      CHECK #5313265

\* \* \* \* \*

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$4.50 / PAGE	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	___ PAGES	\$ _____	\$ _____
2 <sup>ND</sup> PRELIMINARY:	___ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	___ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	___ PAGES	\$ _____	\$ _____
TOTAL:		\$ _____	\$ _____

\* \* \* \* \*

ESCROW POSTED:	\$ 300.00
LESS: DISBURSEMENTS:	\$ _____
AMOUNT DUE:	\$ _____
REFUND DUE:	\$ _____

L.R. \_\_\_\_\_



**TOWN OF NEW WINDSOR**  
 555 UNION AVENUE  
 NEW WINDSOR, NY 12553  
 (845) 563-4615 (MYRA MASON)



**ZONING BOARD PROCEDURES**

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

*Per Building Inspector! Thanks!*

**RESIDENTIAL: (Three Separate Checks Please)**  
 APPLICATION FEE: \$ 50.00  
 \*ESCROW: \$300.00  
 \*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**  
 APPLICATION FEE: \$150.00  
 \*ESCROW: \$500.00  
 \*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**  
 APPLICATION FEE: [REDACTED]  
 \*ESCROW: [REDACTED]  
 \*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**  
 APPLICATION FEE: \$150.00  
 \*ESCROW: \$500.00  
 \*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".**

\* [REDACTED]  
 IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

RECEIVED  
 TOWN OF NEW WINDSOR  
 NOV - 1 2003  
 ENGINEER & PLANNING

\*\*

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

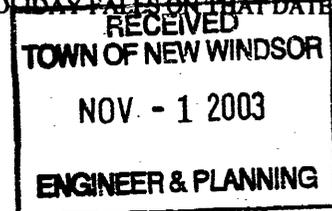
**I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING.... (this charge is not deducted from your escrow posted).**

*Judith Carhart*  
SIGNATURE

10/8/03  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE (JULY AND AUGUST - ONE MEETING PER MONTH ONLY)



PAGE 2

COMPLETE THIS PAGE

**03-54**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

10/8/03  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

I. **Owner Information:** Phone Number: (845) 496-9696  
Unitarian Universalist Cong. @ Rock Tavern Fax Number: (845) 565-1320  
9 Vance Lane Rock Tavern NY 12575  
 (Name) (Address)

II. **If Moving to New Address, please list forwarding address for return of escrow:**  
 \_\_\_\_\_ Phone Number: ( ) \_\_\_\_\_  
 (Name) Fax Number: ( ) \_\_\_\_\_  
 \_\_\_\_\_  
 (Address)

III. **Attorney:** Phone Number: ( ) \_\_\_\_\_  
 \_\_\_\_\_ Fax Number: ( ) \_\_\_\_\_  
 (Name) \_\_\_\_\_  
 (Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ( ) \_\_\_\_\_  
 \_\_\_\_\_ Fax Number: ( ) \_\_\_\_\_  
 (Name) \_\_\_\_\_  
 (Address)

V. **Property Information:**  
 Zone: Res. Property Address in Question: 9 Vance Lane, Rock Tavern  
 Lot Size: 7.1A Tax Map Number: Section 29 Block 1 Lot 28,1  
 a. What other zones lie within 500 feet? —  
 b. Is pending sale or lease subject to ZBA approval of this Application? No  
 c. When was property purchased by present owner? ± 1968  
 d. Has property been subdivided previously? No If so, When: \_\_\_\_\_  
 e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No  
 f. Is there any outside storage at the property now or is any proposed? No

\*\*\*\*PLEASE NOTE:\*\*\*\*  
 THIS APPLICATION, IF NOT **TOWN OF NEW WINDSOR** APPROVED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

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 03-54

COMPLETE THIS PAGE

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

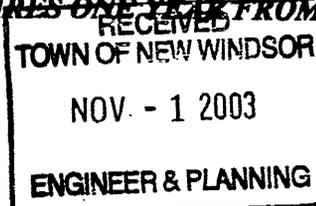
After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

- 1) It is unlikely that an undesirable change in this neighborhood will occur, as the property owned by the UUCRT is fully wooded on either side of the proposed roadside pulpit.
- 2) As stated elsewhere in this report, churches report that a sizeable proportion of new members come as a result of signs. This method seems especially important to our site, where the building is well off the main road in the area.
- 3) The variance does not appear to be substantial. A 5X8 sign is requested instead of a 4X5. Were the zoning of this parcel commercial, as is property nearby, the allowable size would be 4X8—only one foot less than our request..
- 4) No adverse effect on the physical or environmental conditions is anticipated. Moderate clearing of trees for a path and side-to-side visibility does not remove the wooded quality of the area.
- 5) The difficulty of lack of visibility was created 25 years ago by the members of the Congregation who chose the hilltop location on this 7-acre parcel for placement of the main structure of the church. At that time it would have been difficult if not impossible to foresee the growth patterns of the county.

It is the belief of members of our Congregation that a roadside pulpit will significantly and positively impact the ability of the Unitarian Universalist Congregation at Rock Tavern to reach out to the people of Orange County. Not only our Sunday services, but the many community activities we provide, such as political forums, arts presentations, and discussion groups can be effectively made known by use of a roadside pulpit.

---

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



**03-54**

COMPLETE THIS PAGE

OWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

X. **SIGN VARIANCE:**

- (a) Variance requested from New Windsor Zoning Local Law,  
Section 29, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	80 sq ft	60 sq ft
Sign #2	_____		
Sign #3	_____		
Sign #4	_____		

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

Please see attached 5 pages

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

XI. **INTERPRETATION:**

- (a) Interpretation requested of New Windsor Zoning Local Law,  
Section \_\_\_\_\_

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

_____	RECEIVED
_____	TOWN OF NEW WINDSOR
_____	NOV - 1 2003
_____	ENGINEER & PLANNING

**PLEASE NOTE:**  
**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

03-54

COMPLETE THIS PAGE

**XII. 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, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy 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 in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
  - One in the amount of \$ 300.00 or 500.00 , (escrow)
  - One in the amount of \$ 50.00 or 150.00 , (application fee)
  - One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

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/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29<sup>th</sup> day of October 2003,

Linda Carhart

Owner's Signature (Notarized)

Linda Carhart

Owner's Name (Please Print)

Janet M. Zuchtmann  
Signature and Stamp of Notary

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

JANET M. ZUCHTMANN  
Notary Public, State of New York  
Qualified in Ulster County  
No. 01ZU5069790  
Commission Expires 12/02/ 06

EXPIRES ONE YEAR FROM THE DATE OF  
TOWN OF NEW WINDSOR  
NOV - 1 2003  
ENGINEER & PLANNING

COMPLETE THIS PAGE

03-54

**DESCRIBE IN DETAIL THE SIGN FOR WHICH YOU SEEK A VARIANCE, AND SET FORTH YOUR REASONS FOR REQUIRING EXTRA OR OVERSIZED SIGNS.**

The Unitarian Universalist Congregation at Rock Tavern is requesting a 5' X 8' (40 square foot) two-sided cabinet called a Roadside Pulpit. Total square footage on the property will therefore be 80. The cabinet will contain changeable letters and will be mounted on 2 posts, 3' 8" high. The proposed height and the size, incorporating 3 rows of 8" letters, makes it safely readable at the existing speed limit of 55 mph.

1) A 20 square foot roadside pulpit (the size permitted by existing residential zoning) would create a safety hazard on Route 207. The speed of traffic in the area often exceeds 55 mph and will not allow sufficient time for drivers approaching the church property to safely view, read, assimilate and react to the information provided by the roadside pulpit.

According to national sign industry standards for both safety and effectiveness, driving reads should have at least 5 seconds of viewing time for the above to be accomplished. Exhibit A shows that at 55 mph a vehicle is traveling 80.67 feet per second. Using the factor of 50' of visibility for every 1" of copy, the church needs to be utilizing an 8" character size on the sign face to provide five seconds of visibility. This will allow drivers to begin effectively viewing the sign from 400 feet away. ( $400 / 80.67 = 4.96\text{sec}$ ). If this size and distance are not provided, at least two potentially dangerous things can happen.

First, those drivers who, because of the cabinet's small size, can only view it 2 seconds away will have to slow dramatically to read the "impossible to read sign", thus increasing the chances for

rear end collisions. (Exhibit B—data provided by the American Association of State Highway and Transportation Officials, Washington, D.C. shows that cars traveling between 52 and 60 mph need 2.5 seconds reaction time to begin braking. During those 2.5 seconds, vehicles at that speed cover between 176 and 220 feet. To bring the vehicle to a controlled stop takes another 256 to 414 ft. The total stopping distance on wet pavement, a worst- case scenario, is between 450 and 650 ft.) The proposed site for our roadside pulpit, east of the intersection of Vance Lane on Route 207 does not provide a lot of room for accident avoidance. The roadway here has two lanes with very narrow shoulders (see photos.)

Secondly, A 20 square foot, (4' X 5') cabinet cannot effectively carry copy any larger than 4". At a rate of 1 inch of copy per 50 feet of visibility, 4-inch copy allows only 200 feet of visibility.  $200' \div 80.67 \text{fps}$  yields a reading time of only 2.48 seconds. This can increase the possibility of head-on collisions. At 2 seconds, reading the letters creates an unacceptably wide viewing angle.

Knowing that the direction of a car will follow the direction of the driver's eyes, a wide viewing angle dramatically increases the possibility of "drifting" into oncoming traffic. On the other hand, from 5 seconds away, drivers can maintain a safe, consistent speed, view the sign and still keep the approaching traffic in a narrow and therefore safe viewing angle.

2) Our growth, income and freedom of religious expression will be limited. National church growth studies indicate that between 10% and 29% of those who attend and join churches come the first time because of the SIGN. Roadside Pulpits are powerful communication tools used by many congregations to identify, inform and invite. We propose to use ours to communicate the services provided by the Unitarian Universalist Congregation at

Rock Tavern to this vital growth corridor of Orange County. The roadside pulpit will also allow us the opportunity to expand our church's ministries through increasing visitor attendance, membership and revenues.

3) While our request appears to be for a rather large variance, from 20 to 80 square feet, it should be noted that Commercial signs in this neighborhood (across Toleman Road or further east on Route 207) are as large, or larger than the 5X8 dimension of our roadside pulpit. In the interests of safety, we have requested a two-sided cabinet and letters that can be easily, quickly and safely read from either direction. From each direction, the roadside pulpit will be 40 square feet.

Zoning regulations are primarily designed to "Promote the General Welfare of the Public". Granting this variance will provide an opportunity for the Zoning Board to enhance the freedom of our church to promote its message and its events, while at the same time protecting traffic safety on Route 207. Therefore, we respectfully request that a variance for a two sided 5X8' roadside pulpit be granted for the property at 9 Vance Lane, Rock Tavern.

Thank you

**WHAT IS THE TOTAL SQUARE FEET OF ALL SIGNS ON PREMISES INCLUDING SIGNS ON WINDOWS, FACE OF BUILDING AND FREESTANDING SIGNS?**

While we have 18"X2' arrow signs across Route 207, and on the opposite side of Vance Lane, the Roadside Pulpit will be our only on premises signage.

## EXHIBIT A

### CHANGEABLE COPY SIZE SELECTION CHART

A very critical concern, with regard to sign design, is to make sure the sign copy is large enough to be both **SAFE** and **EFFECTIVE**. This chart is designed to help you determine the size of the changeable copy you will need for that purpose.

It has been determined that for a message to be both safe and effective, the letters must be **legible at least 5 seconds away**, at prevailing traffic speeds. Any less, and the sign now requires an interested party to slow appreciably to read and assimilate the information provided. This creates a traffic hazard as cars not interested in the sign come up behind the reader at prevailing speeds. The second hazard is created when the driver's attention is focused on the smaller sign and therefore diverted from oncoming traffic. If the information is legible 5 seconds away, the driver/reader can both view, assimilate and react to the information on the sign in a safe manner. He/she can also do this without taking his attention away from oncoming traffic.

The readability formulas are based on 50 feet of readability for every 1" of character height. For instance, if the speed limit going by your sign placement is 30 mph, the traffic speed is generally 3 - 7 mph higher (unless there is an intersection with a light or a stop sign, or something else at the sign placement slowing traffic down.) Under these circumstances, a 6" letter size would need to be utilized for the changeable copy. What follows is how this is determined.

At 35 mph, a car is covering 51' 4" every second. If a 6" character allows 300' of visibility ( $6 \times 50 = 300$ ), then a car would have 5.85 seconds ( $300 / 51.33 = 5.85$ ) to read the sign, well within accepted safety and effectiveness standards. On the other hand, if a 4" copy were being utilized, traffic would have only 3.90 seconds to read it ( $4 \times 50 = 200$ , and  $200 / 51.33 = 3.90$ ). Again, someone could read the sign, but to do so would mean they would have to slow down, creating the aforementioned traffic hazard. At the same time their attention would also be diverted from oncoming traffic and the road.

MPH	FT/SEC	3"	4"	6"	8"	10"
20	29.33	5.11	6.82	10.24	13.64	17.05
25	36.67	4.09	5.45	8.18	10.91	13.64
30	44.00	3.41	4.55	6.82	9.09	11.36
35	51.33	2.92	3.90	5.85	7.79	9.74
40	58.67	2.56	3.41	5.11	6.82	8.52
45	66.00	2.27	3.03	4.55	6.06	7.58
50	73.33	2.05	2.73	4.09	5.46	6.82
55	80.67	1.86	2.48	3.72	4.96	6.20
60	88.00	1.71	2.27	3.41	4.55	5.68
65	95.33	1.57	2.10	3.15	4.20	5.25
70	102.67	1.46	1.95	2.92	3.90	4.87

**NOTE:** All of these figures are based on **both** directions of traffic coming by within 50' of the sign placement. For every 50' of offset (the sign is removed from the direct line of sign next to the traffic pattern), the size of the copy may need to be increased to the next size up to allow driver/readers to view the sign information using their peripheral vision. When considering your traffic pattern, always measure from the outside lane of the far side of traffic.

03-51

03-54

Design Speed (mph)	Assumed Speed for Condition (mph)	Brake Reaction		Coefficient of Friction f	Braking Distance on Level (ft)	Stopping Sign Distance	
		Time (sec)	Distance (ft)			Computed (ft)	Rounded for Design (ft)
20	20-20	2.5	73.3 - 73.3	0.40	33.3 - 33.3	106.7 - 106.7	125 - 125
25	24-25	2.5	88.0 - 91.7	0.38	50.5 - 54.8	138.5 - 146.5	150 - 150
30	28-30	2.5	102.7 - 110.0	0.35	74.7 - 85.7	177.3 - 195.7	200 - 200
35	32-35	2.5	117.3 - 128.3	0.34	100.4 - 120.1	217.7 - 248.4	225 - 250
40	36-40	2.5	132.0 - 146.7	0.32	135.0 - 166.7	267.0 - 313.3	275 - 325
45	40-45	2.5	146.7 - 165.0	0.31	172.0 - 217.7	318.7 - 382.7	325 - 400
50	44-50	2.5	161.3 - 183.3	0.30	215.1 - 277.8	376.4 - 461.1	400 - 475
55	48-55	2.5	176.0 - 201.7	0.30	256.0 - 336.1	432.0 - 537.8	450 - 550
60	52-60	2.5	190.7 - 220.0	0.29	310.8 - 413.8	501.5 - 633.8	525 - 650
65	55-65	2.5	201.7 - 238.3	0.29	347.7 - 485.6	549.4 - 724.0	550 - 725
70	58-70	2.5	212.7 - 256.7	0.28	400.5 - 583.3	613.1 - 840.0	625 - 850

Table III-1. Stopping sign distance (wet pavements)

**EXHIBIT B**