

ZB# 04-51

Angel Brennan

13-1-5

ZBA #04-51 ANGEL BRENNAN (AREA)
60 CLANCY AVE. (13-1-5)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 7-26-04

Angel Brennan 561-6728



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

December 16, 2004

Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-51

Dear Mr. Brennan:

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

ANGEL BRENNAN

AREA

CASE #04-51
-----X

WHEREAS, Angel Brennan, owner(s) of 60 Clancey Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an

- 14 ft. Rear Yard Setback for proposed attached 14ft X 14 ft. deck and;
- 8.6 ft. Side Yard Setback and;
- 7.4 ft. Rear Yard Setback for existing shed

All on a corner lot (Bulk Tables G-6) at 60 Clancey Avenue in an R-4 Zone (13-1-5)

WHEREAS, a public hearing was held on July 26, 2004 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 residential property located in a neighborhood of residential properties.

- (b) The shed for which the side yard and rear yard setbacks are requested is existing and the deck is proposed.
- (c) With respect to the shed, there have been no complaints either formal or informal.
- (d) Neither the deck nor the shed will be on top of, nor interfere with, any easements or rights-of-way.
- (e) The shed and deck are similar in size and appearance to other sheds and decks in the neighborhood.
- (f) Neither the building of the shed and the proposed building of the deck will cause the ponding or collection of water or divert the flow of water drainage.

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

14 ft. Rear Yard Setback for proposed attached 14ft X 14 ft. deck and;

8.6 ft. Side Yard Setback and

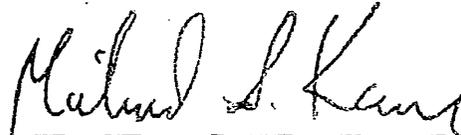
7.4 ft. Rear Yard Setback for existing shed

All on a corner lot (Bulk Tables G-6) at 60 Clancy Avenue in an R-4 Zone (13-1-5) 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 26, 2004



Chairman

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 6/8/04

APPLICANT: Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 14' x 14' attached deck.

LOCATED AT: 60 Clancy Avenue.

ZONE: Sec/Blk/ Lot: 13-1-5

DESCRIPTION OF EXISTING SITE: Existing One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed attached 14' x 14' deck will not meet the minimum 40' rear yard set-back. This is a corner lot.

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G-6

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

40'

26'

14'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

APPROVED

04-51

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

RECEIVED

JUN 04 2004

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

Owner of Premises Angel Brennan

Address 60 Clancy Ave Phone # 561-6728

Mailing Address Same Fax # _____

Name of Architect _____

Address R.E.M Builders Phone (845) 471-8148

Name of Contractor Robert Muscat

Address 135 Main Street Poughkeepsie 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 R-4 Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 13 Block 21 Lot 5

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

a. Existing use and occupancy R 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? _____ 14x14 Deck

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 \$4,000 Fee \$50.00 **ZONING BOARD** OK fold

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 Lis & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4695 FAX

Bidg 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 of Applicant)

(Address of Applicant)

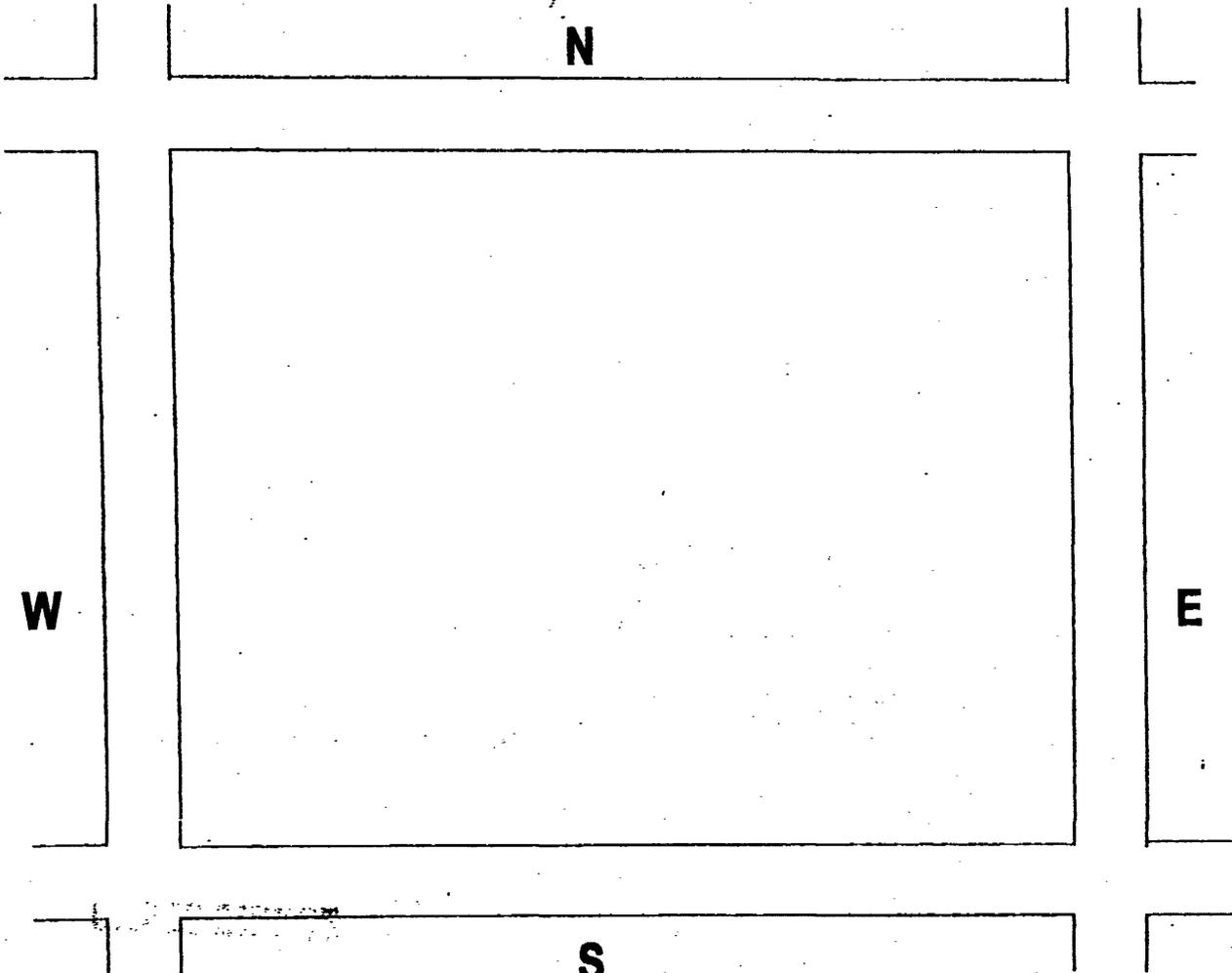
Carol Reuser

(Owner's Signature)

(Owner's Address)

PLOT PLAN

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

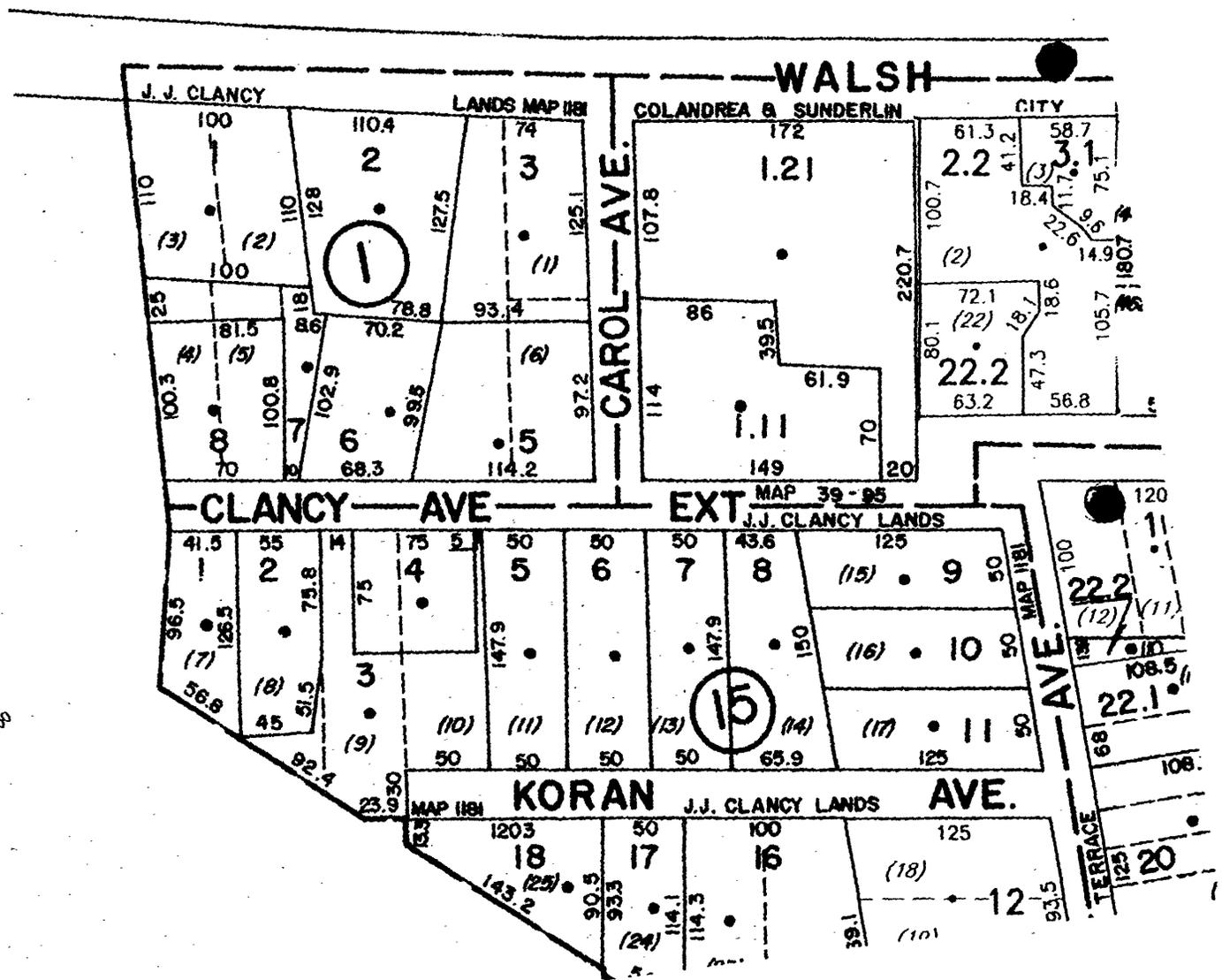


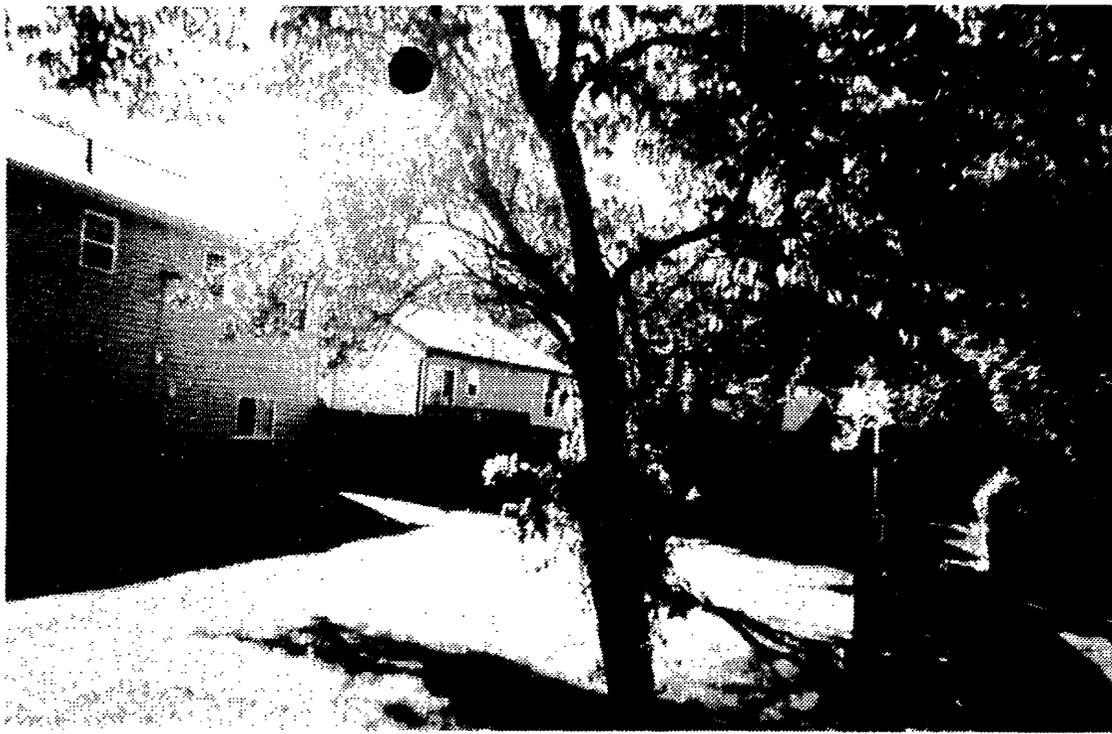
RECEIVED

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

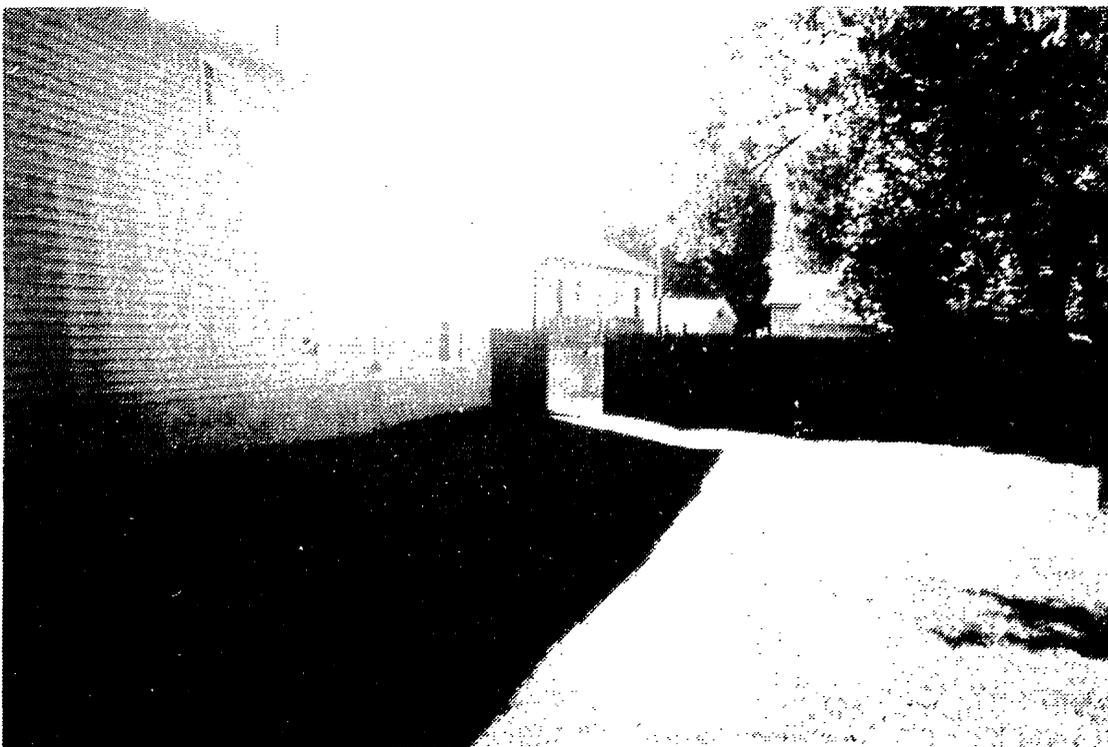
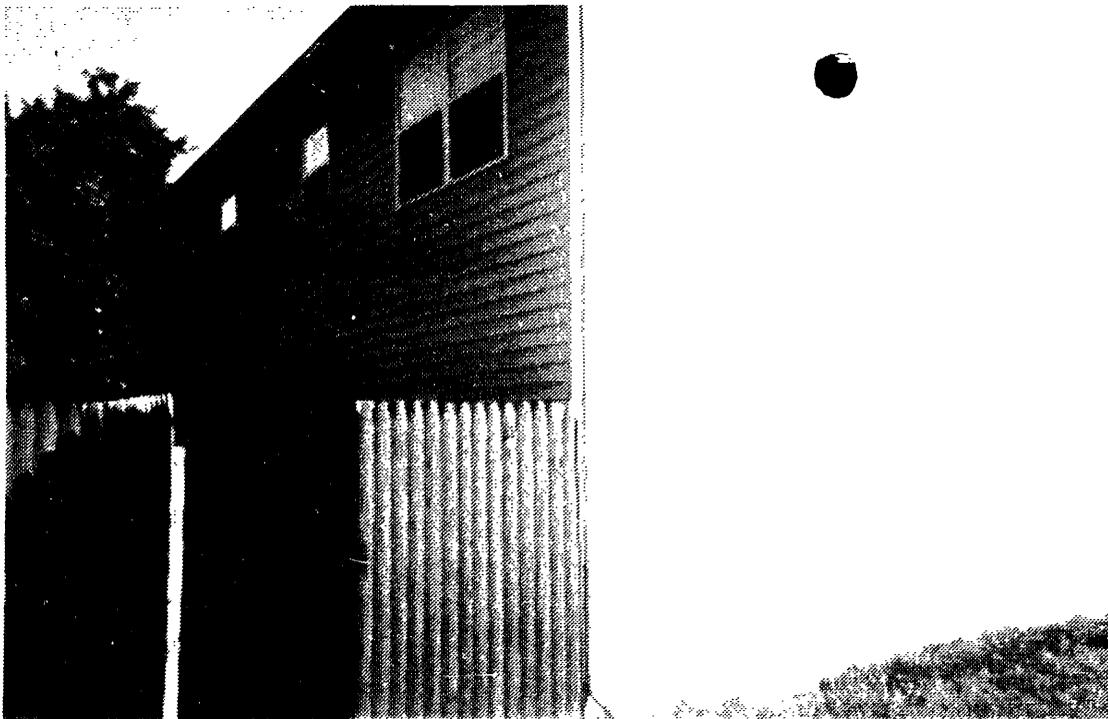
E 522.000

E 627.000
N 968.500









**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: OCTOBER 15, 2004
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 186.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-51

NAME & ADDRESS:

**Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10-18-04



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



FILE #04-51 TYPE:AREA

APPLICANT Name & Address:

**Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553**

TELEPHONE: 561-6728

RESIDENTIAL:	\$ 50.00	CHECK # <u>301</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 300



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$5.50 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>5</u> PAGES	\$ <u>27.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	___ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	___ PAGES	\$ _____	\$ _____

TOTAL: \$ 44.00 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 114.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 186.00

Cc:

ANGEL BRENNAN (04-51)

MR. KANE: Next public hearing is Angel Brennan request for a fourteen foot rear yard setback for a proposed attached 14 X 14 deck and an 8.6 foot side yard setback and 7.4 foot rear yard setback for an existing shed.

MR. BRENNAN: I want to build a 14 X 14 deck and when I was here last time, you noticed that the shed was close ...

MR. KANE: Right, are we okay with his side yard and rear yard numbers.

MR. BABCOCK: For the shed Mr. Chairman.

MR. KANE: Yes, we added that on?

MR. BABCOCK: Yes.

MR. KANE: Create any water hazards or runoffs with the building of the shed.

MR. BRENNAN: No, that's an existing shed.

MR. KANE: That's an existing shed, you still have to answer the questions, so to your knowledge it would be no?

MR. BRENNAN: No.

MR. KANE: Have you created any water hazards or runoffs.

MR. BRENNAN: No.

MR. KANE: Any complaints about the shed, formally or informally.

MR. BRENNAN: No.

MR. KANE: Are you on town water and sewer.

MR. BRENNAN: Yes.

MR. REIS: Your proposed deck will not be going over any easements or right-of-ways.

MR. BRENNAN: No.

MR. KANE: And the 14 X 14 deck you feel is similar in size to other decks in your neighborhood.

MR. BRENNAN: Yes.

MR. KANE: At this point, I'll hold off questions and see if there is anybody in the audience for this particular meeting. Nobody here. We will open and close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On July 12th, I mailed out 41 envelopes and had no response.

MR. KANE: Back to you. Was the shed there when you purchased the home sir?

MR. BRENNAN: Yes.

MR. KANE: Approximately how long ago.

MR. BRENNAN: You mean when I bought the house?

MR. KANE: Yes.

MR. BRENNAN: About two years ago.

MR. KANE: Do you have any idea how long the shed itself has been there.

MR. BRENNAN: Yes, the neighbor said that shed has been there about forty years.

MR. KANE: About forty years?

MR. BRENNAN: Yeah, it's an old shed.

MR. KANE: You realize that if your requests are granted here, that you will be subject to meeting the Building Department inspectors and passing all their requirements.

MR. BRENNAN: Yes.

MR. KANE: That's all I have guys.

MR. MINUTA: Mr. Chairman, I see no issues here other than the metal shed that's encroaching on the property and the required distance between the two.

MR. KANE: No, that's from the other side.

MR. MINUTA: Okay, I have no further questions.

MR. REIS: I move we grant Mr. Brennan his requested variance for proposed attached 14 X 14 deck and his variance for setback for existing shed at 60 Clancy Avenue.

MR. MINUTA: Second.

ROLL CALL:

MS. LOCEY AYE

MS. GANN	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

Motion carried 5 Ayes.

ANGEL BRENNAN (04-51)

MR. KANE: Request for 14 ft. rear yard setback for proposed attached 14 ft. x 14 ft. deck on a corner lot at 60 Clancy Avenue.

Mr. Angel Brennan appeared before the board for this proposal.

MR. KANE: How are you?

MR. BRENNAN: Good.

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

MR. BRENNAN: I want to build a 14 x 14 attached deck off my house, it's a raised ranch.

MR. KANE: So basically, Mike, for him to build any size deck off the back of that house he would need some kind of a variance cause it looks to me like he's got 40 feet right from the back property line to the house?

MR. BABCOCK: Yeah, 40 feet six inches so he can build a six inch deck.

MR. KANE: Six inch deck, that's tough. The 14 x 14 deck itself that's similar to other decks that are in the neighborhood?

MR. BRENNAN: Yes.

MR. KANE: Cutting down any trees or substantial vegetation in the building of the deck?

MR. BRENNAN: No.

MR. KANE: Will you be creating any water hazards or runoffs?

MR. BRENNAN: No.

MR. KANE: Any easements in the area that you know of?

MR. BRENNAN: No.

MR. KANE: As long as we have you here and you're paying your money, Mike, do we have a C.O. on the shed in the back in the corner?

MR. BRENNAN: That's existing.

MR. KANE: As long as you're here because if you ever go to refinance or sell, you'd have to go through the process all over again. So we might want to add the deck in there, make it one trip for you, I mean, the shed, excuse me, right here, probably not 10 or 12 feet off your property line.

MR. BRENNAN: They gave me the C.O. when I built the house.

MR. KANE: On the shed?

MR. BRENNAN: Yeah, that was already on the property.

MR. KANE: Okay.

MR. BRENNAN: I didn't think it was a problem.

MR. KANE: That doesn't always make it totally legal.

MR. BABCOCK: I don't see it here, Mr. Chairman.

MR. BRENNAN: It was already on the lot when I built the house.

MR. REIS: What the chairman is suggesting that you take care of it now because you probably do not according to our records you do not have a C.O. for it.

MR. KANE: If you want to leave it be, I don't have a problem but trust me when I say that looks awfully close to the property line so sooner or later in this Town depending on the banks, the banks will drive the question for a C.O. on any auxiliary structure, there's a certain percentage of banks depending on what's being done that won't bother on a shed or something like that but if you go to a different bank then all of a sudden they're going to say where is the C.O. on the shed, C.O. on the house has nothing to do with the shed. So if you want to check it out and clear it up as long as you've paid this, it's not an additional cost to you, the only thing that's bringing additional cost is me talking more. We can clear it all up in one shot for you.

MR. BRENNAN: That makes sense.

MR. KANE: So if you want, Mike, can we check on that and add the shed and I believe he's going to need sides and possibly rear?

MR. BABCOCK: Yes.

MR. KANE: So we'll add that in there and try to clear it all up, we'll need some measurements from you.

MR. BABCOCK: The survey says it's 1.4 feet off the side, we're going to need the back, how far it is off the back property line approximately.

MR. KANE: Take the furthest point like right here and there too so that we can give you what you need. You'd go to the closer point to the back line, Mike?

MR. BABCOCK: Yes.

MR. KANE: This point right here, okay?

MR. BRENNAN: Yes.

MR. KANE: If you can give us that measurement from there and there to there then we'll add that tonight and clean it all up.

MR. BRENNAN: Okay.

MR. KANE: As far as the shed, the shed is similar in size to other sheds that are in the neighborhood?

MR. BRENNAN: Yes.

MR. KANE: No, as far as you know, there was no cutting down of trees or vegetation in the building of the shed?

MR. BRENNAN: No.

MR. KANE: Any complaints formerly or informally about the shed?

MR. BRENNAN: No.

MR. KANE: If you can bring those measurements back for the public hearing so we can clear it up. You guys have any other questions?

MR. MINUTA: No. Accept a motion?

MR. KANE: I will.

MR. MINUTA: Make a motion that we forward Angel Brennan for the requested 14 foot rear yard setback for proposed 14 x 14 foot deck to include the shed and the side and rear yard of that property for the purposes of a zoning variance.

MR. RIVERA: Second it.

June 28, 2004

19

ROLL CALL

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



RESULTS OF Z.B. MEETING OF: July 26, 2004

PROJECT: Angel Brenner

ZBA # 04-51
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) RS S) MN VOTE: A 5 N 0.

RIVERA LOCEY ✓
MCDONALD GANN ✓
REIS ✓
MINUTA ✓
KANE ✓

CARRIED: Y N

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

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. 04-51

Request of ANGEL BRENNAN

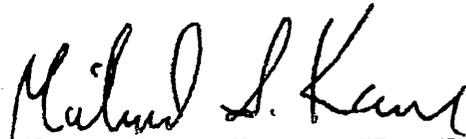
for a VARIANCE of the Zoning Local Law to Permit:

Request for:

**14 ft. Rear Yard Setback for proposed attached 14ft X 14 ft. deck and;
8.6 ft. Side Yard Seback and 7.4 ft. Rear Yard Setback for existing shed**

All on a corner lot at 60 Clancy Avenue in an R-4 Zone (13-1-5)

**PUBLIC HEARING will take place on JULY 26, 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) 563-4631
Fax: (845) 563-4693

Assessors Office

June 30, 2004

Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553

Re: 13-1-5 ZBA#: 04-51

Dear Mr. Brennan:

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 \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IA
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

<p>9-1-45.1 Group Nine, LP c/o KLM Industries, Inc. 1585 Monroe Turnpike Stevenson, CT 06491</p>	<p>9-1-58 H.C. Davis Boilerworks, Inc. 3 Susan Drive Newburgh, NY 12550</p>	<p>9-1-59 Brian Cullinane 217 Walsh Avenue New Windsor, NY 12553</p>
<p>9-1-60 Jand Realty, LLC 307 River Road North Wappingers Falls, NY 12590</p>	<p>9-1-61 Omega Select Properties, Inc. c/o Anthony DeRienzo 8 Algonquin Drive Newburgh, NY 12550</p>	<p>9-1-62 Ellen Thompson 227 Walsh Avenue New Windsor, NY 12553</p>
<p>9-1-63 FT Realty Holding, Corp. c/o Fred Thompson 229 Walsh Avenue New Windsor, NY 12553</p>	<p>13-1-1 John Maskey c/o Ann Maskey 210 Walsh Avenue New Windsor, NY 12553</p>	<p>13-1-2 Juan Burgoa 214 Walsh Avenue New Windsor, NY 12553</p>
<p>13-1-3 Jennico Realty, LLC 397 River Road North Wappingers Falls, NY 12590</p>	<p>13-1-6 William & Louann Hinspeter 64 Clancy Avenue New Windsor, NY 12553</p>	<p>13-1-7 & 13-1-8 Greg & Dawn Sherwood 70 Clancy Avenue New Windsor, NY 12553</p>
<p>13-2-1.11 David Sunderlin 54 Clancy Avenue New Windsor, NY 12553</p>	<p>13-2-1.21 Michael & Elena Marie Colandrea 97 Ferdls Road Walden, NY 12586</p>	<p>13-2-2, 13-2-20 & 13-2-22 Carmen Monaco 110 Prospect Hill Road Wallkill, NY 12589</p>
<p>13-2-3 Mary Fericellia c/o Carmen Monaco 110 Prospect Hill Road Wallkill, NY 12589</p>	<p>13-2-4 & 13-2-6 William Bessette Iris Rodriguez Bessette 234 Walsh Avenue - #5 New Windsor, NY 12553</p>	<p>13-2-17 Edward & Ellen Jacopino 238 Walsh Avenue New Windsor, NY 12553</p>
<p>13-2-18 Faricellia, LTD 650 Blooming Grove Tpk New Windsor, NY 12553</p>	<p>13-14-1 & 13-14-22.2 John & Janet Duda 45 Clancy Avenue New Windsor, NY 12553</p>	<p>13-14-2 Richard Bucci & Sherry Deyo 2 Myrtle Avenue New Windsor, NY 12553</p>
<p>13-14-3 Maureen Grace 12 Myrtle Avenue New Windsor, NY 12553</p>	<p>13-14-4 Joseph & Ethel Reardon 14 Myrtle Avenue New Windsor, NY 12553</p>	<p>13-14-6.1 Gasper & Elizabeth Cangelosi 20 Myrtle Avenue New Windsor, NY 12553</p>
<p>13-14-19 Frank & Anna Cardamone 15 Cherry Avenue New Windsor, NY 12553</p>	<p>13-14-20 Dorothea Janet & Richard Makarewicz 11 Cherry Avenue New Windsor, NY 12553</p>	<p>13-14-22.1 Maritza Parrilla 9 Cherry Avenue New Windsor, NY 12553</p>
<p>13-15-1 & 13-15-2 Christopher Eachus Kimberly Anne Sanders-Eachus 67 Clancy Avenue New Windsor, NY 12553</p>	<p>13-15-3 Wilson's & Conklin's Modern Vending 14 Koran Avenue New Windsor, NY 12553</p>	<p>13-15-4 Lawrence & Roberta Brock 61 Clancy Avenue New Windsor, NY 12553</p>

13-15-5
Wilma & Michael Pettine, Jr.
59 Clancy Avenue
New Windsor, NY 12553

13-15-9
Jennie Coleman, Dolores Waite
John & Frank Spignardo
51 Clancy Avenue
New Windsor, NY 12553

13-15-12
Loretta Jones
Kenneth & Cheryl Garzione
8 Cherry Avenue
New Windsor, NY 12553

13-15-17
Larry Porter
9 Koran Avenue
New Windsor, NY 12553

13-15-6
Kenneth & Patricia Heller
57 Clancy Avenue
New Windsor, NY 12553

13-15-10 & 13-15-16
Albina Bugiada Smith
4 Cherry Avenue
New Windsor, NY 12553

13-15-13
Donald & Lucille Dell
12 Cherry Avenue
New Windsor, NY 12553

13-15-18
Willibaldo & Hortencia Cruz
11 Koran Avenue
New Windsor, NY 12553

13-15-7 & 13-15-8
Victor Domingues
55 Clancy Avenue
New Windsor, NY 12553

13-15-11
Leonard & Evelyn Cavicchio
6 Cherry Avenue
New Windsor, NY 12553

13-15-14
Gregory & Sandra Yozzo
14 Cherry Avenue
New Windsor, NY 12553



Town of New Windsor

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

ZONING BOARD OF APPEALS

July 12, 2004

Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-51

Dear Mr. Brennan:

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:

60 Clancy Avenue
New Windsor, NY

is scheduled for the July 26, 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

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-17-04

FOR: ESCROW 04-51

FROM: ANGEL BRENNAN

60 CLANCY AVENUE

NEW WINDSOR, NY 12553

CHECK NUMBER: 300

TELEPHONE: 561-6728

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

6/18/04

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA #04-51
Application fee

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

RECEIPT
#613-2004

06/18/2004

Brennan, Angel
60 Clancy Ave.
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 06/18/2004. 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.A. MEETING OF: June 28, 2004

PROJECT: Angel Brenner

ZBA # 04-51

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) Ma S) Rv VOTE: A 5 N 0

RIVERA A
 MCDONALD A
 REIS P
 MINUTA A
 KANE A

CARRIED: Y N _____

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED:

M) _____ S) _____ VOTE: A _____ N _____

RIVERA _____
 MC DONALD _____
 REIS _____
 MINUTA _____
 KANE _____

CARRIED: Y _____ N _____

Add Shed to variance - Need side + back distance to property line.



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 17, 2004

Angel Brennan
60 Clancy Avenue
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-51

Dear Mr. Brennan:

This letter is to inform you that you have been placed on the June 28, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

60 Clancy 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: 06-17-04 PROJECT NUMBER: ZBA# 04-51 P.B. # _____

APPLICANT NAME: ANGEL BRENNAN

PERSON TO NOTIFY TO PICK UP LIST:

ANGEL RENNAN
60 CLANCY AVENUE
NEW WINDSOR, NY 12553

TELEPHONE: 561-6728

TAX MAP NUMBER: SEC. 13 BLOCK 1 LOT 5
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 60 CLANCY 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: 302

TOTAL CHARGES: _____



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

6/14/04
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. **Owner Information:**

Angel Brennan

Phone Number: (845) 561-6728

Fax Number: ()

60 Clancy Ave New Windsor NY 12553

(Name)
(Address)

II. **Applicant:**

Angel Brennan

Phone Number: (845) 561-6728

Fax Number: ()

60 Clancy Ave

(Name)
(Address)

III. **Forwarding Address, if any, for return of escrow:**

Angel Brennan

Phone Number: (845) 561-6728

Fax Number: ()

60 Clancy Ave

(Name)
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:**

Robert Muscat

Phone Number (845) 471-8148

Fax Number: ()

135 Main Street Poughkeepsie, NY 12601

(Name)
(Address)

V. **Property Information:**

Zone: R-4 Property Address in Question: 60 Clancy Ave

Lot Size: .23 acre Tax Map Number: Section 13 Block 1 Lot 5

- 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? 11/21/02
- 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? _____

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

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

04-51

COMPLETE THIS PAGE

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

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	40'	26'	1'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

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

04-51

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:

All the houses in my neighborhood have small lots and many have less than the 40' rear yard set-back and they have decks. This deck in my opinion will not have a adverse effect in the neighborhood and in fact will make the neighborhood more desirable to live in. please grant my request for a variance to build this deck.

Thanks Caryl Beem

PLEASE NOTE:

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

04-51

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 (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.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

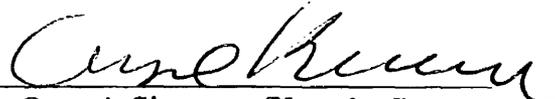
) SS.:

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.

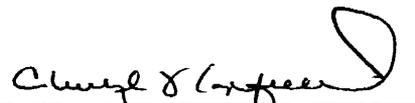
Sworn to before me this:

14 day of June 2004.



Owner's Signature (Notarized)

Owner's Name (Please Print)


Signature and Stamp of Notary

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6073319
Applicant's Signature (If not Owner)
Commission Expires April 22, 2006.

PLEASE NOTE:

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

04-51

COMPLETE THIS PAGE



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
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> 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).

Orval Beeman
SIGNATURE

6/14/04
DATE

NOTE:

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

PAGE 2

COMPLETE THIS PAGE

04-51

SURVEY

**LANDS TO BE CONVEYED TO
ANGEL AND LESLIE BRENNAN**

60 CLANCY AVENUE, TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK

SCALE: 1 INCH = 20 FEET DATE: MAY 24, 2002

REVISED: JULY 10, 2002 - FOUNDATION LOCATION

REVISED: JULY 11, 2002 - CERTIFICATIONS

REVISED: OCTOBER 3, 2002 - FINAL LOCATION

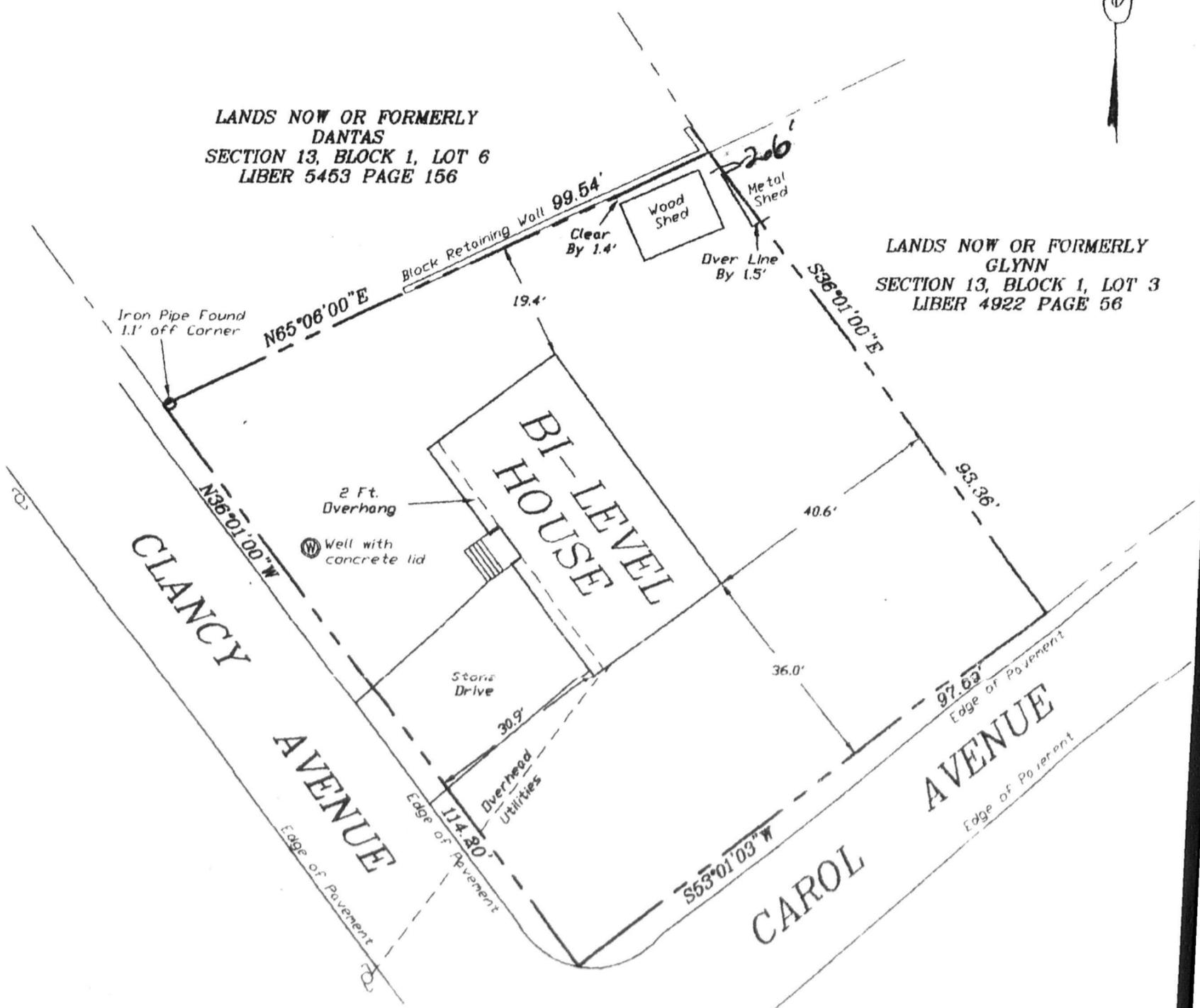
REVISED: OCTOBER 16, 2002 - CERTIFICATION

REVISED: NOVEMBER 19, 2002 - CERTIFICATION

TAX MAP DESIGNATION: SECTION 13, BLOCK 2, LOT 5

DEED REFERENCE: LIBER 5763 PAGE 321

AREA: 10,136 SQ. FT. or 0.23 ± ACRES



LANDS NOW OR FORMERLY
DANTAS
SECTION 13, BLOCK 1, LOT 6
LIBER 5453 PAGE 156

LANDS NOW OR FORMERLY
GLYNN
SECTION 13, BLOCK 1, LOT 3
LIBER 4922 PAGE 56

RECEIVED
JUN 30 2004
BUILDING DEPARTMENT

NOVEMBER 19, 2002
CERTIFIED TO:

ANGEL AND LESLIE BRENNAN
ALL AMERICAN HOLDINGS, INC., dba SCHOONMAKER BUILDERS
FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK, INC.
STATE OF NEW YORK MORTGAGE AGENCY, AND
ITS SUCCESSORS AND OR ASSIGNS
M & T MORTGAGE CORPORATION, AND
ITS SUCCESSORS AND OR ASSIGNS

SURVEY NOTES:

1. CERTIFICATIONS INDICATED HEREIN SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WHOM THE SURVEY IS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS, OR SUBSEQUENT OWNERS.
2. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYORS SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE N.Y. STATE EDUCATION LAW. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYORS INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
3. SUBJECT TO AN UP TO DATE ABSTRACT OF TITLE SUBJECT TO UNDERGROUND UTILITIES AND EASEMENTS NOT RECORDED AND/OR NOT VISIBLE AT TIME OF FIELD SURVEY.

TO BE A TRUE SURVEY AS SHOWN IN THE FIELD AND THAT I HAVE TO THE BEST OF MY KNOWLEDGE AND BELIEF CORRECT

DANIEL P. YANOSH, L.S.