

**ZB# 04-40**

**Woodland Montessori  
School**

**32-2-80**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
GRANTED 7-12-04

ZBA # **04-40** WOODLAND  
MONTESSORI SCHOOL - AREA - 32-2-80



567-6383

P.H. July 12

Parinaz Mokhtari

Use: Woodland Montessori School  
1145 Little Britain Rd - Suite 200  
New Windsor, N.Y.

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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: 5/6/04

APPLICANT: Woodland Montessori School  
~~56 N. Plank Road, Suite #1 PMB 307~~ *1145 Little Britain Rd - Suite 200*  
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Commercial Signs

LOCATED AT: 880 Jackson Avenue

ZONE: R-1      Sec/ Blk/ Lot: 32-2-80

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18

1. The applicant proposes to add the fourth freestanding sign 48sqft and add 6sqft to the two existing signs. The applicant received a variance on 12/17/01 for two additional freestanding signs and 4sqft in area.

  
BUILDING INSPECTOR

**COPY**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1      USE: 48-18

SIGN:

FREESTANDING:

HEIGHT:

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

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

04-40

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 may be required after correction.

RECEIVED

APR 27 2004

BUILDING DEPARTMENT

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 bond 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 percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: \_\_\_\_\_

**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

occupant  
owner of Premises Woodland Montessori School

Address 1145 Little Britain Rd. Suite 200 Phone # 845-567-6383  
New Windsor

\* Mailing Address 56 N. Plank Rd. Suite 1 PMB 307 Newburgh Fax # 845-567-0097

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

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

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

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 \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

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

6. Is this a corner lot? \_\_\_\_\_

*Sign  
woodland  
Montessori  
School*

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_ *1x6*

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

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

10. Estimated cost \_\_\_\_\_ Fee *\$50.00*

**ZONING BOARD**  


\_\_\_\_\_  
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 Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg 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.

*[Signature]*  
(Signature of Applicant)

1145 Little Bridge Rd. Suite 202 New Windsor  
(Address of Applicant)

*[Signature]*  
(Owner's Signature)

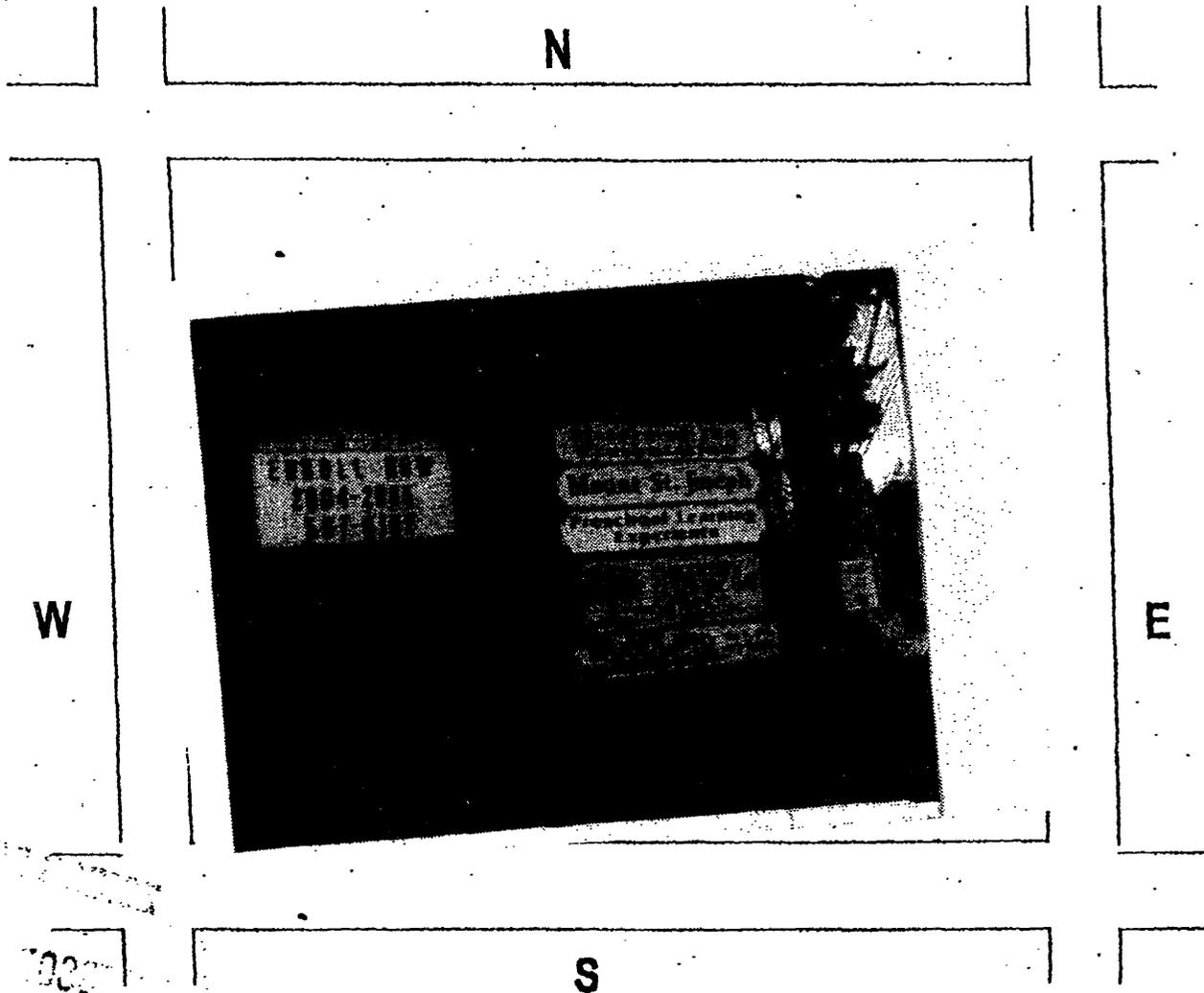
880 Jackson Ave. New Windsor, NY, 12553  
(Owner's Address)

PLOT PLAN

NY, 12553  
7.24.12553

NOTE:

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



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

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1. When excavating is complete and footing forms are in place (before pouring.)
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5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building Dept. Sept 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 bond 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.
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RECEIVED

APR 22 2004

FOR OFFICE USE ONLY:  
Building Permit #: \_\_\_\_\_

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

Occupants  
Owner of Premises Woodland Montessori School Parinaz

Address 1145 Little Britain Rd. Suite 200 New Windsor 845-567-6383

Mailing Address 56 N. Plank Rd. Suite 1 PMB 307 Newburgh Fax # 845-567-0097

Name of Architect NA

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor NA

Address \_\_\_\_\_ Phone \_\_\_\_\_

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

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 32 Block 2 Lot 80

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

5. Nature of work (check if applicable)  New Bldg.  Addition  Alteration  Repair  Removal  Demolition  Other Existing Freestanding Sign

X 6. Is this a corner lot? yes

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

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

10. Estimated cost \$2000.00 Fee \$50.00  
Cash

**ZONING BOARD**

**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 List & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4885 FAX

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

INSTRUCTIONS

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X Lawrence Smith  
(Signature of Applicant)

1145 Little Britain Rd. Suite 202 New Windsor NY 12553  
(Address of Applicant)

X A. Catherine Cherry  
(Owner's Signature)

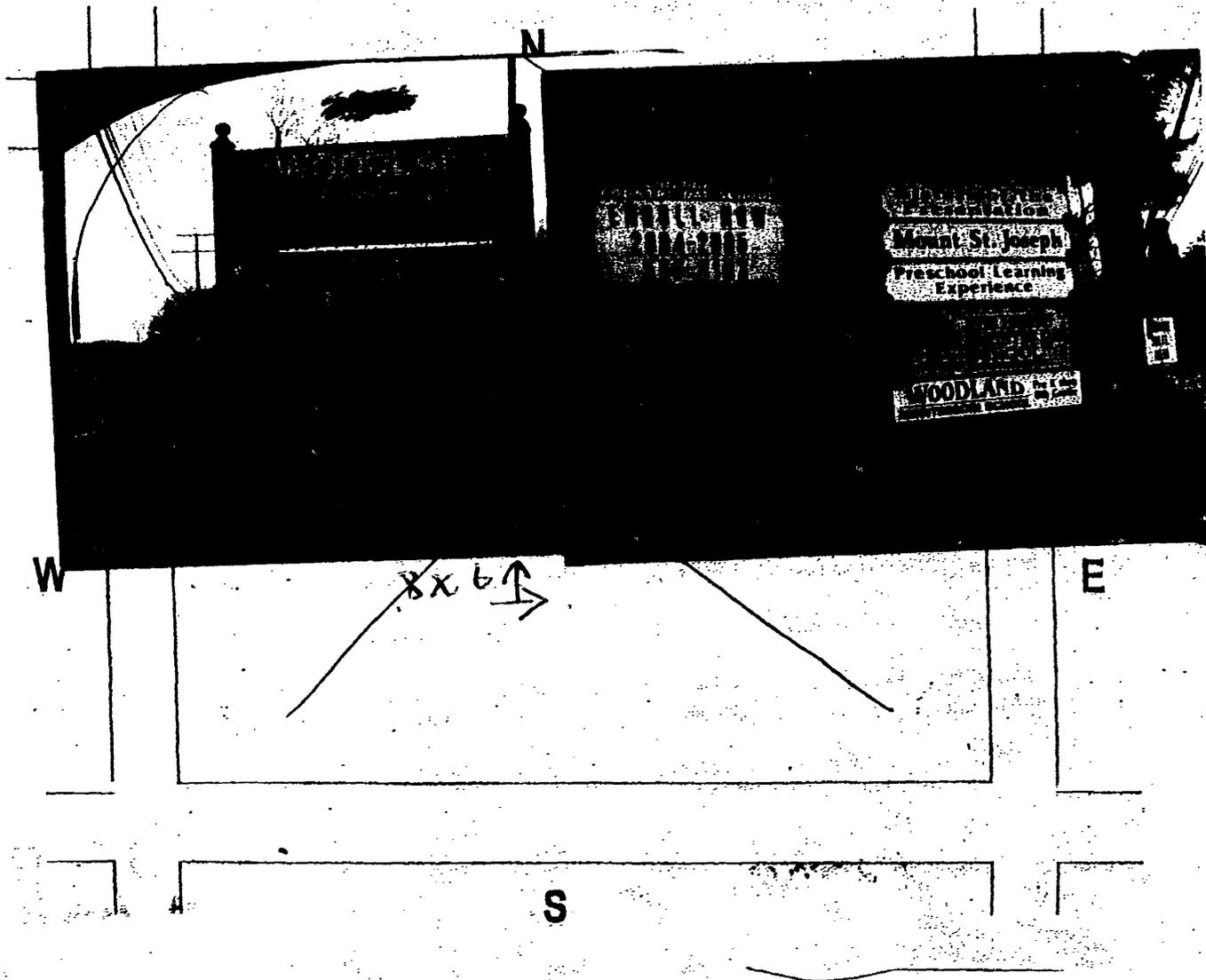
880 Jackson Avenue, New Windsor, N.Y.  
12553

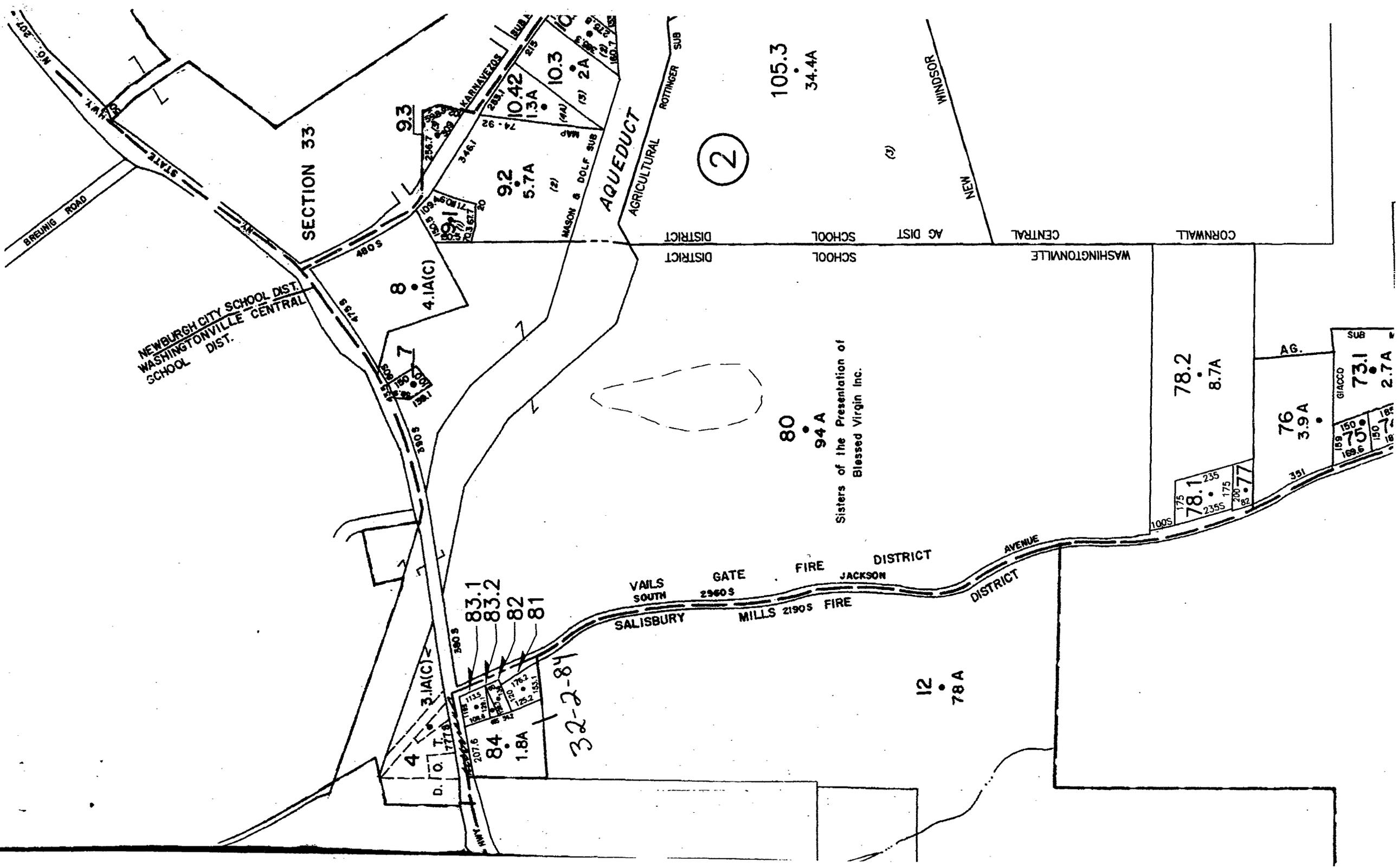
PLOT PLAN

10x6

NOTE:

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





NEWBURGH CITY SCHOOL DIST.  
WASHINGTONVILLE CENTRAL SCHOOL DIST.

SECTION 33

AQUEDUCT

2

105.3  
34.4A

80  
94 A

Sisters of the Presentation of Blessed Virgin Inc.

78.2  
8.7A

76  
3.9A

73.1  
2.7A

12  
78A

BREWING ROAD  
STATE HWY

480 S  
475 S  
380 S  
380 S

8  
4.1A(C)

7

9.3

83.1  
83.2  
82  
81

4  
3.1A(C)  
D.O.T.  
207.6  
177.8

84  
1.8A

32-2-84

9.2  
5.7A

10.42  
1.3A

10.3  
2A

VAILS SOUTH GATE FIRE DISTRICT  
SALISBURY MILLS 2190S FIRE JACKSON DISTRICT

MINNISCOR AVENUE

AVENUE

DISTRICT

WASHINGTONVILLE CENTRAL AG DIST SCHOOL DISTRICT

78.1  
235  
235S  
175  
200  
82.77

351

159  
150  
150  
150  
150  
150

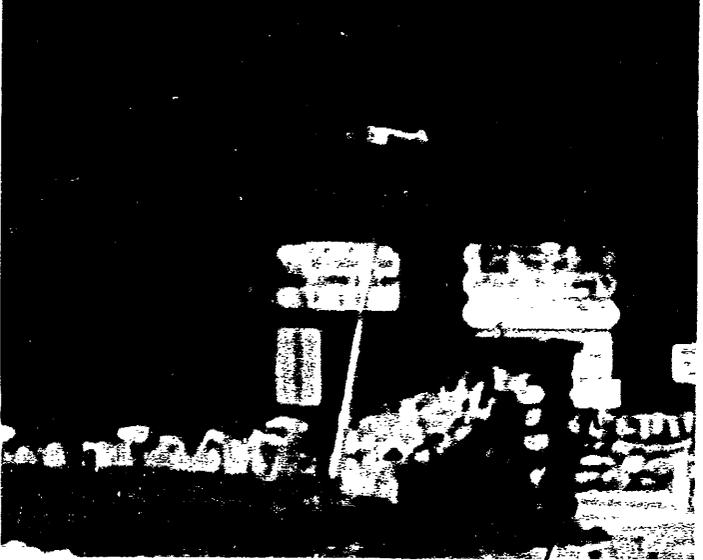
GIACCO SUB  
73.1  
2.7A

AG.

B.



1'x6'  
@  
Exit



1'x6'  
Woodland sign  
@ light

6'x6'

04-40



# 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

September 22, 2004

Woodland Montessori School  
1145 Little Britain Road - Suite 200  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-40

Dear Ms. Mokhtari:

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

In the Matter of the Application of  
**WOODLAND MONTESSORI SCHOOL**

MEMORANDUM OF  
DECISION GRANTING

**SIGN**

CASE #04-40

**WHEREAS, Henry Leyan and Parinaz Mokhtari , representing Sisters of the Presentation** , owner(s) of 880 Jackson Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for:  
One (1) Additional Free-Standing Sign - 48 square feet (48-18)  
One (1) 6 square foot sign on existing Free-Standing Sign #1(48-18)  
One (1) 6 square foot sign on existing Free-Standing Sign #2 (48-18)

All at 880 Jackson Avenue in an R-1 Zone (32-2-80)

**WHEREAS**, a public hearing was held on July 12, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS, Henry Leyan and Parinaz Mokhtari , representing Sisters of the Presentation,** 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 commercial property located on a busy state highway in a neighborhood of commercial properties.

- (b) The property contains at least two other businesses who already have signs advertising their presence.
- (c) The applicant would like to erect two free-standing signs advertising their business. One free standing sign is permitted and this variance is sought for the second free-standing sign.
- (d) Neither sign will be illuminated in any way, nor will it contain flashing or neon letters.
- (e) Neither sign will interfere with the safe operatin of motor vehicles on the adjacent roadway, either by obstructing a motorist's vision or in any other way.
- (f) Neither sign will be larger than other signs advertising other businesses in the neighborhood and they will be similar in size and appearance to other signs.

**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 is/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/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/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 Request for:

- One (1) Additional Free-Standing Sign - 48 square feet (48-18)
- One (1) 6 square foot sign on existing Free-Standing Sign #1(48-18)
- One (1) 6 square foot sign on existing Free-Standing Sign #2 (48-18)

All at 880 Jackson Avenue in an R-1 Zone (32-2-80)

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: July 12, 2004

---

Chairman

**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: 08-09-04**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 386.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-40**

**NAME & ADDRESS:**

**Woodland Montessori School  
1145 Little Britain Road - Suite 200  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.08-09-04**



WOODLAND MONTESORRI SCHOOL (04-40)

Mr. Henry Leyon and Ms. Parinaz Mokhtari appeared before the board for this proposal.

MR. KANE: Request for one additional free-standing sign, 48 square feet, one 6 square foot sign on existing free-standing sign and one 6 square foot sign on existing free-standing sign all at 880 Jackson Avenue. Tell us what you want to do.

MS. MOKHTARI: Well, there's already two signs there, they're about 1 x 6, I have blurred pictures of them, very blurry, which is this is a closeup which is right there and here and then there's another sign that's probably not there that we'd like to put up which will go right next to the existing one that's there.

MR. LEYON: We'd like to put one for the Montesorro so they can have the day school.

MR. KANE: So it's basically a separate business?

MS. MOKHTARI: Right, you can't see it either, ours is totally--

MR. KANE: On the free, say this correctly, on the additional freestanding sign is that going to be illuminated in any way?

MS. MOKHTARI: No.

MR. KANE: And on the existing free-standing sign is that going to be illuminated in any way?

MS. MOKHTARI: No.

MR. KANE: No illumination on the signs whatsoever?

MS. MOKHTARI: No.

MR. KANE: The signs when placed will not block the view of any traffic?

MS. MOKHTARI: No.

MR. LEYON: No.

MR. KANE: So what basically you're going to have an extra one of this and you have one right here?

MS. MOKHTARI: Yes.

MR. LEYON: And the other one is at the corner of Jackson Avenue and 207 because they put--

MR. BABCOCK: Looks identical to this.

MR. KANE: Identical to the one at the bottom.

MR. BABCOCK: These signs here, this was all permitted without this what we have, they have done they added this piece on the bottom just so they have their name in two different locations, this one, this sign here and there and then freestanding sign.

MR. KANE: Nothing is illuminated?

MR. LEYON: No.

MR. KANE: At this point, I will open it up to the public and ask if there's anybody here for it? No, there is not so we'll close and ask Myra how many mailings.

MS. MASON: On June 22nd, I mailed out 27 addressed envelopes and had no response.

MR. KRIEGER: It's not bigger than other signs in the neighborhood?

MR. LEYONS: No.

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will accept a motion.

MR. MINUTA: Make a motion that we grant Woodland Montesorri School their request for the one additional freestanding sign 48 square feet, one 6 square foot sign on existing freestanding sign and one 6 square foot sign on existing freestanding sign.

MR. RIVERA: Second it.

ROLL CALL

MR. MINUTA	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn?

MR. RIVERA: So moved.

MR. REIS: Second it.

ROLL CALL

MR. MINUTA	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. RIVERA	AYE

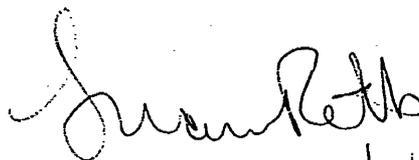
July 12, 2004

62

MR. KANE

AYE

Respectfully Submitted By:



Frances Roth  
Stenographer

7/15/04



RESULTS OF Z.B. MEETING OF: July 12, 2004

PROJECT: Woodland Montessori School ZBA # 04-40  
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) MM S) RV VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

RIVERA A  
MCDONALD A *Locey*  
REIS A  
MINUTA A  
KANE A

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



Large empty rectangular box with horizontal lines, likely for notes or additional information.



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

**Appeal No. 04-40**

**Request of WOODLAND MONTESSORI SCHOOL**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for:**

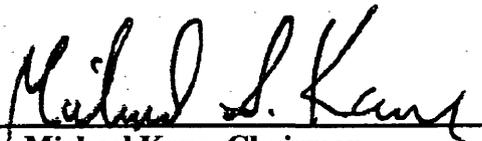
**One (1) Additional Free-Standing Sign - 48 square feet (48-18)**

**One (1) 6 square foot sign on existing Free-Standing Sign #1(48-18)**

**One (1) 6 square foot sign on existing Free-Standing Sign #2 (48-18)**

**All at 880 Jackson Avenue in an R-1 Zone (32-2-80)**

**PUBLIC HEARING will take place on JULY 12, 2004 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.**

  
**Michael Kane, Chairman**



# Town of New Windsor

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

## ZONING BOARD OF APPEALS

June 22, 2004

Woodland Montessori School  
1145 Little Britain Road - Suite 200  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-40

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 ad. 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:

1145 Little Britain Road  
New Windsor, NY

is scheduled for the July 12, 2004 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

WOODLAND MONTESORRI SCHOOL (04-40)

MR. KANE: First preliminary meeting would be Woodland Montesorri School. Request for one additional free-standing sign, 48 sq. ft., one 6 square foot sign on existing free-standing sign, one 6 square foot sign on existing free-standing sign all at 880 Jackson Avenue.

Mr. Henry Leyen appeared before the board for this proposal.

MR. LEYEN: Well, they want to put a sign up on our property, the display sign that they can put on, change the lettering as to when they have special events or if they want the enrollment for the following year and it's going to be put right next to an existing sign that's there.

MR. KANE: Existing freestanding?

MR. LEYEN: Yes.

MR. BABCOCK: Mr. Chairman, they were in a year ago, I would say, and got some variances for the existing signs there. Now this is one of their tenants that actually put up a sign, actually, it's down now right.

MR. LEYEN: Yes.

MR. BABCOCK: We asked them to take it down until they receive a variance and they did right away, they also added a sign, I don't know whether Myra you've got pictures, yeah, I do, they added this sign to us, this is the sign they got a variance for and they added this little small one here and this one and then there's a sign where they changed the entrance cause of the red light there, there's a sign down on Jackson Avenue which is on their property and they added that to that also. So they got one on the entrance so they're

looking for--

MR. KANE: So would that be the 6 square?

MR. BABCOCK: Yes.

MR. KANE: On both, one would be the small signs on the existing ones?

MR. BABCOCK: Yes.

MR. KANE: Now, where in conjunction, this is the other freestanding sign we're talking about that they want?

MR. BABCOCK: Yes, that's going to go right next to the other one that says.

MR. LEYEN: Right next to this one instead of being on the other side of the driveway it's going to be exactly, it's going to be right next to this sign right here, in other words, our driveway is between this sign and this sign so what happened when they put the light in that really messed up all the signs for the schools and it created problems.

MR. KANE: What I'd like you to do for the public portion of the hearing is get me some photographs from the road down a bit so that we can see how the traffic sees the signs coming back and forth.

MR. LEYEN: All right.

MR. KANE: Are the signs illuminated at all?

MR. LEYEN: No.

MR. KANE: Absolutely no lighting whatsoever?

MR. LEYEN: No lighting whatsoever.

MR. KANE: This is the smallest possible sign that you need?

MR. LEYEN: Yes.

MR. REIS: Don't have to cut down any shrubbery or foliage to accomplish this?

MR. LEYEN: No.

MR. REIS: Not going to be over any easements or right-of-ways?

MR. LEYEN: No.

MR. MC DONALD: Diagonal to the wall, you're not ruining sight distance, it won't hinder any visual approaches to the road or anything?

MR. LEYEN: Absolutely not, no.

MR. KANE: We'll see that with pictures for the public portion. Any other questions?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion we set up Woodland Montesorri School for the requested variances at 880 Jackson Avenue.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE

MR. KANE: So you will be coming back to the public hearing, you've been through this before.

MR. LEYEN: Yes.

MS. MASON: That just tells you what to do next.

MR. LEYEN: Thank you very much.

MR. KANE: Just a note what the Town of New Windsor does is we hold preliminary hearings so everybody can get an idea of what we're looking for from you, from your request. Other towns do it cold, when you walk in if you don't have the right information you lose. When we go to the public hearing, every decision has to be made at a public hearing, you will have a good idea what we need from you to make an informed decision on your request. Okay, so that's what we're doing right now.



RESULTS OF Z.B.A. MEETING OF: June 14, 2004

PROJECT: Woodland Montessori

ZBA # 04-40  
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) R S) R VOTE: A 4 N 0

RIVERA A  
 MCDONALD A  
 REIS A  
~~MINUTA~~  
 KANE A

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

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED:

M) A S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

RIVERA \_\_\_\_\_  
 MC DONALD \_\_\_\_\_  
 REIS \_\_\_\_\_  
~~MINUTA~~ \_\_\_\_\_  
 KANE \_\_\_\_\_

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

Better photos from Road  
Not lit signs  
No trees or easements



# Town of New Windsor

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

## Assessors Office

June 8, 2004

Woodland Montessori School, Inc.  
1145 Little Britain Road – Suite 200  
New Windsor, NY 12553

Re: 32-2-80 ZBA# 04-40

To whom it may concern:

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, IA  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

3-1-54.2, 3-1-55.1, 3-1-55.2  
First Columbia  
ATT: Kevin Bette, PE  
26 Century Hill – Suite 101  
Latham, NY 12110

3-1-63, 32-2-4  
NYS DOT  
c/o Carlton Boorn, Acct. Dept.  
State Campus DOT - Bldg 5 – Room 401  
Albany, NY 12232

32-1-11.31  
John Steinberg, Jr.  
1 Lenape Lane  
Salisbury Mills, NY 12577

32-1-12  
Richard & Linda Ostner  
66 Union Avenue  
New Windsor, NY 12553

32-2-7  
Central Hudson Gas & Elect. Corp  
ATT: Tax Agent  
South Road  
Poughkeepsie, NY 12602

32-2-8  
Kaboom Realty, LLC  
470 Little Britain Road  
Newburgh, NY 12550

32-2-9.1  
Herbert Mason  
120 Mt. Airy Road  
New Windsor, NY 12553

32-2-9.2 & 32-2-9.3  
Herbert Mason  
Barbara Mason Wolf  
120 Mt. Airy Road  
New Windsor, NY 12553

32-2-52  
NYC Dept. of EP  
c/o NYC Dept of Water Supply OWSL  
465 Columbus Avenue – Suite 350  
Valhalla, NY 10595

32-2-66  
Mount Airy, LLC  
c/o Joseph Pamerone, Manager / Member  
70 Taylors Way  
Newburgh, NY 12550

32-2-70  
Harold Baxter, Jr.  
505 Jackson Avenue  
New Windsor, NY 12553

32-2-76 & 32-2-77  
Wallace & Joyce Orr  
770 Jackson Avenue  
New Windsor, NY 12553

32-2-78.1  
George Tubbs, Jr.  
776 Jackson Avenue  
New Windsor, NY 12553

32-2-78.2  
Margaret, Anthony, & Frederick III Fayo  
308 Bull Road  
Washingtonville, NY 10992

32-2-81  
Henry & Nancy Specht  
511 Lake Road  
New Windsor, NY 12553

32-2-82  
Lynn & Liduvina Beesecker  
118 Weeks Avenue  
Cornwall-On-Hudson, NY 12520

32-2-83.1 & 32-2-84  
Angelo Sakadelis  
445 Toleman Road  
Rock Tavern, NY 12575

32-2-83.2  
County of Orange  
255-275 Main Street  
Goshen, NY 10924

32-2-105.3  
Jean Rottinger, Michael Calvino and  
Antoinette Lancaster  
387B Mt. Airy Road  
New Windsor, NY 12553

33-1-2.1  
DiBrizzi Family Realty, Inc.  
647 Little Britain Road  
New Windsor, NY 12553

33-1-4.2  
Cosimo DiBrizzi  
c/o Cosimo's Management  
1089 Little Britain Road  
New Windsor, NY 12553

33-1-11  
Donald Ayers & Donna Covello  
111 Mt. Airy Road  
New Windsor, NY 12553

33-1-12  
Daniel & Kim Marshall  
7 Poplar Street  
Cornwall, NY 12518

33-1-13  
Dalila Christoforidis  
1531 Sword Dancer Drive  
Virginia Beach, VA 23454

33-1-24  
Douglas & Joan Carey  
3 Elizabeth Lane  
New Windsor, NY 12553

33-1-25  
Paul & Angela Barbero  
1 Elizabeth Lane  
New Windsor, NY 12553

54-1-10, 54-1-54 & 54-1-55  
Pamela Ludlow  
765 Jackson Avenue  
New Windsor, NY 12553

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

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-02-04

FOR: 04-40 ESCROW

FROM: WOODLAND MONTESSORI SCHOOL, INC.

56 N. PLANK ROAD, SUITE 1, PMB 307

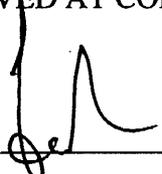
NEWBURGH, NY 12550

CHECK NUMBER: 2466

TELEPHONE: 567-6383

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

6/3/04  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

**RECEIPT**  
**#546-2004**

06/03/2004

Woodland Montessor School. Inc. *ZBA 04-40*

Received \$ 150.00 for Zoning Board Fees, on 06/03/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



# Town of New Windsor

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

## ZONING BOARD OF APPEALS

June 2, 2004

Woodland Montessori School  
1145 Little Britain Road - Suite 200  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-40

Dear Sir or Madam:

This letter is to inform you that you have been placed on the June 14<sup>th</sup>, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

880 Jackson Avenue  
New Windsor, 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 REQUEST FOR NOTIFICATION LIST

DATE: 06-02-04 PROJECT NUMBER: ZBA# 04-40 P.B. # \_\_\_\_\_

APPLICANT NAME: WOODLAND MONTESSORI SCHOOL, INC.

PERSON TO NOTIFY TO PICK UP LIST:

WOODLAND MONTESSORI SCHOOL, INC.  
1145 LITTLE BRITAIN ROAD - SUITE 200  
NEW WINDSOR, NY 12553

TELEPHONE: 567-6383

TAX MAP NUMBER: SEC. 32 BLOCK 2 LOT 80  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 880 JACKSON AVENUE  
NEW WINDSOR, 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: 2468

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



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

5/13/04  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

I. Owner Information: Phone Number: ( )  
Sisters of The Presentation Fax Number: ( )  
(Name)  
880 Jackson Ave. New Windsor, NY 12553  
(Address)

II. Applicant: Phone Number: (845) 567-6383  
Woodland Montessori School Fax Number: (845) 567-0097  
(Name)  
1145 Little Britain Rd. Suite 200 New Windsor, NY 12553  
(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: (845) 567-6383  
Woodland Montessori Fax Number: (845) 567-0097  
(Name)  
1145 Little Britain Rd. Suite 200 New Windsor, NY 12553  
(Address)

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

V. Property Information:

Zone: R-1 Property Address in Question: 880 Jackson Ave. New Windsor, NY  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 32 Block 2 Lot 80  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? \_\_\_\_\_  
c. When was property purchased by present owner? \_\_\_\_\_  
d. Has property been subdivided previously? \_\_\_\_\_ If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? \_\_\_\_\_  
f. Is there any outside storage at the property now or is any proposed? \_\_\_\_\_

\*\*\*\*PLEASE NOTE:\*\*\*\*

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

COMPLETE THIS PAGE

04-40 1

6/14 Agenda



**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:

**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: \$150.00  
\*ESCROW: \$500.00  
\*\*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".

\*

**ESCROW**

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"

\*\*

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.

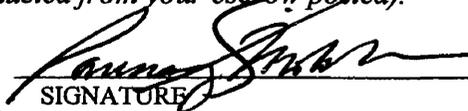
1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (*self-sealing envelopes are much appreciated*) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.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).***

 5/13/04  
SIGNATURE 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

04-407

**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 48-18, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1			
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.

See Attachment X. b.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 1' x 6' → 2 (quantity)?

6' x 6' → 1 (quantity)

**XI. INTERPRETATION:**

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

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

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**PLEASE NOTE:**

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

**04-40**

COMPLETE THIS PAGE

# WOODLAND MONTESSORI SCHOOL

1145 Little Britain Rd.  
Tel: 845-567-6383

Suite200. New Windsor.

NY 12553  
Fax: 845-567-0097

X. b.

Woodland Montessori is an Independent Private school located on the Sisters of The Presentation property, at 880 Jackson Avenue, New Windsor, NY 12553. We have two small signs, which are on the existing signposts. Unfortunately, by the sign being low to the ground and a stonewall in front of it, it is impossible to see our sign and to find our school; Especially during wintertime when the snow gets pushed against the wall and it totally buries our sign. We are requesting to have an additional sign up, so that our prospective parents could find our location.

04-40

**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:

See Attachment IX. A.

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

**04-40**

COMPLETE THIS PAGE

# WOODLAND MONTESSORI SCHOOL

1145 Little Britain Rd.  
Tel: 845-567-6383

Suite200. New Windsor.

NY 12553  
Fax: 845-567-0097

## IX. A.

Woodland Montessori is an Independent Private school located on the Sisters of The Presentation property, at 880 Jackson Avenue, New Windsor, NY 12553. Our signs will not be a detriment to the health, safety and welfare of the neighborhood or community since there are existing signs already on the property.

04-40

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

S. Catherine Cleary, deposes and says that he resides  
(OWNER)  
at 880 Jackson Avenue, New Windsor in the County of Orange  
(OWNER'S ADDRESS)  
and State of New York and that he is the owner of property tax map  
(Sec.      Block      Lot     )  
designation number (Sec. 32 Block 2 Lot 80) which is the premises described in  
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Mr. Hank Leyen, 882 Jackson Avenue, New Windsor  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: May 17, 2004

Sworn to before me this:  
17 day of May 2004

\*\* S. Catherine Cleary  
Owner's Signature (MUST BE NOTARIZED)

[Signature]  
Applicant's Signature (If different than owner)

Henry Leyen  
Representative's Signature

[Signature]  
Signature and Stamp of Notary

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

\*\* PLEASE NOTE:  
**ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

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COMPLETE THIS PAGE

Catherine M Secor  
Notary Public, State of New York  
REG. #4849028  
Qualified in Dutchess County  
Commission Expires 01-06-06

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 (if available) showing the size and location of the lot, 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 THREE(3) SETS OF THE PHOTOS.) *See Attachments A. B. C.*

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:

17 day of May 2004,

*S. Catherine Cleary*  
Owner's Signature (Notarized)

S. CATHERINE CLEARY  
Owner's Name (Please Print)

*[Signature]*  
Applicant's Signature (If not Owner)

*[Signature]*  
Signature and Stamp of Notary

PLEASE NOTE:

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

*[Signature]*

Catherine M Secor  
Notary Public, State of New York  
REG. #4849028  
Qualified in Dutchess County  
Commission Expires 01-06-06

COMPLETE THIS PAGE

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