

**ZB# 05-34**

**Landmaster Harp  
(Lot Line Change)**

**65-2-1.1, 1.2, 3**

ZJA 05-34 Landmaster Harp, LLC (AREA)  
Rt. 300 (65-2-1.1, 1.2+3)

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
Granted 7-25-05

Adventur  
52.63



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE ZONING BOARD OF APPEALS

November 29, 2005

Landmaster Harp, LLC  
940 South Avenue  
Westfield, NJ 07091

SUBJECT: REQUEST FOR VARIANCE #05-34

Dear Sir:

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

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

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

Engineering Properties, PC  
110 Orange Avenue  
Walden, NY 12586

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 12-2-1

In the Matter of the Application of  
**LANDMASTER HARP, LLC (Covington Estates)**

MEMORANDUM OF  
DECISION GRANTING

**AREA**

CASE #05-34

**WHEREAS, LANDMASTER HARP, LLC**, owner(s) of (65-2-1.1, 65-2-1.2, 65-2-3) located on Rt. 300, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 8.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road all in R-5 Zone

**WHEREAS**, a public hearing was held on JULY 25<sup>TH</sup>, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant was represented by Ross Winglovitz, P.E. on behalf of this Application; and

**WHEREAS**, there was one spectator appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application but, one person had offered questions which were answered; 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 Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is being developed as a condominium development in a residential zone.
  - (b) Because of the topography of the area, some units are higher than allowed by the Zoning Law.

- (c) Not all of the condominiums in the development will need a height variance, although all condominiums will be the same in appearance. The height variance application is confined to those units on the interior of the development. If the height variance is granted, these units will not be visible to motorists traveling on the adjacent motorways.
- (d) The location of the units is made pursuant to a site plan previously approved by the New Windsor Planning Board.

**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).

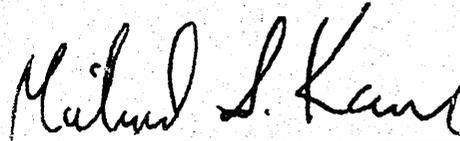
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 8.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road all in R-5 Zone (65-2-1.1, 1.2 & 3) 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 25, 2005



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Chairman

**OFFICE OF THE PLANNING BOARD  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY**

**NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION**

PLANNING BOARD FILE NUMBER: 01-41

DATE: 5-18-05

APPLICANT:

**Land Master Harp, LLC**  
**940 South Avenue**  
**Westfield, NJ 07091**

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: MARCH 23, 2001

FOR: SITE PLAN

LOCATED AT: Route 300

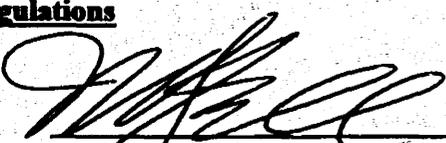
ZONE: R-5

DESCRIPTION OF EXISTING SITE: SEC: 65 BLOCK: 2 LOT: 1.1, 1.2, & 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

**Height Variances for Units #14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and**  
**Units #23, & 29 on Covington Road.**  
**(permitted height 35 ft.; proposed height 41.5 ft; 6.5 ft. variance requested.**

TOWN OF NEW WINDSOR CODE: Bulk Regulations

  
\_\_\_\_\_  
Mark J. Edsall, P.E., P.P.  
Engineer for the Planning Board

DISCUSSION

COVINGTON ESTATES

MR. EDSALL: Two items, one there was some miscommunication about Covington Estates, the multi-family project on Route 300. In reviewing their plans I believe it's a height variance that they have determined that they would need a height variance, what we had asked for at the workshop was for them to get a plan together with the building numbers and unit numbers from the fire inspector so that when you referred it for the variance we can refer to specific buildings. John McDonald said we'll let the planning board go ahead and refer it over and I will confirm the numbers with you later. So they need a referral to the ZBA.

MR. JOHN CHERIAN: I did talk to John McDonald this morning and he said it's all done.

MR. EDSALL: Yeah.

MR. BABCOCK: It's a height variance, do you know what it is?

MR. CHERIAN: Yeah, it's supposed to be 35 feet based on the definition, it's 41 1/2 feet.

MR. EDSALL: Part of the issue comes down to the way I believe the height definition was changed and instead of being the average height of the building around the building which would mean you take the average from all four sides, now it's the average height in the front of the building so if you have a high back yard and low front yard now you need a variance whereas before you might of gotten a little break.

MR. PETRO: No gray area left. Motion for, should I do a final approval and just again deny and send it to the

ZBA?

MR. BABCOCK: Yes, for a height variance, we'll determine the numbers.

MR. SCHLESINGER: I'll make a motion to give final approval to the Covington Estates site plan.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Covington Estates site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	NO
MR. MASON	NO
MR. KARNAVEZOS	NO
MR. MINUTA	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for your necessary height variance or any other variance that you may need. If you are successful in receiving them, put them on the plan and you can then appear before this board again.

MR. BABCOCK: Make sure you get the plan to Myra, okay?

MS. MASON: I'll send him all the instruction.

MR. CHERIAN: Thank you.

WINDSOR CREST

117



WINDSOR CREST

217



WINDSOR CREST

317



WINDSOR CREST

417



WINDSOR CREST

517



WINDSOR CREST

617



WINDSOR CREST

7/7



EXISTING CONDITIONS

1/2



● EXISTING CONDITIONS

2/2



**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: AUGUST 31, 2005**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 338.87 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #05-34**

**NAME & ADDRESS:**

**Engineering Properties, PC  
Client Escrow Account  
110 Orange Avenue  
Walden, NY 12586**

**THANK YOU,**

**MYRA**

**L.R.8-31-05**



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



FILE #05-34      TYPE:AREA      TELEPHONE: 778-4313

**APPLICANT:**  
Landmaster Harp, LLC  
940 South Avenue  
Westfield, NJ 07091

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>1039</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:                      COMMERCIAL \$500.00                      CHECK # 1038



<b><u>DISBURSEMENTS:</u></b>		<b>MINUTES</b>	<b>ATTORNEY</b>
		<b><u>\$5.50 / PAGE</u></b>	<b><u>FEE</u></b>

PRELIMINARY:	<u>5</u>	PAGES	\$ <u>27.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>2</u>	PAGES	\$ <u>11.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:7-13-05                      \$ 52.63

TOTAL:                      \$ 91.13                      \$ 70.00



ESCROW POSTED:                      \$ 500.00  
LESS: DISBURSEMENTS:                      \$ 161.13

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

REFUND DUE:                      \$ 338.87

Cc:

L.R. 8-31-05

LANDMASTER HARP, LLC. (05-34)

**MR. KANE:** Next Public Hearing Landmaster Harp LLC request for 8.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road all in R-5 Zone.

**MR. WINGLOVITZ:** Good evening. Ross Winglovitz with Engineering Properties representing Landmaster Harp LLC. We were here before you last month regarding a height variance request for the lots the Chairman just mentioned, I won't repeat them all, or the units I should say, the buildings. Those units are the interior units on the loop road on this Iron Forge Road and Covington Road. It consists of these buildings here, here and here. This area here marked in pink are the ones that are built into the hill and stepping up to grade and based on a recent interpretation of the height requirements, these would require a height variance of 8.5 ft. for the work on these buildings. Just to give everybody a location, NYS Rt. 300 at the railroad crossing directly to the south of the site. The big wetland area on your left as you are going north, the site is on the right there is a little gravel road that was built a few years ago to drill a well there. The architecture of the building is consistent with a lot of the architecture as far as height is concerned with other buildings that are being built in the town. Whether this is by practice of PUD similar garage under two stories of living space. Older units here that are built in the town.... inaudible... these have higher roof lines, steeper pitched roofs, a little more dramatic effect architecturally, some gable ends. Stone façade at the lower level to kind of minimize the height and breaks up the side.

**MR. KANE:** If I remember the preliminary correctly, the difference in the height on the inner buildings is not going to be discernable to the .... ..from the street.

**MR. WINGLOVITZ:** Correct. Yet the all buildings will be the interior and all will be visible from the other units. The exterior units will kind of shield these buildings. The only really visible spot is from Rt. 300.

**MR. KANE:** Any Board Members have any questions at this point. Then I'll open it up to the public and ask if there's anybody here from the public for this particular hearing.

**MS. JEAN ANTONELLI:** I just have a question. Where is this located.

**MR. BABCOCK:** Just past 300 on Rt. 300. Just past Continental Manor on Rt. 300. Between Continental Manor and Stewarts. You'll see where the two gravel driveways went in. That's where it is.

**MS. ANTONELLI:** How many units.

MR. WINGLOVITZ: 124 I believe.

MS. ANTONELLI: Thank you.

MR. KANE: Ok. Seeing as there is no one else we will close the public portion of the hearing and bring it back to the Board. Anybody have any further questions.

MR. REIS: What would be the remedy to not have to have this variance. Is there anyway to remedy the situation.

MR. WINGLOVITZ: Yeah, what we would end up doing is ..... down below which would require more rock blasting. We'd have to put these – these would be deeper units instead of higher units. So by stepping them up into the slope and making them higher we decrease the earth work and potential of blasting minimizing the environmental impact by doing it this way as opposed to making them deeper. The other thing you could do is you could flatten the roof lines up to minimize the variance but I think architecturally it won't look as nice. It will be a much nicer building with the higher roof line, a little more rich looking..

MR. REIS: Will the higher roof line impact the outer perimeter homes and their view.

MR. WINGLOVITZ: Here. No they are downhill units. This is the highest point of the site so they're below their views would be out this way.

MR. KANE: Any other questions. I'll accept a motion.

MS. LOCEY: I'll offer a motion to grant the requested variance for the application of Landmaster Harp, LLC for their requested 8.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road all in R-5 Zone.

MR. REIS: I'll second it.

ROLL CALL:

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE

LANDMASTER HARP, LLC (05-34)

Mr. Ross Winglovitz appeared before the board for this proposal.

MR. KANE: Request for 6.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road.

MR. WINGLOVITZ: Ross Winglovitz, I'm here tonight on behalf of Landmaster Harp regarding Covington Estates, we're here before you tonight requesting a height variance for a project that's been in front of the board for some time called Covington Estates, 124 units, I think 125 units around Route 300, to give everybody an orientation, 300, the railroad tracks right here as they cross and we're just to the north of that, just north of the railroad crossing on 300 on the east side of 300. It's been in front of the planning board for quite a few years, we're on hold because of the water moratorium, we had received preliminary approval, negative declaration from the planning board, but we started to develop actually in more detail the architecture for the project. And part of that we have units that are into the slope on the interior of the site specifically that you just read off are these units here which is basically bringing the high point of the site here so basically developed around the high point of the site. These units have been developed so that they step into the hill, they're two stories on the back side, three stories on the front side. Based on the recent interpretation of the code units fronting on this street have to meet 35 feet from the street elevation and these units because of the garage configuration the fact that they're stepping them into the slope will not meet that criteria, they're going to be very similar, I can give you an idea of what they look like, here's the architecture, it's been developed with four units, attractive units, stone around the

bottom, large windows, in my opinion pretty nice units. The downhill ones don't have any problem cause they're able to step away from the road, these step up from the road and they do that to minimize a lot of the grading and clearing that would be required to construct them, if you construct them in the same manner as the downhill ones if in fact if you look at the plan you'll notice the footprints are much smaller take up less area and disturb less of the site. We think that is consistent with a lot of the other projects that are going on in town, there's Patriot Ridge, these units front along the drive here, garage under, two stories above.

MR. KANE: Michael, this came about because the way we measure building height has changed?

MR. BABCOCK: Well, the definition of building height has changed over time, I don't know exactly when that was, Patriot Ridge, one of the units that he's talking about that was approved through a PUD which the height there's no height restriction part of the PUD but what he's trying to explain is that he's building basically the same buildings that you see anywhere else in the Town of New Windsor, it's just the idea it's a two story building and it's the way it's measured is the purpose that he's here and it's not all the buildings.

MR. KANE: Just the ones that we noted.

MR. WINGLOVITZ: Just the interior units, yes, actually, the only ones, none of our neighbors will see those, the only one that will see those is our own units because they're entirely interior on this group here. One of the questions I have for clarification is 41 foot 5 is the elevation from the garage floor to the peak of the roof, now some of these are going to step, have steps within the individual units so should I be taking the average grade across those steps to the highest point?

MR. BABCOCK: Yes, it's the average grade along the front of the building.

MR. WINGLOVITZ: On the worst case there's going to be these units step into the grade downhill so as this road goes down, these units step. So if you took the average grade on that unit and this is I think a couple are actually going to be two foot difference because it steps two foot to here and there.

MR. BABCOCK: They have no intention even if the variance is granted on all the buildings they have no intentions on building them higher instead of just doing all the calculations on different buildings we'll just do them one set variance.

MR. KANE: Okay.

MR. WINGLOVITZ: Maximum height would be 43.5 feet for the worst case scenario if we take the ones that are stepped a lot of these are flat, this one and this one are stepped so that would be if you take that average grade you're going to pick up two feet.

MR. BABCOCK: So they're actually getting worse.

MR. WINGLOVITZ: Yeah because they're stepping down but the actual with the calculations down the building is the same exact unit.

MR. KANE: All of these buildings are on this, that inner circle?

MR. WINGLOVITZ: Correct, it's all these units here.

MR. KANE: And your view from outside the development is not going to indicate that those buildings are higher than the buildings that are on the outer circle.

MR. WINGLOVITZ: Correct, these will be screened by the outer circle entirely around the perimeter.

MR. KANE: Okay.

MR. REIS: Mike Babcock, help me out, Route 300, where is this?

MR. BABCOCK: Just passed Continental Manor on the same side of the road. Right next to the railroad tracks.

MR. WINGLOVITZ: There's an actual gravel drive and then if you get to the railroad crossing which is right here you went too far.

MR. BABCOCK: So what's the number?

MR. WINGLOVITZ: These are 43.5 feet will be the highest point so that will be the worst because those step individual units will only be 41.5 because the step that average grade is going to drop two feet.

MR. KANE: What's the ceiling height on your floors?

MR. WINGLOVITZ: That's a good question, we didn't bring--

MR. KANE: Eight or ten foot, extremely tall.

MR. WINGLOVITZ: No, probably eight foot or nine or eight foot on the second floor.

MR. BABCOCK: Typical ceiling height inside when you see it will be 8 feet but they usually go higher than that because they have the utility ducts and whatever Mr. Chairman that number is going to increase from 6.5 to 7.5.

MR. WINGLOVITZ: What we're at is 41.5 so it's going to be 8.5, right, 43.5 to yeah, 8.5.

MR. KANE: You're getting that number through averaging.

MR. WINGLOVITZ: Yeah.

MS. MASON: Seven or eight?

MR. BABCOCK: Eight.

MR. BROWN: How many units?

MR. WINGLOVITZ: It's 124, 12 buildings affected 48 units and the key is to keep them tighter, not deeper.

MR. KANE: Okay, I have no further questions at this time.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I make a motion that we grant Landmaster Harp to go to the public hearing for the request for an 8 1/2 foot building height variance on proposed project at units number 14, 20, 26, 32, 40, 58, 66, 72, 78 and 84 on Iron Forge Lane, units 23 and 29 on Covington Road in an R-5 zone.

MS. LOCEY: I'll second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: Landmaster Harp

DATE: 7-25-05

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.	<i>Jean Antoselli</i>		
2.	<i>Diane Newlands</i>		
3.			
4.			
5.			
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**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

LANDMASTER (HARP)

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#05-34

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 13TH day of JULY, 2005, I compared the 62 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

25<sup>th</sup> day of July, 2005

Jennifer Mead  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006

**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:

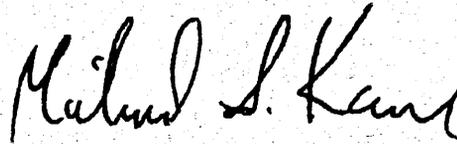
**Appeal No. 05-34**

**Request of LANDMASTER HARP, LLC**

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

**Request for 8.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78 & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road all in R-5 Zone (65-2-1.1, 1.2 & 3)**

**PUBLIC HEARING will take place on JULY 25, 2005**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



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**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

June 27, 2005

Landmaster Harp, LLC  
c/o Engineering Properties, PC  
Ross Winglovitz  
110 Orange Avenue  
Walden, NY 12586

Re: 65-2-1.1, 1.2 & 3

ZBA#: 05-34 (62)

PB#: 01-41

Dear Mr. Winglovitz:

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 \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in black ink that reads "J. Todd Wilely, IA". The signature is written in a cursive style with a large, circular flourish at the end.

J. Todd Wilely, IA  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning & Planning Boards

George J Meyers, Supervisor  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

Deborah Green, Town Clerk  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

Andrew Krieger, Esq.  
219 Quassaick Avenue  
New Windsor, NY 12553

James Petro, Chairman  
Planning Board  
555 Union Avenue  
New Windsor, NY 12553

Mark J Edsall, P.E.  
McGoey & Hauser Consulting Engineers  
33 Airport Center Drive – Suite 202  
New Windsor, NY 12553

65-2-4 & 68-2-8.2  
New York Central Lines  
ATT: CSX  
500 Water Street (J-910)  
Jacksonville, FL 32202

Sect. 79  
Continental Manor I HOA  
P.O. Box 697  
Vails Gate, NY 12584

82-1-1 & Sect. 82  
Continental Manor II HOA  
c/o Spinnaker Mgmt  
ATT: John Gadonniex  
3111 State Route 208  
Wallkill, NY 12589

35-1-65  
Expedito & Ana Tavares  
286 Temple Hill Road  
New Windsor, NY 12553

65-2-1.3& 68-1-2  
BJS Holding, LLC  
38 West 32 Street  
Suite 1201  
New York, NY 10001

65-2-2  
Central Hudson Gas & Electric Corp  
284 South Road  
Poughkeepsie, NY 12602

65-2-42  
Arthur Stockdale  
1098 Egret Lake Way  
Viera, FL 32940

68-1-1  
Daniel & Jennie Simon  
2 Mertes Lane  
New Windsor, NY 12553

68-2-1  
Marcio Fernades  
3 Mertes Lane  
New Windsor, NY 12553

68-2-2.1  
Marcia Sherwood  
P.O. Box 7041  
Newburgh, NY 12550

68-2-9 & 10  
Jay Bird & Partners, Inc.  
P.O. Box 157  
Vails Gate, NY 12584

68-3-1  
Thomas & Kathleen Manning  
44 Creek Run Road  
Newburgh, NY 12550

68-3-2  
Nakkab Hernandez, LLC  
69 Old Temple Hill Road  
New Windsor, NY 12553

71-1-46  
Glen & Ann Marie McGinnis  
99 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-47  
Dawn & Kevin Wanamaker  
101 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-48  
Germaine & Maria Quijano  
103 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-49  
Vincent Kayes  
105 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-50 & 51  
Josika Gojka  
225 Lakeside Road  
Newburgh, NY 12550

71-1-53  
Samuel & Norma Wilson  
111 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-54  
Profirio & Sandra Toro  
113 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-55  
Stephen & Lucia Montone  
115 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-56  
John & Linda Canna  
117 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-57  
Miguel & Estela Molina  
Angela Ortega  
119 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-58  
Carmelo & Antoinette Consentino  
121 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-59  
John & Ellen O'Sullivan  
123 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-60  
Peter LaBarbera  
Angela Lauria  
125 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-61  
Justo & Lydia Maldonado  
127 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-62  
Ferdinand & Patricia Lopez  
129 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-64  
Dominick & Lucille Parisi  
53 Hy Vue Drive  
Newburgh, NY 12550

71-2-1.1, 1.21, 1.22 & 1.23  
New Windsor Properties, LLC  
c/o Peck & Heller  
545 Madison Avenue - 11<sup>th</sup> floor  
New York, NY 10022

71-2-20  
John & Luz Mahoney  
122 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-21  
Lynne McGarry  
124 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-22  
Jehak & Aekyung Chung  
126 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-23  
Rocky Ortiz  
128 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-24  
Edward & Anne Lamb  
130 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-25.2  
Trevor Ekeh  
134 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-26.1  
William & Virginia Owens  
136 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-27  
James & Shirley Casey  
138 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-28  
Leonard & Margaret Benedetto  
P.O. Box 4160  
New Windsor, NY 12553

71-2-29  
Adelien Gracey  
4532 Butler Street  
Fort Meade, MD 20755

71-2-30  
Oscar & Satinder Andrade  
148 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-31  
Richard & Rosemary Forneris  
150 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-32  
Gregory Stegura  
152 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-33  
Pat & Patricia Dursi  
154 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-34  
Linda Perkins  
156 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-35  
Josika & Ana Gojka  
225 Lakeside Road  
Newburgh, NY 12550

71-2-36  
Abraham Adams  
78 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-38.2  
State of New York  
c/o Colin Campbell  
5<sup>th</sup> Floor A.E. Smith Building  
Albany, NY 12236

71-2-39  
Antonio & Merida Rotela  
166 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-40  
Anita White  
168 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-41  
Paul Silka  
170 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-42  
Andrew Pinder  
Brigitte Miller  
172 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-43  
John & Jeannine Lofaro  
174 Vails Gate Heights Drive  
Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-44  
Jack & Catherine Moyer  
176 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-45  
Charles Straub, Sr.  
Heather Hawkhurst  
178 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-46  
Angelita Ortiz  
Hilda Arvelo  
182 Vails Gate Heights Drive  
New Windsor, NY 12553

Sect. 86  
Washington Green HOA  
1500 Washington Green  
CLUBHOUSE  
New Windsor, NY 12553

**Town of New Windsor**  
**ZONING BOARD OF APPEALS**

**PUBLIC HEARING NOTICE**

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. 05-34  
Request of LANDMASTER HARP, LLC  
for a VARIANCE of the Zoning Local Law to Permit:

Request for:  
8.5 ft. building height variance on proposed Harp Estates Condominium Project at Unit Numbers 14, 20, 26, 32, 40, 58, 66, 72, 78, & 84 on Iron Forge Lane and Units 23 & 29 on Covington Road all in R-3 Zone (65-2-1.1, 1.2 & 3).

PUBLIC HEARING will take place on July 25, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

**MICHAEL KANE**  
CHAIRMAN

**Ad Number: 1776832 Advertiser: NEW WINDSOR, TOWN**

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

**INVOICING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

**ORDER:**

Printed By: THRFODDRN Date: 07/08/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS AdType: LIMER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

**NOTES:**

Change Reason:

**INSERTION:**

Product: THH Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 07/13/2005 End Date - 07/13/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

**PRODUCTION:**

Text Size: 2 x 29.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

**PRICING:**

Price: 52.63 Payment Method: B1 Amount Paid: 0 Amount Owed: 52.63

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

# TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

**Meghan Galewski**

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

**Legal Advertising Rep.**

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

**Public Notice**

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

7/13/05

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Representative:

*Meghan Galewski*

Sworn in before me this 15th

Day of July 2005

*Gretchen Pina Breedy*

Notary Public, Orange County

**GRETCHEN PINA BREEDY  
NOTARY PUBLIC FOR THE STATE  
OF NEW YORK, ORANGE COUNTY  
OATH / SIGNATURE IS ON FILE  
COMMISSION EXPIRES 11/29/2005**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

July 20, 2005

Engineering Properties, PC  
110 Orange Avenue  
Walden, NY 12586

SUBJECT: REQUEST FOR VARIANCE #05-34

Dear Sir:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

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

Landmaster Harp  
Rt. 300  
New Windsor, NY

is scheduled for the July 25<sup>th</sup>, 2005 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

ZBA #05-34 application fee

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

**RECEIPT**  
**#564-2005**

06/22/2005

Engineering Properties Pc Client Escrow Acct

Received \$ 150.00 for Zoning Board Fees, on 06/22/2005. 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**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-21-2005

FOR: ESCROW 05-34

FROM:

**Engineering Properties, PC**  
**Client Escrow Account**  
**110 Orange Avenue**  
**Walden, NY 12586**

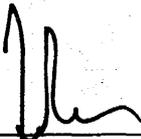
FOR: LANDMASTER HARP, LLC (05-34)

CHECK NUMBER: 1038

TELEPHONE: 778-4313

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

6/23/05  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

June 21, 2005

Landmaster Harp, LLC  
940 South Avenue  
Westfield, NJ 07091

**SUBJECT: REQUEST FOR VARIANCE #05-34**

Dear Sir:

This letter is to inform you that you have been placed on the June 27<sup>th</sup>, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Proposed - Harp Estates Site Plan  
Rt. 300  
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

cc: Engineering Properties, PC  
110 Orange Avenue  
Walden, NY 12586

**TOWN OF NEW WINDSOR  
REQUEST FOR NOTIFICATION LIST**

DATE: 06-21-2005 PROJECT NUMBER: ZBA# 05-34 P.B. # 01-41

APPLICANT NAME: LANDMASTER HARP, LLC

PERSON TO NOTIFY TO PICK UP LIST:

ENGINEERING PROPERTIES, PC (ROSS WINGLOVITZ )  
110 ORANGE AVENUE  
WALDEN, NY 12586

TELEPHONE: 778-4313

TAX MAP NUMBER:	SEC. <u>65</u>	BLOCK <u>2</u>	LOT <u>1.1</u>
	SEC. <u>65</u>	BLOCK <u>2</u>	LOT <u>1.2</u>
	SEC. <u>65</u>	BLOCK <u>2</u>	LOT <u>3</u>

PROPERTY LOCATION: NYS ROUTE 300  
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: 1040

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



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



**APPLICATION FOR VARIANCE**

5/27/05

Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

**I. Owner Information:**

LANDMASTER HARP, LLC Phone Number: (908) 301-1818  
 (Name) Fax Number: (908) 301-1888  
940 SOUTH AVE., WESTFIELD, NJ 07091  
 (Address)

**II. Applicant:**

LANDMASTER HARP, LLC Phone Number: (908) 301-1818  
 (Name) Fax Number: (908) 301-1888  
940 SOUTH AVE., WESTFIELD, NJ 07091  
 (Address)

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

Phone Number: ( )  
 Fax Number: ( )  
 (Name)  
 (Address)

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

ENGINEERING PROPERTIES, PC Phone Number (845) 778-4313  
 (Name) Fax Number: (815) 778-4669  
110 ORANGE AVE. WALDEN, NY 12586  
 (Address)

**V. Property Information:**

Zone: R-5 Property Address in Question: NYS ROUTE 300  
 Lot Size: 21.66 AC Tax Map Number: Section 65 Block 2 Lot 1.1, 1.2, 3  
 a. What other zones lie within 500 feet? PI, R4, C  
 b. Is pending sale or lease subject to ZBA approval of this Application? NO  
 c. When was property purchased by present owner?  
 d. Has property been subdivided previously? YES If so, When: 5/27/88  
 e. Has an Order to Remedy Violation been issued against the property by the  
 Building/Zoning/Fire Inspector? NO  
 f. Is there any outside storage at the property now or is any proposed? NO

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

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

**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.			
Reqd. St Front*			
Max. Bldg. Hgt.	35	41.5	6.5
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.**

**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 ATTACHED SHEET

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

## Application for Variance

### IX.

- 1) An undesirable change will not be produced in the character of the neighborhood and there will not be a detriment to nearby properties if the area variance is granted because the surrounding properties currently contain buildings that have a height of greater than 35 feet (See attached pictures). Also, any proposed buildings requiring variances have been placed on the inside of the loop and will not be visible by residents outside the project.
- 2) Based on current market conditions, it would be difficult to achieve the benefit by some method other than an area variance. Economic demands in the area call for larger homes which result in the taller buildings.
- 3) The requested area variance is not substantial. We are requesting a variance of 6.5 feet from the maximum building height.
- 4) A variance in building height will not cause any additional impact on physical or environmental conditions in the neighborhood as the buildings are not visible and will not enlarge the building footprint.
- 5) The alleged difficulty is self-created.

**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.)

SITE PLAN INCLUDES TREE PLANTING, LANDSCAPED AREAS,  
AND CURBS, AND HAS BEEN EXTENSIVELY REVIEWED BY THE  
PLANNING BOARD

**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 (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

\* Need (4) Four Plans as submitted for referral.

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

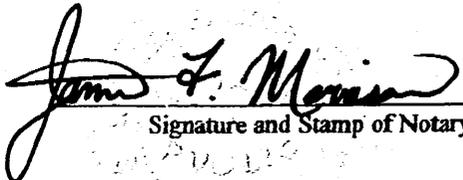
) SS.:

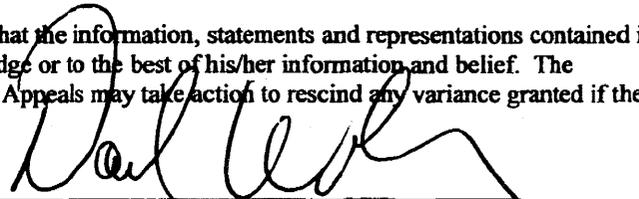
COUNTY OF ORANGE )

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:

27<sup>th</sup> day of May, 2005

  
 Signature and Stamp of Notary



Owner's Signature (Notarized)

DAVID WEINBERG

Owner's Name (Please Print)

\_\_\_\_\_  
 Applicant's Signature (If not Owner)

**PLEASE NOTE:**

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

JAMES F. MORRISON  
 Notary Public, State of New York  
 No. 01MO6107801  
 Qualified in Orange County  
 Term Expires April 12, 2008

COMPLETE THIS PAGE

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

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

LANDMASTER HARP, LLC, deposes and says that he resides  
(OWNER)

at 940 SOUTH AVE. WESTFIELD, NJ 07091 in the County of UNION  
(OWNER'S ADDRESS)

and State of NEW JERSEY and that he is the owner of property tax map

(Sec. 65 Block 2 Lot 1.1)  
65 2 1.2

designation number (Sec. 65 Block 2 Lot 3) which is the premises described in  
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

ENGINEERING PROPERTIES, PC. 110 ORANGE AVE. WALDEN, NY 12586  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: June 22, 2005

Sworn to before me this 22nd day of June 20 05

\*\* [Signature]  
Owner's Signature (MUST BE NOTARIZED)

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

[Signature]  
Representative's Signature

[Signature]  
Signature and Stamp of Notary

JAMES F. MORRISON  
Notary Public, State of New York  
No. 01MO6107801  
Qualified in Orange County  
Expires 12/31/2008

**THIS FORM IS TO BE COMPLETED BY 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.





**LEGEND**


**SITE PLAN NOTES**

1. THE COVINGTON ESTATES HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL STORMWATER DETENTION PONDS. THE PONDS WILL BE MAINTAINED AS REQUIRED TO PROVIDE FOR AN ENVIRONMENT FREE OF STAGNANT WATER AND INSECTARIA.
2. THE BUILDING FOOTPRINTS FOR THE TOWNHOUSES SHOWN ON THE PLANS ARE FOR ILLUSTRATIVE PURPOSES ONLY. ALTHOUGH THE FOOTPRINT MAY CHANGE, THE BUILDINGS WILL BE CONSTRUCTED TO MEET ALL APPLICABLE ZONING ORDINANCE SETBACK REQUIREMENTS.

REV#	DATE	REVISION	DRAWING STATUS
1	05/26/05	ISSUED PER COOCH COMMENTS DATED 05/26/05	RELEASE DATE 05/26/05
2	05/26/05	REVISED PER COOCH COMMENTS DATED 05/26/05	CONCEPT
3	05/26/05	GENERAL REVISIONS (COCOH & NYSDOT COMMENTS)	PROGRESS PLAN
4	05/26/05	REVISED TO COOCH FOR APPROVAL	PLANNING BOARD SKETCH
5	05/26/05	REVISED PER COOCH COMMENTS DATED 05/26/05	PLANNING BOARD PERMIT PLAN
6	05/26/05	REVISED FOR TOWN OF NEW WINDSOR P.L. APPROVAL	PLAYING BOARD PLAN
7	05/26/05	REVISED SCALE & TITLE BLOCK	
8	05/26/05	20A SUBMITTAL	

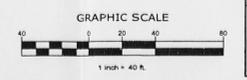
TOWN OF NEW WINDSOR PLANNING BOARD APPROVAL BOX

**EP ENGINEERING PROPERTIES, PC**  
 110 ORANGE AVE. PH. (845) 778-4313  
 WALDEN, NY 12586 FX. (845) 778-4889

**SITE PLAN**

COVINGTON ESTATES  
 N.Y.S. ROUTE 300  
 TOWN OF NEW WINDSOR  
 ORANGE COUNTY, NEW YORK

DATE: 11/21/05  
 DRAWN BY: J. J. JONES  
 CHECKED BY: J. J. JONES  
 SCALE: AS SHOWN  
 SHEET: C-1 OF 2  
 PROJECT: 05-26-05





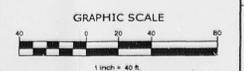
SIGN: TOWN OF NEW WINDSOR  
 CONTENTS OF PIPE RAW SEWAGE  
 PRESSURE IN PIPE = GRAVITY  
 FLOW DEPTH BELOW GRADE AT  
 POINT 7 FT"

**LEGEND**

EDGE OF CURBED ROADWAY	EXISTING PROPERTY LINE	EXISTING STRUCTURE
EDGE OF DRIVEWAY	EXISTING EASEMENT LINE	EXISTING ROCK OUTCROP
ROAD CENTERLINE	EXISTING RIGHT OF WAY LINE	EXISTING NYSDOT MONUMENT FOUND
FUTURE ROAD CENTERLINE	EXISTING CENTERLINE OF RIGHT OF WAY	EXISTING MANGAL
FUTURE ROAD EDGE OF PAVEMENT	EXISTING CONTOUR LINE	EXISTING UTILITY POLE
SIDEWALK	EXISTING INDEX CONTOUR LINE	EXISTING GUY ANCHOR
BUILDING	EXISTING GUIDE RAIL	EXISTING FIELD INLET
SETBACK LINE	EXISTING CURBLINE	EXISTING MANHOLE (UNKNOWN)
MAJOR CONTOUR	EXISTING STONE WALL	EXISTING BENCHMARK
MINOR CONTOUR	EXISTING EDGE OF WATER	EXISTING WATER VALVE
STORM DRAIN	EXISTING RAIL ROAD TRACK	EXISTING HYDRANT
SEWER GRAVITY MAN	EXISTING SWALE	EXISTING SIGN
SEWER FORCEMAIN	EXISTING TREE LINE	EXISTING LIGHT POST
WATER MAIN	LIMIT OF TREE CLEARING	
SILT FENCE	FENCE	
RETAINING WALL	GRADED SWALE	
LIMIT OF TREE CLEARING	SEWER MANHOLE	
FENCE	SANITARY SEWER SERVICE CLEANOUT	
GRADED SWALE	SEWER FORCEMAIN	
SEWER MANHOLE	SEWER SERVICE CLEANOUT	
SANITARY SEWER SERVICE CLEANOUT	STORM CATCH-BASIN	
SEWER FORCEMAIN	FLARED ENDSECTON	
SEWER SERVICE CLEANOUT		
STORM CATCH-BASIN		
FLARED ENDSECTON		

**DRAINAGE STRUCTURE SCHEDULE**

STRUCTURE	ROAD	STATION	GRATERM	INV. IN	INV. OUT	PIPE OUT	TO STRUCTURE
CB1	COV	0+85	278.35	278.35	278.35	12" HDPE 21 LF @ 2.00%	DM#1
CB2	COV	0+85	278.35	278.35	278.35	12" HDPE 21 LF @ 2.00%	DM#1
CB3	IRON	0+31	295.50	291.50	291.50	12" HDPE 21 LF @ 2.00%	CB4
CB4	IRON	0+31	295.50	291.50	291.50	24" HDPE 41 LF @ 0.5%	CB7
CB5	IRON	1+76	302.35	298.39	298.14	18" HDPE 136 LF @ 4.61%	CB4
CB6	IRON	1+76	302.35	298.39	298.85	12" HDPE 23 LF @ 2.00%	CB5
CB7	COV	3+67	295.45	292.72	290.22	24" HDPE 199 LF @ 0.75%	FES3
CB8	COV	4+05	301.90	296.19	296.19	12" HDPE 86 LF @ 4.52%	CB7
CB9	COV	3+05	304.50	297.10	297.10	12" HDPE 23 LF @ 2.00%	CB7
CB10	KNOK	20+87	305.19	298.36	296.36	18" HDPE 114 LF @ 1.25%	DM#2
CB11	KNOK	20+87	305.19	298.36	298.36	12" HDPE 21 LF @ 2.00%	CB10
CB12	IRON	19+08	306.23	303.05	302.55	18" HDPE 122 LF @ 2.44%	CB10
CB13	IRON	13+32	307.89	302.47	302.47	12" HDPE 21 LF @ 2.00%	CB10
CB14	IRON	13+32	307.89	302.47	302.47	12" HDPE 21 LF @ 2.00%	CB10
CB15	IRON	12+41	303.10	298.14	298.14	12" HDPE 86 LF @ 0.00%	CB17
CB17	IRON	11+30	299.00	291.86	291.86	18" HDPE 152 LF @ 15.2%	FES7
CB18	IRON	10+23	298.11	292.65	292.65	18" HDPE 80 LF @ 1.00%	CB17
CB19	IRON	311.00	291.86	306.00	306.00	12" HDPE 84 LF @ 13.7%	CB10
CB20	IRON	9+05	300.53	295.49	295.50	18" HDPE 111 LF @ 3.00%	CB18
CB21	IRON	7+96	305.30	301.29	301.29	12" HDPE 101 LF @ 4.8%	CB20
CB22	IRON	7+96	305.71	301.75	301.75	12" HDPE 23 LF @ 2.00%	CB21
DM#1	COV	0+48	278.70	275.84	275.84	EX 18" HDPE 66 LF @ 7.2%	FES1
DM#2	COV		297.80	296.69	296.69	EX 18" HDPE 83 LF @ 16.0%	FES4
FES1			281.41	281.41	281.41		FES4
FES2			285.41	285.41	285.41		FES4
FES3			286.00	286.00	286.00		FES4
FES4			286.00	286.00	286.00		FES4
FES5			274.07	274.07	274.07		CB1



**TOWN OF NEW WINDSOR PLANNING BOARD APPROVAL BOX**

REVISION	DATE	REVISION	DRAWING STATUS
1	05/05/05	REVISED PER OGDOR COMMENTS DATED 05/05/05	RELEASE DATE 05/26/05
2	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	CONCEPT
3	05/10/05	GENERAL REVISED COMMENTS AND PLOTTING COMMENTS	PLANNING BOARD PRELIMINARY
4	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY
5	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY
6	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY
7	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY
8	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY
9	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY
10	05/10/05	REVISED PER OGDOR COMMENTS DATED 05/10/05	PLANNING BOARD PRELIMINARY

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 FAX (845) 778-4889

**GRADING & DRAINAGE PLAN**

COVINGTON ESTATES  
 N.Y.S. ROUTE 300  
 ORANGE COUNTY, NEW YORK

DATE: 11/21/05  
 DRAWING NO: 1101.01  
 SHEET NO: 8 OF 11  
 SCALE: AS SHOWN

FOR CONSTRUCTION  
 THE ENGINEER'S PROFESSIONAL SEAL AND SIGNATURE IS REQUIRED FOR THE SUBMISSION OF THIS DRAWING TO THE TOWN OF NEW WINDSOR PLANNING BOARD.